

# Select Board Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
May 9, 2023	7:00 PM	Bourne Veterans' Community Building 239 Main St., Buzzards Bay Or virtually (see information below)

*The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by BourneTV. If anyone is audio or visual recording, please acknowledge it at this time.*

**Zoom Meeting ID: 869 5775 5505      Password: BOURNE**

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099** entering the ID/pass above.

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

## **7:00 PM Call Public Session to Order in Open Session**

1. Moment of Silence to recognize our troops and our public safety personnel
2. Salute to the flag
3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. Public comment on non-agenda items - Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Public summary - Annual Performance review of the Town Administrator
  - a. Possible vote to authorize merit bonus per Town Administrator's employment agreement
7. Appointments and Licenses
  - a. Common Victualler's License for The Stand on Beach Street at 18 Beach St., Monument Beach
  - b. Common Victualler's License for JD Prime Pizza (transfer license) at 590 MacArthur Blvd., Pocasset – new application

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2023 MAY -5 PM 1:52  
TOWN CLERK BOURNE

8. Select Board's Business
  - a. Joseph Carrara, Jr. – Financial interest disclosure form
  - b. Discussion and possible vote to allow the American Lung Association to use town road for the Autumn Escape Trek (bike ride) on Sept. 23, 2023
  - c. Discussion and possible vote to allow the National Marine Life Center to hold a food truck festival for fundraising purposes on June 10, 2023 including:
    - i. Food truck festival
    - ii. Banner
    - iii. One day liquor
  - d. Barnstable County Retirement Board – request for 5% local COLA option
  - e. U.S. Census correction
  - f. Committee name change request – Special Works Opportunity Program (SWOP)
  - g. Comcast representative Mike Galla – update on services
  - h. Garden Club update and Main St. planters
  - i. Beach rules and lifeguard update
9. Town Administrator report
10. Minutes: 3/21/23; 4/4/23
11. Correspondence
12. Committee reports
13. Other business and future agenda items
14. Upcoming meetings:
  - a. May 23 – Curbside Trash & Recycling Policy Workshop & Select Board reorganization
  - b. May 30 – BOSC, if necessary
15. Adjourn

**Select Board  
Minutes of Tuesday, May 9, 2023  
Bourne Veterans' Community Center  
Buzzards Bay, MA  
Or Virtually**

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**TA Marlene McCollem  
ATA Liz Hartsgrove**

**Select Board**

Peter Meier, Chair  
Jared MacDonald, Vice Chair  
Melissa Ferretti, Clerk  
Judith Froman  
Mary Jane Mastrangelo

Others: Town Administrator Marlene McCollem (virtual), Erica Flemming, Finance Director (virtual), Mike Ellis, Town Accountant (virtual), Elmer Clegg, Stephen Mealy, John York (virtual), Sarah Hannon (virtual), Mike Galla (virtual), John Carroll (virtual), Bobby Williams (virtual), James Kraniotakis, Connie Merigo, Susie Holmes, Scott Froman, Pat Nemeth, Laurie York (virtual), Marilyn Crane, Paule O'Neil , Sally Curtin, Laura Bergeron, and Krissanne Caron.

*The Zoom Chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time.*

Michael Rausch, Bourne Enterprise, acknowledged that he is recording this meeting.

**Zoom Meeting ID: 869 5775 5505      Password : BOURNE**

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2023 JUN -5 PM 12:05  
TOWN CLERK BOURNE

4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

Chair Meier said that the Bourne Vision and Mission that is read at the start of all Select Board meetings came about after Judith Froman brought it forward. He said that she may not be on the Select Board in the next few weeks, and he thanked her on behalf of the Board for all the work that she has done with the Town of Bourne.

Judith Froman requested a point of personal privilege. Ms. Froman said this is the last Select Board meeting in which she will be a member of. She said that in preparation for this meeting she reviewed all the accomplishments that the Select Board has made in the years that she has served on the Select Board. She said that she hopes that much of what has been done has affected all in a positive way. She said that it is bittersweet to be leaving the Board, but it is important. She talked about how professional the staff for the town and the schools are and how they have been able to adapt to the many changes in the town. She thanked all the volunteers in the community, the business owners, and the citizens of Bourne.

5. **Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

Elmer Clegg of Pocasset said that when the next citizen petition seeks to overturn the marijuana ban, it is essential that the residents of the town have reasonable protections built into the bylaws that will govern and control marijuana if it becomes legal in the Town of Bourne. He read aloud the opening paragraph of zoning bylaw, article 8. He said that the rest of article 8 offers no safeguards except for the state mandated school buffer. He said that buffers have been taken out of state regulations in the past few years.

Mr. Clegg said that the only way to guard against another developer tilted bylaw is for the town to have a bylaw of its' own ready to put on a Town Meeting warrant. He also said that he thinks that the Select Board and the Town Administrator should get the town prepared for the next petition. Mr. Clegg closed by thanking Ms. Froman for all she has done for the Town.

Stephen Mealy said that he feels that Bourne should address how to deal with marijuana zoning bylaws should the repeal on the marijuana ban happen. He said that he is asking that the elected and appointed town officials to undertake the exercise of coming up with a more moderate approach to zoning and address the use of medical and recreational marijuana, so they can be debated on the town floor. He said he is asking the Town Administrator to appoint a 5-member task force that would include the Town Planner, members of the Planning Board, 1 member of the Select Board and 2 members of the public, with membership being determined by the Town Administrator.

Mr. Mealy said he would also like to address the conversation about the role of the Chairman for both the Select Board and Sewer Commissioners. He said that the Town Charter addresses the composition of the Select Board and the Sewer Commissioners and during the 2020 Charter Review, the committee discussed the role of the Select Board serving as Sewer Commissioners. The committee decided that the current arrangement was in the best interest of the Town of Bourne. He said that he strongly recommends that at this time that the committees do not combine the Chairman of the Select Board with the Chairmen of Sewer Commissioners. He said that both boards have heavy and different agendas.

John York thanked Judith Froman for her service to the Town. Mr. York also said that he wanted to remind everyone that there is an open house coming up for the Bourne Bridge and Sagamore Bridge replacement project. The open house is Wednesday, May 17<sup>th</sup>, from noon to 3 PM and from 5 PM to 8 PM at the community building. He strongly encourages everyone in the town to attend. He also suggested that the Select Board add the bridge replacement project as a monthly agenda item.

#### **6. Public summary – Annual Performance review of the Town Administrator**

Chair Meier said that each year the Select Board shall conduct a performance review of the Town Administrator as outlined in the contract. He said that this is Town Administrator Marlene McCollem's first year performance review. He said that Town Administrator Marlene McCollem scored a 3.06 out of a possible 4.0, which falls in the category of "Exceeds Job Standards". Chair Meier read aloud the whole review.

Ms. McCollem said that she remains honored and humbled to serve in the role of Town Administrator. She said that together they have done a lot of work and she looks forward to doing a lot more. John York added that Ms. McCollem does a lot and makes it look easy.

##### **a. Possible vote to authorize merit bonus per Town Administrator's employment agreement.**

##### **6.a. Possible vote to authorize merit bonus per Town Administrator's employment agreement.**

Mary Jane Mastrangelo said that in the contract it is called an incentive bonus. Ms. Mastrangelo said that they received this yesterday and she would like to defer this vote until June. Ms. Froman said that she would like to hold the vote now because it is for the annual year of being appointed because it technically goes from February 28<sup>th</sup> to February 28<sup>th</sup>. Jared MacDonald said that he would rather have the vote this evening as he does not have a reason to delay the vote. Melissa Ferretti said that she was in favor of moving it forward. There was some discussion about the dollar amount of the incentive bonus.

**Voted:** Judith Froman moved, and Jared MacDonald seconded for discussion purposes, to put forth \$2,500. as an incentive bonus for Town Administrator Marleen McCollem.

Mr. MacDonald agreed that there has been some good work done, and based on Ms. McCollem's performance and goals, he is interested in \$2,000. rather than \$2,500.

**Vote:** Mary Jane Mastrangelo – abstain, Melissa Ferretti – yes, Jared MacDonald – yes, Judith Froman – yes, and Chair Meier – abstain. 3-0-2.

## **7. Appointments and Licenses:**

- a. Common Victualler’s License for The Stand on Beach Street at 18 Beach St., Monument Beach.**
- b. Common Victualler’s License for JD Prime Pizza (transfer license) at 590 MacArthur Blvd., Pocasset – new application.**

### **7.a. Common Victualler’s License for The Stand on Beach Street at 18 Beach St., Monument Beach.**

Sarah Hannon said she was there with Bobby Williams, and they would like to open The Stand, which is located where Monument Beach Pizza was. She said that they have other businesses in Bourne, and they are looking forward to opening in June. Ms. McCollem said that they are all set.

**Voted:** Judith Froman moved, and Jared MacDonald seconded to approve the Common Victualler’s License application for HLW 22 Inc., for The Stand on Beach Street at 18 Beach St., Monument Beach, Sarah Hannon, Manager, as conditioned by comments provided by the Health Department.

**Vote:** 5-0-0.

### **7.b. Common Victualler’s License for JD Prime Pizza (transfer license) at 590 MacArthur Blvd., Pocasset – new application.**

James Kraniotakis said he is the new owner of JD Prime Pizza. He said that they will be offering a few more menu items that are more traditional Greek food items.

**Voted:** Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the Common Victualler’s License application of JDML, Inc, for JD Prime Pizza at 590 MacArthur Blvd., Pocasset, James Kraniotakis, Manager, as conditioned by comments provided by the Health Department.

**Vote:** 5-0-0.

## **8. Select Board’s Business**

- a. Joseph Carrara, Jr. – Financial interest disclosure form.**
- b. Discussion and possible vote to allow the American Lung Association to use town road for the Autumn Escape Trek (bike ride) on Sept. 23, 2023.**
- c. Discussion and possible vote to allow the National Marine Life Center to hold a food truck festival for fundraising purposes on June 10, 2023, Including:**
  - i. Food truck festival**
  - ii. Banner**
  - iii. One Day liquor**

- d. **Barnstable County Retirement Board – request for 5% local COLA option.**
- e. **U.S. Census correction.**
- f. **Committee name change request – Special Works Opportunity Program (SWOP).**
- g. **Comcast representative Mike Galla – update on services.**
- h. **Garden Club update and Main St. planters.**
- i. **Beach rules and lifeguard update.**

**8.a. Joseph Carrara, Jr. – Financial interest disclosure form.**

Chair Meier said that this is being brought forward because Joseph Carrara, Jr. is a Deputy Fire Chief and in his off-duty time he is a substitute teacher with Bourne Public Schools, so he must make a public disclosure of that.

**Voted:** Jared MacDonald moved, and Mary Jane Mastrangelo seconded to authorize the Chair to sign the Financial Interest Disclosure form submitted on the request of Mr. Joseph Carrara, Jr. as presented.

**Vote:** 5-0-0.

Ms. Froman said that it is wonderful that Mr. Carrara is stepping forward to substitute.

**8.b. Discussion and possible vote to allow the American Lung Association to use town roads for the Autumn Escape Trek (bike ride) on Sept. 23, 2023.**

Ms. McCollem said that everything is in order.

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the request of the American Lung Association, Paul Curley, Organizer, to host the 39<sup>th</sup> Annual Autumn Escape Bike Trek on various town roads on September 23<sup>rd</sup>, 2023, from 9 to 10:30 AM as conditioned by the comments received by the Police Department.

**Vote:** 5-0-0.

**8.c. Discussion and possible vote to allow the National Marine Life Center to hold a food truck festival for fundraising purposes on June 10, 2023, Including:**

- i. **Food truck festival**
- ii. **Banner**
- iii. **One day liquor**

Connie Merigo, Executive Director of the National Marine Life Center, said that they held a food truck festival last year, and this year they hope for bigger and better. They would like permission to put a street banner up and would like a one-day liquor license. They would like to block off the right of way for craft vendor space and petting zoo.

**Voted:** Jared MacDonald moved, and Judith Froman seconded to approve the request of the National Marine Life Center, Connie Merigo, Organizer, to host a food truck festival on June 10<sup>th</sup>, 2023 from 11 AM to 4 PM on Town owned property along with approval of a banner to be placed across Main Street and the granting of a one-day liquor license as conditioned by the comments received by the Town Administrator's office, the Building Department, Health Department and the Police and Fire Departments.

**Vote:** 5-0-0.

**8.d. Barnstable County Retirement Board – request for 5% local COLA option.**

Chair Meier said that he will not be voting on this because his mother is a retiree of the system. Mr. MacDonald said he also will not be voting.

Susy Holmes, Executive Director of the Barnstable County Retirement Association, said that they are requesting that the town allow the retirees to have an increase in their cost-of-living adjustment. She said that the governor signed into legislation the ability to go from a 3% cap to a 5% cap. There was some discussion on how other towns voted on this, and all so far have voted for 5%. Ms. Holmes said that 10 of the 15 towns must vote yes for the 5% COLA option to pass, and so far, 7 have voted yes.

Ms. Mastrangelo said that the current employees are only getting COLAs of 2 to 2.5% and the retirees are already getting higher COLAs than the current employees, so it is a difficult question for her. She asked Finance Director Erica Flemming about the financial differences for the Town of Bourne. Ms. Flemming said that in each of those 2 years that an additional \$61,000. and 64,000. will be assessed to cover this 2% additional COLA, in addition to the regular costs. This would be amortized and would be through 2037. There was more discussion about the liability for the future, and about how it affects the bond rating.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to deny the request for the 5% local COLA option.

**Vote:** Judith Froman – yes, Melisaa Ferretti – no, Mary Jane Mastrangelo – yes. 2-1-0.

**8.e. U.S. Census correction.**

Ms. McCollem said that it has been brought to her attention that there was an under count in the 2020 census due to the dorms at Mass Maritime. She said that all the backup documentation to correct it is in place. She encourages the Select Board to correct the undercounting. She said the census numbers are used for almost anything that is calculated, and it should help in almost any sort of grant application and other business, that the students should be counted in the population.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to authorize the Chair to sign the letter requesting a correction to the 2020 U.S. Census count to account for additional students housed in group quarters within the Town of Bourne census blocks at the Mass Maritime Academy.

**Vote:** 5-0-0.

**8.f. Committee name change request – Special Works Opportunity Program (SWOP).**

Chair Meier said that the Special Works Opportunity Program would like to change their name to Socializing with our Peers.

**Voted:** Jared MacDonald moved, and Judith Froman seconded to authorize a name change for SWOP from Special Works Opportunity Program to Socializing with our Peers

**Vote:** 5-0-0.

**8.g. Comcast representative Mike Galla – update on services.**

Chair Meier said that he asked Ms. McCollem to put this on the agenda because over the past few months, there has been a lot of chatter about issues with Comcast cable and internet.

Mike Galla of Comcast said that without knowing the specifics of the problems he can't identify or talk about them. He said that he should be contacted with the area of the problem and sometimes they can be fixed with equipment changes, and sometimes he can have an area looked at. He said that with more specifics he can start looking at the issues right away.

Mr. Galla said that as a company they have their road to 10g that they are working on and increasing their capability.

Scott Froman of Sagamore Beach said he has been a victim of these circumstances regarding Comcast, as well as his neighbors and the Bourne community on Facebook. He said that suddenly while watching TV, the volume sometimes goes out for an extended period. He said that this has gone on for weeks at a time and seemed to improve a little. He said that he sees many complaints about Comcast on Facebook, and they need to take that into account. He said that they are the only choice for most people, and they are not cheap.

Mr. MacDonald said that as an electrician he has worked in all the villages of Bourne, and there recently was a Comcast outage for about 3 to 4 hours in Buzzards Bay and Sagamore which was a big problem. He said that there is a lot of old infrastructure in Buzzards Bay that has had a lot of dropped internet and lags in the television side and it really needs to be looked at by Comcast. Mr. Galla said he will have someone start looking at the areas that Mr. MacDonald talked about tomorrow.

Ms. Mastrangelo said that there have been Comcast issues in Pocasset and Monument Beach also. She said that people have been expressing frustration through all of the town of Bourne. Ms. Froman said that something needs to be done because when you call about the issues, you get passed around and it gets frustrating. Chair Meier said that communication is key and for the money that people are paying, they want satisfaction, and they are not getting it. Ms. Mastrangelo also stated that Bourne Community TV relies on Comcast.

Chair Meier said that he would send the names and emails of the people that have reached out to him to Mr. Galla.

**8.h. Garden Club update and Main St. planters.**

Pat Nemeth, President of the Aptuxcet Garden Club, presented a slideshow of the history of the Aptuxcet Garden Club, and she was joined by many members of the club at the meeting. She said that 85 years ago there was a great hurricane in Bourne and there was a woman that was outraged at the damage, and it pushed her to start the garden club in Bourne. Ms. Nemeth said that the Aptuxcet Garden Club is Community Service, Education and Friendship & Partnerships.

Ms. Nemeth recognized Paula O'Neil, Laura Bergeron, Marilyn Crane, and Sally Curtin for all that they do with Garden Therapy. She talked about what the club does for the beautification of the Town of Bourne. She also talked about what they do with the schools and their partnerships.

Chair Meier said that Assistant Town Administrator Liz Hartsgrove spoke to him about this being on the agenda. He said that the community needs to recognize how much the Aptuxet Garden Club has done over the years, and what they are doing now.

Ms. Nemeth also recognized Laurie York for the work that she had done in a seaside garden and on the way to get from the Canal to Main Street. Laurie York talked about how she started this work with getting grant money and working with DPW.

Marilyn Crane, a member of the Aptuxet Garden Club, said that one of their big fundraisers is a plant and bake sale this Saturday at the Pocasset Community Center starting at 9 AM.

**8.i. Beach rules and lifeguard update.**

Krissanne Caron, Recreation Director, started by thanking Ms. Froman for all her time that she has been on the Board, and that it has been appreciated by the Recreation Department and for her professionally, and that they will all miss her.

Ms. Caron said that presently they have enough lifeguards (7) confirmed to appropriately staff Monument Beach. The season will run from July 1<sup>st</sup> through August 13<sup>th</sup>. She said that they continue to look for a Water Safety Instructor so they can offer group swimming lessons.

Ms. Caron also said that they have updated the Beach Rules, and she has given the Board the draft of the current rules. She said they are separate from the Town Beach Bylaws. She said this is what they have chosen to put on the signage at Monument Beach only, for when there are lifeguards there. She said that they added one section of additional language which is in hopes of creating a welcoming environment for everyone on the beach. She said that while interviewing the lifeguard candidates, most candidates indicated that the biggest challenge that they encountered while lifeguarding at other beaches, was the lifeguard/beach patron relationship, and a lack of respect show to them as first responders.

**Voted:** Jared MacDonald moved, and Judith Froman seconded that the Select Board reconfirms the approval of Beach Rules as presented by Recreation Director with the addition of the following new rule for 2023 summer season: "Any beachgoer who engages in obscene or threatening language, physical threats, or other unwelcome behavior with other beachgoers and/or staff, will be asked to leave", as well as an addition of no diving from floats.

**Vote:** 5-0-0.

**9. Town Administrator's Report –**

Ms. McCollem said that MassDOT has submitted the Environmental Notification form for the Bridge Replacement project to MEPA, and the NEF will be published in the May 10<sup>th</sup> Environmental Monitor. She said there will be an extended public comment period until June 27<sup>th</sup>.

Ms. McCollem said that ISWM so far has diverted 1.37 tons of food waste as of April 28<sup>th</sup>, through their partnership with Black Earth. She said that water quality testing at the public bathing beaches will begin the first week of June. Ms. McCollem also said that she and Ms. Hartsgrove attended an Upper Cape Stakeholder meeting organized by the Cape Cod Commission to discuss their next update for the regional Housing Policy Plan and Ms. McCollem attended a portion of the Big Blue Conference that was sponsored by the Cape Cod Chamber of Commerce.

Ms. McCollem also said that the Town of Bourne has received \$183,500. in grant funding through the Buzzards Bay National Estuary Program to conduct a watershed assessment around the Queen Sewall Pond. She said she would like to commend Stevie Fitch and Tim Lydon for their work on this application.

Ms. McCollem said she also was able to attend a virtual panel on May 4<sup>th</sup> hosted by the Massachusetts Sierra Club regarding the Municipal Climate Action plans to learn about what other cities and towns are doing. Also, on this day she and department heads participated in the first session of a learning lab produced by ICMA about Effective Supervisory Practices, which is the first part of a 6-part training.

Ms. McCollem also said that the Pocasset Broadband Group was successful in obtaining a digital equity planning grant in which the Cape Cod Commission will be assessing the digital divide in the Town of Bourne including the lack of affordable internet access, affordable devices appropriate for individual civic, social, and employment needs, and the skills necessary to engage digitally as well as proposing solutions.

Ms. McCollem said that she and others are also working on an RFP on strategic planning services. She also said that the Health Department has mobilized to begin work on utilizing the opioid settlement funds.

Ms. McCollem said that the Calamar Project has received their permanent certificate of occupancies and they are working on a phased move in schedule that they have agreed upon in order to not have everybody move in at the same time. She also said that the Council on Aging has received a grant of \$57,000. from the Executive Office of Health and Human Services. She also said that they are working with the VNA for a cholesterol screening at the library on Tuesday May 23<sup>rd</sup> from 10 AM to 11:30 AM.

Ms. Froman asked if Ms. McCollem's report could be put on the website so that the people in Bourne can see all of what is going on in the town, and Ms. McCollem said that she would post it.

#### **10. Minutes: 3/21/23; 4/4/23**

The minutes of 3/21/23 were deferred.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the minutes of April 4<sup>th</sup>, 2023.

**Vote:** 5-0-0.

## 11. Correspondence

Melissa Ferretti read aloud the correspondence:

- 3 DEP Letters
- Install Hearing Notice
- Sugarman/Rogers letter re: Decommissioning of Pilgrim
- APCC letter re: Ocean Sanctuaries Act and Pilgrim wastewater discharge.
- APCC letter re: leased channel changes.
- Janice Marks Resignation Letter
- Request for donation to Alzheimer's Family Support Center
- Upper Cape Tech meeting minutes, 3/9/23.

These are all on the Town's website.

## 12. Committee Reports

Ms. Mastrangelo said that she attended the senior internship showcase at Bourne High School and it was phenomenal and impressive. Ms. Ferretti said that she attended the DEI event at Bournedale Elementary School, and it was phenomenal as well.

## 13. Other Business and future agenda items

Ms. Mastrangelo said that she would like to say as a follow up to the comments made earlier in the public comments section of the meeting, that she would like to have an agenda item at the next Select Board meeting to discuss the town preparing zoning for marijuana establishments in case there is a consideration for an appeal of the ban.

## 14. Upcoming meetings

- a. May 23 – Curbside Trash & Recycling Policy Workshop & Select Board reorganization.
- b. May 30 – BOSOC, if necessary.

## 15. Adjourn

**Voted:** Jared MacDonald moved, and Judith Froman seconded to adjourn.

**Vote:** 5-0-0.

This meeting of the Bourne Select Board was adjourned at 9:12 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Annual Common Victualler/Food Vendor License**

**CVFV-23-3**

Submitted On: Apr 2, 2023

**Applicant**

 Sarah Hannon  
 5085642636  
 thestand75@gmail.com

**Primary Location**

18 BEACH ST  
Bourne, MA 02657

**Applicant/Business Information**

**Individual/Corporate Name**

HLW Twenty Two Inc.

**Mailing Address (include city, state and zip code)**

36 John Parker Road East Falmouth, MA 02536

**Business Email Address**

Thestand75@gmail.com

**Manager Phone Number**

5085642636

**Doing Business as (D/B/A)**

The Stand on Beach Street

**Business Phone Number**

5085642636

**Manager Name:**

Sarah Hannon

**License Information**

**License Category**

Common Victualler's License

**Landlord Name**

LJ Palazesi

**Length of Lease**

3 years

**Will you be serving alcohol?**

No

**Do you own or will you be renting the premise?**

Rent

**Landlord Contact Information**

L.Palazesi@comcast.net

**Do you have employees?**

Yes

**Premise Description and Capacity Information**

**Total square footage**

1650

**# of entrances**

2

**# of floors**

1

**Inside Seating Capacity**

--

**Does this property have outside seating?**

Yes

**# of rooms with public access**

1

**# of exits**

4

**# of bathrooms**

2

**Inside Maximum Occupancy**

--

**Outside Seating Capacity**

--

**Outside Maximum Occupancy**

--

**Parking Capacity**

--

**Signature**

**Next Steps**



### CVFV-23-3

#### Annual Common Victualler/Food Vendor License

**Status:** Active

**Date Created:** Apr 2, 2023

#### Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Submission received	Issued	Apr 2, 2023 at 9:01 pm	Apr 2, 2023 at 9:01 pm	-	-
 Application Content and Attachments	Complete	Apr 2, 2023 at 9:01 pm	Apr 10, 2023 at 1:16 pm	Maria Simone	-
 Fire Department	Complete	Apr 10, 2023 at 1:16 pm	Apr 10, 2023 at 1:23 pm	David Pelonzi	-
 Town Collector	Complete	Apr 10, 2023 at 1:16 pm	Apr 10, 2023 at 1:57 pm	Town Collector	-
 Building Department	Complete	Apr 10, 2023 at 1:16 pm	Apr 10, 2023 at 2:19 pm	Cassie Hammond	-
 Health Department	Complete	Apr 10, 2023 at 1:16 pm	Apr 10, 2023 at 2:49 pm	Kaitlyn Shea	-
 Sewer Department	Skipped	Apr 10, 2023 at 1:16 pm	Apr 11, 2023 at 11:32 am	Maria Simone	-
 Planning Department	Complete	Apr 10, 2023 at 1:16 pm	Apr 12, 2023 at 12:35 pm	Julia Gillis	-
 Police Department	Complete	Apr 10, 2023 at 1:16 pm	Apr 20, 2023 at 6:41 pm	Brandon Esip	-
 Clerk's Office	Complete	Apr 10, 2023 at 1:16 pm	May 4, 2023 at 1:42 pm	Maria Simone	-
 Schedule Hearing	Active	May 4, 2023 at 1:42 pm	-	Maria Simone	-
 Final Building Inspector Sign Off	Inactive	-	-	-	-
 Final Fire Department Sign Off	Inactive	-	-	-	-
 Final Health Department Sign Off	Inactive	-	-	-	-
 Final Payment	Inactive	-	-	-	-
 Common Vic License	Inactive	-	-	-	-



Town of Bourne, MA

May 4, 2023

CVFV-23-3

## Health Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Became Active:** Apr 10, 2023

**Assignee:** Kaitlyn Shea

**Completed:** Apr 10, 2023

### Applicant

Sarah Hannon  
thestand75@gmail.com  
36 John Parker Road  
East Falmouth, MA 02536  
5085642636

### Primary Location

18 BEACH ST  
Bourne, MA 02657

### Owner:

L.J.Palazes  
SANDWICH, MA 02537

### Comments

**Kaitlyn Shea, Apr 10, 2023**

Applicant has filled out Food Plan Review and is working with Health Department to meet all requirements of the Food Code/T5. Initial walk through scheduled for 4/13/2023. Final sign off pending food permit and pre-op inspection.

04/18/2023  
Certificate #: 87

Book: XXII  
Page: 87  
Expiration: 04/18/2027

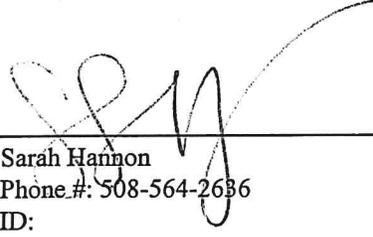
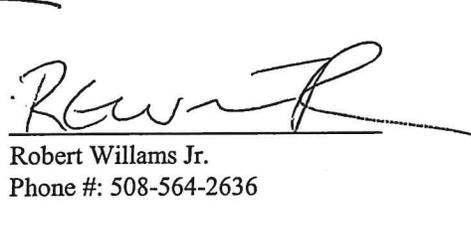
*Town of Bourne*  
*The Commonwealth of Massachusetts*

**BUSINESS CERTIFICATE**

**HLW Twenty Two Inc. dba The Stand on Beach St.**  
**18 Beach St Monument Beach, MA 02553**  
**Phone: 508-564-2636 SS#/FID#:**

In conformity with the provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of HLW Twenty Two Inc. dba The Stand on Beach St. conducted at Number 18 Beach St by the following person(s):

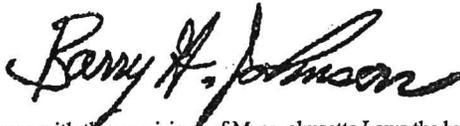
Name	Address
Sarah Hannon	36 John Parker Rd Falmouth, MA 02536
Robert Willams Jr.	36 John Parker Rd Falmouth, MA 02536

	
Sarah Hannon Phone #: 508-564-2636 ID:	Robert Willams Jr. Phone #: 508-564-2636

Type of Business: Restaurant



Appeared before me the above named person(s) and acknowledged the foregoing to be a true and accurate account, given under the pains and penalties of perjury this 18th day of April 2023.





