

Board of Selectmen Meeting Notice AGENDA



Date

September 20, 2022

Time

7:00 PM

Location

Bourne Veterans' Community Building – Rm 2
239 Main St., Buzzards Bay
Or virtually (see information below)

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

Zoom Meeting ID: 869 5775 5505

Password: 529740

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

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. Selectmen's Business
 - a. 7:05 public hearing for Shellfish (DNR) – 2023 Recreational and Commercial Shellfish Regulations.
 - b. Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.
 - c. Discussion and possible vote to allow Volleyball Spike Club to host a team picnic at Buzzards Bay Park on 09.24.22.
 - d. Discussion and possible vote to accept a monetary donation to the Library.
 - e. Discussion and possible vote to transfer care and custody of the Bourne Bicentennial Quilt to the Board of Trustees of Jonathan Bourne Public Library.
 - f. Update from the Department of Public Works – Curbside collection of trash & recycling – discussion of expanding the program to include condominium associations.

- g. DPW Presentation, discussion and possible vote – proposed rates for snow & ice contractors.
 - h. Presentations & Discussion – Articles for Fall Town Meeting
 - i. Article 1 – Committee Reports
 - ii. Article 2 – General Fund Budget Adjustments
 - 1. Electronic voting
 - 2. Move Police Station R&M to Facilities Division
 - 3. Fire Overtime
 - 4. Fire Inspector – new position
 - 5. Various departmental adjustments for personnel
 - 6. Liability insurance
 - 7. Contractual reserve
 - 8. DPW laborer to mechanic's position
 - 9. DPW – add 4 truck driver positions
 - iii. Article 4 – ISWM Budget Adjustment
 - 1. Indirect transfer for the addition of 4 new truck driver positions
 - iv. Article 5 – OPEB Liability
 - v. Article 6 – Compensated Absences
 - vi. Article 9 – ISWM Leachate Treatment Pilot Project
 - vii. Article 12 – Capital Stabilization Fund
 - viii. Article 15 – Acceptance of Sanderling Drive, Whimbrel Drive and Pintail Circle as public ways
 - i. Proposal from the Town Administrator – Reorganization of the Facilities Division
- 7. Town Administrator Report
 - 8. Minutes: 10/5/21 and 10/28/21
 - 9. Correspondence
 - 10. Committee Reports
 - 11. Other Business
 - 12. Upcoming meetings: September 27 @ 6pm (Articles only) before BOSC; October 4, 2022
 - 13. Adjourn

RECEIVED
 2022 SEP 16 PM 1:23
 TOWN CLERK BOURNE

**Board of Selectmen
Minutes of Tuesday, September 20, 2022
Bourne Veterans' Community Center – Rm 2
Buzzards Bay, MA**

TA Marlene McCollem

Board of Selectmen

Peter Meier, Chair
Jared MacDonald, Vice Chair
Mary Jane Mastrangelo

Others: Chief Brandon Esip, Eva Sheehy (virtual), Shari Marquis (virtual), Erica Flemming (virtual), Michael Ellis (virtual), Paul B (virtual), Chris Southwood, Shawn Patterson, Fire Chief David Cody, and Dan Barrett.

Note this Zoom videoconference meeting is being televised, streamed, or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.

Chair Meier took a point of personal privilege to recognize the new Police Chief in the Town of Bourne. Brandon Esip was sworn in as the new permanent Chief of Police on September 19th. He started as a patrolman in 2006 and has worked his way up through the ranks. Chair Meier publicly thanked and congratulated Chief Esip.

Zoom Meeting ID: 869 5775 5505 Password: 529740

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

Chair Meier said that Melissa Ferretti and Judith Froman are excused. Mary Jane Mastrangelo said that Melissa Ferretti is part of a special on GBH about women in politics.

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.**

Chair Meier said that regarding Executive Session, due to client/attorney privilege, they will not be disclosing any decisions made this evening.