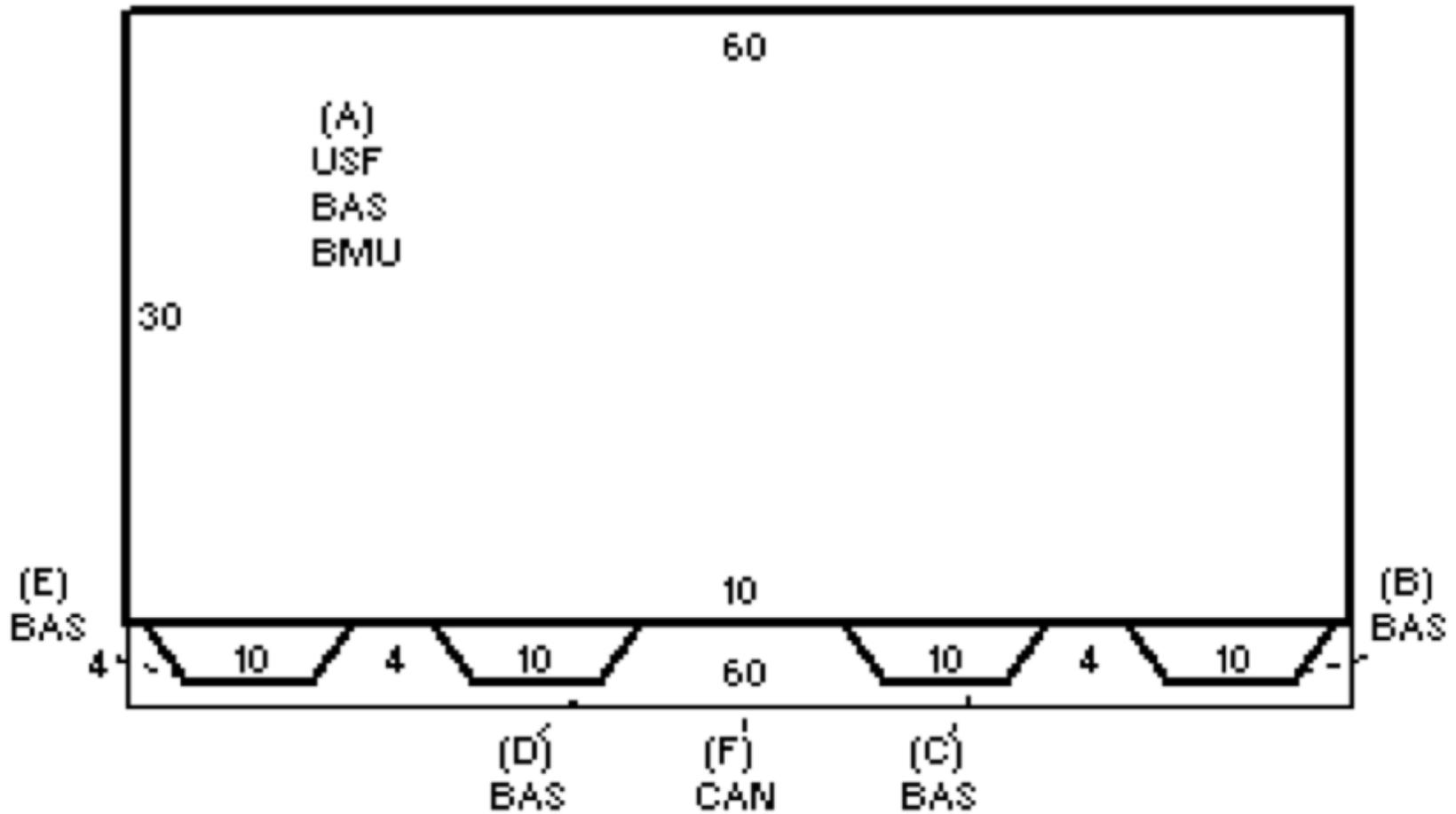
In accordance with the provisions of Massachusetts Laws the business certificate shall be in effect for a period of 4 years from the date of issue and shall be renewable by the applicant every four years thereafter. In the event of discontinuance, withdrawal of partner, retirement, or amendment of the certificate in any manner it shall be necessary to file with the Town Clerk such change, under oath. Such change shall be recorded with and become part of the original filing. Copies of the Business Certificate shall be available at the address of the business and shall be furnished to any person(s), making purchases of goods or services upon request.

**Violations regarding the "Business Certificate" statute, so called, are subject to a fine of \$300.00 for each month of violation.**

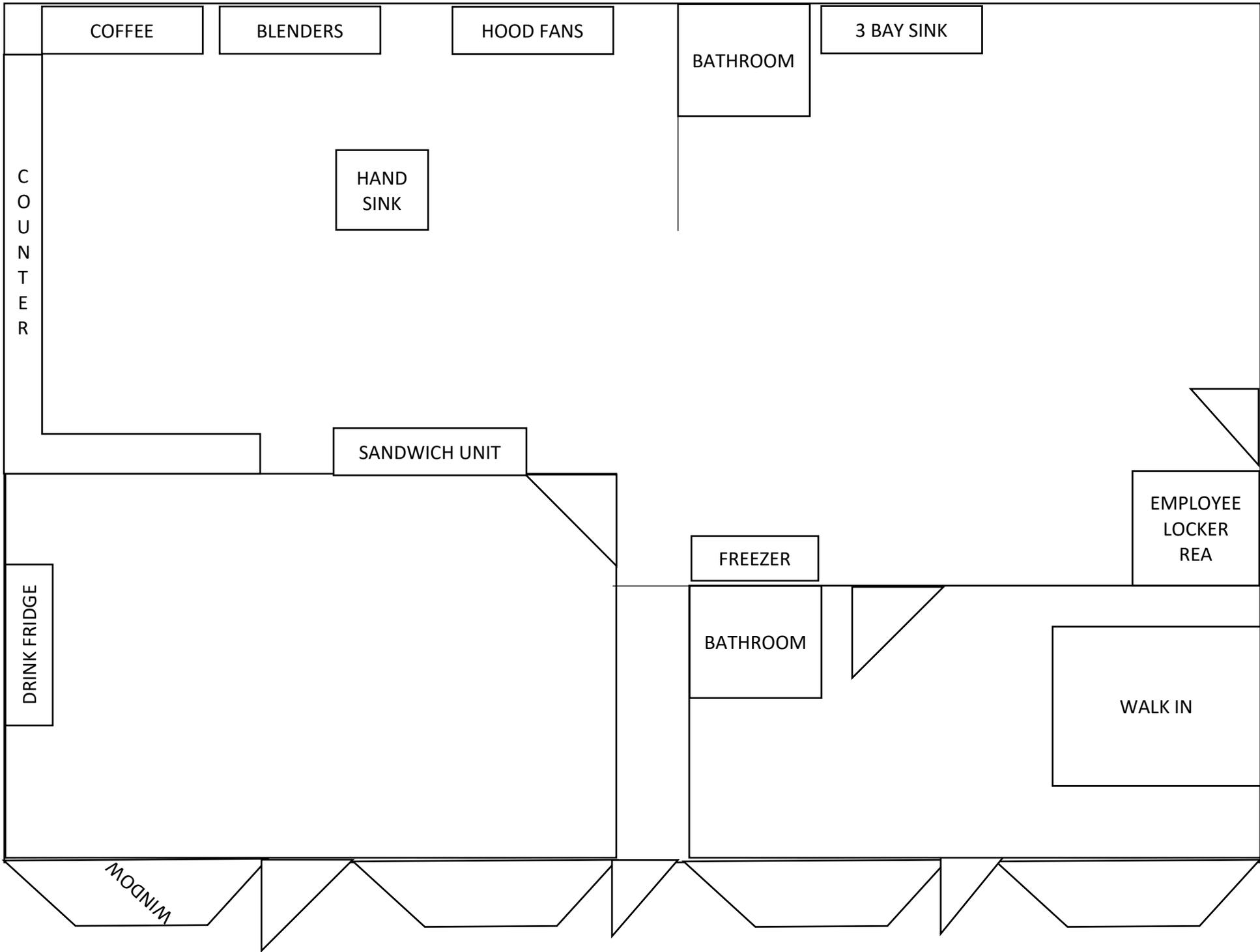
# 18 BEACH STREET

DUMPSTER

Employee Parking Behind Building



street parking available for customers



NOTICE  
TO  
EMPLOYEES



NOTICE  
TO  
EMPLOYEES

# The Commonwealth of Massachusetts

## DEPARTMENT OF INDUSTRIAL ACCIDENTS

600 Washington Street, Boston, Massachusetts 02111

617-727-4900 - <http://www.mass.gov/dia>

As required by Massachusetts General Law, Chapter 152, Sections 21, 22 & 30, this will give you notice that I (we) have provided for payment to our injured employees under the above-mentioned chapter by insuring with:

LM INSURANCE CORPORATION

NAME OF INSURANCE COMPANY

PO Box 9525, Manchester, NH 03108 (800) 562-3936

ADDRESS OF INSURANCE COMPANY

WC5-33S-B22Q50-012

09-19-2022

09-19-2023

POLICY NUMBER

EFFECTIVE DATES

ROBERT E BOUCHIE JR

PO BOX 400 1352 RT 28A

INSURANCE AGENCY

CATAUMET, MA 02534

(508) 564-5560

NAME OF INSURANCE AGENT

ADDRESS

PHONE #

36 JOHN PARKER ROAD EAST FALMOUTH,

HLW TWENTY TWO INC

MA 02536

EMPLOYER

ADDRESS

EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY)

DATE

### MEDICAL TREATMENT

The above-named insurer is required in cases of personal injuries arising out of and in the course of employment to furnish adequate and reasonable hospital and medical services in accordance with the provisions of the Workers' Compensation Act. A copy of the First Report of Injury must be given to the injured employee. The employee may select his or her own physician. The reasonable cost of the services provided by the treating physician will be paid by the insurer, if the treatment is necessary and reasonably connected to the work related injury. In cases requiring hospital attention, employees are hereby notified that the insurer has arranged for such attention at the

NAME OF HOSPITAL

ADDRESS

**TO BE POSTED BY EMPLOYER**

**Annual Common Victualler/Food Vendor License**

**CVFV-23-4**

Submitted On: Apr 27, 2023

**Applicant**

 JAMES KRANIOTAKIS  
 [REDACTED]  
@ jdprimepizza@gmail.com

**Primary Location**

590 MACARTHUR BLVD  
Bourne, MA 02559

**Applicant/Business Information**

**Individual/Corporate Name**

JDML INC

**Doing Business as (D/B/A)**

jd prime pizza

**Mailing Address (include city, state and zip code)**

590 macArthur blvd UNIT D POCASSET MA 02559

**Business Phone Number**

508-564-5954

**Business Email Address**

jdprimepizza@gmail.com

**Manager Name:**

JAMES KRANIOTAKIS

**License Information**

**License Category**

Common Victualler's License

**Do you own or will you be renting the premise?**

Rent

**Landlord Name**

SULMONA LLC

**Length of Lease**

10 YEARS

**Do you have employees?**

Yes

**Will you be serving alcohol?**

No

**Premise Description and Capacity Information**

**Total square footage**

1300

**# of rooms with public access**

2

**# of entrances**

1

**# of exits**

1

**# of floors**

2

**# of bathrooms**

1

**Inside Seating Capacity**

16

**Inside Maximum Occupancy**

16

**Does this property have outside seating?**

Yes

**Outside Seating Capacity**

6

**Outside Maximum Occupancy**

6

**Parking Capacity**

11

**Signature**



Town of Bourne, MA

May 4, 2023

CVFV-23-4

## Health Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Assignee:** Terri Guarino

**Became Active:** May 1, 2023

**Completed:** May 4, 2023

### Applicant

JAMES KRANIOTAKIS  
jdprimepizza@gmail.com  
590 macArthur blvd  
unit d  
pocasset, Massachusetts 02559  
[REDACTED]

### Primary Location

590 MACARTHUR BLVD  
Bourne, MA 02559

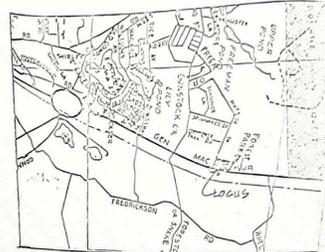
### Comments

Terri Guarino, May 4, 2023

Health Dept. Permit no. FE-23-126 approved pending all other town sign offs.

No new test location nearby  
 BOH of June 11  
 Observation  
 700' x 10' below bottom of C.A.

when survey line  
 was set, line  
 was 10' to 150'  
 across to C.A. average  
 line 10' wide and



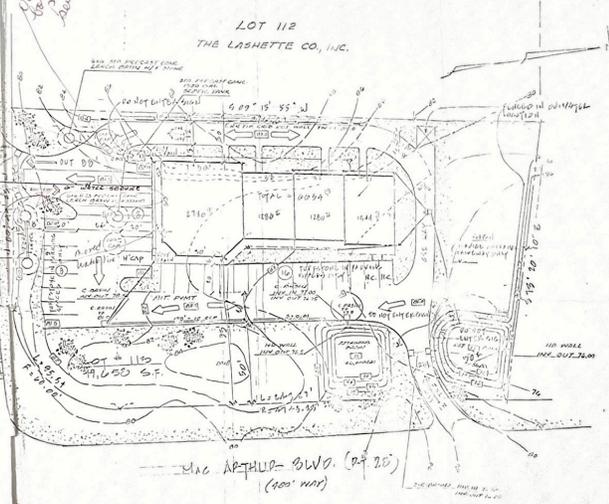
LOGAN MAP  
 SET 11 1946

LOT 112  
 THE LASHETTE CO., INC.

WORK COPY

LOT 111  
 ARTHUR G. ALDRICH, JR. ET UX

WORK COPY



MRS. ARTHUR G. ALDRICH (OF 25)  
 (90% WALK)

LOT 113 LC 320799

SITE PLAN

ZONE D-4 / WATER RESOURCE DISTRICT-A NORTH

TOTAL SITE AREA = 29,650 S.F.  
 TOTAL PARKING AREA = 18,590 S.F.  
 $(29,650 - 18,590) = 11,060$   
 $(11,060 / 28) = 395$   
 = 77.19% OPEN AREA  
 (MIN. ALLOWABLE = 40%)

AREA CALCULATIONS

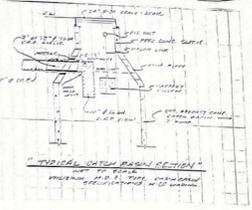
TOTAL SITE AREA	49,659 S.F.	100% OF LOT AREA
BUILDING COVERAGE	6,624 S.F.	13.34% OF LOT AREA
PAVING COVERAGE INCL. WALKS	12,826 S.F.	25.83% OF LOT AREA
DRIVE OPEN SPACE	30,188 S.F.	60.79% OF LOT AREA
ALTERNATE PAVING (OFF STREET)	5,760 S.F.	11.59% OF LOT AREA

ALLOWABLE BY CODE	WATER RESOURCE DISTRICT - A NORTH	EXISTING
MAX. PERCENT COVER BY STRUCTURES	25%	13.34%
MIN. DRIVE OPEN SPACE	40%	49.13%
MAX. PERCENT PAVED INTERIORS	60%	37.23%

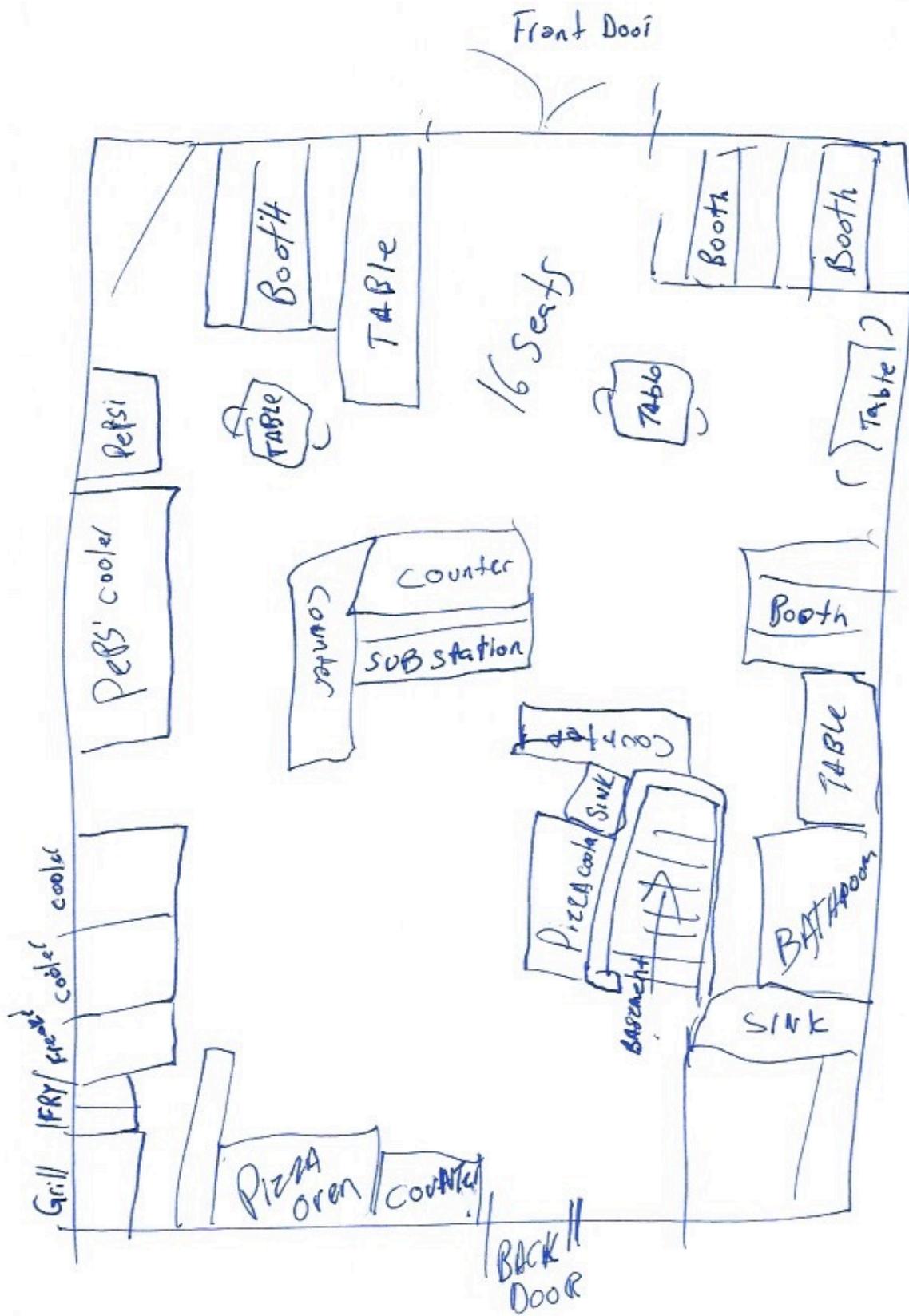
ITEM	ALLOWABLE	ACTUAL
TOTAL BUILDING SQUARE FOOTAGE (INCLUDING BASEMENT STORAGE)	8,424 S.F.	
AREA OF COMMON LOT	1,500 S.F.	
TOTAL LEASABLE RETAIL AREA	5,223 - 180 = 4,943	
TOTAL LEASABLE STORAGE AREA	3,200 - 1,000 = 2,200	
TOTAL PARKING SPACES REQUIRED	31 SPACES	
TOTAL PARKING SPACES PROVIDED	32 SPACES	



NOTES  
 SEPTIC SYSTEM SUBJECT TO PERCOLATION TEST  
 AND BOARD OF HEALTH APPROVAL  
 DIRECTION OF SURFACE DRAINAGE  
 DIRECTION OF FLOW  
 EXIST. CONTOURS  
 PROPOSED CONTOURS  
 BENCH MARK BASED ON 1920 MSL DATUM

NEW BUILDING FOR  
 RICHARD SPARROW & BRUCE  
 AND ARTHUR ALDRICH  
 WILSON/GAMPELTO ARCHITECTS, INC.

# JD PRIME PIZZA



***Town of Bourne***  
***The Commonwealth of Massachusetts***

**BUSINESS CERTIFICATE**

**JD PRIME PIZZA**

**590 D MACARTHUR BLVD POCASSET, MA 02559**

**Phone: SS#/FID#:**

In conformity with the provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of JD PRIME PIZZA conducted at Number 590 D MACARTHUR BLVD by the following person(s):

Name	Address
<b>KRANIOTAKIS JAMES</b>	<b>590 D MACARTHUR BLVD POCASSET, MA 02559</b>



**KRANIOTAKIS JAMES**

Phone #:

ID:

Type of Business: PIZZA SHOP

Appeared before me the above named person(s) and acknowledged the foregoing to be a true and accurate account, given under the pains and penalties of perjury this 26th day of April 2023.



In accordance with the provisions of Massachusetts Laws the business certificate shall be in effect for a period of 4 years from the date of issue and shall be renewable by the applicant every four years thereafter. In the event of discontinuance, withdrawal of partner, retirement, or amendment of the certificate in any manner it shall be necessary to file with the Town Clerk such change, under oath. Such change shall be recorded with and become part of the original filing. Copies of the Business Certificate shall be available at the address of the business and shall be furnished to any person(s), making purchases of goods or services upon request.

**Violations regarding the "Business Certificate" statute, so called, are subject to a fine of \$300.00 for each month of violation.**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/20/23

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>Robert E Bouchie Jr. Insurance Agency, Inc.</b> 1352 Route 28A PO Box 400 Cataumet, MA 02534	CONTACT NAME: <b>Barbara Kardibin</b>	FAX (A/C, No): <b>508-564-5531</b>	
	PHONE (A/C, No, Ext): <b>508-564-5560</b>	E-MAIL ADDRESS: <b>info@BouchieInsurance.com</b>	
INSURED <b>DJML, Inc. dba</b> <b>JD Prime Pizza</b> <b>961 Shootflying Hill Rd.</b> <b>Centerville, MA 02632</b>	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: <b>American European Insurance</b>		
	INSURER B: <b>Safety Insurance</b>		
	INSURER C: <b>Atlantic Charter Insurance Co</b>		
	INSURER D:		
	INSURER E:		
INSURER F:			

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			BOP 5051841	04/03/23	04/03/24	EACH OCCURRENCE	\$ 2,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							MED EXP (Any one person)	\$ 5,000
	OTHER:							PERSONAL & ADV INJURY	\$
B	AUTOMOBILE LIABILITY			5929398	04/03/23	04/03/24	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$	
	<input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident)	\$
								PROPERTY DAMAGE (Per accident)	\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$	
	EXCESS LIAB						AGGREGATE	\$	
	DED	RETENTION \$						\$	
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC - TBA	04/20/23	04/20/24	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT	\$ 1,000,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y					E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000	
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

590 MacArthur Blvd. Pocasset, MA 02559

Pizza Shop

James Kraniotakis is excluded from the above workers compensation policy.

## CERTIFICATE HOLDER

## CANCELLATION

Town of Bourne  
24 Perry Ave  
Buzzards Bay, MA 02532

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Robert E Bouchie Jr.

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**FOR CONTRACTS FOR PERSONAL SERVICES ONLY:**

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

**CERTIFICATION BY HEAD OF CONTRACTING AGENCY**

	<b>INFORMATION ABOUT HEAD OF CONTRACTING AGENCY</b>
Name:	<i>Joseph John Carrara, Jr.</i>
Title/ Position	<i>Substitute Teacher</i>
Municipal Agency:	<i>Bourne Public Schools</i>
Agency Address:	<i>36 Sandwich Rd., Bourne MA 02532</i>
Office Phone:	<i>508-759-0660</i>
	<b>CERTIFICATION</b>
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	<i>Dr. Kerri Anne Quinlan-Zhou</i>  , Superintendent of Schools
Date:	<i>April 24, 2023</i>

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,  
BOARD OF SELECTMEN OR TOWN COUNCIL**

	<b>INFORMATION ABOUT APPROVING BODY</b>
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
	<b>APPROVAL</b>
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	

Attach additional pages if necessary.  
File disclosure, Certification and Approval with the city or town clerk.

financial interest in the municipal contract?	Each day I substitute teach I am paid a flat rate of \$120.00 per day.
Date when you acquired a financial interest	Fall of 2022
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it.
Date when your immediate family acquired a financial interest	
Write an X to confirm each statement.	<p><b>FOR A CONTRACT FOR PERSONAL SERVICES –</b></p> <p>Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency).</p> <p>I will have a contract with a municipal agency to provide personal services.</p> <p><input checked="" type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee.</p> <p><input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee.</p> <p><input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.</p>
Employee signature:	Joseph J. Carrara Jr. 
Date:	March 12, 2023

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT – File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

**DISCLOSURE BY MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(b)**

	<b>MUNICIPAL EMPLOYEE INFORMATION</b>
Name of municipal employee:	Joseph John Carrara Jr.
Title/ Position	<b>Deputy Fire Chief</b>
<b>Fill in this box if it applies to you.</b>	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	<b>Bourne Fire/Rescue &amp; Emergency Services</b>
Agency Address	<b>51 Meetinghouse Lane, Sagamore Beach, MA 02562</b>
Office phone:	<b>508-759-4412</b>
Office e-mail:	<b>jcarrara@townofbourne.com</b>
	Check one: <input type="checkbox"/> Elected            or <input checked="" type="checkbox"/> Non-elected
Starting date as a municipal employee.	August 1992
<b>BOX # 1</b>	<b>ELECTED MUNICIPAL EMPLOYEE</b>
<b>Select either STATEMENT #1 or STATEMENT #2.</b>	I am an <b>elected municipal employee.</b>
<b>Write an X beside your financial interest.</b>	<input type="checkbox"/> <b>STATEMENT #1:</b> I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. <b>OR</b> <input type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.
	<b>My financial interest in a municipal contract is:</b>
	<input type="checkbox"/> I have a non-elected, compensated municipal employee position.
	<input type="checkbox"/> A municipal agency has a contract with me.
	<input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.
	<input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.
<b>BOX # 2</b>	<b>NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE</b>
<b>Select either STATEMENT #1 or STATEMENT #2.</b>	I am a <b>non-elected municipal employee.</b>
<b>Write an X beside your</b>	<input type="checkbox"/> <b>STATEMENT # 1:</b> I had one of the following financial interests in a contract made by a municipal agency <b>before</b> I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.
	<b>My financial interest in a municipal contract is:</b>
	<input type="checkbox"/> A municipal agency has a contract with me, but not an employment contract.

<b>financial interest.</b>	<p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><b>- OR -</b></p> <p><input checked="" type="checkbox"/> <b>STATEMENT # 2:</b> I will have a <b>new</b> financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a municipal contract is:</b></p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b>	
Name and address of municipal agency that made the contract	<b>Bourne Public Schools, 36 Sandwich Road, Bourne, MA 02532 508-759-0660</b>
<b>Please put in an X to confirm these facts.</b>	<p><b>"My Municipal Agency"</b> is the municipal agency that I serve as a <b>municipal employee.</b></p> <p>The <b>"contracting agency"</b> is the <b>municipal agency that made the contract.</b></p> <p><input checked="" type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
<b>FILL IN THIS BOX OR THE BOX BELOW</b>	<p><b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</b></p> <p>- Please explain what the contract is for.</p> <p>I work full time for the Bourne Fire/Rescue &amp; Emergency Services Department. I have started substitute teaching in the Bourne School System on my days off. To date, I have only substituted 4 days total since the fall of 2022.</p>
<b>FILL IN THIS BOX OR THE BOX ABOVE</b>	<p><b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</b></p> <p>- Please identify the person or entity that has the contract with the municipal agency.</p> <p>- What is your relationship to the person or entity?</p> <p>- What is the contract for?</p>
What is your	- Please explain the financial interest and include the dollar amount if you know it.

**Use of Town Property Event  
Application**

**EA-23-21**

Submitted On: Apr 19, 2023

**Applicant**

 Paul Curley  
 15089424621  
 @curleypwts@aol.com

**Primary Contact Information**

**Name**

Paul Curley

**Mailing Address**

260 W Exchange St, Providence, RI 02903

**Email**

Paul.Curley@lung.org

**Business/Organization Name (if applicable)**

American Lung Association

**Cell Phone No.**

508 942 4621

**Event Information**

**Organization/Individual Hosting the event**

American Lung Association

**Type of Event (i.e. banquet/concert/fundraiser/party)**

bicycling

**Date(s) of Event**

Saturday, Sept. 23, 2023

**Hours (start and end times)**

9 am - 10:30 am

**Description of Event**

39th Annual Autumn Escape Bike Trek

**Will your event require road closures?**

No

**Will your event impact traffic?**

No

**Will admission be charged?**

No

**Will there be food?**

No

**Will a tent be used?**

No

**Use of Electricity/generators?**

No

**Type of Organization (LLC, non-profit)**

501 c

**Location of Event**

Town Roads

**Set up/Clean up Dates**

Saturday, Sept. 23, 2023

**Total Attendance Expected**

250

**Will you event impact parking?**

No

**Is event open to the public?**

Yes

**Will there be alcohol service/ on-premise consumption?**

No

**Will there be vendors?**

No

**Will you be holding a raffle?**

No

**Are you providing portable toilets?**

No

**Please Note:**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true

## EA-23-21

### Use of Town Property Event Application

**Status:** Active

**Date Created:** Apr 19, 2023

#### Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Content and Attachments	Complete	Apr 19, 2023 at 10:50 am	Apr 20, 2023 at 12:55 pm	Maria Simone	-
 Fire Department Comments	Complete	Apr 20, 2023 at 12:55 pm	Apr 20, 2023 at 12:59 pm	David Pelonzi	-
 Police Department Comments	Complete	Apr 20, 2023 at 12:55 pm	Apr 24, 2023 at 3:04 pm	Theodore Economides	04/27/2023
 DPW Comments	Complete	Apr 20, 2023 at 12:55 pm	Apr 26, 2023 at 7:26 am	Matthew Quinn	-
 Town Administrator's Comments	Complete	Apr 26, 2023 at 7:26 am	Apr 27, 2023 at 4:00 pm	Maria Simone	-
 Select Board Vote	Active	Apr 27, 2023 at 4:00 pm	-	-	-
 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

May 4, 2023

EA-23-21

## Police Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Apr 20, 2023

**Assignee:** Theodore Economides

**Completed:** Apr 24, 2023

### Applicant

Paul Curley  
curleypwts@aol.com  
96, Partridge Circle  
Taunton, MA 02780  
15089424621

### Comments

**Theodore Economides, Apr 24, 2023**

No PD concerns, must follow all traffic laws.

<b>Go (Mile)</b>	<b>To (Mile)</b>	<b>Signs</b>	<b>Marshall</b>	<b>Direction</b>	<b>Location (roads of travel in Bold)</b>	<b>Landmarks</b>	<b>Fastest</b>	<b>Slowest</b>
<b>Sandwich</b>								
0	0			start	<b>Exit Camp Burgess, 75 Stowe Road, Sandwich, MA 02563</b>	cafeteria area	8:30	8:30
0.1	0.1			right	onto <b>Stowe Rd</b>			
0.8	0.9	ss	M - 2	right	onto <b>Farmersville Rd</b>			
1.2	2.1	ss		bear right	onto <b>Cotuit Rd</b>			
1.4	3.5	ss		right	onto <b>MA-130 N</b>			
1.5	5			straight	on <b>MA-130 N</b>	at Rt 6, Mid-Cape Hwy		
1.5	6.5			bear left	on <b>MA-130 N</b>	at Main St		
0.1	6.6		M - 1	right	onto <b>Tupper Rd</b>		8:48	9:06
0.4	7	lights		straight	on <b>Tupper Rd</b>	at Rt 6A		
0.5	7.5	sign	M - 2	right	onto <b>Freezer Rd</b>	then cross RR		
0.3	7.8				<b>into Rest Stop #1, Sandwich Recreation Area</b>	at end of road	8:54	9:18
					<b>77 Freezer Rd., Sandwich, MA 02563</b>			
0	7.8			straight	onto <b>Cape Cod Canal Bike Way</b>			
<b>Bourne</b>								
2	9.8			straight	on <b>Canal Bike Way</b>	under Sagamore Bridge	9:00	9:30
3.2	13			straight	on <b>Canal Bike Way</b>	under Bourne Bridge		
1.5	14.5		M - 1	left	onto <b>Bell Rd. Ext</b> (just after RR tracks)	end of bike way	9:12	9:54
0.2	14.7	ss		right	onto <b>Shore Road</b>			
0.9	15.6			bear left	on <b>Shore Road</b>			
1.2	16.8			bear right	on <b>Shore Road</b>			
1.6	18.4				Walk bikes over steel bridge or use sidewalk			
1.1	19.5			right	onto <b>County Road</b>			
1	20.5			right	<b>into Rest Stop #2, Daily Brew</b>	Corner of County Road & 28A		
					<b>1356 Route 28A, Cataumet, MA 02534</b>			
0	20.5			right	onto <b>Route 28A</b> Caution beware of traffic	town line	9:30	10:30

<b>Go (Mile)</b>	<b>To (Mile)</b>	<b>Signs</b>	<b>Marshall</b>	<b>Direction</b>	<b>Location (roads of travel in Bold)</b>	<b>Landmarks</b>		
<b>Falmouth</b>								
0.4	20.9			bear right	<b>onto Old Main St</b>	new for 2021	9:33	10:36
0.5	21.4	4ss S		left	on <b>County Road</b>	Rt 151 on left		
0.2	21.6	Sign		right	onto <b>Shining Sea Bike Way</b>	at R/R tracks		
0.3	21.9			straight	on <b>Shining Sea Bike Way</b>	mile marker 10.4		
0.2	22.1	ss		straight	on <b>Shining Sea Bike Way</b>	at Winslow Rd		
0.4	22.5			straight	on <b>Shining Sea Bike Way</b>	under Curley Blvd		
0.4	22.9	ss		straight	on <b>Shining Sea Bike Way</b>	at Wing Rd		
1.2	24.1	ss		straight	on <b>Shining Sea Bike Way</b>	at Chase Rd		
0.6	24.7	ss		straight	on <b>Shining Sea Bike Way</b>	at Old Dock Rd, parking		
0.3	25	ss		straight	on <b>Shining Sea Bike Way</b>	at Chapoquoit Rd		
0.4	25.4	ss		straight	on <b>Shining Sea Bike Way</b>	at Quahog Pond Ln		
1.1	26.5			straight	on <b>Shining Sea Bike Way</b>	under Saconesset Rd		
0.5	27			straight	on <b>Shining Sea Bike Way</b>	under Palmer Ave		
0.5	27.5			straight	on <b>Shining Sea Bike Way</b>	under Palmer Ave (again)		
0.2	27.7	Sign	M - 1	right	onto <b>paved path</b> at play ground	mile marker 4.5	9:50	12:18
0	27.7	Sign		right	onto <b>Carlson Lane</b>			
0.2	27.9	ss		left	onto <b>Palmer Ave</b>			
0.3	28.2	Sign	M - 3	left	onto <b>Sippewisset Road</b>			
2.9	31.1	4 ss		straight	onto <b>Quissett Ave</b>			
1.4	32.5	Sign		right	onto <b>Buzzards Bay Ave</b> (do not turn on Whitman Rd)	<b>new for 2022</b>		
0.2	32.7	ss		left	onto <b>Gardiner Road</b>	return to old route		
0.1	32.8			straight	on <b>Gardiner Road</b>	Buzzards Bay Ave on left		
0.1	32.9			bear left	on <b>Gardiner Road</b>	Gosnold on right		
0.1	33	4 ss		straight	on <b>Gardiner Road</b> becomes <b>Albatross St.</b>	cross Spencer Baird		
0.2	33.2			left	onto <b>Water Street</b>			
0.2	33.4			straight	Over <b>new bridge</b>			
0.1	33.5			right	onto <b>Luscombe Ave.</b>			
0.1	33.6	Sign		bear left	then Immediate R onto <b>Shining Sea Bike Way</b>	starts out thru parking lot		
0.6	34.2			straight	on <b>Shining Sea Bike Way</b>			
1.4	35.6	Sign		right	onto <b>Surf Drive</b>	leave path		
0.8	36.4			right	<b>into Rest Stop #3, Surf Drive Beach</b>		10:18	12:06
					<b>54 Surf Drive, Falmouth, MA 02540</b>			

Go (Mile)	To (Mile)	Signs		Direction	Location (roads of travel in Bold)	Landmarks		
0	36.4			right	onto <b>Surf Drive</b>			
0.3	36.7			right	onto <b>Clinton Ave.</b>			
0.5	37.2			left	onto <b>Scranton Ave.</b>			
0.6	37.8			right	onto <b>Robbins Road</b>			
0.1	37.9			right	onto <b>Falmouth Heights Road</b>	Island Queen Ferry to MV		
0.4	38.3			bear right	onto <b>Grand Ave.</b>			
0.4	38.7			left	on <b>Grand Ave.</b>	along water		
0.7	39.4			bear right	onto <b>Menauhant Road</b>			
0.9	40.3			bear left	on <b>Menauhant Road</b>	Ocean Ave on right		
1	41.6	Sign		left	onto <b>Davisville Road</b>			
1.9	43.5	lights		straight	onto <b>Meetinghouse Rd.</b>	cross Route 28		
0.4	43.9			bear right	onto <b>Crocker Road</b>			
0.2	44.1	ss		right	onto <b>Old Barnstable Road</b>			
1	45.1	4 ss		straight	on <b>Old Barnstable Road</b>	cross Carriage Shop Rd		
0.4	45.5	4 ss		straight	on <b>Old Barnstable Road</b>	cross Hayway Rd		
1.1	46.6			straight	on <b>Old Barnstable Road</b>	town line	10:48	1:06
<b>Mashpee</b>								
1.2	47.8	lights	M - 2	straight	on <b>Old Barnstable Road</b>	cross Route 151 after H.School	10:51	1:12
1.1	48.9			straight	onto <b>Lowell Road</b>	Old Barnstable goes right		
0.9	49.8	lights		left	onto <b>Great Neck Road North</b>			
0.9	50.7	lights		right	onto <b>Route 130 or Bike Path</b>	(no street sign)		
0.3	51	Sign	M - 1	left	onto <b>South Sandwich Road</b>	not easy from bike path		
1.5	52.5		M - 1	left	onto <b>Cotuit Road (3rd exit of rotary)</b>	town line	11:06	1:42
<b>Sandwich</b>								
1.2	53.7			right	onto <b>John Ewer</b>	new for 2021 (short cut)	11:10	1:48
0.8	54.5			right	onto <b>Farmersville Road</b>			
0.1	54.6	Sign	M - 1	left	onto <b>Stowe Road</b>	sign to Camp Burgess		
0.5	55.1			straight	on <b>Stowe Road</b>	Pinkham Rd on left (dirt)		
0.3	55.4	Sign	M - 2	left	<b>into Camp Burgess, 75 Stowe Road, Sandwich, MA 02563</b>	enter access road	11:16	2:00



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/3/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Arthur J. Gallagher Risk Management Services, Inc. 1667 K Street, N.W. Suite 1270 Washington DC 20006	<b>CONTACT NAME:</b> Julia Van De Wille <b>PHONE (A/C No. Ext):</b> 301-795-6600 <b>E-MAIL ADDRESS:</b> Julia_VandeWille@ajg.com		<b>FAX (A/C, No):</b> 301-795-6610
	<b>INSURER(S) AFFORDING COVERAGE</b>		
License#: BR-724491 AMERLUN-04	<b>INSURER A:</b> Continental Insurance Company	<b>NAIC #</b> 35289	
<b>INSURED</b> American Lung Association 55 W. Wacker Drive, Suite 1150 Chicago IL 60601	<b>INSURER B:</b> Transportation Insurance Company	20494	
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES**

CERTIFICATE NUMBER: 1637588509

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:			6078757486	7/1/2022	7/1/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			6078757441	7/1/2022	7/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			6078757455	7/1/2022	7/1/2023	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	6078757472	7/1/2022	7/1/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Name of Event: Autumn Escape Bike Trek | Date of Event: September 24-25, 2022 | Type of Event: Cycling | Location of Event: Camp Burgess, 75 Stowe Road, Sandwich, MA 02563 | Projected number of participants: 150-200 | Number of volunteers working Event: 40

**CERTIFICATE HOLDER****CANCELLATION**

Town of Bourne  
 24 Perry Avenue  
 Bourne MA 02532

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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April 17, 2023

Army Corps of Engineers

Dear Ms. Carey,

This year's **39<sup>th</sup> Annual Autumn Escape Bike Trek** is set to take place **Saturday, September 23, through Sunday, September 24, 2023**. The American Lung Association is committed to the health and safety of our participants, volunteers and the communities that we pass through.

A maximum of 300 bicyclists will take part in the **Autumn Escape Bike Trek**. Riders participate at their own pace. This is not a race. All the cyclists must wear an ANSI approved helmet and are instructed to ride safely and follow all traffic laws and regulations. The **AEBT** will have both medical and mechanical support. We strive to limit our use of main roads when possible. Enclosed you will find a copy of our proposed route through your town.

I am contacting the Police Department, Board of Selectmen/Town Manager and others for approval and recognition to pass through your town. Please sign this letter acknowledging your awareness of our event and return it by email as soon as possible. **Your signature is necessary for me to obtain the appropriate State Highway Permits.**

You can reach me with any questions or concerns at [paul.curley@lung.org](mailto:paul.curley@lung.org) or 508 942 4621. Thank you for your continued support throughout the many years of our fundraiser.

More information is available on the Annual Autumn Escape Bike Trek at: <https://www.lung.org/get-involved/events?category=cycling-event>

Sincerely,

Paul Curley  
Route Manager

---

Authorized Signature

---

Please Print Name/Title

---

Date

**Use of Town Property Event  
Application**

**EA-23-14**

Submitted On: Mar 24, 2023

**Applicant**

 Beth Sobilloff

**Primary Contact Information**

**Name**

Connie Merigo

**Business/Organization Name (if applicable)**

National Marine Life Center

**Mailing Address**

120 Main St., P.O. Box 269, Buzzards Bay, MA

**Cell Phone No.**



**Email**

cmerigo@nmlc.org

**Event Information**

**Organization/Individual Hosting the event**

National Marine Life Center

**Type of Organization (LLC, non-profit)**

non-profit

**Type of Event (i.e. banquet/concert/fundraiser/party)**

Food Truck Festival

**Location of Event**

Other

**Other**

120 Main Street

**Date(s) of Event**

June 10, 2023

**Set up/Clean up Dates**

June 10, 2023

**Hours (start and end times)**

11:00 am - 4:00 pm

**Total Attendance Expected**

2000

**Description of Event**

6-8 food trucks plus a couple of carts/tents for food, petting zoo, approx. 20 craft vendors, music

**Will your event impact parking?**

Yes

**Will your event impact traffic?**

Yes

**Any event that will impact parking or traffic must reach out to the Police Department four weeks prior to event.**

**Is event open to the public?**

Yes

**Will admission be charged?**

Yes

**Will there be alcohol service/ on-premise consumption?**

Yes

**Alcoholic beverages are not permitted on Town property without a One Day Liquor License issued by the Select Board. A separate application and fee is required.**

**Will there be food?**

Yes

**Describe type of food**

food trucks

**Will there be vendors?**

Yes

**# Informational Vendors**

1

**Will a tent be used?**

Yes

**# of tents up to 10x10**

1

**Will the vendors be using tents?**

Yes

**# of tents up to 10x10**

--

**Will you be holding a raffle?**

No

**If Yes for what purpose**

music

**Are you providing portable toilets?**

Yes

**Type of Vendors**

Both

**# of Retail Vendors**

20

**Size of tent**

mix of both

**# of tents over 10x10**

3

**Size of tents**

up to 10x10

**No stakes are allowed at Buzzards Bay Park. No grills, propane tanks, space heaters, or smoking under tent. A clear exit and fire extinguisher is required. A separate tent application from the building department may be required.**

**Use of Electricity/generators?**

Yes

**Electricity is not available or guaranteed at every location. If a generator is required, it is the responsibility of the event organizer.**

**Town portable toilets are not available in every location. Additional toilets may be required for your event based on expected attendance. These are the responsibility of the event organizer.**

**Please Note:**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true



Town of Bourne, MA

May 4, 2023

EA-23-14

## Application Content and Attachments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 24, 2023

**Assignee:** Kathleen Thut

**Completed:** Mar 27, 2023

### Applicant

Beth Sobiloff

[REDACTED]  
Plymouth, Massachusetts 02360  
[REDACTED]

### Comments

**Beth Sobiloff, Mar 24, 2023**

The brewery that we are working with is going to take care of the liquor license. We will have a banner across Main Street, the same as last year, which we will want to put up 3-4 weeks before the event. We specifically request use of the "greenway" that runs between the town parking lot and our admin building for part of our set up if needed. We are thinking that we will need to put the craft vendors there.

## EA-23-14

### Use of Town Property Event Application

**Status:** Active

**Date Created:** Mar 24, 2023

#### Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Mar 24, 2023 at 2:26 pm	Mar 27, 2023 at 8:50 am	Kathleen Thut	-
✓ Building Inspector Comments	Complete	Mar 27, 2023 at 8:50 am	Mar 27, 2023 at 8:53 am	Cassie Hammond	03/28/2023
✓ Health Agent Comments	Complete	Mar 27, 2023 at 8:50 am	Mar 27, 2023 at 9:10 am	Kaitlyn Shea	-
✓ Police Department Comments	Complete	Mar 27, 2023 at 8:50 am	Mar 30, 2023 at 3:10 pm	Theodore Economides	04/03/2023
✓ DPW Comments	Complete	Mar 27, 2023 at 8:50 am	Apr 4, 2023 at 2:00 pm	Matthew Quinn	-
✓ Fire Department Comments	Complete	Mar 27, 2023 at 8:50 am	Apr 5, 2023 at 1:21 pm	David Pelonzi	-
✓ Town Administrator's Comments	Complete	Apr 5, 2023 at 1:21 pm	Apr 10, 2023 at 11:52 am	Maria Simone	-
✓ Select Board Vote	Active	Apr 10, 2023 at 11:52 am	-	-	-
 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

May 4, 2023

EA-23-14

## Building Inspector Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 27, 2023

**Assignee:** Cassie Hammond

**Completed:** Mar 27, 2023

### Applicant

Beth Sobiloff

[REDACTED]  
Plymouth, Massachusetts 02360  
[REDACTED]

### Comments

**Ann Gutterson, Mar 27, 2023**

Any tent over 10x10 requires a tent permit and flame retardant certificates for each. <https://bournema.viewpointcloud.com/categories/1071>  
(<https://bournema.viewpointcloud.com/categories/1071>)



EA-23-14

## Health Agent Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 27, 2023

**Assignee:** Kaitlyn Shea

**Completed:** Mar 27, 2023

### Applicant

Beth Sobiloff

[REDACTED]  
Plymouth, Massachusetts 02360  
[REDACTED]

### Comments

**Kaitlyn Shea, Mar 27, 2023**

Good Morning -- Please let food vendors know that if they are not annually permitted with the Health Department they will need to submit a temporary food permit application, I will provide the link below.

Also, if you could please provide a master list of all food vendors to us, so that permitting is easily tracked for the event. You can send that list to [kshea@townofbourne.com](mailto:kshea@townofbourne.com) (<mailto:kshea@townofbourne.com>). Thank you.

Health Dept - Temporary Food Permit - ViewPoint Cloud  
(<https://bournema.viewpointcloud.com/categories/1073/record-types/1006474>)



Town of Bourne, MA

May 4, 2023

EA-23-14

## Police Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 27, 2023

**Assignee:** Theodore Economides

**Completed:** Mar 30, 2023

---

### Applicant

Beth Sobiloff

[REDACTED]  
Plymouth, Massachusetts 02360  
[REDACTED]

---

### Comments

**Theodore Economides, Mar 30, 2023**

Must coordinate with PD 4 weeks in advance regarding crowd and traffic control plans. Applicant responsible for costs associated with officers assigned to event.



EA-23-14

## Fire Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 27, 2023

**Assignee:** David Pelonzi

**Completed:** Apr 5, 2023

### Applicant

Beth Sobiloff

[REDACTED]  
Plymouth, Massachusetts 02360  
[REDACTED]

### Comments

**David Pelonzi, Mar 27, 2023**

1. We will need a map of the proposed site layout to ensure proper emergency access to the event. It does not have to be an engineered drawing.
2. Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides.
3. If there is any use of free-standing propane for cooking (not attached to a food truck) then a permit is required for quantities over 42 pounds. One permit can be issued for the site for the day if this is the case.
4. I am researching what is required for the food trucks, since there has been an update to the fire code this year.

**David Pelonzi, Apr 7, 2023**

I attached a copy of the NFPA Food Truck Fact Sheet to assist with set up and operations of the event.

**One Day Liquor License****ODLL-23-3**

Submitted On: Apr 5, 2023

**Applicant**

👤 Lauren Horgan  
📞 6178175697  
@ lauren.horgan@castleislandbeer.com

**Primary Location**

120 MAIN ST  
Bourne, MA 02532

**Applicant Information****Contact/Manager Name**

Lauren Horgan

**Contact/Manager Email**

lauren.horgan@castleislandbeer.com

**Name of Organization**

Castle Island Brewing Company

**Contact/Manager Phone**

617-817-5697

**Type of Organization**

For profit

**Organization Address**

31 Astor Ave, Norwood, MA 02062

**Premises to be Licensed****Venue Name**

National Marine Life Center

**Venue Contact Person**

Connie Merigo

**Is this event indoors or outdoors?**

Outdoors

**Address**

120 Main Street, Buzzards Bay, MA 02532

**Venue Phone Number**

(508) 743-9888

A site plan will be required for all events. The plan should indicate where alcohol will be served and consumed. Additional details should include parking, tents, food setup, guest seating, etc. A hand drawn plan is acceptable.

**Event Information****Type of event**

Food Truck Festival

**Provide a brief description of event**

Food Truck Festival for the National Marine Life Center Fundraiser. Castle Island Brewing Co. will be servicing and staffing the beer garden. Castle Island Brewing will be serving Castle Island Brewing Co. canned beer.

**Date of Event**

06/10/2023

**Start Time**

11:00

**End Time**

4:00

**Admission Charge**

0

**Estimated Hourly Attendance**

500

**Describe how alcohol will be served and managed/monitored**

Alcohol will be served by TIPs certified bar staff, staff will check IDs and be guests will be provided wristband at the entrance of the beer garden identifying them as 21+. Beer Garden will be roped off from the rest of the festival to identify where consumption may

occur.

### **Additonal Permits**

**Will there be food?**

--

**Size of tent(s)**

up to 10x10

**Will there be a raffle?**

--

**Will there be entertainment?**

--

**Will a tent(s) be used?**

Yes

**Number of tents**

2

**Will there be vendors?**

--

### **Please Note**

### **Liability Insurance**

### **Liability Disclaimer**

**Signature**

true

### **Signature**

**Signature**

true



### ODLL-23-3

#### One Day Liquor License

**Status:** Active

**Date Created:** Apr 5, 2023

#### Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Original Submission	Issued	Apr 5, 2023 at 10:32 am	Apr 5, 2023 at 10:32 am	-	-
 Application Content and Attachments	Complete	Apr 5, 2023 at 10:32 am	Apr 5, 2023 at 1:25 pm	Maria Simone	-
 Department of Public Works	Complete	Apr 5, 2023 at 1:25 pm	Apr 6, 2023 at 7:11 am	Matthew Quinn	-
 Fire Department	Complete	Apr 5, 2023 at 1:25 pm	Apr 7, 2023 at 10:04 am	David Pelonzi	-
 Building	Complete	Apr 5, 2023 at 1:25 pm	Apr 7, 2023 at 11:39 am	Cassie Hammond	-
 Police Department	Complete	Apr 5, 2023 at 1:25 pm	Apr 21, 2023 at 4:58 pm	Brandon Esip	-
 Town Administrator Approval	Complete	Apr 21, 2023 at 4:58 pm	Apr 27, 2023 at 3:59 pm	Maria Simone	-
 License Commission Board Vote	Active	Apr 27, 2023 at 3:59 pm	-	Maria Simone	-
 Fee Payment	Inactive	-	-	-	-
 One-Day Liquor License	Inactive	-	-	-	-



ODLL-23-3

## Police Department

One Day Liquor License

**Status:** Complete

**Became Active:** Apr 5, 2023

**Assignee:** Brandon Esip

**Completed:** Apr 21, 2023

### Applicant

Lauren Horgan  
lauren.horgan@castleislandbeer.com  
31 Astor Ave  
Norwood, MA 02062  
[REDACTED]

### Primary Location

120 MAIN ST  
Bourne, MA 02532

### Owner:

Town of Bourne  
24 Perry Ave BUZZARDS BAY, MA 02532

### Comments

**Brandon Esip, Apr 20, 2023**

The site plan has a fence blocking the roadway to the Army Corps parking lot. Can you please confirm that this is a drawing error and that there is not a plan to block the roadway.

**Lauren Horgan, Apr 21, 2023**

It was a drawing error. I uploaded the revised map.

**Brandon Esip, Apr 21, 2023**

Thank-you. I appreciate that.

Applicant to contact PD 2 weeks prior to the event to discuss detail officer assigned to the beer garden. No alcohol allowed outside the beer garden. All liquor laws to be followed.

No other PD concerns.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/04/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Marketing Agencies 306 Main Street, 5th Floor  Worcester MA 01608	CONTACT NAME: Casey Brown	FAX (A/C, No): (508) 754-0487
	PHONE (A/C, No, Ext): (508) 753-7233	E-MAIL ADDRESS: cpb@imaagency.com
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Cincinnati Insurance Company		10677
INSURED  Castle Island Brewing Company LLC 31 Astor Ave  Norwood MA 02062	INSURER B: MA Retail Merchants	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

**COVERAGES** CERTIFICATE NUMBER: CL2311221712 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ETD0616006	05/17/2022	05/17/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			EBA0653707	05/17/2022	05/17/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			ETD0616006	05/17/2022	05/17/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			014005034885123	01/01/2023	01/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability			ETD0616006	05/17/2022	05/17/2023	Each Occurrence \$1,000,000 Aggregate \$2,000,000

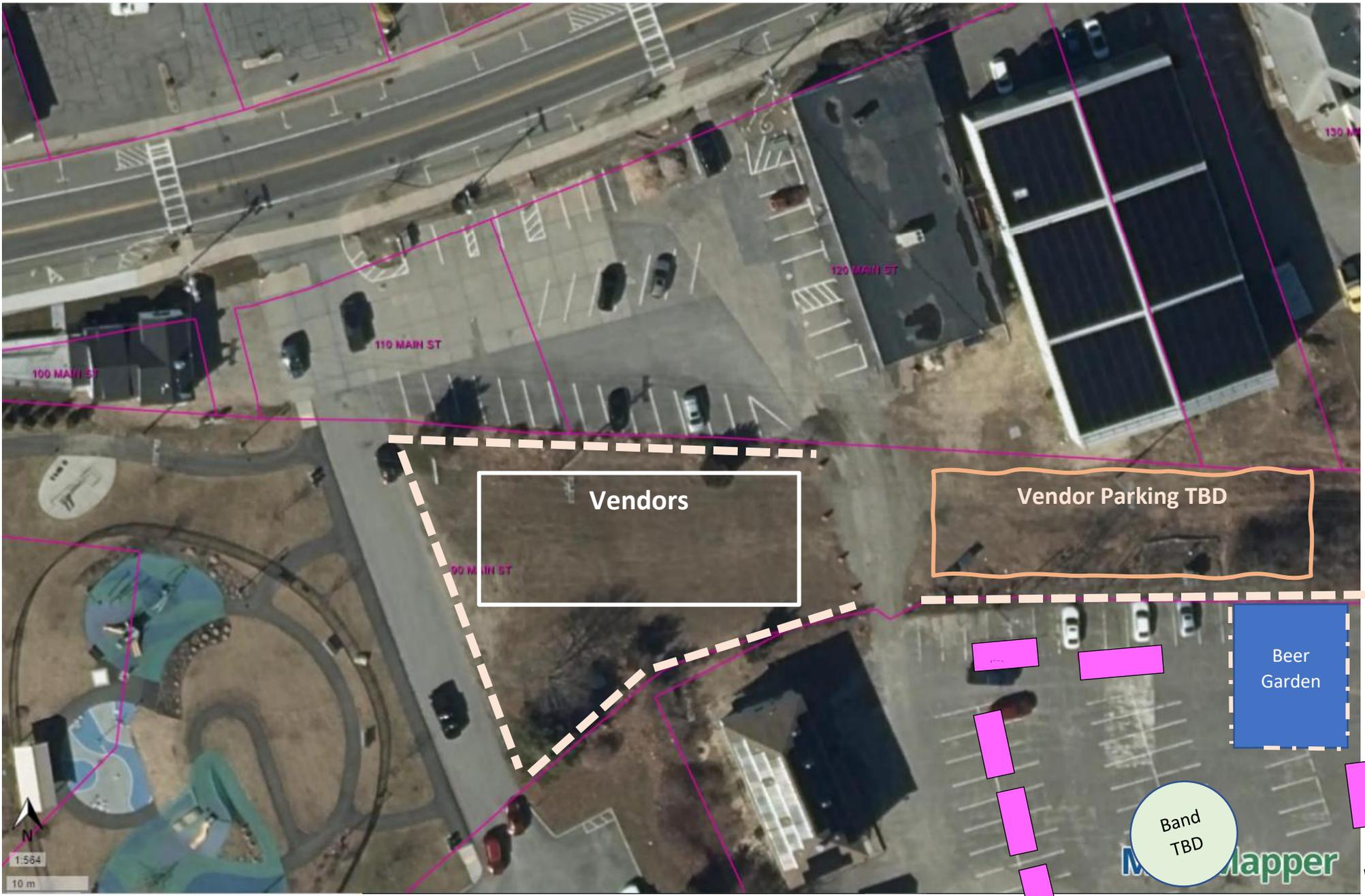
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: National Marine Life Center Food Truck Festival  
 Address: National Marine Life Center, 120 main Street, Bourne, MA 02532  
 Date: June 10th, 2023 - 11:00am - 4:00pm

Town of Bourne is/are named as additional insured(s) with respect to General Liability where required by written contract.