- 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. Selectmen's Business

- a. **7:05 public hearing for Shellfish (DNR) – 2023 Recreational and Commercial Shellfish Regulations.**
- b. **Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.**
- c. **Discussion and possible vote to allow Volleyball Spike Club to host a team picnic at Buzzards Bay Park on 09.24.22.**
- d. **Discussion and possible vote to accept a monetary donation to the library.**
- e. **Discussion and possible vote to transfer care and custody of the Bourne Bicentennial Quilt to the Board of Trustees of Jonathan Public Library.**
- f. **Update from the Department of Public Works – Curbside collection of trash & recycling – discussion of expanding the program to include condominium associations.**
- g. **DPW Presentation, discussion, and possible vote – proposed rates for snow & ice contractors.**
- h. **Presentation & Discussion – Articles for Fall Town Meeting.**
 - i. **Article 1 – Committee Reports**
 - ii. **Article 2 – General Fund Budget Adjustments**
 - 1. **Electronic Voting**
 - 2. **Move Police Station R&M to Facilities Division**
 - 3. **Fire Overtime**
 - 4. **Fire Inspector – new position**
 - 5. **Various departmental adjustments for personnel**
 - 6. **Liability Insurance**
 - 7. **Contractual Reserve**
 - 8. **DPW laborer to mechanic's position**
 - 9. **DPW – add 4 truck driver positions**
 - iii. **Article 4 - ISWM Budget Adjustment**
 - 1. **Indirect transfer for the addition of 4 new truck driver positions**
 - iv. **Article 5 – OPEB Liability**
 - v. **Article 6 – Compensated Absences**
 - vi. **Article 9 – ISWM Leachate Treatment Pilot Project**
 - vii. **Article 12 – Capital Stabilization Fund**
 - viii. **Article 15 – Acceptance of Sanderling Drive, Whimbrel Drive and Pintail Circle as public ways.**

- i. Proposal from the Town Administrator – Reorganization of the Facilities Division.**

Chair Meier said that they would go out of the agenda order because it is not time for item 6.a. yet.

6.b. Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.

Eva Sheehy was virtually at the meeting and said she is part of the booster club for the Bourne High School Field Hockey team, and they would like to hold a car wash because it can be a fun and good team-building event for the team.

Town Administrator McCollem said there were no issues.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the application of the BHS Field Hockey team, Eva Sheehy, organizer, for a car wash on September 24, 2022, from 8:45 am to 12:15 pm at the Sagamore Fire Station, as presented.

Vote: 3-0-0.

6.a. 7:05 public hearing for Shellfish (DNR) – 2023 Recreational and Commercial Shellfish Regulations.

Chris Southwood, Director of Natural Resources, said he was there to ask for approval of the 2023 Town of Bourne Recreational and Commercial Shellfish Regulations. The only change for this year is the calendar date. He said that the Town of Bourne's Shore and Harbor Committee held a public meeting on September 13th and recommended the approval of these regulations. He is also requesting that they waive the third public reading due to it is just the calendar date being changed.

Ms. McCollem said that this is all set.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the request of the Department of Natural Resources to waive the 3rd reading of the *2023 Recreational and Commercial Shellfish Regulations* and to further approve the proposed changes of the applicable dates, as presented by the Department.

Vote: 3-0-0.

6.b. Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.

Previously discussed.

6.c. Discussion and possible vote to allow Volleyball Spike Club to host a team picnic at Buzzards Bay Park on 09.24.22.

Ms. McCollem said that this is all set.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the application of the Bourne Volleyball Spike Club, Jenna Timo, organizer, for a team picnic on September 24, 2022, from 10 am to 2:30 pm at the Buzzards Bay Park, as conditioned by the DPW.

Vote: 3-0-0.

6.d. Discussion and possible vote to accept a monetary donation to the library.

Ms. McCollem said that Elaine Serota and Lewis Tilney from Winwood, Pennsylvania gave a check for \$150.00 to the library.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to accept a gift in the amount of \$150 from Lewis Tilney and Elaine Serota to benefit the Jonathan Bourne Public Library.

Vote: 3-0-0.

6.e. Discussion and possible vote to transfer care and custody of the Bourne Bicentennial Quilt to the Board of Trustees of Jonathan Public Library.

Deferred

6.f. Update from the Department of Public Works – Curbside collection of trash & recycling – discussion of expanding the program to include condominium associations.

Deferred

6.g. DPW Presentation, discussion, and possible vote – proposed rates for snow & ice contractors.