<b>CERTIFICATE HOLDER</b>  Town of Bourne 24 Perry Avenue  Bourne MA 02532	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  

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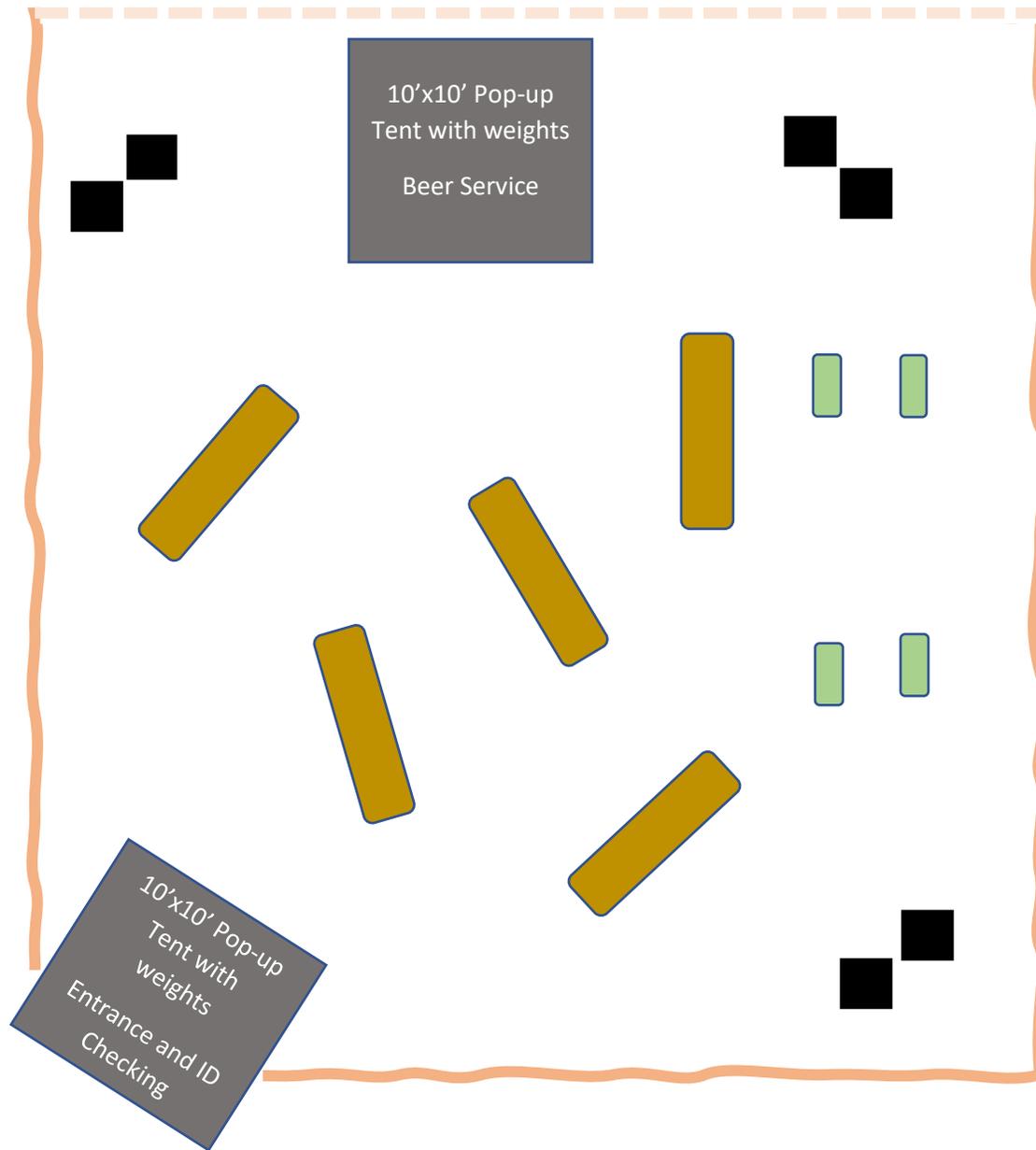
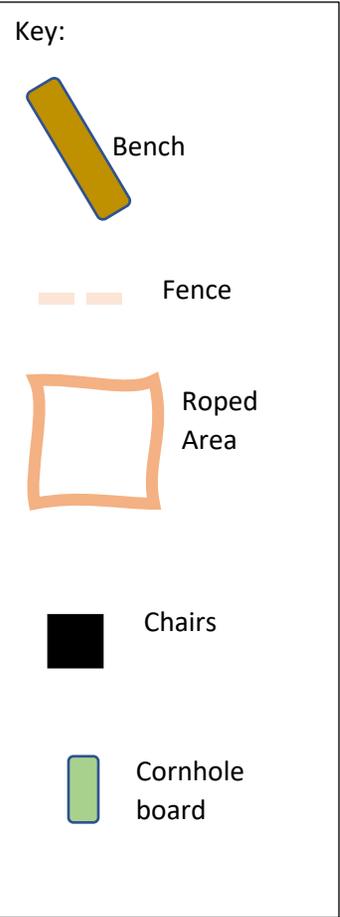


Key:

-  Fence
-  Beer Garden Rope
-  Food Truck

NOT TO SCALE

# Castle Island Brewing Co. Beer Garden



Notes:  
Benches, Chairs and cornhole boards are estimated counts.  
*NOT TO SCALE*



TIPS On-Premise

CERTIFIED

Issued: 2/6/2023

Expires: 2/5/2026

ID #: 27664020

**Amanda Wood**



Norwood MA 2062



Kathleen A. Riley, FSA, MAAA, EA  
Senior Vice President and Chief Actuary  
T 617.424.7336  
M 617.872.1541  
kriley@segalco.com

116 Huntington Avenue  
Suite 901  
Boston, MA 02116-5744  
segalco.com

February 24, 2023

Retirement Board  
Barnstable County Retirement Association  
750 Attucks Lane  
Hyannis, MA 02601

**Re: Cost of Increasing the July 1, 2022 COLA from 3% to 5%**

Dear Board Members:

As requested, we have estimated the cost of increasing the July 1, 2022 Cost of Living Adjustment (COLA) from 3% to 5% with the current base of \$18,000 for the Barnstable County Retirement Association. Note that this cost estimate is a one-time increase in the annual COLA percentage, which is projected to be 3% for 2023 and thereafter. We have assumed the additional cost would first be reflected in the fiscal 2025 appropriation. The estimates in this report are based on the January 1, 2022 Actuarial Valuation and Review of the Barnstable County Retirement Association and do not reflect any experience gains or losses after that date.

Increasing the July 1, 2022 COLA from 3% to 5% increases the July 1, 2022 unfunded liability by \$11,360,052, or 1.5%, from \$780,819,667 to \$792,179,719.

The funding schedule included in the January 1, 2022 actuarial valuation report fully funds the actuarial accrued liability of the Barnstable County Retirement Association by June 30, 2037 with total payments increasing 5.80% per year through fiscal 2036 and a reduced payment in fiscal 2037.

We have incorporated the additional cost of increasing the July 1, 2022 COLA to 5% into the funding schedule by amortizing the additional liability in payments that increase 5.80% per year for the group that excludes the Retired Sheriffs and 4.22% per year for the Retired Sheriffs, which are added to the current appropriations for fiscal 2025 through fiscal 2037.

The appropriations for fiscal 2023 through fiscal 2037 shown in the current funding schedule and reflecting the 5% COLA are shown on the following page.

**Actuarially Determined Contribution (ADC) – 5% COLA on July 1, 2022**

<b>Fiscal Year Ended June 30,</b>	<b>Current ADC – 3% COLA on July 1, 2022 (Excluding Retired Sheriffs)</b>	<b>Current ADC – 3% COLA on July 1, 2022 (Retired Sheriffs Only)</b>	<b>Increase in ADC - Additional UAL Payments beginning in Fiscal 2025 (Excluding Retired Sheriffs)</b>	<b>Increase in ADC - Additional UAL Payments beginning in Fiscal 2025 (Retired Sheriffs Only)</b>
2023	\$76,920,966	\$1,878,012	\$0	\$0
2024	81,412,073	1,957,246	0	0
2025	86,164,916	2,039,824	1,079,602	27,114
2026	91,194,730	2,125,885	1,142,219	28,258
2027	96,517,633	2,215,578	1,208,468	29,450
2028	102,150,683	2,309,054	1,278,559	30,693
2029	108,111,927	2,406,475	1,352,716	31,988
2030	114,420,464	2,508,005	1,431,173	33,337
2031	121,096,501	2,613,819	1,514,181	34,744
2032	128,161,421	2,724,098	1,602,004	36,210
2033	135,637,850	2,839,029	1,694,920	37,738
2034	143,549,728	2,958,810	1,793,225	39,330
2035	151,922,389	3,083,644	1,897,232	40,989
2036	160,782,639	3,213,744	2,007,272	42,718
2037	76,509,556	3,349,334	2,123,694	44,521

These cost estimates are based on the assumptions used in the most recent actuarial valuation of the Barnstable County Retirement Association. To the extent there is adverse experience, employer contributions will increase and the cost related to the increased COLA may be different than expected. For example, if members live longer than assumed under the current mortality table assumption, the cost of increasing the COLA will be higher than shown.

Please refer to our January 1, 2022 Actuarial Valuation and Review dated December 20, 2022 for the data, assumptions and plan of benefits underlying these calculations and for a discussion of the risks that may affect the Barnstable County Retirement Association.

This report was prepared in accordance with generally accepted actuarial principles and practices at the request of the Board to assist in administering the Retirement Association.

The measurements shown in this actuarial valuation may not be applicable for other purposes. Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or

demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period); and changes in plan provisions or applicable law.

Segal valuation results are based on proprietary actuarial modeling software. The actuarial valuation models generate a comprehensive set of liability and cost calculations that are presented to meet regulatory, legislative and client requirements. Deterministic cost projections are based on a proprietary forecasting model. Our Actuarial Technology and Systems unit, comprised of both actuaries and programmers, is responsible for the initial development and maintenance of these models. The models have a modular structure that allows for a high degree of accuracy, flexibility and user control. The client team programs the assumptions and the plan provisions, validates the models, and reviews test lives and results, under the supervision of the responsible actuary.

The actuarial calculations were directed under my supervision. I am a member of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion herein. To the best of my knowledge, the information supplied in this actuarial valuation is complete and accurate. The assumptions used in this actuarial valuation were selected by the Board based upon my analysis and recommendations. In my opinion, the assumptions are reasonable and take into account the experience of the Barnstable County Retirement Association and reasonable expectations.

Please let us know if you have any questions or need any additional information.

Sincerely,

  
Kathleen A. Riley, FSA, MAAA, EA  
Senior Vice President and Chief Actuary

cc: Susy Bento Holmes, Executive Director

## Kathleen Thut

---

**From:** Meghan Flanagan <mmflanagan@donahue.umass.edu>  
**Sent:** Friday, April 21, 2023 11:18 AM  
**To:** Marlene McCollem  
**Cc:** Susan Strate  
**Subject:** RE: Potential Correction to Census 2020 count -- Massachusetts Maritime dormitories  
**Attachments:** 2020pcgqr\_BourneMA\_MC2500107175\_evidence.pdf;  
2020pcgqr\_BourneMA\_MC2500107175\_letter.docx;  
2020pcgqr\_BourneMA\_MC2500107175.xlsx

Hi Marlene,

Thank you for your participation!

Please find attached the case submission. We are providing a letter (2020pcgqr\_BourneMA\_MC2500107175\_letter) for the Chair to sign, outlining the reason for the challenge, and designating Susan and me to submit the case on your behalf. After signing, you can scan and email the document back to us for submission, or, if you prefer, you can mail the signed copy back to me or Susan at the [address highlighted below](#).

Also included for your records is the rest of the submission:

- 2020pcgqr\_BourneMA\_MC2500107175.xlsx: This is the template required by the Census that includes the details of the GQ in your case. The blue tab "GQ Name (Required)" is the only relevant one for your submission, and it is where the GQ information is recorded (name, address, location, etc.).
- 2020pcgqr\_BourneMA\_MC2500107175\_evidence.pdf: Correspondence and a completed group quarters survey of Massachusetts Maritime Academy dorms, which supports the new population count.

Please feel free to reach out with any questions. Thanks!

-Meghan

**Meghan Flanagan, M.S.** (she/her)  
Senior Research Analyst  
Economic and Public Policy Research  
Donahue Institute  
[UMass Amherst](#)  
[100 Venture Way](#)  
[Suite 9](#)  
[Hadley, MA 01035](#)  
[donahue.umass.edu](#)  
[Twitter](#) [LinkedIn](#) [Facebook](#)

**UMassAmherst**

Donahue Institute

**From:** [Kate Jones](#)  
**To:** [Matthew Schlaikjer](#)  
**Cc:** [Rose-Marie Cass](#); [Patrick Dillon](#); [Megan Cunniff](#)  
**Subject:** University of Massachusetts Donahue Institute - Census Review, Correction, and Update Survey.  
**Date:** Friday, December 2, 2022 3:22:53 PM  
**Attachments:** [Massachusetts Maritime Academy GQ5 Part B 11.16.2022.xlsx](#)

---

Good Afternoon:

Please find the Massachusetts Maritime Academy response to the UMass Donahue Institute Population Estimates Program below. The **Campus Population Counts** provided in Part A #3 are from saved data as close to the requested date as we could access. The actual date has been updated in the shaded rows. Please let us know if you have any questions or if additional information is needed.

Best,

--



**Kate Jones**  
Student Services

Massachusetts Maritime Academy  
101 Academy Drive  
Buzzards Bay, MA 02532  
508.830.5047  
[kjones@maritime.edu](mailto:kjones@maritime.edu)



[Connect With Us!](#)

## 2022 GROUP QUARTERS SURVEY | Massachusetts Maritime Academy

**First, save the attached file to a known location.**

**Then click REPLY before entering any information below.**

### PART A: Massachusetts Maritime Academy Student Resident Counts

The UMass Donahue Institute Population Estimates Program collects population counts for student housing every year as part of the annual Group Quarters Survey. These population counts are used by the U.S. Census Bureau to produce their official population estimates for the intercensal years. Make sure your student population is counted by responding to the following three questions.

#### 1 Contact Information

Is that contact information that we have on file (below) the correct and appropriate contact for this survey?

Yes  No

If any of the information below is incorrect, or if there is a more appropriate contact for this survey, please note any changes in the space provided.

**Field**

**Contact information on file**

**Corrections to contact information**

Contact Name	Ms. Elizabeth Benway	Megan Cunniff
Contact Title	Dean of Human Resources, Equal Opportunity and Diversity	Institutional Research Office
Facility Name	Massachusetts Maritime Academy	
Address 1	101 Academy Drive	
Address 2	Buzzards Bay, MA 02532	
Phone	508-830-5086	508.830.5359
Email	<a href="mailto:ebenway@maritime.edu">ebenway@maritime.edu</a>	<a href="mailto:mcunniff@maritime.edu">mcunniff@maritime.edu</a>

## 2 Type of Student Housing

What type of housing does your office manage? Please mark with an “X” to select all options that apply.

- N/A. If you do not provide housing, you do not need to complete the rest of this survey. Please be sure to contact us so we can remove you from our mailing list.
- Dormitories/residence halls only
- Fraternity/sorority housing only
- Combination of dormitories/residence halls & fraternity/sorority housing
- Other (Please specify):

## 3 Campus Population Counts

Please update the campus resident population counts in the table below.

- In the space provided, please list your campus resident population, broken down by city/town and excluding family housing for:
  - October 15, 2019
  - April 1, 2020 if not for COVID-related closures
  - October 15, 2020
  - April 1, 2021
  - October 15, 2021
  - April 1, 2022 (if available)
- If there is any additional student housing at your school that is located in a city or town not listed in the table below, please note those locations and population counts in the table.
- If you are using a count date other than the dates listed in the table below, please note it here: \_\_\_\_\_ please see the shaded areas below for the specific dates used. \_\_\_\_\_

Housing city/town	Count on 10/09/19	Count on 3/10/20*	Count on 10/12/20
		<i>*IF NOT FOR COVID</i>	

<i>CLOSURES</i>			
Buzzards Bay	<b>1592</b>	<b>1525</b>	<b>676</b>

Housing city/town	Count on 4/07/21	Count on 10/12/21	Count on 4/4/22
Buzzards Bay	<b>1059</b>	<b>1365</b>	<b>1251</b>





To whom it may concern:

The Town of Bourne, MA (Entity ID MC2500107175) wishes to challenge group quarters populations under the Post-Census Group Quarters Review program. As the highest official, I designate Susan Strate and Meghan Flanagan at the UMass Donahue Institute to prepare and submit a challenge submission on our behalf.

Based on discrepancies in block-level GQ populations between our records and the P.L.94-171 Redistricting Data, we include in this challenge the following GQs, which are certified to exist on April 1, 2020, and had the population described below:

Block GEOID	GQ Name	GQ Type	Updated GQ Count
250010137004004	Hampton Inn	501	48
<b>Block Total:</b>			<b>48</b>
250010137004029	First Company (Gray Hall)	501	236
	Second Company (Basset Hall)		252
	Third Company (Wilson Hall)		159
	Fourth Company (Thompson Hall)		191
	Fifth Company (Limouze Hall)		186
	Sixth Company (Abele Hall)		198
	Seventh Company (Thompson Hall)		172
<b>Block Total:</b>			<b>1394</b>
<b>Town Total:</b>			<b>1442</b>

In accordance with the PCGQR Program, we are submitting 2020 PCGQR Response Template file specifying the details of the GQ under review. Please see the “notes” column on the “GQ Name (Required)” tab for information regarding the documentation. Also submitted is a packet containing supporting documentation for this GQ (2020pcgqr\_ Bourne\_ MC2500107175\_evidence.pdf) which includes email correspondence with Massachusetts Maritime Academy their response to a survey conducted by the UMass Donahue Institute documenting the number of residents at each GQ on April 1, 2020.

Please contact Meghan Flanagan ([mmflanagan@donahue.umass.edu](mailto:mmflanagan@donahue.umass.edu)) or Susan Strate ([sstrate@donahue.umass.edu](mailto:sstrate@donahue.umass.edu)) at the UMass Donahue Institute with any questions.

Sincerely,

Peter J. Meier

Attachment: 2020pcgqr\_ BourneMA\_ MC2500107175.xlsx, 2020pcgqr\_ BourneMA\_ MC2500107175\_evidence.pdf

**From:** [Kathleen A. Stubstad](#)  
**To:** [Kathleen Thut](#); [Maria Simone](#)  
**Subject:** SWOP name change  
**Date:** Monday, March 13, 2023 4:19:22 PM

---

Hi,

My name is Kathy Stubstad and I am the current director of SWOP( Special Works Opportunities Program). On behalf of our Board members I am requesting that the Selectboard allows us to change our name from Special Works Opportunities Program, to Socializing with our Peers, a name that truly describes what our program is and does.

We thank you for your consideration.

Kathleen A. Stubstad  
Director

Nicole Tatro  
Assistant director

Board Members:

Sue Cronin  
Judy Shorrock  
Beth Bohacs  
Don Rhodes

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

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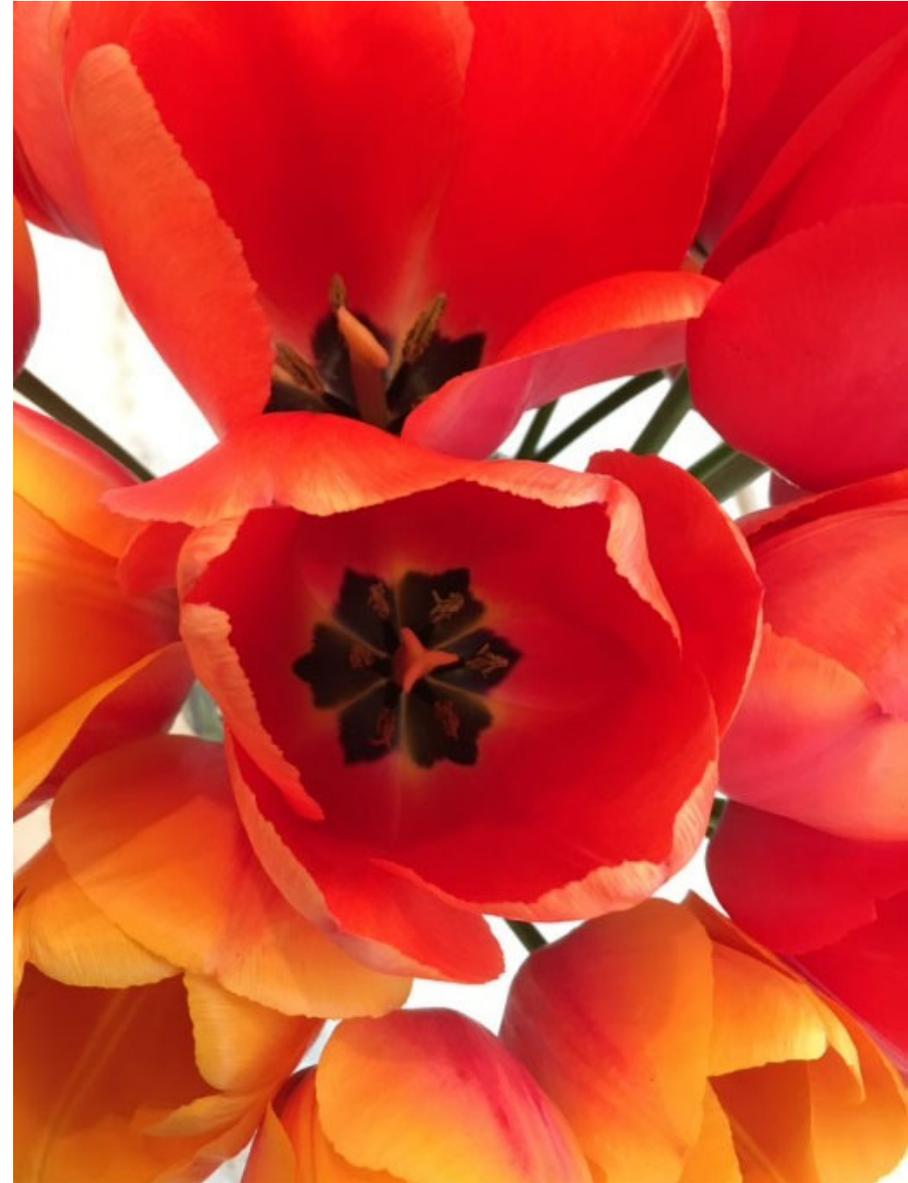
This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

# Aptucxet Gardening Club of Bourne

---

## Who We Are

*Presented at the May 9, 2023  
Town of Bourne Select Board Public Meeting*





85 years

Born  
To Serve Bourne

# We are:

- ❖ Community Service,
- ❖ Education,
- ❖ Friendship & Partnerships

Aptucket Gardening Club of Bourne ~ May 9, 2023



# Community Service

- ❖ Town Beautification
- ❖ Museums at Aptuxet Gardens
- ❖ Briggs-McDermott Gardens
- ❖ Garden Therapy



# Education

- ❖ Floral Design
- ❖ Native Plants & Pollinators
- ❖ Environment
- ❖ Library Programs
- ❖ Scholarships
- ❖ Junior Gardeners



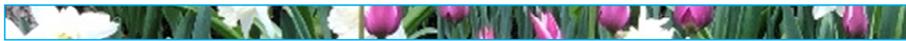
# Friendship & Partnerships

- ❖ Town of Bourne
- ❖ The Library
- ❖ The Museums at Aptucxet
- ❖ Briggs-McDermott House
- ❖ Pocasset Village Association
- ❖ Community Gardens



Next:

- ❖ Work with the Town to improve the planters on Main Street



Thank You



## Welcome to Monument Beach!

For the safety and enjoyment of all, please adhere to the following rules and regulations:

~Children must remain in visual contact with an adult. Children under 10 must have a parent/guardian in the water with them

~Only Coast Guard approved flotation devices allowed.

~Swimming in designated area only

~Children in flotation devices must be within arm's reach of an adult

~**Inflatable** flotation devices are prohibited

~Boogie boards and noodles may not be used over a child's head

~Use of glass bottles, smoking of tobacco, use of e-cigarettes, vape products and alcohol is prohibited

~Use of masks and snorkels is prohibited

~Use of acoustical devices and radios need to be kept at a low volume

Please see the lifeguards for information on specific Town of Bourne Beach By-Laws and additional rules of the beach

Enjoy your stay!

*Per Order of the Board of Selectmen*

**Select Board**  
**Minutes of Tuesday, March 28, 2023**  
**Bourne Veterans' Community Center – Rm 2**  
**Buzzards Bay, MA**  
**Or Virtually**

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**TA Marlene McCollem**

**Select Board**

Peter Meier, Chair  
Melissa Ferretti, Clerk  
Judith Froman  
Mary Jane Mastrangelo

Jared MacDonald was excused from this meeting.

Others: Erica Flemming, Finance Director (virtual), Mike Ellis, Town Accountant (virtual), Chris Southwood, Natural Resources Director, (virtual), John York (virtual), Sheila Lyons (virtual), Carol Georgeson (virtual), Ann Phelan (virtual), Barry Johnson, Town Clerk (virtual), Mavis Robinson (virtual), Jordan Geist, Business Manager, Bourne Public Schools (virtual), Martha Turgeon (virtual), Peter Perroni (virtual), Bob Samoluk (virtual), Matt West (virtual), Bill Doherty, James Sullivan (virtual), Robert Dwyer, Amy Kullar, Town Moderator, Renée Gratis, Sue Ross, Heather DiPaolo (virtual), John York (virtual), Steven Strojny, and Terri Guarino (virtual).

*The Zoom Chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time.*

**Zoom Meeting ID: 869 5775 5505      Password : BOURNE**

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

**7:25 PM Call Public Session to Order in Open Session**

- 1. Moment of Silence to recognize our Troops and our public safety personnel and to the people affected in Nashville yesterday.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with

others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

- 5. Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

John York started by saying he said it is impressive to see how well the Town is functioning with the current, fairly new, staff and Select Board. He said that the Town of Bourne is in the middle of a stressful time regarding the bridges and he is in the middle of it, and apologized if he has caused anyone stress over the bridges.

Bill Doherty of Cataumet said that symbols are very important. He said that there is a Town flag, a County Flag, a Commonwealth of Massachusetts, and an America flag. He said that there are other symbols that are there to inform and others that people do not even know about. He said that he is at the meeting to suggest that the Select Board charge the Human Service Committee with coming up with some type of symbol that represents diversity and includes all the different parts of the community. It should include a policy about how it can be displayed and used. It also should include the star of David, the crescent, the cross and a Wampanoag symbol. He said that this would be the first step in a path that could lead to serve all in the Town.

**6. Appointments and Licenses:**

- a. Common Victualler's License for Jersey Mike's at 2 Bourne Bridge Approach.**
- b. Common Victualler's License for Rise and Dine Café at 254 Shore Road.**

**6.a. Common Victualler's License for Jersey Mike's at 2 Bourne Bridge Approach.**

Matt West said that he is excited to be bringing Jersey Mikes to the Town of Bourne. He explained a little about Jersey Mike's business. He said that tomorrow (March 29<sup>th</sup>) is the biggest day of the year because each one of his Jersey Mike's stores will be donating every dollar made to the Doug Flutie Junior Foundation for Autism. He said they do it every year and last year his four stores raised over \$50,000. on this day. Chair Peter Meier welcomed him to the Town and Melissa Ferretti said that she appreciated the fact that they serve fresh food.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the application for a Common Victualler's license for Mass. Subs 5, LLC, d/b/a Jersey Mike's Subs, Matt West, Manager at 2 Bourne Bridge Approach as conditioned by the Health Department's comments.

**Vote:** 4-0-0.

**6.b. Common Victualler's License for Rise and Dine Café at 254 Shore Road.**

Town Administrator Marlene McCollem said that they are still working with the applicant, so the agenda item was tabled.

**7. Select Board's Business**

- a. Parking waiver request for Hen's Cove Beach parking lot on 6/9 from 5:30 PM – 11:00 PM guests of Martha Turgeon.**
- b. Discussion and possible vote to accept a \$50. donation to the Bourne Library.**
- c. Discussion and possible vote to accept a \$30. and a \$20. donation to the COA.**
- d. Discussion and possible vote to declare 5 police vehicles surplus to be used as trade-ins for future replacements.**
- e. Annual Town Meeting Warrant Articles**
  - i. Article 2 – FY24 operating budget**
  - ii. Article 3 - FY24 sewer enterprise budget**
  - iii. Article 4 - FY24 ISWM enterprise budget**
  - iv. Article 5 - FY24 capital budget**
  - v. Article 8 – CPA projects**
  - vi. Article 9 – CPA administration**
  - vii. Article 21 – Transfer of town land for the Keene House**
- f. Special Town Meeting Warrant Articles**
  - i. Article 1 – unpaid bills**
  - ii. Article 2 – replace :Board of Selectmen” with “Select Board” in the General Bylaws**
  - iii. Article 3 – funds to respond to the opioid epidemic.**
  - iv. Article 4 – FY23 (phase 2) capital budget**
  - v. Article 5 – CPA – Keene House**
  - vi. Article 6 – CPA – Chamber information booth at Bourne Rotary**
  - vii. Article 7 – supplemental expenses for bike racks**
  - viii. Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments**
  - ix. Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments**
- g. Town Meeting process and presenting Articles & Motions**
- h. Select Board Rules of Procedures**
  - i. Section II. Procedure for Establishing Policies & Procedures**
  - ii. Section VIII. Correspondence**
  - iii. new Section – Certificate of Vote**

- 7.a. Parking waiver request for Hen's Cove Beach parking lot on 6/9 from 5:30 PM – 11:00 PM guests of Martha Turgeon.**

Deferred until later in the meeting.

- 7.b. Discussion and possible vote to accept a \$50. donation to the Bourne Library.**

**Voted:** Melissa Ferretti moved, and Mary Jane Mastrangelo seconded to accept a gift in the amount of \$50. from Mr. John Parks to benefit the Jonathan Bourne Public Library.

**Vote:** 4-0-0.

**7.c. Discussion and possible vote to accept a \$30. and a \$20. donation to the COA.**

**Voted:** Judith Froman moved, and Melissa Ferretti seconded to accept a gift in the amount of \$30. from Mr. Robert Castle to benefit the Bourne Council on Aging and to further accept a gift in the amount of \$20 from Ms. Olympia Walker to benefit the Council on Aging.

**Vote:** 4-0-0.

**7.d. Discussion and possible vote to declare 5 police vehicles surplus to be used as trade-ins for future replacements.**

Ms. McCollem said that there is a Capital article to replace 5 cruisers, and this is declaring the ones that will be taken out of the fleet as surplus and apply the trade in value to the new vehicles.

**Voted:** Judith Froman moved, and Melissa Ferretti seconded to authorize the disposal of 5 police vehicles by trade in to McGovern Automobile Group as identified in the March 23<sup>rd</sup>, 2023, email from Chief Esip, and included in the meeting materials the trade in value shall be applied as a credit to the future purchase of the replacement police cruisers.

**Vote:** 4-0-0.

**7.a. Parking waiver request for Hen's Cove Beach parking lot on 6/9 from 5:30 PM – 11:00 PM guests of Martha Turgeon.**

Martha Turgeon said that they are having a rehearsal dinner for her son's wedding, and they do not want to clog up traffic on the street. Ms. McCollem said that if the Select Board wishes to waive the requirement, then parking stickers will not be enforced for that time. Mary Jane Mastrangelo said that if they waive for parking, then it will be for anyone that wants to park there, and not just their guests.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to waive the beach sticker parking for the Circuit Ave Public Beach on the evening of June 9<sup>th</sup>, 2023, from 5:30 PM to 11:00 PM.

**Vote:** 4-0-0.

Chair Meier said that he was going to take item 7.g. out of order of the agenda.

**7.g. Town Meeting process and presenting Articles & Motions**

Chair Meier said that the Finance Committee voted a while ago and the Chair came in and notified the Select Board under Public Comment that they will not be doing the format that they have done in years past for this upcoming Town Meeting. He said that means that someone else will have to do the articles and give descriptions for each article. He said the Finance Committee will be giving recommendations on the articles that they feel comfortable with. Renée Gratis said that by Charter the Finance Committee must give their recommendation on all articles.

Ms. Mastrangelo said that she feels that there has been some communication difficulty by the wording that has been used, whether it be present the article or recommend the article. She said that her understanding from what the Finance Committee voted and from watching the Yarmouth Town Meeting that they gave as a reference, is at the Yarmouth Town Meeting, the only thing that the Finance Committee does is say what they voted on if they recommend an article or not and what the vote was.

There was some discussion about what the Town of Yarmouth does. Ms. Gratis said that the Bourne Finance Committee, at Town Meetings, will give their vote and they will also state how and why they voted that way, and act as an advisory committee to give their advice on the article.

Town Moderator, Amy Kullar said that she would like to meet with the Select Board or the Town Administrator to go over who is saying what at Town Meeting. She said that she likes to run the meeting by knowing what every person that is coming to the podium is going to say in case she has an issues with anything that comes up from the audience so that she can continue to conduct the meeting. She said that she writes down a script for the meeting for herself, and she likes to have it done by three weeks prior to the Town Meeting.

Ms. Mastrangelo said that she was on the Finance Committee for many years, and she explained the role of the Finance Committee and the processes in past Town Meetings. She said that she thinks that it is the Finance Committee's job to advise Town Meeting and it has always worked well, and if they don't want to do it, she is open to trying a new way. Chair Meier said that he agrees with Ms. Mastrangelo, and that it has been tradition for many years and the people of this community are used to the Finance Committee being a check and balance and their recommendations are very important to how they are going to vote. He said that he does not agree with the change in the process, but the Finance Committee has voted on it and that they cannot fight about it.

There was some more discussion about a pre-Town Meeting with the Moderator, and she stated what she would be like to be given before the Town Meeting and her timeline for getting prepared for the Town Meeting.

Judith Froman said that she thinks it is a good idea to try something a little bit different and she has sat in the audience and at the front table and has wondered why the Select Board has not been more vocal or visible. She said that the Select Board are the people that the Town votes in to be running the oversight of the decisions in the Town. She said that many of the articles are put forward by the Select Board. She said that it makes a lot of sense, and the Finance Committee will still be reporting on what their votes are and how they arrived at that vote.

There was some discussion about the steps that will be taken at Town Meetings. The plan will be that the Moderator will recognize a Select Board member to read the motion, it gets seconded, the explanation of the article is given, then the Select Board gives the Select Board recommendation, then the Moderator will turn to the Finance Committee for the Finance Committee's recommendation, then it will move to questions from the floor. Prior to Town Meetings, there will be an identification of what staff member or Select Board member that will take the questions. Ms. Mastrangelo said that she would draft a warrant tracker.

Ms. Kullar said that there are two vacancies on the Finance Committee and if anyone is interested, they should go to the Town of Bourne website and click on the Moderator page for the application. Ms. Froman added that the positions for the Finance Committee are Moderator appointed positions.

**7.e. Annual Town Meeting Warrant Articles**

- i. Article 2 – FY24 operating budget** – Ms. McCollem said that articles 2,3,4 and 5 are the operating budget, the enterprise budgets, and the capital budget for FY24.
- ii. Article 3 - FY24 sewer enterprise budget**
- iii. Article 4 - FY24 ISWM enterprise budget**
- iv. Article 5 - FY24 capital budget**
- v. Article 8 – CPA projects** – Barry Johnson said that on March 22<sup>nd</sup>, the CPC voted to recommend all the projects that are before the Select Board. He said that the Water Bottle project is for \$30,000., the Pocasset Community Building is for \$20,000, and there is a project in Dennis for people with autism and related disabilities.

Sue Ross, Chair of Bourne Affordable Housing Trust, and Housing Partnership, said that every year they go before the CPA Committee to ask for money for various projects, and it's mostly for administrative costs. She explained that the state makes deed changes frequently and to do things correctly, they have contracted with Housing Assistance Corporation to do their monitoring for housing. The cost for this monitoring is \$15,600. a year. She said that they are using some of their money to assist with housing lotteries.

Ms. Ross also said that due to grants, they have been re-capturing money that has to go back into a repair program, and there are many rules and regulations from HUD regarding this money.

Chair Meier said that there was a question raised at last night's Finance Committee meeting about if Bourne's CPA fund can be used on a regional project and the answer is yes, they can.

Chris Southwood, Natural Resources Director, said he was at the meeting to bring forward the proposal to get funding for the Sagamore Beach emergency access ramp and for some stormwater improvements at 58 Sagamore Road. He said that there has been some erosion regarding the ramp, and which has created some hazardous conditions at some points. He explained what they plan to do, and what they have met about, regarding the parking lot and the ramp project. He said that they are asking for \$150,000 for construction that they hope they can start in October.

Heather Di Paolo of the Recycling Committee explained the Water Bottle Station project and how it would decrease the amount of plastic waste on the Town's roadways. She said that they have earmarked spots at Clark Field and the Bourne School Campus. The CPA recommendation is \$30,000. for this project.

Jordan Geist, Business Manager, Bourne Public Schools, talked about request for a restoration project in the amount of \$20,368. for engineering services. The project is to improve access to a walkway that is located directly across from the entrance to the High School campus at 75 Waterhouse Road.

Barry Johnson said that the next project is for the Pocasset Village Foundation for the Pocasset Community Building for replacement of windows at the rear end of the hall. He said the original application was for \$15,000. and after the hearing, the CPC felt that this should be increased to \$20,000. Robert Dwyer explained the project to the Select Board.

Carl Georgeson, Chair of the Board of Governors for the Town of Bourne Historical Center, said that at the Archive Building they would like to paint the cupola, the trim on the front of the building, the bulkhead and handicapped railing at the back of the building. He said that they are asking for \$20,000.

Barry Johnson said that the next project is the moving of the information booth that is currently located on the Cumberland Farms property. Mr. Georgeson said that this request of \$45,000. is to move the current existing booth from the grounds at Cumberland Farms to the VFW, and for renovations of the structure. Mr. Doherty suggested that they build a new structure which is essentially replacing an old shed that would be a replica of what this represents as an alternative.

Barry Johnson said that the CPC is recommending \$250,000. for the next project which is the Keene House project. Chair Meier said that he is the Senior Vice President of the Bourne Historical Society and is also an advocate for this project, so he wanted to disclose that he is going to recuse himself as part of this discussion.

Mavis Robinson, Bourne Historical Society, explained the project of acquiring the Keene House, which is currently located at 9 Sandwich Road, and the moving of it to the Aptuxet Trading Post Museum property, and the history of this project request. Mr. Doherty said that he enthusiastically supports this project.

**vi. Article 9 – CPA administration**

Mr. Johnson said that this article has been on the Town Meeting warrant for many years, and he said that the CPC is allowed up to 5% of revenues generated for CPA that they are requesting \$75,000.

**vii. Article 21 – Transfer of town land for the Keene House**

Chair Meier said that this is a plan B in case the move of the Keene House does not work out to be moved to Aptucxet, as it gives the Bourne Historical Society some flexibility to maybe move the house across the street, provided Town Meeting approves the article.

**7.f. Special Town Meeting Warrant Articles**

Chair Meier said he was going to take articles 8 and 9 out of order.

**Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments & Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments**

Chair Meier said that articles 8 and 9 are private petition articles. Steven Strojny said that they filed two petitions – one is for the repeal of the ban of cannabis that is currently in place in the Town and the other petition was proposed zoning bylaws so that if the ban is repealed that there are rules as to where a marijuana establishment could go. He said that he was on the Planning Board the last time this came around to the Annual Town Meeting, and he was involved with the draft of the zoning bylaws. He said there seems to be movement in Town about repealing the ban, and he started discussing it with people and he feels the time is right to bring this back to the voters. He said that the Town is missing out on a lot of revenue.

There was some discussion about the zoning bylaws. Mr. Strojny explained the bylaws and he talked about the changes that have happened in the past 4 years.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to make consideration of Special Town Meeting article number 9 contingent upon approval of Special Town Meeting article number 8

Mary Jane Mastrangelo withdrew her motion and Judith Froman withdrew her second.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded that the private petition zoning bylaw to allow marijuana establishments be contingent on the passage of the private petition appeal of bylaw section 3.1.45 prohibition on marijuana.

**Vote:** 4-0-0.

Chair Meier agreed with Mr. Strojny about the Town of Bourne missing out on revenue, and he feels that it is time for the Town to allow its property owners to have the chance to be able to open their own marijuana businesses in the

Town. There was some discussion about the last time this was voted, and about other communities that have allowed medical and recreational establishments to be opened.

**i. Article 1 – unpaid bills**

Withdrawn.

**ii. Article 2 – replace: “Board of Selectmen” with “Select Board” in the General Bylaws**

**iii. Article 3 – funds to respond to the opioid epidemic.**

Ms. McCollem said that the Town has signed onto some class action lawsuits against pharmaceutical companies, distributors and pharmacies, and the Town is beginning to receive the settlement funds. She said the funds are specifically identified to be used for prevention, harm reduction, and treatment in response to the opioid epidemic. They are currently closed out to Free Cash because the state has not set up the legal mechanism yet to keep these as a receipt reserved for appropriation, which will be forthcoming. She said that \$165,000. has been received. Terri Guarino said that the funds started coming in November of 2022. There was some discussion on the implementation of the money.

**iv. Article 4 – FY23 (phase 2) capital budget**

Ms. McCollem said that there are no new additional projects, but they want to move some of the items, especially the vehicles, onto the Special so that the funds are available immediately and orders can be placed before July 1.

**v. Article 5 – CPA – Keene House**

Previously discussed.

**vi. Article 6 – CPA – Chamber information booth at Bourne Rotary**

Previously discussed.

**vii. Article 7 – supplemental expenses for bike racks**

Ms. McCollem said that the Town received a reimbursement grant for bike racks that involved reimbursement for the cost of the racks but not for the labor and installation. She said the project was a little bit delayed and they were not able to submit in time the reimbursements for all the bike racks that were purchased so there is a small amount of money that is needed from Free Cash to cover the cost. Although Ms. McCollem did not have the exact amount of the request, she said that it will be in the motion.

**viii. Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments**

Previously discussed.

**ix. Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments**

Previously discussed.

**7.g. Town Meeting process and presenting Articles & Motions**

Previously discussed.

**7.h. Select Board Rules of Procedures**

Chair Meier said that the House and Senate has approved remote meetings until 2025.

**i. Section II. Procedure for Establishing Policies & Procedures**

Judith Froman read aloud her version of the first step of what steps should be taken regarding the procedure for establishing policies and procedures. There was some discussion about what she had written. They discussed the timeline for establishing policies, and about how to begin. Ms. Mastrangelo thinks that a bimonthly meeting on policy needs to be in place. Chair Meier said that they can continue this discussion at the April 18<sup>th</sup> meeting.

**ii. Section VIII. Correspondence**

To be discussed at the April 18<sup>th</sup> meeting.

**iii. new Section – Certificate of Vote**

Ms. McCollem said that what she is trying to capture here is how to document actions that don't have other paperwork associated with them. She said that she thinks the key role of the certificate of vote is to document an action that doesn't otherwise have anything produced by its proceedings.

There was some discussion about certificates of vote for fees. Ms. McCollem said that the fee schedule should always be on file with the Town Clerk. She said that she recommends going forward that they now have that as attachment C, which is the fee schedule, and every year the date on attachment C should change and be re-filed with the Town Clerk. She said that regarding fees or rules and regulations, the certificate of vote is not good enough, and the document itself has to be filed with the Town Clerk.

Barry Johnson said that he has reviewed what Ms. McCollem has proposed and he has listened to the discussion, and he supports what Ms. McCollem is proposing. He thinks that her proposal is a great first start and will clarify some stuff between their two offices.

John York suggested that the Select Board might need to have a policy on when people come to the Select Board with a presentation that they are expected to leave a copy of their presentation. The Select Board agreed that there should be a policy regarding these presentations. There was more discussion about the presentations becoming part of the public record for the meeting.

## 8. Town Administrator's Report

Ms. McCollem said that Bourne has received their interim compliance letter from DHCD for the MBTA Zoning Action plan.

Ms. McCollem also said that the chemical oxidation cleanup for the soil contamination at the Community Building has been awarded and the field injections are scheduled for the week of June 5<sup>th</sup> through 9<sup>th</sup>. There could be some parking and circulation changes during that time.

## 9. Minutes: 3/7/23; 3/14/23

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the minutes of March 7<sup>th</sup>, 2023.

**Vote:** 4-0-0.

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the minutes of March 14<sup>th</sup>, 2023.

**Vote:** 4-0-0.

## 10. Correspondence

Melissa Ferretti read aloud the correspondence:

- 2 DEP Letters.
- Email regarding bridge replacement – B. Cromer.
- Email regarding rail removal - J. Spears.
- Talent Bank Form – BHPC (Bourne Housing Partnership Committee) – C. Spilhouse.
- Abutters notification - work at 2 Kendal Rae Place.

These are all on the Town's website.

## 11. Committee Reports

Ms. Froman said that there was a CCMPO meeting yesterday. She said that the Cape Cod Canal bridges are on the agenda every month, and there were no new updates on them. She said one of the newest topics is the addition of the reliability congestion and emissions performance targets, while working together with MassDOT. She said that they ended up adopting what the targets are for the State because it is a new area and there isn't a lot of information in which to study from this region.

Ms. Froman said that they reviewed the Public Transportation Agency Safety plan and she talked about some of the other topics that they talked about at the meeting.

**12. Other Business**

None.

**13. Upcoming meetings: April 4 – (execute warrant); April 18 (Special Events Policy Workshop); April 25 (BOSC)**

Chair Meier said that tomorrow night is the Sagamore Bridge discussion.

**14. Adjourn**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to adjourn.

**Vote:** 4-0-0.

This meeting of the Bourne Select Board was adjourned at 10:01 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

**Select Board**  
**Minutes of Tuesday, April 4, 2023**  
**Bourne Veterans' Community Center – Rm 2**  
**Buzzards Bay, MA**  
**Or Virtually**

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**ATA Liz Hartsgrove**

**Select Board**

Peter Meier, Chair  
Jared MacDonald, Vice Chair, (virtual)  
Melissa Ferretti, Clerk  
Judith Froman  
Mary Jane Mastrangelo

Others: Town Administrator Marlene McCollem (virtual), Erica Flemming, Finance Director (virtual), Mike Ellis, Town Accountant (virtual), Robert Galibois, District Attorney, Kristy Senatori, Executive Director, Cape Cod Commission, Stephen Mealy, Bourne Representative and Vice Chair, Cape Cod Commission, Sarah Colvin, Communications Manager, Cape Cod Commission, George Slade, John York (virtual), Mavis Robinson (virtual), Kendra Beguerie (virtual), Attorney Jessica Sommer, Jinesh Patel, Joan Eccleston, Jordan Walsh, Jenna White, and Peter Perroni (virtual 8:14)

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**Zoom Meeting ID: 869 5775 5505      Password : BOURNE**

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099** entering the ID/pass above.

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

**7:00 PM Call Public Session to Order in Open Session**

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to its citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with

others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

- 5. Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

**6. Invited Guest: District Attorney Galibois**

Chair Meier introduced newly elected District Attorney Robert Galibois. Chair Meier said that Mr. Galibois served on committees in Bourne years ago. Mr. Galibois said that he lived in Bourne for 18 years, and it is a special place for him and his family.

Mr. Galibois talked about the Cape and Islands District Attorney's office, and he said it has been around for about 50 years. He said that the top prosecutor position, First Assistant District Attorney, had never been held by a woman and he is pleased to say that on his first day as District Attorney he was able to appoint Jessica Elumba as the first woman to hold the position. He said that she has about 25 years of experience, and she created vertical prosecution in Barnstable District Court, and an unsolved homicide unit.

Mr. Galibios said that in the weeks leading to his swearing in, he was able to meet with all 15 Police Chiefs from the Cape. he said that the goal of each meeting was to see what they liked under the prior administration that they would like to see continued under the new administration, and what they would like to have done a little bit differently. He said he is working on the implementation of the suggestions received in those meetings.

Mr. Galibois said that they now have a Diversity, Equity, and Inclusion Committee. He said he is working with Congressman Keating on shared values. He said they have created a good relationship with a trial court in their efforts to launch a mental health session, where professionals in the field work with struggling defendants. He said he is working with Cape Cod Community College on an internship program. He also said he is working on trying to increase the budget to provide a higher level of services and would like the opportunity to come back to keep Bourne abreast of his progress updates.

Chair Meier said that he is going to push ahead agenda item number 8.k.

**8.k. Cape Cod Commission Presentation: 2022 year-end review.**

Kristy Senatori, Executive Director, Cape Cod Commission, handed out the Cape Cod Commission's 2022 year-end review to the Select Board and thanked the Board for the opportunity to come before the Board. She said that she is accompanied by Sarah Colvin, the Communications Manager for the Cape Cod Commission. She said she is also accompanied by Stephen Mealy, Bourne Representative and Vice Chair, Cape Cod Commission, and she spoke highly of all the work that Mr. Mealy has done for the Commission and for the Cape. She also

recognized George Slade from the Barnstable County Assembly of Delegates for all his hard work.

Ms. Senatori said that the handout that she gave the Board was a high-level overview of some of the important projects that were a priority of the Cape Cod Commission in 2022 and continue to be.

Ms. Senatori said that coastal water quality efforts have significantly increased across the Cape as communities are making progress addressing issues and towns are taking advantage of available financing and funding. She said that one of their primary initiatives last year which has moved into this year is the freshwater initiative. She said they completed the first ever Climate Action Plan for Cape Cod and they are now in the implementation phase of the project. She said they also have initiated their Low-Lying Roads project. She talked about some other initiatives related to climate change that the Cape Cod Commission is working on.

Ms. Senatori said that housing issues have been exacerbated over the last several years. She said that the Commission has begun working on a Regional Housing Strategy for Cape Cod that will address housing supply, availability, and affordability. She talked about some of the issues with housing on the Cape.

Ms. Senatori said that they will be holding their One Cape Summit again over the course of this summer coming up and they will have more details later.

Stephen Mealy, Bourne Representative and Vice Chair, Cape Cod Commission, gave a brief overview on what has been going on with the Cape Cod Commission in relation to the Town of Bourne for the past year. He gave a background of the Cape Cod Commission. He talked about TIP (Transportation Improvement Program), and that the MPO (Metropolitan Planning Organization) endorsed three projects for Bourne: Bourne Rotary Improvement Project, Phase 1 of the Bourne Rail Trail, and Bourne Scenic Highway Route 6 Median installation.

Judith Froman thanked the Cape Cod Commission for being such a professional organization and for connecting with the entire county. She said that she thinks that they are an incredible resource.

## **7. Appointments and Licenses:**

- a. Public Hearing: Application to amend the “All Alcoholic Beverages Package Store License” by H&J Convenience Inc., d/b/a Country Farms – proposed to be located at 365 Barlows Landing Road, Pocasset, MA.**
- b. Public Hearing: Application for a new “All Alcoholic Beverages Package Store License” held by Norman B. White, Jr., Inc., d/b/a The Liquor Barn for a change in Officers/Directors and a Change of Stock Transfer Interest.**
- c. Discussion and possible vote to appoint Connie Spilhaus to the Housing Partnership Committee as an at-large member with an expiration of June 30, 2024.**
- d. Discussion and possible vote to approve a Common Victualler’s License for Rise and Dine Café at 254 Shore Road.**

**7.a. Public Hearing: Application to amend the “All Alcoholic Beverages Package Store License” by H&J Convenience Inc., d/b/a Country Farms – proposed to be located at 365 Barlows Landing Road, Pocasset, MA.**

Attorney Jessica Sommer, of the Law Firm of Dunning & Kirrane in Mashpee, MA, said that she is assisting in representing Jinesh Patel, owner of H&J Convenience Inc., d/b/a Country Farms.

Chair Meier read aloud a summary surrounding the application from Mr. Patel for a year-round license to sell alcoholic beverages. He entered into the record a copy of the legal notice that was published in the Bourne Enterprise on March 17<sup>th</sup>, 2023. He then asked Ms. Sommers to give the green cards to Assistant Town Administrator, Liz Hartsgrove. Chair Meier then entered into the record of the hearing a copy of the complete application and supporting materials provided to the Town of Bourne, dated March 1, 2023. Chair Meier then summarized the steps that will be taken during the hearing.

Attorney Sommer said that Mr. Patel has been a long-time resident of Bourne and has been the owner of this convenience store for a long time. She said that over the years he has wished to make part of the store a package store. She said that they started the process at around the same time the license in Cataumet was granted. She said that although they know that there is not a license available, they are there to present to be on the record. She said that they feel that there is a community need. She said that if in the future a license becomes available, they have submitted the application to show that they are very interested.

Jinesh Patel said that he has been looking for a liquor license for a very long time, and he had been told that there were no licenses available. He said that he heard that there may be a license available in December, and he called again in January, and put his application in, and then a license was issued to Cataumet Fish. He explained the footprint of the store in which he would like to add alcohol sales to his store.

Judith Froman said that they need to have a policy in place so there is not this nebulous nature of whether to apply. Chair Meier said that yes, a policy needs to be in place, and moving forward the Town and the Select Board will continue working on trying to make it fair for all that would like to hold liquor licenses in the Town. There was some discussion about a “beer and wine” license compared to an “all Alcohol” license.

Joan Eccleston, a neighbor to Mr. Patel’s store, spoke to the character of Mr. Patel, and how he is an exemplary resident of the Town of Bourne. She feels the process needs to be worked on, and she said that she hopes the Town would consider Mr. Patel for a liquor license.

Jared MacDonald said that currently there is not a liquor license available, and he said that the Select Board will be working on the process.

**Voted:** Judith Froman moved, and Jared MacDonald seconded to deny the application of H&J Convenience LLC, d/b/a Country Farms, located at 365 Barlow’s Landing in Pocasset for a new annual “All Alcoholic Retail Package Store License” under General Law Ch. 138., sec. 15, for the

reasons stated by the Select Board during this hearing and further to authorize and direct Town staff and Town Counsel to prepare a correspondence memorializing the same for transmission to the applicant and to the Alcoholic Beverages Control Commission.

**Vote:** Judith Froman – yes, Jared MacDonald – yes, Melissa Ferretti – yes, Mary Jane Mastrangelo – yes and Chair Meier – yes, 5-0-0.

**7.b. Public Hearing: Application for a new “All Alcoholic Beverages Package Store License” held by Norman B. White, Jr., Inc., d/b/a The Liquor Barn for a change in Officers/Directors and a Change of Stock Transfer Interest.**

Attorney Jordan Walsh, an Associate with Schlossberg, LLC, said that she is Counsel for the Liquor Barn, and that they are requesting the Select Board’s review of the amendments for the change in Officer and stock ownership.

**Voted:** Jared MacDonald moved, and Mary Jane Mastrangelo seconded to amend the “All Alcoholic Beverages Package Store License” held by Norman B. White, Jr., Inc., d/b/a The Liquor Barn for a change in Officers/Directors and a Change of Stock Transfer Interest as defined in the ABCC application date February 8<sup>th</sup>, 2023.

**Vote:** Jared MacDonald – yes, Judith Froman – yes, Melissa Ferretti – yes, Mary Jane Mastrangelo – yes, and Chair Meier – yes. 5-0-0.