Shawn Patterson, DPW Director, said that with the current fuel prices and the economy, and with insurance going up, he said they thought it would be a good idea to raise the rates to attract some new contractors to fill the slots that are vacant. He proposes to go up \$10.00 an hour in each category. He also would like to offer a stipend of \$300.00 to \$500.00 with the \$500.00 being paid out if they have an over 90% attendance rate for the storms.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the proposed 2022 – 2023 rates for snow and ice removal contractors as presented by the DPW Director.

Vote: 3-0-0.

6.h. Presentation & Discussion – Articles for Fall Town Meeting.

Ms. McCollem said that what she is looking for tonight is feedback to include an article or not on the warrant. They will not be voted tonight as there are no motions tonight.

i. Article 1 – Committee Reports – Ms. McCollem said that she knows the South Side Fire Station will be giving a report, and there may be other committees too.

ii. Article 2 – General Fund Budget Adjustments

- **Electronic Voting** – Ms. McCollem said that this is to put electronic voting into the Town Meeting operating budget. This increase is \$10,000.

- **Contractual Reserve** - Ms. McCollem said that this is to put funds into the account for maximum amounts in contracts for annual incentive bonuses for the Town Administrator, the Fire Chief, and the HR Director.
- **Annual Audit** - \$10,000. increase costs for doing business.
- **Move Police Station R&M to Facilities Division** - Transfer of \$36,300. from Police to Facilities to consolidate Facilities Maintenance costs with the Facilities' budget.
- **Police Clerical and Administrative staff** – Ms. McCollem said that this is a result of settling the Unit A contract and the changes in staff and duties at the Police Station.
- **Communications** - Ms. McCollem said that this is for an upgrade to the communication towers and for the annual recurring costs charged by Verizon for the communications. Chief Esip said that Verizon has forced this upgrade on the Town by replacing the copper with fiber. He said that Verizon has agreed to cover the construction costs of the upgrades if the Town agrees to go with their annual service. He said that the hardware charge is about \$6,000. and the annual service charge is \$11,000. for all three towers.
- **Fire Department Overtime** – Ms. McCollem stated that this increase is \$140,000. And that it is a restoral of overtime that was cut from previous Town Administrator's budgets. Fire Chief David Cody said that they looked over the overtime for the past five years and this increase will put them in the range that they need to be.
- **Fire Department Clerical and Administrative staff** – Ms. McCollem said that this is due to a change in duties for clerical staff.
- **AIFF contract** - Ms. McCollem said that this is for the settling of the Firefighter contract.
- **Fire Inspector – new position** - Ms. McCollem said that this is for a new lieutenant position for fire inspections. Chief Cody said that they have not had a Fire Inspector for 12 years and the department has been struggling with keeping up with inspections. This position would also act as a Fire Prevention Officer.
- **DPW – add 4 truck driver positions** – Mr. Patterson said that they are looking to add 4 truck drivers to be on the rubbish and recycling team. He said that he wants to put together a full-time grounds team, and the drivers that will be replaced by the new drivers will be part of that team.

- **DPW – Position upgrade** – Ms. McCollem said that this is for an upgrade from a laborer position to a mechanic position. The request is for \$10,490. and this position has been filled out of grade consistently for a while.
- **Liability Insurance** – Ms. McCollem said that this is for the actual amount because when the budget was built, it was based on an estimate.

Finance Director Erica Flemming said that the total general fund budget adjustment that is requested is \$564,176. She said the way that they will offset this is: \$200,000. from annual receipts reserved appropriation, \$242,273. is the increase in state receipts, 78,849 is the indirect cost from ISWM for the truck drivers and \$43,054 is from a small adjustment to motor vehicle excise.