**7.c. Discussion and possible vote to appoint Connie Spilhaus to the Housing Partnership Committee as an at-large member with an expiration of June 30, 2024.**

**Voted:** Melissa Ferretti moved, and Jared MacDonald seconded to appoint Connie Spilhaus to the Housing Partnership Committee as an at-large member with a term expiring on June 30, 2024.

**Vote:** 5-0-0.

**7.d. Discussion and possible vote to approve a Common Victualler’s License for Rise and Dine Café at 254 Shore Road.**

Kendra Beguerie said that she has owned a catering business for 7 years and would like to open a breakfast all day and lunch café at 254 Shore Road.

Ms. Froman asked if the issue with the septic system had been resolved. Ms. McCollem said that the Health Department has determined that with the use as proposed that the septic system is properly designed for it.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve a Common Victualler’s License for Rise and Dine Café. Kendra Beguerie, Manager, at 254 Shore Road as conditioned by the comments received by Building, Health, and Fire Departments.

**Vote:** 5-0-0.

**8. Select Board's Business**

- a. Discussion and possible vote to approve Best Buddies International to use town roads for their 24<sup>th</sup> annual bicycle ride on June 3<sup>rd</sup>.
- b. Discussion and possible vote to approve the American Cancer Society to use the pickleball courts at Clark Road on July 1<sup>st</sup> for their pickleball fundraiser.
- c. Discussion and possible vote to approve the American Foundation for Suicide Prevention to use Buzzards Bay Park for their Cape Cod Out of the Darkness Walk to Fight Suicide on September 30<sup>th</sup>.
- d. Discussion and possible vote to approve the Buzzards Bay Water Coalition to use town roads for their annual cycling fundraiser on October 1<sup>st</sup> to support clean water in Buzzards Bay
- e. Discussion and possible vote to approve the Pan Mass Challenge to use town roads for their annual fundraiser from August 5<sup>th</sup> - August 6<sup>th</sup>.
- f. Discussion and possible vote to approve a One Day Liquor License for all alcoholic beverages to the Pan Mass Challenge at Mass Maritime Academy on August 5<sup>th</sup>.
- g. Discussion and possible vote to approve Harbor to the Bay to use towns roads for their annual charity bike rider on September 23<sup>rd</sup>.
- h. Discussion and possible vote to approve Habitat for Humanity of Cape Cod to use town roads for their fundraiser bike ride on September 17<sup>th</sup>.
- i. Discussion and possible vote to approve a One Day Liquor License for beer and wine to Habitat for Humanity at the Aptuxet Trading Post Museum on September 17<sup>th</sup>.
- j. Discussion and possible vote to approve BHS Girls Lacrosse to hold a car wash at the Pocasset Fire Station on May 6<sup>th</sup>.
- k. Cape Cod Commission Presentation: 2022 year-end review.
- l. Section 12 Notice from Town Clerk re: election workers.
- m. Vote to execute the Special and Annual May 1, 2023, Town Meeting Warrants.
- n. Vote to identify any essential or contingent Articles.
- o. Discussion and possible vote on the possibility for a second night for Town Meeting (Tuesday, May 2, 2023).
- p. Discussion on the draft motions for all Annual & Special Town Meeting Articles.
- q. Financial Policy Review – identify Working Group members to assist the Collins Center.
- r. Discussion and possible ratification of Bourne Employee's Association (BEA) Memorandum of Agreement – FY 23-25.

- 8.a. Discussion and possible vote to approve Best Buddies International to use town roads for their 24<sup>th</sup> annual bicycle ride on June 3<sup>rd</sup>.**

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the application of Best Buddies International, Paul Curley, Organizer, to use various town roads for a bicycle ride on June 3<sup>rd</sup>, 2023, from 10 AM to 2 PM as conditioned by the comments received by the police Department.

**Vote:** 5-0-0.

**8.b. Discussion and possible vote to approve the American Cancer Society to use the pickleball courts at Clark Road on July 1<sup>st</sup> for their pickleball fundraiser.**

**Voted:** Judith Froman moved, and Jared MacDonald seconded to approve the application of the American Cancer Society, Zoey Wright, Organizer, for a pickleball fundraiser at the Clark Road courts on July 1<sup>st</sup> 2023, from 10 AM to Noon, as conditioned by the comments received by the DPW.

**Vote:** 5-0-0.

**8.c. Discussion and possible vote to approve the American Foundation for Suicide Prevention to use Buzzards Bay Park for their Cape Cod Out of the Darkness Walk to Fight Suicide on September 30<sup>th</sup>, 2023.**

**Voted:** Jared MacDonald moved, and Judith Froman seconded to approve the application of the American Foundation for Suicide Prevention, Jessica von der Stad, Executive Director, to use Buzzards Bay Park for the South Shore Cape Cod Out of the Darkness Walk to Fight Suicide on September 30<sup>th</sup> from 7 AM to 2 PM with a set-up date of September 29<sup>th</sup>, 2023, as conditioned by the comments received by the Building Department and DPW.

**Vote:** 5-0-0.

**8.d. Discussion and possible vote to approve the Buzzards Bay Water Coalition to use town roads for their annual cycling fundraiser on October 1<sup>st</sup> to support clean water in Buzzards Bay**

**Voted:** Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the application of the Buzzards Bay Coalition, Jonah Guerin, Organizer, to use various town roads for a bicycling fundraiser to support clean water in Buzzards Bay, on October 1<sup>st</sup>, 2023, from Noon to 4PM, as conditioned by the comments received by the Police Department.

**Vote:** 5-0-0.

**8.e. Discussion and possible vote to approve the Pan Mass Challenge to use town roads for their annual fundraiser from August 5<sup>th</sup> - August 6<sup>th</sup>.**

**Voted:** Jared MacDonald moved, and Judith Froman seconded to approve the application of the Pan Mass Challenge, Glynn Hawley, Organizer use various town roads for a bicycle fundraiser from August 5<sup>th</sup>, 2023, at 7 AM to August 6<sup>th</sup>, 2023, at 1 PM as conditioned by the comments received by the Police Department.

**Vote:** 5-0-0.

**8.f. Discussion and possible vote to approve a One Day Liquor License for all alcoholic beverages to the Pan Mass Challenge at Mass Maritime Academy on August 5<sup>th</sup>.**

**Voted:** Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the application of a One Day Liquor License for all alcoholic beverages for the Pan Mass Challenge, Glynn Hawley, Organizer, at Massachusetts Maritime Academy on August 5<sup>th</sup>, 2023, from 11 AM to 7 PM as conditioned by the comments received by the Health Department, Fire Department and Police Departments.

**Vote:** 5-0-0.

**8.g. Discussion and possible vote to approve Harbor to the Bay to use towns roads for their annual charity bike ride on September 23<sup>rd</sup>.**

**Voted:** Jared MacDonald moved, and Judith Froman seconded to approve Harbor to the Bay, David Whitman, Organizer, to various use towns roads for a charity bike ride from Provincetown to Boston on September 23<sup>rd</sup>, 2023, from 8:30 AM to 1 PM, as conditioned by the comments received by the Police Department.

**Vote:** 5-0-0.

**8.h. Discussion and possible vote to approve Habitat for Humanity of Cape Cod to use town roads for their fundraiser bike ride on September 17<sup>th</sup>, 2023.**

**Voted:** Jared MacDonald moved, and Judith Froman seconded approve Habitat for Humanity of Cape Cod, Adrienne Wytas, Organizer, to use town roads for a bike fundraiser on September 17<sup>th</sup>, 2023, beginning at 6 AM, as conditioned by the comments received by the Health Department and Police Department.

**Vote:** 5-0-0.

**8.i. Discussion and possible vote to approve a One Day Liquor License for beer and wine to Habitat for Humanity at the Aptucxet Trading Post Museum on September 17<sup>th</sup>.**

**Voted:** Jared MacDonald moved, and Judith Froman seconded to approve the application of a One Day Liquor License for beer and wine to Habitat for Humanity Bike Ride, Adrienne Wytas, Organizer, at the Aptucxet Trading Post Museum on September 17<sup>th</sup>, 2023, as conditioned by the comments received by the Building Department.

**Vote:** 5-0-0.

Judith Froman wanted all to take note of the number of bike rides that are being held. She said that these are just the organized rides, and it would be wonderful to have bike lanes in Bourne.

**8.j. Discussion and possible vote to approve BHS Girls Lacrosse to hold a car wash at the Pocasset Fire Station on May 6<sup>th</sup>, 2023.**

**Voted:** Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the application of the Bourne High School Girls Lacrosse Team, Eva Sheehy, Organizer, for a car wash at the Pocasset Fire Station on May 6<sup>th</sup>, 2023, from 8:45 AM to 12:15 PM, as conditioned by the comments received by the Fire Department.

**Vote:** 5-0-0.

**8.k. Cape Cod Commission Presentation: 2022 year-end review.**

Previously discussed.

**8.l. Section 12 Notice from Town Clerk re: election workers.**

Ms. McCollem said that this is for the standard annual letter to the Democratic and Republican Town Committees, and she thinks it has to be done before the 14<sup>th</sup>.

**Voted:** Jared MacDonald moved, and Judith Froman seconded to approve the letters to the Democratic and Republican Town Committees pursuant to Mass General Law Ch. 54 sec. 12 regarding election officers.

**Vote:** 5-0-0.

**8.m. Vote to execute the Special and Annual May 1, 2023, Town Meeting Warrants.**

Ms. McCollem said that in the Select Board's signature pile for this meeting, there are two documents, the Annual Town Meeting Warrant, scheduled for 7 PM and the Special Town Meeting Warrant scheduled for 7:30 PM. She said that the Board has discussed all the articles and all the language has been reviewed by Counsel. If voted to be executed and posted at tonight's meeting, the warrant would be turned over to the Town Clerk's office tomorrow morning and then posted per the Charter by the Constable.

**Voted:** Jared MacDonald moved, and Judith Froman seconded to execute and post the Special and Annual Town Meeting Warrants for the May 1, 2023, Town Meeting.

**Vote:** 5-0-0.

**8.n. Vote to identify any essential or contingent Articles.**

Ms. McCollem said that she recommends a few articles as essential, and the Finance Committee has designated one petition article that is contingent on another. Ms. Mastrangelo clarified what the contingency is for article 8. There was some discussion about the zoning bylaw article and how it compares to the bylaw article from a few years ago.

**Voted:** Mary Jane Mastrangelo moved, and Melissa Ferretti seconded to designate Special Town Meeting 3, and Annual Town Meeting Articles 1, 2, 3, 4, 5, 9, 10 & 12 as Essential Articles, all others to be considered non-Essential for the purposes of the lottery, and to further designate Special Town Meeting Article 8 contingent on Article 7 of the Special Town Meeting.

**Vote:** 5-0-0.

**8.o. Discussion and possible vote on the possibility for a second night for Town Meeting (Tuesday, May 2, 2023).**

**Voted:** Jared MacDonald moved, and Judith Froman seconded to set Tuesday, May 2<sup>nd</sup>, 2023, at 7 PM, for any adjourned session of Town Meeting if necessary.

**Vote:** 5-0-0.

**8.p. Discussion on the draft motions for all Annual & Special Town Meeting Articles.**

Ms. Mastrangelo said that regarding article 5, the Keene House, the Finance Committee has decided to make their recommendation at Town Meeting, because they didn't seem to feel like they had enough information. She said that she is comfortable with authorizing the up to \$250,000. from CPA funds for the project. She said that the list of items for what they would be spending the money on was complete. Mr. MacDonald agreed with Ms. Mastrangelo.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to recommend approval of the motions on articles 1,2,3,4,5,and 6 of the Special Town Meeting.

**Vote:** 5-0-0.

There was some discussion about articles 7 and 8. Ms. Mastrangelo said that the Finance Committee took no action and they said that they are not going to make a recommendation on this and that they are going to leave it up to Town Meeting to make a recommendation. She said that the community is divided on this topic. She said that she is uncomfortable making a recommendation on it. There was also discussion about what would be written in the voter handbook regarding articles 7 and 8. Ms. McCollem said that she needs to get the voter handbook to the printer by the end of next week.

The Board discussed all the articles for the Annual Town Meeting to determine if any needs to be separated out. Ms. Froman said regarding the Recreation Committee bylaw that she feels it is a band aid and all the policies need to be updated and reviewed. Ms. Mastrangelo said that she made a chart of the current 49 committees. She said that some of them are covered in bylaws and some in the Charter and bylaws, and some are state rules that were set up by the County. She said that some started as temporary committees.

**Voted:** Mary Jane Mastrangelo moved, and Melissa Ferretti seconded that the Select Board recommends approval of the motions on Annual Town Meeting Warrant Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21.

**Voted Amended Motion:** Mary Jane Mastrangelo moved, and Melissa Ferretti seconded that the Select Board recommends approval of the motions on Annual Town Meeting Warrant Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, and to recommend indefinite postponement for Annual Town Meeting Warrant Article 22.

**Vote:** 5-0-0.

**8.q. Financial Policy Review – identify Working Group members to assist the Collins Center.**

Chair Meier said that he and Mary Jane Mastrangelo served on the last financial working group that was created in 2015, and he said that it looks like it is the same setup. He said it is a good model and the only suggestion that he has is to add the Assistant Town Administrator.

Ms. McCollem wanted to know if the designated appointees have a vote at the end of the day. Ms. Mastrangelo said that the last Financial Working Group was a little different as at the time they were facing a financial crisis. She said the group convened in public meetings that were televised and the major recommendation that came out of the group was an override request.

Ms. McCollem said that this group would be a Select Board appointed group that would be subject to the Open Meeting Law. The recommended financial policies would be given to the Select Board for adoption. There was some discussion about times when a consensus or a documentation of direction.

**Voted:** Mary Jane Mastrangelo moved, and Jared MacDonald seconded to identify and appoint a financial working group to assist The Collins Center for public policy with a comprehensive

update of the Town's financial policies, such working group shall be comprised of the Finance Director, the Town Administrator, the Superintendent of Bourne Public Schools, two members of the Finance Committee selected by them from their membership, two members of the School Committee selected by them from their membership, two members of the Select Board selected by them from their membership, and all appointed by the Board of Selectmen.

**Vote:** 5-0-0.

**8.r. Discussion and possible ratification of Bourne Employee's Association (BEA) Memorandum of Agreement – FY 23-25.**

Ms. McCollem said that this was the last for their Union group to reach an agreement with her. She said that it was discussed in executive session with the Select Board, and she would now like to move forward with the MOA.

**Voted:** Judith Froman moved, and Jared MacDonald seconded to ratify the FY23-25 Memorandum of Agreement between the Town of Bourne, and the Bourne Employee's Association (BEA) as discussed in executive session on March 28<sup>th</sup>, 2023.

**Vote:** 5-0-0.

**9. Town Administrator's Report –**

Assistant Town Administrator Liz Hartsgrove said that local members of the Southeast chapter of the Appalachian Mountain Club, Robin McIntyre and Len Albright have arranged for the club to generously donate materials to replace 10 benches in the Four Ponds Conservation area and for some signs. The work is scheduled to be complete in May and is being done by the students at Upper Cape Tech.

Ms. McCollem said that ISWM, for the first quarter of the calendar year, has diverted 1.13 tons of food waste to the food waste program.

Ms. McCollem also said that over the past few years the Health Department has been very involved in the COVID response and has strengthened a lot of relationships and partnerships, and they want to keep those relationships strong. The Health Department will be partnering with the Jonathan Bourne Library and the VNA on Tuesday mornings in April, May, and June for people to have confidential conversations with a Public Health nurse.

Ms. McCollem also said that regarding the field maintenance, the DPW has finished their assessment after the winter in advance of the summer season. The Pocasset Field is going to be thatched and repairs will be to the infield. They will also check on the lights. Other infields will also be addressed.

**10. Minutes: none**

**11. Correspondence**

Melissa Ferretti read aloud the correspondence:

- 2 DEP Letters
- Abutters notice – 274 Williston.

- Email from J. York – MassDOT Landscape Design Project
- Cape Cod Commission Report

These are all on the Town’s website.

**12. Committee Reports**

None.

**13. Other Business**

Ms. Mastrangelo said that she made a warrant tracker for Town meeting and sent it to Ms. McCollem earlier in the day. She said there are 30 warrant articles. She said that they will need to divide the articles up soon.

**14. Upcoming meetings**

Ms. McCollem said that on April 18<sup>th</sup> there will be a policy workshop for special events.

**15. Adjourn**

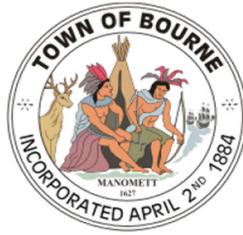
**Voted:** Jared MacDonald moved, and Judith Froman seconded to adjourn.

**Vote:** 5-0-0.

This meeting of the Bourne Select Board was adjourned at 9:07 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



## Select Board's Correspondence

May 9, 2023

- A. DEP letter – PFAS Truck Rollover Site
- B. DEP letter – Wastewater Treatment Plant Infiltration Beds
- C. DEP letter – Quality Assurance Project Plan 2023 update
- D. Install Hearing Notice – 79 Monument Neck Road
- E. Sugarman/Rogers letter re Decommissioning of Pilgrim
- F. APCC letter re Ocean Sanctuaries Act and Pilgrim wastewater discharge
- G. APCC letter re proposed machine gun range
- H. Comcast letter re leased channel changes
- I. Janice Marks Resignation letter
- J. Request for donation to Alzheimer's Family Support Center
- K. Upper Cape Tech meeting minutes 03.09.23



# Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

May 1, 2023

Air Force Civil Engineer Center/JBCC  
Attn: Rose Forbes  
Remediation Program Manager  
322 East Inner Road  
Otis ANG Base, Massachusetts 02542

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0000037  
Joint Base Cape Cod (JBCC)  
**Draft Feasibility Study for Per- and  
Polyfluoroalkyl Substances at Tanker Truck  
Rollover Sites, Comments**

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document “**Draft Feasibility Study for Per- and Polyfluoroalkyl Substances at Tanker Truck Rollover Sites, Joint Base Cape Cod, Massachusetts**” dated March 2023 (TTRS FS). The TTRS FS summarizes the findings of a Feasibility Study (FS) for per- and polyfluoroalkyl substances (PFAS) in soil and groundwater associated with the Tanker Truck Rollover Sites at JBCC. MassDEP offers the following comments on the TTRS FS.

### **General Comment:**

1. MassDEP comments to the Air Force Civil Engineer Center dated April 14, 2022, June 22, 2022, and March 17, 2023, on the “Draft Remedial Investigation Report for Per- and Polyfluoroalkyl Substances at Tanker Truck Rollover Sites” dated March 2022 (the TTRS RI) remain unresolved. Please note that MassDEP reserves the right to comment on any changes the AFCEC may propose to the TTRS FS in response to those comments.

### **Page-specific Comments:**

1. Page 1-4, Section 1.2, Site Description, Background, and Remedial Status:  
The text states, “**Concentrations of PFOS reported in groundwater at TTRS exceeded the EPA site-specific screening level (SSL) in place at the time of the SI (0.04 micrograms per liter [ $\mu\text{g}/\text{L}$ ] and the 2016 EPA lifetime health advisory (HA) value of 0.07  $\mu\text{g}/\text{L}$ .**” MassDEP recommends revising this sentence to state, “*Concentrations of PFOS reported in groundwater at TTRS exceeded the EPA site-specific screening level (SSL) in place at the time of the SI (0.04 micrograms per liter [ $\mu\text{g}/\text{L}$ ] and the EPA 2016 Lifetime Health Advisory (2016 LHA) values of 0.07  $\mu\text{g}/\text{L}$  for PFOS and PFOA (either individually or combined) which were released by the EPA on 19 May 2016.*”. The suggested text revision is consistent with the text in the “Draft Supplemental Feasibility Study Report for 1,4-Dioxane and Per- and Polyfluoroalkyl Substances at Landfill-1” dated January 2022.

2. Page 1-10, Section 1.4, Public and Private Drinking Water Wells:

The text states **“Most residential areas above the TTRS plume are completely, built-out with no significant developable land available. Therefore, land use over the TTRS plume is not expected to change significantly over time and there is a low probability that additional drinking water resources will need to be developed in the vicinity of the TTRS plume area.”** Please provide a reference for the statement regarding developable land, land use and drinking water resources.

3. Page 2-8, Section 2.3.2, Remedial Alternatives for Source Areas:

The TTRS FS states in Section 2.3, *Remedial Alternatives* that **“...due to the state of science, many PFAS remedial technologies are in development (e.g., treatment and destruction) and the details of effectiveness, implementability, and costs are emerging.”** and **“Ultimate treatment or destructive technologies for PFAS treatment residuals are, however, still developing. Therefore, the approach to selecting remedial technologies and developing alternatives is both presumptive but also considers latest technological developments presented in the ITRC PFAS Guidance.”** (Interstate Technology and Regulatory Council (ITRC) document *Technical Resources for Addressing Environmental Releases of Per- and Polyfluoroalkyl Substances (PFAS)*, dated August 2021).

The TTRS FS states in Section 2.3.2, *Remedial Alternatives for Source Areas* that **“Appendix C provides ITRC PFAS treatment technology summaries, including ITRC Table 12-1 (Liquid Technologies – Remediation and Technologies and Methods Comparison) and ITRC Table 12-2 (Solids Technologies – Remediation Technologies and Methods Comparison).”**

ITRC Table 12-2 lists the stabilization of PFAS-contaminated solids with activated carbon blended with amorphous aluminum hydroxide, kaolin clay, and additives as a field implemented technology and states that solids have been treated using this technology resulting in a 95-99% reduction in measurable PFOS concentration. MassDEP notes that exceedances of the PFAS soil-to-groundwater leaching screening value of 4 micrograms per kilogram ( $\mu\text{g}/\text{kg}$ ) which the AFCEC developed based on a lysimeter study at the TTRS source areas, are primarily driven by PFOS. Please indicate why the stabilization of PFAS-contaminated solids with activated carbon blended with amorphous aluminum hydroxide, kaolin clay, and additives treatment technology was not further evaluated in Section 2.3.2 for controlling leaching of PFAS from soils to groundwater.

4. Page 2-12, Section 2.3.2, Remedial Alternatives for Source Areas, Source Area Alternative 5–In-situ Colloidal Activated Carbon Barrier, Institutional Controls and Monitoring:

The text states in reference to Source Area Alternative 5, **“The CAC at TTRS #1 would consist of a barrier approximately 470 linear ft long and installed from 10-50 ft bgs by injection at approximately 210 locations. The CAC barrier at TTRS #2 would be approximately 350 linear ft long installed from 10-50 ft bgs by injection at approximately 85 locations.”** MassDEP notes that the number of injection locations per linear ft at TTRS Source Area #1 (~2.24 per linear ft) is substantially greater than the number of injection locations per linear ft at TTRS Source Area #2 (~4.14 per linear ft). Please indicate why more injections per linear ft are required for TTRS Source Area #1. Also, please indicate if periodic injections of colloidal activated carbon would be required to maintain the effectiveness of the Colloidal Activated Carbon barriers.

5. Page 3-19, Section 3.4.2, Groundwater Alternatives, Groundwater Alternative 2-MNA with LUCs:

The text states in reference to groundwater alternative #1 (No Action) and groundwater alternative #2 (MNA with LUCs), **“Modeling indicates a restoration timeframe for natural attenuation to achieve RAOs of approximately 2144.”** MassDEP notes that one of the remedial action objectives (RAOs) identified on

page 2-5, Section 2.2, Remedial Action Objectives and on page 3-11, Section 3.4, Detailed Analysis of Alternatives of the TTRS FS is, **“Restore usable groundwaters to their beneficial uses wherever practicable, within a timeframe that is reasonable given the particular circumstances of the site.”** The text on page 3-10, Section 3.3, Modeling of Groundwater Alternatives of the TTRS FS states, **“The transport simulation for groundwater Alternatives 1 and 2 (Appendix E) and Figure 3-1 show that under a no action or the MNA alone alternative the trailing edge of the TTRS PFAS6 plume is predicted to migrate to the west of County Road by 2052 and be in the vicinity of Club House Drive by 2090. Beyond 2090, the plume is predicted to persist in the lower conductivity units associated with the deeper portion of the aquifer and slowly upwell to discharge to Red Brook Harbor and/or Hen Cove until approximately 2084, and then attenuate at depth in the aquifer until the aquifer restoration date of 2094.”** Please clarify what year the RAOs are achieved for Alternatives #1 and #2.

6. Page 4-8, Section 4.0, Comparison of Alternatives:

The text indicates, **“In addition, this includes capital construction of an extraction and reinjection well near County Road, piping installations, procurement of MTUs, and associated site preparation for a 400-gpm capacity system for treatment of PFAS to meet the effluent discharge criteria (Appendix B) of the PFAS6 MMCL (refer to Figure 2-5A).”** MassDEP recommends revising this sentence to state, *“In addition, this includes capital construction of an extraction and reinjection well near County Road, piping installations, procurement of MTUs, and associated site preparation for a 400-gpm capacity system for treatment of PFAS to meet the effluent discharge criteria.”* MassDEP has made a similar comment on the “Draft Supplemental Feasibility Study Report for 1,4-Dioxane and Per- and Polyfluoroalkyl Substances at Landfill-1” dated January 2022, objecting to the AFCEC’s suggestion that PFAS6 may be discharged from JBCC groundwater treatment plants at levels up to the PFAS6 Massachusetts Maximum Contaminant Level (MMCL) of 0.02 µg/L. PFAS-contaminated groundwater can be treated to non-detectable concentrations with granular activated carbon (GAC) as has been demonstrated at various AFCEC Installation Restoration Program (IRP) groundwater treatment plants at JBCC. Consistent with the long established JBCC IRP compliance goal of no detections of contaminants of concern in the effluent of JBCC groundwater treatment systems, PFAS compounds should be treated to non-detectable concentrations prior to effluent discharge from a groundwater treatment system since it is technically feasible to do so and will prevent any further degradation of groundwater quality in the sole source aquifer. This is especially important as the regulatory requirements for PFAS in drinking water are continuing to evolve and are likely to decrease in the near future.

Please incorporate this letter into the Administrative Record for the Tanker Truck Rollover Sites Operable Unit. If you have any questions regarding this matter, please contact me at (508) 946-2871 or Elliott Jacobs at (508) 946-2786.

Sincerely,



Leonard J. Pinaud, Chief  
Federal Site Management  
Bureau of Waste Site Cleanup

P/ej

Ec: Upper Cape Select Boards  
Upper Cape Boards of Health  
JBCC Cleanup Team  
MassDEP Boston/Southeast Region



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

April 27, 2023

AFCEC/JBCC  
Attn: Rose Forbes  
Remediation Program Manager  
322 East Inner Road  
Otis ANG Base  
Massachusetts 02542

RE: **BOURNE - BWSC**  
Release Tracking Number: 4-0000037  
Joint Base Cape Cod (JBCC)  
**Draft Wastewater Treatment Plant  
Infiltration Beds Interim Land Use  
Controls Letter, Comments**

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Air Force Civil Engineer Center (AFCEC) letter dated April 13, 2023 (the Interim LUC Letter) establishing interim Land Use Controls (LUCs) at the Joint Base Cape Cod (JBCC) wastewater treatment plant (WWTP) infiltration beds due to the presence of per- and polyfluorinated substances (PFAS) in the WWTP effluent. The U.S. Environmental Protection Agency (EPA) request for the establishment of interim LUCs at the WWTP infiltration beds is an outcome of discussions associated with the *Draft Wastewater Treatment Plant Infiltration Beds No Further Response Action Planned Decision Document (NFRAP DD)* dated February 2022. Interim LUCs will be implemented at the WWTP infiltration beds to prevent exposure to PFAS contaminated groundwater. The components of the interim LUCs will include the existing on-base drilling moratorium and on-base work clearance requests, Town of Bourne Board of Health restrictions, the MassDEP drinking water supply well permitting process and the Massachusetts DigSafe® program.

MassDEP has no comments on the Interim LUC Letter. MassDEP reserves the right to comment on either the AFCEC response to EPA comments on the Interim LUC Letter and/or any changes that the AFCEC may propose to the interim LUCs in response to those comments.

Please incorporate this letter into the Administrative Record for the Flight Line Area operable unit. If you have any questions regarding this matter, please contact me at (508) 946-2871.

Sincerely,

Leonard J. Pinaud, Chief  
Federal Site Management  
Bureau of Waste Site Cleanup

Ec: Upper Cape Select Boards  
Upper Cape Boards of Health  
JBCC Cleanup Team  
MassDEP Boston/Southeast Region



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

April 14, 2023

Impact Area Groundwater Study Program  
ATTN: Mr. Shawn Cody, Program Manager  
1807 West Outer Road  
Camp Edwards, MA 02542

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0015031  
Joint Base Cape Cod (JBCC)  
**Draft Uniform Federal Policy – Quality Assurance Project Plan – 2023 Update for Source Response for Unexploded Ordnance at the Central Impact Area, Comments**

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document “**Draft Uniform Federal Policy – Quality Assurance Project Plan – 2023 Update for Source Response for Unexploded Ordnance at the Central Impact Area**” (UFP-QAPP) dated March 2023. The UFP-QAPP describes the methods, procedures, and technical approach, using digital geophysical mapping and advanced geophysical classification, to perform a Source Response for munitions and explosives of concern that are a threat to groundwater at the Central Impact Area. MassDEP has the following comment on the UFP-QAPP.

1. Page 104, Worksheet #17, Survey Design and Project Workflow, Section 17.17.4.2, DFW 16: Handle, Certify, and Dispose of MPPEH/UXO, Munitions and Explosives of Concern, 3<sup>rd</sup> Paragraph:  
The text states, “**The area surrounding the CSS will be inspected with hand-held magnetometers to ensure the CSS contained the demolition shot as designed.**” Following inspection of the area surrounding the consolidated shot structure (CSS), if it is determined that the CSS did not contain the demolition shot and/or material (sand) associated with the demolition shot as designed, then a root cause analysis should be performed to determine if a corrective action is required prior to resuming demolition operations. MassDEP recommends the text be revised consistent with the text included in the UFP-QAPP Appendix F Field SOPs and Field Forms, Standard Operating Procedure G-21 JBCC Demolition Activities, page 17, Section 9.5 Post Detonation Inspection to include “**If an item (MD/MEC) associated with the demolition activity is found outside of the CSS or explosives residue is noted, a corrective action will be initiated, and demolition operations will not continue until the problem has been identified and resolved**”.

Please incorporate this letter into the Administrative Record for the Central Impact Area operable unit. If you have any questions regarding this letter, please contact me at (508) 946-2871 or Kendall Walker at (508) 946-2846.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Pinaud", enclosed within a circular scribble.

Leonard J. Pinaud, Chief  
Federal Site Management  
Bureau of Waste Site Cleanup

P/kw

Ec: Upper Cape Select Boards  
Upper Cape Boards of Health  
JBCC Cleanup Team  
MassDEP Boston/Southeast Region

MAIN OFFICE:  
49 Herring Pond Road  
Buzzards Bay, MA 02532  
TEL: (508) 833-0070  
FAX: (508) 833-2282



BOURNE BO. OF SELECTMEN  
ROAD 2023 APR 27 PM 1:51

NANTUCKET OFFICE:  
19 Old South Road  
Nantucket, MA 02554  
TEL: (508) 325-0044  
[www.brackeneng.com](http://www.brackeneng.com)

April 25, 2023

**CERTIFIED MAIL**

RE : Notice of Public Hearing

Dear Abutter:

In accordance with the State Environmental Code, Title 5: 310 CMR 15.00, you are hereby notified that **Richard D. Kangas of The Kangas Family Trust**, has requested a hearing before the Bourne Board of Health for relief from the Bourne Board of Health Regulations for the installation of an Innovative/Alternative Septic System. The location of the property for which approval is sought is **79 Monument Neck Road (Map 26.4 Parcels 6 & 7)** where you are listed as an abutter. At said hearing the Board will discuss and possibly vote on:

- A variance to local setback requirements for a 57'± reduction in setback for a 93'± setback to a Bordering Vegetated Wetland from a soil absorption system.
- A variance to local setback requirements for a 40'± reduction in setback for a 110'± setback to a Bordering Vegetated Wetland from a soil absorption system.

This hearing is **tentatively** scheduled for Wednesday, May 10th at **5:30 p.m.** in Conference Room #2 at the Bourne Veteran's Memorial Community Building, 239 Main Street, Buzzards Bay. Information regarding the hearing may be available for your review one week prior to the meeting by contacting the Bourne Health Department at 508-790-0600, Ext. 1513, Monday through Friday from 8:30 a.m. until 4:30 p.m.

Meeting agendas are posted on the Town of Bourne website, [www.townofbourne.com/health](http://www.townofbourne.com/health) no less than 48 hours in advance of the hearing. *Please confirm the date, time, and location of the meeting with the Town, in case of any changes.* Should you have any questions or concerns, please do not hesitate to contact the undersigned at [rob@brackeneng.com](mailto:rob@brackeneng.com) or the Bourne Health Department at 508-790-0600, Ext. 1513.

Sincerely,

**BRACKEN ENGINEERING INC.**

A handwritten signature in black ink, appearing to read 'J. Heyer', is written over a horizontal line.

Jason P. Heyer  
Project Designer

**NOTIFICATION TO ABUTTERS UNDER THE  
MASSACHUSETTS WETLANDS PROTECTION ACT  
Chapter 131, Section 40**

In accordance with the 2<sup>nd</sup> paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the Applicant/Owner: **Richard D. Kangas, TR**  
**The Kangas Family Trust**
- B. The Applicant has filed a Notice of Intent (NOI) with the Bourne Conservation Commission seeking permission to perform work which might: remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws, Chapter 131, Section 40).
- C. Description of the Project:  
**The project consists of the installation of a new Innovative Alternative (I/A) septic system and the abandonment and or the removal of the existing septic system. The proposed system consists of a Singulair septic tank, 1,000 gallon pump chamber and a Perc Right soil absorption system, landscaping and associated utility work.**
- D. The location where the activity is proposed is:  
**79 Monument Neck Road (Map 26.4, Parcel 8-0).**
- E. Copies of the Notice of Intent (NOI) may be examined at the Bourne Conservation Commission Office located on the 2<sup>nd</sup> floor of the Town Hall at 24 Perry Avenue, Buzzards Bay, MA between the hours of 8:30 a.m. and 4:30 p.m. (Monday – Friday) or can be obtained from the Applicant’s Representative: Bracken Engineering, Inc., 49 Herring Pond Road, Buzzards Bay, MA 02532, between the hours of 8:00 a.m. and 5:00 p.m. (Monday – Friday) Tel: 508-833-0070.
- F. The Public Hearing is scheduled for **Thursday, May 4<sup>th</sup> at 6:30 p.m.** at the Bourne Veteran’s Memorial Community Building, 239 Main Street, Buzzards Bay. Buzzards Bay.

**NOTE: Notice of the scheduled Public Hearing:**

1. Will be published at least five (5) days in advance in the Cape Cod Times newspaper; and,
2. Meeting agendas are posted on the Town of Bourne’s website no less than 48 hours in advance of the hearing. [www.townofbourne.com/conservation](http://www.townofbourne.com/conservation)

**NOTE:** You may also contact the Department of Environmental Protection Southeast Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP’s Southeast Regional Office: 508-946-2800

February 14, 2023

Rebecca Tepper, Secretary  
Executive Office of Energy and  
Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
[rebecca.tepper@state.ma.us](mailto:rebecca.tepper@state.ma.us)

Lisa Berry Engler, Director  
Office of Coastal Zone Management  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
[lisa.engler@state.ma.us](mailto:lisa.engler@state.ma.us)

Re: *The Ocean Sanctuaries Act's Prohibition of a Planned New Industrial Discharge of Radioactive Waste From the Decommissioned Pilgrim Nuclear Power Station Into the Cape Cod Bay Ocean Sanctuary*

Dear Secretary Tepper and Director Engler:

On behalf of the Association to Preserve Cape Cod ("APCC"), we write to request that the Office of Coastal Zone Management ("CZM") in particular, and the Executive Office of Energy and Environmental Affairs ("EEA") in general, exercise the full authority entrusted to your offices under the Commonwealth's Ocean Sanctuaries Act, G.L. c. 132A, §§ 12A-18 ("OSA"), to stop the proposed discharge of an estimated 1.1 million gallons of radioactive waste from the decommissioned Pilgrim Nuclear Power Station ("PNPS") into the Cape Cod Bay Ocean Sanctuary. The OSA entrusts ocean sanctuaries to CZM's "care, oversight, and control." G.L. c. 132A, § 14.

We have three specific requests, as follows:

1. We ask that CZM issue a letter informing Holtec Pilgrim, LLC and Holtec Decommissioning International, LLC (collectively, "Holtec"), as the owner and operator of PNPS, that the OSA prohibits the planned discharge of radioactive waste from PNPS's decommissioning activities into Cape Cod Bay.
2. We ask that CZM advise the Massachusetts Department of Environmental Protection ("MassDEP") that its issuance of any state permit, authorization, or approval of any kind for such a discharge would not be consistent with the OSA. In particular, we ask CZM to notify MassDEP that Holtec's proposed discharge is not eligible for a new or modified Massachusetts Surface Water Discharge Permit, or for a new or modified state Water Quality Certification, which Holtec has announced it will seek in the near future.
3. We ask for an opportunity, at your earliest convenience and before mid-March in any event, to meet with you, and any others whom you may wish to include, to discuss the

**Sugarman, Rogers, Barshak & Cohen, P.C.**

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Director Lisa Berry Engler  
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various state actions that may be appropriate to ensure that Holtec will not discharge its facility decommissioning process waste into a protected ocean sanctuary.

As discussed in further detail below, Holtec has announced its intention to discharge spent fuel pool water and other radioactive waste into Cape Cod Bay as part of the expedited decommissioning, dismantlement, and demolition of PNPS. This would not be an “existing discharge” authorized as of 1971, when the Cape Cod Bay Ocean Sanctuary was created. Nor would this be a discharge associated with the “operation and maintenance” of the coolant system or any other activity, use or facility associated the generation, transmission, and distribution of electricity from an active power generation facility. To the contrary, the radioactive water in question has been generated during decommissioning activities, after PNPS ceased all power-generation operations as of June 1, 2019. A discharge to the Cape Cod Bay Ocean Sanctuary from the decommissioned PNPS would be a *new* industrial discharge, which cannot be authorized by any agency of the Commonwealth consistent with the OSA.

The OSA expressly prohibits any new industrial discharges into protected ocean sanctuaries, with certain narrow exceptions, none of which are applicable to Holtec’s proposed discharge from PNPS of water associated with decommissioning activities. Moreover, the discharge of PNPS’s radioactive waste into Cape Cod Bay is entirely unnecessary. Holtec acknowledges that it has other options to dispose of the radioactive waste that do not violate the OSA, and these options do not involve conducting a decades-long experiment with the unique environment of Cape Cod Bay, the ultimate outcome of which will only be learned long after Holtec has left. To be sure, these other options may involve their own risks and benefits, and additional expense; but that is what Holtec voluntarily assumed when it chose to acquire PNPS – not to operate for the purpose of producing electrical power – but solely for the purpose of profiting from decommissioning the plant.

Cape Cod Bay is a precious resource. Critical natural resources include shellfish beds, commercial and recreational fisheries, wildlife that includes rare, threatened, and endangered species, including the North Atlantic Right Whale, sea turtles, and Atlantic Sturgeon, and miles of coastal habitat including coastal beaches, bays, estuaries and salt marshes. Four state-recognized Areas of Critical Environmental Concern are on or within Cape Code Bay. Holtec acknowledges that it cannot treat the discharge so as to fully remove all radionuclides from the water, even if it meets standards required by Nuclear Regulatory Commission guidelines.

The critical point is this: to conclude that Holtec’s proposed discharge is prohibited, **CZM is not required to find that it would harm, or pose a risk of harm, to human health or the environment, or that it would significantly alter the environment of Cape Cod Bay. The judgment that new industrial discharges pose unacceptable risks was already made by the Legislature, in establishing the Cape Cod Bay Ocean Sanctuary and broadly prohibiting any new discharge of industrial waste** (subject to a few narrow exceptions that do not apply here). No additional findings by CZM are needed or warranted; CZM need only ensure that the existing legislative prohibition is respected.

As an ocean sanctuary vital to the ecological and economic health of the Commonwealth, the Legislature has determined that Cape Cod Bay deserves an extraordinarily high level of public protection. CZM is the agency the Legislature has charged with providing that protection without a requirement that the

Secretary Rebecca Tepper  
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agency first find that a risk of harm is present. While we know CZM has a deep knowledge of the OSA and its legislative history, we think it's helpful to recap the essential legal context, to fully appreciate the Legislature's intention.

## **1. The History Of The Ocean Sanctuaries Act**

**1970:** As a response to the threat of oil and gas exploitation, Massachusetts' first ocean sanctuary, the Cape Cod Ocean Sanctuary, was created in 1970 and signed into law as an emergency measure to "protect the unique scenic and natural resources of the outer Cape by preventing careless exploitation of the seabed." *See* Chapter 542 of the Acts of 1970. This act also established an initial list of prohibited activities in an ocean sanctuary. These included –

the building of any structure on the seabed or under the subsoil; the removal of any sand, gravel or other minerals, except as hereinafter provided; drilling for subsoil minerals, gases or oils; commercial advertising; **or the dumping of any commercial or industrial wastes**

(Emphasis supplied.) It also provided for allowed activities – for example the laying of cables, sand and gravel extraction for beach restoration purposes, and fish and shellfish harvest – provided these activities had the necessary agency approvals. The Legislature initially placed this first ocean sanctuary under the "care and control" of the Department of Natural Resources, and empowered the Attorney General to "take such action as may be necessary from time to time to enforce the provisions of this [Act]."

**1971:** In 1971, the Legislature created two more ocean sanctuaries: Cape Cod Bay and Cape and Islands. *See* Chapter 742 of the Acts of 1971.

The 1971 Act prohibited "the dumping of any commercial or industrial wastes" in the Cape Cod Bay Ocean Sanctuary, with exceptions for "such quantities of industrial liquid coolant wastes to be dumped by the division of water pollution control on September the thirtieth, nineteen hundred and seventy-one, in connection with the public and private supply of electrical power." *Id.*

**1972:** In 1972, the Legislature created the North Shore Ocean Sanctuary. *See* Chapter 130 of the Acts of 1972.

**1976:** In 1976, the Legislature created the South Essex Ocean Sanctuary. *See* Chapter 369 of the Acts of 1976. In doing so, the Legislature first used the language similar to that found in today's OSA for electrical generating facilities, creating an exception in the South Essex Ocean Sanctuary for the following:

the construction, reconstruction, or operation and maintenance of industrial liquid coolant discharge and intake systems and other facilities and activities in conjunction with the public and private supply of electrical power as allowed and licensed by the division of water pollution control, the

**Sugarman, Rogers, Barshak & Cohen, P.C.**

Secretary Rebecca Tepper  
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February 14, 2023  
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department of environmental quality engineering or the department of environmental management

**1977:** In 1977, the Legislature comprehensively revised the OSA. *See* Chapter 897 of Acts of 1977. Among other changes, the 1977 amendments generally protected all ocean sanctuaries from “any exploitation, development, or activity that would seriously alter or otherwise endanger the ecology or the appearance of the ocean, seabed, or subsoil thereof, or the Cape Cod National Seashore.”

Whether hitherto, the OSA’s prohibitions and exceptions were codified by individual ocean sanctuaries, the 1977 acts reorganized the OSA such that going forward prohibitions and exceptions applied (unless specified otherwise) to all five ocean sanctuaries.

The Legislature continued to categorically prohibit “the dumping or discharge of commercial or industrial wastes,” except as otherwise provided in the OSA. The 1977 amendments created exceptions allowing “existing municipal, commercial [and] industrial discharges” into an otherwise protected sanctuary. Specifically, the 1977 amendments allowed –

the operation and maintenance of **existing municipal, commercial or industrial facilities** and **existing municipal, commercial or industrial discharges** where such discharges and facilities have been approved and licensed by appropriate federal and state agencies

(Emphasis supplied.)

The 1977 amendments allowing “existing municipal, commercial or industrial discharges” did not define a date for what were then “existing discharges.” The 1977 amendments became effective on December 30, 1977. Thus, the statute as amended can be read as permitting “existing discharges” as of December 30, 1977, or as permitting only those discharges which existed as of 1971, the original enactment of the OSA. St.1977, c. 897.

The 1977 amendments also created an exception for discharges associated with the “planning, construction, reconstruction, operation and maintenance” of facilities associated with the generation of electrical power. Specifically, the 1977 amendments allowed –

the planning, construction, reconstruction, operation and maintenance of industrial liquid coolant discharge and intake systems and all other activities, uses and facilities associated with the **generation, transmission, and distribution of electrical power**, provided that all certificates, licenses, permits and approvals required by law are obtained therefor, and provided, further, that such activities, uses and facilities shall not be undertaken or located except in compliance with any applicable general or special statutes, rules, regulations or orders lawfully promulgated

(Emphasis supplied.)

Secretary Rebecca Tepper  
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The 1977 amendments also created a provision that requires “[a]ll departments, divisions, commissions, or units of the executive office of environmental affairs and other affected agencies or departments of the commonwealth” to issue permits consistently with the Act. In doing so, all permit granting authorities were required to consult with the department of environmental management to ensure compliance.

**1989:** In 1989, the Legislature again amended the act, and officially named it the “Massachusetts Ocean Sanctuaries Act.” *See* Chapter 728 of the Acts of 1989. It added a definitions section to the statute, establishing an “existing discharge” as one which is –

a municipal, commercial or industrial discharge at the volume and locations authorized by the appropriate federal and state agencies on July fifteenth, nineteen hundred and seventy, in the case of the Cape Cod Ocean Sanctuary; **on December eighth, nineteen hundred and seventy-one, in the case of the Cape Cod Bay and Cape and Islands Ocean Sanctuary;** on June twenty-seventh nineteen hundred and seventy-two in the case of the North Shore Ocean Sanctuary; and on December thirtieth, nineteen hundred and seventy-six, in the case of the South Essex Ocean Sanctuary

(Emphasis supplied.)

**2008:** The 2008 amendments require the state to create an ocean management plan. Chapter 114 of the Acts of 2008.

**2014:** The OSA’s most recent amendment in 2014, modified the OSA to allow for new or modified municipal waste discharges from a publicly owned treatment works without a variance, after specific requirements have been met and impact studies have been conducted. Chapter 259 of the Acts of 2014, §§ 28-45.

## **2. The OSA’s Near-Categorical Ban of New Industrial Discharges Into an Ocean Sanctuary**

Today, the OSA severely restricts all municipal, commercial, and industrial discharges into an Ocean Sanctuary. The presumption is that no discharges are permitted, and all are prohibited unless expressly authorized. G.L. c. 132A, § 15 provides that, except as otherwise provided in the OSA, the act prohibits “the dumping or discharge of commercial, municipal, domestic or industrial wastes.”

The only exceptions to this categorical ban of discharges into an ocean sanctuary are the following three activities:

- An existing municipal, commercial or industrial discharge at the volume and locations authorized by the appropriate deferral and state agencies on December eight, nineteen hundred and seventy-one, in the case of the Cape Cod Bay;

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- discharges from municipal wastewater treatment facilities if the discharge is approved under § 16G of the OSA; and
- industrial liquid coolant discharge “associated with the generation, transmission, and distribution of electrical power.”

Because these are exceptions to the general prohibition of discharging of industrial wastes, they must be narrowly and strictly construed. *See Boston Globe Media Partners, LLC v. Department of Public Health*, 482 Mass. 427, 432 (2019) (“statutory exemptions” from the statute “must be strictly and narrowly construed”); *Hull Mun. Lighting Plant v. Massachusetts Mun. Wholesale Elec. Co.*, 414 Mass. 609, 614 (1993) (“[s]tatutory exemptions are strictly construed”).

### **3. The OSA Prohibits Any New Industrial Discharge From the Now-Defunct PNPS**

Under the plain terms of the OSA, Holtec is prohibited from discharging pollutants from the spent fuel rods or other pollutants associated with PNPS decommissioning activities into the Cape Cod Bay Ocean Sanctuary. G.L. c. 132A, § 15(4) states, in no uncertain terms, that except as otherwise permitted in the OSA “the dumping or discharge of commercial, municipal, domestic or industrial wastes” “shall be prohibited in an ocean sanctuary.” Holtec’s proposed discharge into the Cape Cod Bay Ocean Sanctuary does not qualify for any of the narrow exceptions to this categorical presumption against the discharge of industrial pollutants to an ocean sanctuary, as explained below.

#### ***a. The Proposed Discharge of Waste Generated by Holtec’s Decommissioning Activities at PNPS was Not an Existing Discharge as of December 8, 1971***

Holtec’s discharge cannot be considered an “existing discharge” as defined by the statute. This exception allows for “the operation and maintenance of existing municipal, commercial or industrial facilities and discharges where such discharges or facilities have been approved and licensed by appropriate federal and state agencies.” G.L. c. 132A, § 16. The Legislature defined “existing discharge” in the 1989 amendments to mean, in relevant part:

a municipal, commercial or industrial discharge at the volume and locations authorized by the appropriate federal and state agencies...on December eighth, nineteen hundred and seventy-one, in the case of the Cape Cod Bay and Cape and Islands Ocean Sanctuary

G.L. c. 132A, § 12B. *See also* 301 CMR 27.02.

#### ***b. The Proposed Discharge of Waste Generated by Holtec’s Post-Operation Activities at a Defunct Power Plant Is Not a Discharge “Associated With the Generation, Transmission, or Distribution of Electrical Power”***

Discharges of coolant and other pollutants related to PNPS’s activities when it was generating electrical power may have been authorized under the OSA’s exception for discharges associated with the

**Sugarman, Rogers, Barshak & Cohen, P.C.**

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“generation, transmission, and distribution” of electrical power. As EPA, MassDEP, and Holtec have all acknowledged, the proposed discharge related to PNPS’s decommissioning, however, is a new and different kind of discharge, which is not associated with the “generation, transmission, and distribution” of electrical power. As such, it is prohibited by the OSA.

The exception in G.L. c. 132A, § 16 for electrical power facilities states as follows:

Nothing in this act is intended to prohibit...the **planning, construction, reconstruction, operation and maintenance** of industrial liquid coolant discharge and intake systems and all other activities, uses and facilities associated with the **generation, transmission, and distribution** of electrical power, provided that all certificates, licenses, permits and approvals required by law are obtained therefor, and provided, further, that such activities, uses and facilities shall not be undertaken or located except in compliance with any applicable general or special statutes, rules, regulations or orders lawfully promulgated

(Emphasis supplied.)

This exception is noteworthy in the specificity of its requirements. It covers only liquid coolant and other discharges connected with the “planning, construction, reconstruction, operation and maintenance of...uses and facilities associated with the generation, transmission, and distribution” of electrical power. Thus, to fit within this exception, a discharge must satisfy two prongs. *First*, the discharge must be associated with the “planning, construction, reconstruction, operation and maintenance” of a discharging facility. *Second*, the discharge must be from a facility associated with the “generation, transmission, and distribution” of electricity.

Holtec’s proposed discharge from the decommissioned PNPS satisfies neither of these requirements. It is not a discharge connected with “planning, construction, reconstruction, operation and maintenance” of a facility for electrical power generation. Rather, it is associated with *decommissioning* of such a facility. The Legislature included “planning,” “construction,” “reconstruction,” and “maintenance” as activities qualifying for the exception, and it notably did *not* include “decommissioning,” or any term that can fairly be construed to encompass decommissioning. The statute must be interpreted and applied in accordance with its plain terms. *See Water Dep’t of Fairhaven v. Department of Env’t Prot.*, 455 Mass. 740, 744 (2010) (“the language of the statute” is “the principal source of insight into legislative intent”); *Provencal v. Commonwealth Health Ins. Connector Auth.*, 456 Mass. 506, 513 (2010) (“the primary source of insight into the intent of the Legislature is the language of the statute”).

Holtec’s proposed discharge from the decommissioned PNPS is also prohibited because it is not associated with the generation, transmission, or distribution of electrical power. The exception’s reference to the active production of power – “generation, transmission, and distribution of electrical power” –

**Sugarman, Rogers, Barshak & Cohen, P.C.**

Secretary Rebecca Tepper  
Director Lisa Berry Engler  
February 14, 2023  
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confirms the required link to the production or output of electricity and getting that electricity to people. That essential link is missing here.

The current NPDES permit for PNPS reflects the reissuance of an earlier NPDES permit to discharge various wastewaters and stormwater to Cape Cod Bay and to withdraw water from Cape Cod Bay for cooling uses, during PNPS's active operation. The discharges authorized under this NPDES permit may be considered part of the "maintenance" of PNPS. EPA and the Commonwealth re-issued the NPDES permit at a time when it was known that PNPS was to shut down, but the specifics of the decommissioning process were unknown. *See* NPDES Permit No. MA0003557, Part IV.5.1, Response to Comments. ("Neither Entergy nor Holtec...provided sufficient information by which to characterize decommissioning-related discharges.").

The NPDES permit expressly declares that the discharges of pollutants in spent pool water are unauthorized. *Id.* at "Unauthorized Discharges," Part I.B.2. Discharges of pollutants in stormwater associated with construction activity, "including activities...associated with the dismantlement and demolition of plant systems, structures and buildings" are likewise unauthorized. *Id.*, Part I.B.3. And for the avoidance of doubt, discharges of pollutants associated with dewatering, and "including but not limited to physical alterations or additions resulting in the discharge of pollutants associated with the dismantlement and decontamination of plant systems and structures and/or the demolition of buildings" are unauthorized. *Id.*, Part I.B.4.<sup>1</sup>

EPA has made clear that coverage for decommissioning discharges requires either a new NPDES permit or a modification of PNPS's existing NPDES permit. *See* June 17, 2022 EPA Letter to Holtec (informing Holtec that its current NPDES permit does not authorize PNPS's decommissioning discharge);<sup>2</sup> *see also* December 5, 2022 Letter to Holtec from EPA (same). With some apparent reluctance, Holtec has now conceded this point. *See* December 19, 2022 Holtec Letter to EPA ("Holtec determined that it would pursue a modification to the existing NPDES permit to appropriately address such discharges [associated with decommissioning activities]").

Of course, there are sound policy reasons for treating discharges associated with power-generating activities differently from discharges from decommissioned facilities that are no longer operating to power the grid. The Legislature clearly made the determination that electricity from planned and/or active power generation, distribution and transmission facilities is important to the economic health of the Commonwealth

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<sup>1</sup> *See also id.* at Part IV.5.1, Response to Comments ("We clarify, therefore, that the Final Permit does not authorize the discharge of pollutants associated with the spent fuel pool water. Similarly, the Final Permit does not authorize the discharge of pollutants associated with other activities related to the decommissioning at PNPS, including, but not limited to, contaminated site dewatering, pipeline and tank dewatering, collection structure dewatering, dredge-related dewatering, or dismantlement and decontamination of plant systems and structures.").

<sup>2</sup> This letter suggests that EPA, too, considers decommissioning to be a different activity than operation and maintenance. *See* page 2 of the June 17, 2022 Letter ("[P]ast discharge practices' occurred under a different NPDES Permit, specifically a Permit issued in 1990 when the facility was operational and generating electricity, not when it was being decommissioned.").

Secretary Rebecca Tepper  
Director Lisa Berry Engler  
February 14, 2023  
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and the well-being of its residents. Those interests are not present, or certainly not as compelling, with a facility that has been permanently taken out of service.

In sum, because it does not fall under the OSA's three exceptions, any decommissioning process discharge that Holtec may wish to make is prohibited by the OSA. As the Energy Facilities Siting Board has noted, the language of the OSA is "not ambiguous." *In Re Cape Wind Assocs., LLC*, No. EFSB 02-2, 2005 WL 1264241 (May 10, 2005). Under the plain terms of the statute, discharges into Cape Cod Bay associated with a nuclear power plant's decommissioning and shutdown are not allowed.

**4. CZM Should Inform Holtec That its Planned Radioactive Discharge From PNPS is Prohibited Under the OSA**

Because the OSA clearly forbids Holtec's planned discharge of an estimated 1.1 million gallons of radioactive decommissioning process waste, CZM should inform Holtec in writing that it is not permitted to make such a discharge into the Cape Cod Bay Ocean Sanctuary, as a matter of state law.

Holtec is responsible for deciding how it will manage radioactive material in its liquid effluent, and it has other options, including some used at other decommissioned facilities, including: (1) shipment for off-site disposal; (2) evaporation of the liquid and disposal of the resulting solid waste; or (3) safe storage at the PNPS facilities. To be sure, these other options come with potential risks as well as potential relative benefits. But these other options do not involve discharge into an ocean sanctuary. Holtec well understood, when it voluntarily purchased PNPS for the sole purpose of profiting from the decommissioning of the facility, that it would be obligated to accomplish that decommissioning in accordance with all applicable state laws, including the OSA. Holtec has always known, or should have known, that it would need to dispose of its decommissioning process waste by some means other than dumping it into Cape Cod Bay.

**5. EEA and CZM Should Ensure That No State Agencies Permit or Otherwise Authorize the Discharge Into Cape Cod Bay**

Section 14 of the OSA provides that, "[a]ll ocean sanctuaries...shall be under the care, oversight, and control" of CZM. Section 12C provides that, "[CZM] shall integrate its implementation, administration and enforcement of the [OSA] with other programs and agencies responsible for the protection of the public health, safety, welfare and the environment."

And Section 18 requires that "[a]ll departments, divisions, commissions, [and] units of [EEA] and other affected agencies or departments of the commonwealth shall issue permits or licenses for activities...consistently with the act, and shall not permit or conduct any activity which is contrary to the provisions of the Act." Section 18 further directs "other departments, divisions, commissions, units, or other agencies" to "confer and consult" with CZM to "ensure compliance" with the OSA.

By virtue of these provisions, the Legislature has made CZM the trustee for the ocean sanctuaries, and given CZM the tools to protect them. It is incumbent on CZM, and all permitting agencies, to make certain that no state permits or licenses authorize activities prohibited under the OSA. *See* G.L. c. 132A, § 18. Accordingly, CZM should not only make clear to Holtec that the OSA forbids its proposed new

**Sugarman, Rogers, Barshak & Cohen, P.C.**

Secretary Rebecca Tepper  
Director Lisa Berry Engler  
February 14, 2023  
Page 10

discharge, but also notify all pertinent state agencies that they should not issue any kind of permit, approval, or authorization for such a discharge. In particular, but without limitation, we ask CZM, backed by EEA, to advise MassDEP that Holtec is not eligible for a new or modified state Surface Water Discharge Permit under the Massachusetts Clean Waters Act, G.L. c. 21, §§ 26-53 and 314 CMR 3.00, for its proposed new discharge of decommissioning process waste from PNPS into Cape Cod Bay, which Holtec has announced it will seek in the near future, together with a modified NPDES permit. Likewise, we ask CZM, backed by EEA, to advise MassDEP that Holtec is not eligible for a state Water Quality Certification under G.L. c. 21, § 27 and 314 CMR 3.07.

**6. Conclusion**

Sanctuaries are places of refuge, where flora, fauna, and their ecosystems are supposed to be protected from threats. The Ocean Sanctuaries Act provides strong protections – such as an outright prohibition on most discharges – and CZM is entrusted with the authority and responsibility for ensuring that those protections are honored and respected by all state agencies. If Holtec’s proposed new radioactive discharge into the Cape Cod Bay Ocean Sanctuary is allowed by state agencies, the Bay will become a sanctuary in name only. We ask CZM to exercise the power the Legislature has given to the agency, to the fullest extent possible, to keep the Cape Cod Bay Ocean Sanctuary from becoming a hollow designation.

We urge you to confirm to Holtec that the Ocean Sanctuaries Act prohibits Holtec’s planned new discharge of decommissioning process waste from PNPS into Cape Cod Bay. We also encourage you to provide clear guidance and specific advice to MassDEP and other agencies on this same point. Thank you for your thoughtful consideration of these requests, and for the anticipated opportunity to meet with you to discuss these matters and such further actions as may be appropriate to protect Cape Cod Bay Ocean Sanctuary. We look forward to hearing from you.

Sincerely,

/s/ Lisa C. Goodheart  
Lisa C. Goodheart

/s/ Dylan Sanders  
Dylan Sanders

/s/ Alessandra Wingerter  
Alessandra Wingerter

cc: The Honorable Maura Healey, Governor of the Commonwealth of Massachusetts  
Gary Moran, Acting Commissioner, Department of Environmental Protection  
The Honorable Andrea Joy Campbell, Attorney General for the Commonwealth of Massachusetts  
Seth Schofield, Senior Appellate Counsel, Energy & Env’t Bureau, Office of the Attorney General



April 27, 2023

Andrew Gottlieb  
Executive Director

**RE: Ocean Sanctuaries Act Prohibition of Pilgrim Wastewater Discharge into Cape Cod Bay**

BOARD OF DIRECTORS

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Dear Local Leader:

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Blue Magruder

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Wendy Northcross

Kris Ramsay

Robert Summersgill

Charles Sumner

Taryn Wilson

The Association to Preserve Cape Cod recently presented a detailed legal analysis to the administration of Governor Maura Healey explaining that the proposed discharge of wastewater from the Pilgrim Nuclear Power Station into Cape Cod Bay by Holtec International is illegal under the Massachusetts Ocean Sanctuaries Act (OSA) and, based on state law, the Commonwealth must deny Holtec's proposal. To provide further incentive for the Healey administration to act swiftly on this matter, I am writing to respectfully request that your town submit its own letter in support of APCC's position.

APCC's letter, drafted by our legal representatives at Sugarman, Rogers, Barshak & Cohen, P.C., requested that the Office of Coastal Zone Management (CZM), which is charged with oversight of the OSA, officially notify Holtec that it is prohibited under the act to discharge radioactive waste or any other pollutants from Pilgrim into Cape Cod Bay. APCC further requested CZM to advise the Massachusetts Department of Environmental Protection that issuance to Holtec of any state permit, authorization, or approval for a discharge would be inconsistent with the OSA.

The OSA explicitly prohibits the discharge of pollutants into a designated Ocean Sanctuary, except for a specific exemption that allows for "the operation and maintenance of **existing** municipal, commercial or industrial facilities and discharges where such discharges or facilities have been approved and licensed by appropriate federal and state agencies." It is the position of APCC and our legal representatives that Holtec's proposed discharge cannot be considered an "existing discharge" as defined by the statute because it was not preexisting when the Cape Cod Bay Ocean Sanctuary was created in 1971. The water currently proposed to be discharged is related to the decommissioning process that is presently occurring, and which began after Pilgrim ceased its operations. Consequently, the proposed new discharge cannot be considered "operation and maintenance" of an active power generation facility and therefore must be viewed as a new industrial discharge. According to the

OSA, a new discharge cannot be authorized by any state agency, regardless of any independent policies of the federal Nuclear Regulatory Commission. The only legal option available to the Commonwealth is to deny the discharge permit application that Holtec is pursuing.

**APCC requests that your town submit a letter to Energy and Environmental Affairs Secretary Rebecca Tepper and Office of Coastal Zone Management Director Lisa Berry Engler that calls on CZM and the Executive Office of Energy and Environmental Affairs to stop Holtec's proposed wastewater discharge into Cape Cod Bay through the authority those state agencies possess under the Ocean Sanctuaries Act.**

For your convenience, copied below is a sample letter for reference. If you have any questions or would like to discuss this request further, please do not hesitate to email me at [agottlieb@apcc.org](mailto:agottlieb@apcc.org) or call me at 617-797-3302.

Thank you very much for your consideration of this important issue for your community and for Cape Cod.

Sincerely,



Andrew Gottlieb  
Executive Director

**(Sample Letter Below)**

Sample Letter

Rebecca Tepper, Secretary  
Executive Office of Energy and  
Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

[rebecca.tepper@state.ma.us](mailto:rebecca.tepper@state.ma.us)

Lisa Berry Engler, Director  
Office of Coastal Zone Management  
100 Cambridge Street, Suite 900  
Boston, MA 02114

[lisa.engler@state.ma.us](mailto:lisa.engler@state.ma.us)

**RE: The Ocean Sanctuaries Act's Prohibition of a Planned New Industrial Discharge of Radioactive Waste from the Decommissioned Pilgrim Nuclear Power Station into Cape Cod Bay Ocean Sanctuary**

Dear Secretary Tepper and Director Engler:

The (town body) voted on (date) to go on record in support of the Association to Preserve Cape Cod's legal analysis that the Commonwealth's Ocean Sanctuaries Act (OSA) prohibits Holtec International's planned new discharge of decommissioning process wastewater from the Pilgrim Nuclear Power Station into Cape Cod Bay.

The OSA expressly prohibits any new industrial discharges into protected ocean sanctuaries, with certain narrow exceptions that do not apply to Holtec's proposed discharge of water from Pilgrim associated with the decommissioning activities that are occurring after the power station ceased operations.

We respectfully ask that CZM move expeditiously in informing Holtec that the OSA prohibits the planned discharge of radioactive waste from Pilgrim Nuclear Power Station into Cape Cod Bay. We also request that CZM advise the Massachusetts Department of Environmental Protection that the issuance of any state permit, authorization, or approval of any kind for such a discharge would be inconsistent with the OSA, and that Holtec's proposed discharge is not eligible for a new or modified Massachusetts Surface Water Discharge Permit, or for a new or modified state Water Quality Certification.

Thank you for your consideration of this request.

Sincerely,

(Name of Town Body)

cc: Governor Maura Healey  
Bonnie Heiple, Commissioner, Department of Environmental Protection  
Attorney General Andrea Joy Campbell  
State Senator Julian Cyr  
State Senator Susan Moran  
State Representative Sarah Peake  
State Representative Christopher Flanagan  
State Representative Kip Diggs  
State Representative David Vieira  
State Representative Dylan Fernandes  
State Representative Steven Xiarhos



May 3, 2023

**Andrew Gottlieb**  
*Executive Director*

The Honorable Maura Healey  
Governor of the Commonwealth of Massachusetts  
State House, Room 360  
Boston, MA 02133

**BOARD OF DIRECTORS**

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**Elysse Magnotto-Cleary**

**Blue Magruder**

**Wendy Northcross**

**Kris Ramsay**

**Robert Summersgill**

**Charles Sumner**

**Taryn Wilson**

Dear Governor Healey:

On behalf of the Association to Preserve Cape Cod (APCC), I respectfully urge you to support the Environmental Protection Agency Region 1 draft finding that the multipurpose machine gun range proposed by the Massachusetts National Guard on the Upper Cape Water Supply Reserve at Joint Base Cape Cod has the potential to contaminate the sole source aquifer and “create a significant public health hazard.” In doing so, we ask that you make a commitment that no state funds will be used in support of the machine gun range project if federal financial assistance is withdrawn from the project due to a final ruling by the EPA.

Established in 1968, APCC is Cape Cod’s region-wide nonprofit environmental advocacy and education organization, working for the adoption of laws, policies and programs to protect and enhance Cape Cod’s natural resources and quality of life. APCC was a leading voice in the 1980s and 1990s calling for cleanup of toxic plumes originating from the military base that contaminated groundwater in the four Upper Cape towns. APCC spearheaded advocacy efforts that led to the designation of the Upper Cape Water Supply Reserve on the northern 15,000 acres of the base.

The EPA’s draft finding effectively corroborates the concerns expressed by many organizations and concerned citizens: that the machine gun range project is inconsistent with the designated uses of the Upper Cape Water Supply Reserve under Chapter 47 of the Acts of 2002, which stipulates that only military training compatible with the protection of the water supply and wildlife habitat on the reserve be allowed.

From the beginning, when the Guard’s internally prepared Environmental Assessment declared that the project would have no adverse effects on land use, water resources, significant habitats or ability to mitigate climate change, it has been apparent that the Guard’s self-analysis of this project was woefully inadequate and

failed to provide the necessary depth of scrutiny required of a project of this nature. It glossed over likely impacts of regional significance that would occur if this project were built.

These concerns about project impacts were reinforced when documents obtained by APCC through the state's public records law revealed statements by JBCC Executive Director General Christopher Faux that the machine gun range could not survive an independent environmental analysis, saying if such a review were required, the Guard "will most likely lose the project and its funding." It is clear from Gen. Faux's comments that the Massachusetts National Guard and JBCC leadership were fully aware that the machine gun range project could not stand up to independent, rigorous environmental study, and the JBCC leadership was doing everything in its power to prevent that from happening.

These admissions by the Guard, including its efforts to quash further environmental review, underscore the concerns raised by APCC and many others about project threats to the Upper Cape's drinking water supply, as well as to rare species habitat, the significant loss of climate change-mitigating carbon sequestration benefits from the proposed clearcutting of 170 acres of forest, and, fundamentally, the project's unsuitability for the proposed location and its inconsistency with the purposes behind the establishment of the Upper Cape Water Supply Reserve.

Now, the EPA Region 1 draft findings have validated those concerns.

According to the EPA, its findings have *"provisionally determined under SDWA Section 1424(e) that the proposed project may contaminate the sole source aquifer so as to create a significant public health hazard. The Region arrived at this conclusion after evaluating the following categories of information: sensitivity of the aquifer, existing environmental conditions (including cumulative impacts), scope of the proposed construction and operations, and projected long-term use and associated contaminant loading. Should this determination become final, following public review and comment on this provisional determination, **no commitment of federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be allowed, except where such assistance is for the plan or design of the project to assure it will not contaminate the aquifer.**"* (Emphasis added.)

On behalf of the millions of Massachusetts residents and visitors who rely on the integrity of the Cape's drinking water, we respectfully ask that you support the EPA's conclusions and make the same determination as Governor Cellucci did in 1998 when he canceled the original multipurpose machine gun range proposal due to concerns about its impacts on water quality. We further ask that your administration deny any potential request by the Guard for financial

assistance from the Commonwealth to replace the loss of federal funding for the project.

Thank you for your careful consideration of this important issue. Please do not hesitate to contact me if you or your staff have any questions.

Sincerely,



Andrew Gottlieb  
Executive Director

cc: Lt. Governor Kim Driscoll

Rebecca Tepper, Secretary, EEA

Bonnie Heiple, Commissioner, DEP

Brian Arrigo, Commissioner, DCR

Tom O'Shea, Commissioner, DFG

U.S. Senator Elizabeth Warren

U.S. Senator Edward Markey

U.S. Representative William Keating

State Senator Julian Cyr

State Senator Susan Moran

State Representative Kip Diggs

State Representative David Vieira

State Representative Dylan Fernandes

State Representative Steven Xiarhos

State Representative Christopher Flanagan

State Representative Sarah Peake

David Cash, Administrator, EPA Region 1

Mark Forest, Barnstable County Board of Regional Commissioners

Ronald Bergstrom, Barnstable County Board of Regional Commissioners

Sheila Lyons, Barnstable County Board of Regional Commissioners

Falmouth Select Board

Sandwich Board of Selectmen

Bourne Select Board

Mashpee Select Board

Barnstable Town Council

Yarmouth Board of Selectmen

James Cantwell, Sen. Markey's Office





April 14, 2023

Board of Selectmen  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Dear Chairman and Members of the Board:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note the following change to the Xfinity channel lineup provided in your community:

- The programmer carried on Leased Access channel 1098 has terminated their agreement effective May 9, 2023. Leased Access will no longer be available on Xfinity channel 1098 as of May 9th.
- The programmer carried on Leased Access channel 1094 has terminated their agreement effective May 12, 2023. Leased Access will no longer be available on Xfinity channel 1094 as of May 12th.

Customers are receiving notice of these changes in their bill. Please do not hesitate to contact me with any questions at [Michael\\_Galla@comcast.com](mailto:Michael_Galla@comcast.com).

Very truly yours,

*Michael Galla*

Michael Galla, Sr. Manager  
Government Affairs

May 1, 2023

Hand Delivered

Peter J. Meier, Chair  
Bourne Select Board  
Bourne, MA

Dear Mr. Meier:

Please accept, with my thanks for allowing me to serve, my notification that I will not continue to represent Bourne as a Director of Cape and Vineyard Electric Cooperative, beginning June 1, 2023.

I hope that this advance notice will help you find a replacement for me, without a lapse in representation.

Sincerely,

Janice Marks  
4 Roundhouse Rd.

cc: Bourne Town Clerk



**Alzheimer's Family Support Center**  
Until there's a cure, there's community.

BOURNE BO OF SELECTMEN  
ROAD 2023 APR 27 PM 1:51

April, 2023

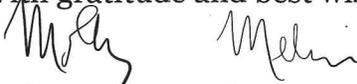
Dear Friends and Colleagues,

With your help, the AFSC has been able to expand our offerings to include everything from ceramics programs in Falmouth to a multigenerational chorus in Eastham. We could not have done any of this without the generosity of your support. Whether your donations have been small or large, we have been good stewards of the gifts we've received, foregoing slick or flashy marketing campaigns so that we can make your dollars work to provide the vast array of no-cost services families have come to rely on.

We reach out for your help three times year, and begin this new season with the Dave Birtwell Memorial Walk for Alzheimer's on Saturday, May 20, 11 am to 2 pm, at Scusset Beach Reservation in Sandwich. Come for a stroll along the Cape Cod Canal and afterward join us under the big tent for a first-of-the-season cookout and music and dancing with the Sound Dunes Big Band. There will be something for everyone to enjoy this year, so bring your families, friends, and neighbors to support the AFSC!

As always, you don't have to give to walk, and you don't have to walk to give—and you don't even have to be on the Cape to participate! Grab a couple friends, take a walk together, and use the enclosed envelope to send a tax-deductible donation to help us continue to “pay it forward” for families like the Birtwell's who are walking the walk every day for those they love.

With gratitude and best wishes,

  
Molly Perdue, Melanie Braverman, and the AFSC Team

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE**  
**MARCH 9, 2023 MEETING HELD AT THE SCHOOL**  
**220 SANDWICH ROAD, BOURNE, MA 02532**

**PRESENT:** Robert Fichtenmayer, Chair; Ellen Barber; Dominic Cammarano; Thomas Corriveau; Michael Degan; Christine Marcoloni; Maryann Smith; Roger Forget; Josh Greeley; Sharon Brito, Recording Secretary.

**ABSENT:** Mary Crook; David P. Sampson.

The meeting was called to order at 6:16 p.m. followed by the Pledge of Allegiance to the Flag. Mr. Fichtenmayer announced that the meeting was being recorded via an audio device.

**STUDENT ADVISORY REPRESENTATIVE:** Madison Neal, a senior in Information Technology from Bourne, updated the committee on recent student activities including the upcoming Drama Club's performance of the Little Shop of Horrors which will take place on March 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>. Madison shared that the Staff vs. Seniors basketball game took place this evening with the seniors defeating the staff by a score of 47 to 39. The Winter Semi-Formal Dance will take place on March 17<sup>th</sup>. The Student Council recently hosted an Honor Roll Ice Cream Sundae Party. Finally, Madison shared with the committee that the Interact Club's peer mediation and peacebuilding initiative was featured in an article in the *Bourne Enterprise* last month.

**STUDENT SPOTLIGHT / CURRICULUM UPDATE:** No report.

**PUBLIC PARTICIPATION:** None.

**APPROVAL OF MINUTES:** A motion was made by Mr. Degan, seconded by Mr. Cammarano, for approval of the minutes of the February 9, 2023 regular meeting. Six in favor; Ms. Marcolini abstained. Motion passed.

**COMMUNICATIONS:** The Superintendent read a letter from Hasbro Children's Hospital thanking the staff for the recent donation of funds raised during a Staff Jeans Day. Next, he read an e-mail from the parent of a visiting basketball player who was competing against the girls' basketball team. The parent expressed the tremendous sportsmanship displayed by the UCT team, noting one player who took the time to speak to the visiting team at the end of the game to tell them what a great game it was, rather than running off to celebrate the victory with the UCT team. Finally, Mr. Forget read an e-mail from the

Bourne Fire Chief thanking the school for providing the department with the valuable Nero's Law training last week.

#### REPORT OF COMMITTEES:

**Budget** – The Budget Sub-Committee met on February 28<sup>th</sup> to review the preliminary FY24 budget which will be presented later in the meeting.

TREASURER'S REPORT: Mr. Degan distributed the Treasurer's Report for warrants #34 and #36 highlighting the larger expenditures on the warrants including cafeteria food, student busing, health insurance, utilities, attendance at the Future Farmers of America convention, and the purchase of Chromebooks, automotive lifts, and Horticulture equipment.

SUPERINTENDENT'S REPORT: Mr. Forget informed the committee that he has been scheduled to present the FY24 budget presentation to several of the town's Boards of Selectmen and Finance Committees over the next couple of weeks. He distributed two news articles that appeared in the *Bourne Enterprise* and the *Cape Cod Times* highlighting the recent Nero's Law training that took place for local first responders in the Veterinary Science building. UCT Vet Science staff and students provided instruction on applying emergency first aid to police canines who have been injured in the line of duty. The Superintendent stated that Nolan LeRoy is in attendance at the town of Bourne's Planning Board meeting this evening to discuss plans for the Environmental Science buildings that will be constructed as part of the Lab Modernization grant award. Mr. LeRoy will also be presenting a five-year plan to the Board that is envisioned for the campus. Finally, he updated the committee on the police detail at the bottom of the hill at the dismissal of school. The Bourne Police Chief contacted him to tell him that the Patrolman's Association is willing to go back to the two-hour minimum that used to be in place rather than the four-hour minimum that was negotiated in their new contract.

PRINCIPAL'S REPORT: Mr. Greeley reported that the winter sports season concluded with both the boys' and girls' basketball teams advancing to the state tournament. 112 students participated in the SkillsUSA district competition, resulting in 24 medals and 14 students qualifying for the state competition. The College Fair will take place on March 16<sup>th</sup> with over 65 colleges and military organizations scheduled to be in attendance. The Wrestling Team will be competing in the Ryan Moore High School Championships in Westwood this Sunday. The Future Farmers of America Convention will be held on April 3<sup>rd</sup> – 5<sup>th</sup> in Framingham. The History Club will be participating in Student Government Day. Last Saturday, Plumbing and HVAC students attended the Plumbing, Heating and Cooling Contractors Convention in Marlborough. The organization recognized the outstanding Plumbing students from each vocational school in the state. As the All Star selected by the Plumbing instructors, senior William Dunn was awarded a certificate good toward the next tier for education and a tool bag/tools from Ferguson. Finally, Mr. Greeley

informed the committee that Melissa Giannelli, CAD/Engineering teacher, has been chosen as the Teacher of the Month by the radio station, Cape Country.

NEW BUSINESS:

**FY24 Proposed Budget** – The Superintendent distributed the proposed FY24 budget to the committee stating that it was a bit more detailed than what was included in the meeting mailout. He presented a Canva presentation comparing the FY2023 approved amounts by line item to the proposed line item amounts for FY2024. He compared the per pupil cost for a town to send a student to UCT as opposed to the DESE profile per pupil costs. Mr. Forget also reviewed the student enrollment by town. There is a 3.95% increase in the proposed FY24 budget over the FY23 approved budget. The proposed net foundation budget for FY2024 is \$12,888,826.00. Finally, the Superintendent showed the percentages of the different areas of the foundation budget with instruction being the largest percentage at 61.04%. He listed some of the costs that have a significant impact on the proposed budget including contractual obligations, health insurance increases, increases in the cost of vocational, and social / emotional services for students. As part of the presentation, Mr. Forget discussed the cooperative education program in which UCT students earned \$1,138,555.00 during the 2021-2022 school year. Finally, he discussed the post-secondary plans of the Class of 2022 which included 46% of graduates attending post-secondary institutions, 49% of graduates continuing into the workforce, and 5% of graduates enlisting in the military.

**Director of Special Education Position** – The Superintendent updated the committee on the search for a Director of Special Education to replace Mr. Dufresne who is retiring at the end of the school year. Mr. Forget and Mr. Greeley have interviewed two candidates thus far, with two more scheduled to be interviewed next week. There is also one internal candidate. It is the hope that they will have a candidate to recommend to the full committee at the April meeting.

Mr. Degan made a motion, seconded by Mr. Cammarano, to adjourn the regular meeting at 7:20 P.M. Motion passed unanimously.

A True Copy Attest

Date: 4-12-2023  
(Seal)

  
Sharon R. Brito, Secretary

Documents reviewed / referred to:

- *03/09/2023 School Committee Packet*
- *Thank You Letter Dated 02/14/2023 from Hasbro Children's Hospital*
- *E-Mail Dated 03/01/2023 from Athletic Spectator*
- *E-Mail Dated 03/02/2023 from Bourne Fire Chief*
- *Treasurer's Notes Dated 03/09/2023*
- *3/3/2023 Bourne Enterprise News Article & 3/4/2023 Cape Cod Times News Article and Photospread re: Nero's Law Training at UCT*
- *FY2024 Proposed Budget Summary*
- *FY2024 Proposed Budget Presentation*

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE**  
**MARCH 13, 2023 MEETING HELD AT THE SCHOOL**  
**220 SANDWICH ROAD, BOURNE, MA 02532**

**PRESENT:** Robert Fichtenmayer, Chair; Ellen Barber; Dominic Cammarano; Thomas Corriveau; Michael Degan; David P. Sampson; Maryann Smith; Roger Forget; Josh Greeley; Sharon Brito, Recording Secretary.

**ABSENT:** Mary Crook; Christine Marcolini.

The special meeting was called to order at 6:15 p.m. followed by the Pledge of Allegiance to the Flag. Mr. Fichtenmayer announced that the meeting was being recorded via an audio device.

Mr. Degan made a motion, seconded by Mr. Corriveau, to adjourn the special meeting at 6:16 p.m. to enter into the public hearing for the proposed FY2024 budget and participation in school choice for the 2023-2024 school year, and to return to the regular meeting upon adjournment of the public hearing. Motion passed unanimously. The meeting resumed at 6:33 p.m.

**Approval of the FY2024 Proposed Budget** – Mr. Degan made a motion, seconded by Mr. Cammarano that the Upper Cape Cod Regional Vocational-Technical School District Committee adopt a gross operating budget for FY2024 in the amount of Twenty Million One Hundred Thirty Five Thousand Eighty Eight (\$20,135,088.00), to be reduced by FY2024 Interest Revenue in the amount of Thirty Thousand (\$30,000.00), FY2024 Municipal Medicaid in the amount of Ten Thousand (\$10,000.00), FY2024 E&D in the amount of Five Hundred Thousand (\$500,000), FY2024 Transportation Aid in the amount of Eight Hundred Seventy Nine Thousand Nine Hundred Twenty One (\$879,921.00), FY2024 LPN Tuition in the amount of Seven Hundred Eighty Two Thousand Two Hundred Fifty (\$782,250.00) and together with any available State Aid; and that the Committee adopt a gross Capital budget for FY2024 in the amount of Three Hundred Five Thousand (\$305,000.00). Roll call vote – Motion passed unanimously.

**Participation in School Choice** – Mr. Degan made a motion, seconded by Mr. Cammarano, that the Upper Cape Cod Regional Vocational-Technical School District not participate in School Choice for the 2023-2024 school year. Roll call vote – Motion passed unanimously.

Mr. Degan made a motion, seconded by Mr. Corriveau, to adjourn the special meeting at 6:35 P.M. Motion passed unanimously.

A True Copy Attest

Date: 4-12-2023  
(Seal)

  
\_\_\_\_\_  
Sharon R. Brito, Secretary

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE**  
**MARCH 13, 2023 MEETING HELD AT THE SCHOOL – PUBLIC HEARING**  
**220 SANDWICH ROAD, BOURNE, MA 02532**

**PRESENT:** Robert Fichtenmayer, Chair; Ellen Barber; Dominic Cammarano; Thomas Corriveau; Michael Degan; David P. Sampson; Maryann Smith; Roger Forget; Josh Greeley; Sharon Brito, Recording Secretary.

**ABSENT:** Mary Crook; Christine Marcolini.

The public budget hearing was called to order at 6:16 p.m. Mr. Forget welcomed Mary Harris, a member of the Falmouth Finance Committee, to the meeting.

**FY2024 PUBLIC BUDGET HEARING:** Mr. Forget presented a Canva presentation comparing the FY2023 approved amounts by line item to the proposed line item amounts for FY2024. He compared the per pupil cost for a town to send a student to UCT as opposed to the DESE profile per pupil costs. Mr. Forget also reviewed the student enrollment by town. There is a 3.95% increase in the proposed FY24 budget over the FY23 approved budget. The proposed net foundation budget for FY2024 is \$12,888,826.00. Finally, the Superintendent showed the percentages of the different areas of the foundation budget with instruction being the largest percentage at 61.04%. He listed some of the costs that have a significant impact on the proposed budget including contractual obligations, health insurance increases, increases in the cost of vocational, and social / emotional services for students. As part of the presentation, Mr. Forget discussed the cooperative education program in which UCT students earned \$1,138,555.00 during the 2021-2022 school year. Finally, he discussed the post-secondary plans of the Class of 2022 which included 46% of graduates attending post-secondary institutions, 49% of graduates continuing into the workforce, and 5% of graduates enlisting in the military.

**PARTICIPATION IN SCHOOL CHOICE:** There was no public comment on the matter of school choice.

Mr. Degan made a motion, seconded by Mr. Corriveau, to adjourn the public budget hearing at 6:33 p.m. Motion passed unanimously.

A True Copy Attest

Date: 4-12-2023  
(Seal)

  
\_\_\_\_\_  
Sharon R. Brito, Secretary