Ms. Flemming said that there have been some questions about increasing the amount of ambulance receipts reserved for the appropriations part of the budget. She said that as of June 30th, 2022, the balance in that fund is \$2,141,876. At the Annual Town Meeting, they appropriated 1.3 million dollars and that leaves a balance of 841,876. She said that revenues have increased over the last few years.

iii. Article 4 - ISWM Budget Adjustment

1. Indirect transfer for the addition of 4 new truck driver positions – Ms. McCollem said that this is for the indirect transfer of 75% for those 4 positions and the number is \$78,849.

iv. Article 5 – OPEB Liability – Ms. McCollem said that they are proposing that the general fund be an additional \$582,538., Sewer at \$30,000., and ISWM Enterprise at \$260,000. She said that all of these meet the financial policies.

v. Article 6 – Compensated Absences – Ms. McCollem said that this is a standing article, and it is to cover the time that is owed to employees upon resignation or retirement. This request is to replenish the fund with \$150,000.

vi. Article 9 – ISWM Leachate Treatment Pilot Project – Dan Barrett, General Manager of ISWM (Integrated Solid Waste Management), talked about the Leachate Treatment project that is ongoing at ISWM. He said he was requesting an increase to the original article because they are at a point where they need to come back to the Town to talk about where they want to go next. He explained the processes used to take out the PFAS and said they have come up with another technology called Surface Activated Foam Fractionation.

Mr. Barrett said that they have \$429,597.66 left. They are asking for an additional \$225,000.00 which could be more than enough to get to wear the system needs to be with the new technology.

viii. Article 15 – Acceptance of Sanderling Drive, Whimbrel Drive, and Pintail Circle as public ways – Ms. McCollem said that this article on the warrant for the acceptance as public for Sanderling Drive, Whimbrel Drive, and Pintail Circle. She said there was an extensive conversation with the Finance Committee last night and they voted unanimously on an indefinite postponement of this article for this Town Meeting. Ms. McCollem said that she requests that the article gets withdrawn from this Town Meeting warrant to give them more time to work.

Ms. McCollem said that in 2013 this neighborhood was assessed a betterment of just under 1 million dollars, and they paid it. The roads were reconstructed, and drainage was installed. The Town Hall does not have any record of an inspection report or stamped reports at the end identifying what the Town standard is and that the roads were reconstructed to the Town standard. She said they do not have a clear process about how the nest neighborhood would or should do it, and they don't have steps lined out or a checklist to get a road taken as public.

Jared MacDonald said that this needs to be resolved, although it is not possible to resolve before this Town Meeting, so he feels it's better to take it off the warrant and try to resolve it somehow. Mr. Patterson said he has contacted some other Towns to get their design standards and required improvements and he will be working on it this winter. He said that they cannot find an asbuilt, although that does not mean that there is not one.

Chair Meier said that the Board of Selectmen would like this article removed from this warrant.

6.i. Proposal from the Town Administrator – Reorganization of the Facilities Division.

Ms. McCollem said there have been a lot of staff changes since she started, and she has discussed with Mr. Patterson the options of moving Facilities to the DPW. She said that the Town Administrator's office had been carrying all the HR and IT work and with the hiring of Directors for each of those departments, she has been allowed more flexibility to see where she should be focusing efforts.

Facilities is one of her biggest initiatives and she will be heavily involved with the changes and has looked at if it makes sense to be housed in DPW. She said she also needs to figure out how to focus on how to utilize the Assistant Town Administrator position. Ms. McCollem proposes that the ATA position will have built into their job description that facilities project management and facilities supervision will be a large role. She said that by embedding Facilities into the TA's office, they will be supported from above and by administrative and clerical assistance. She said there will be no need for a Facilities Department Director position, as the existing Facilities Manager will supervise the staff.

There was some discussion about the skills and experience that will be needed for the ATA position, and Ms. McCollem said that they will have to have government, municipal, procurement, and project management experience. The Board all said that they support Ms. McCollem's proposal.

7. Town Administrator Report

Ms. McCollem said that MassDOT and Newco are going to be doing some overnight gas main work on Trowbridge Road beginning the first week of October.

8. Minutes: 10/5/21 and 10/28/21.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the minutes of October 5th, 2021.

Vote: 3-0-0. Melissa Ferretti abstained.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the minutes of October 28th, 2021.

Vote: 3-0-0. Judith Froman abstained.

9. Correspondence

Chair Meier read aloud the correspondence:

- Division of Marine Fisheries grant letter.
- Letter from Sue Baracchini and some Pocasset residents about the proposed changes at Shore Road and Barlow's Landing Road.
- Letter of resignation from a member of the South Shore Council.
- Minutes from Upper Cape Tech School Committee meeting of July 14, 2022.
- Barnstable County Ordinance of Public Hearing.

These are all on the Town's website.

10. Committee Reports

Ms. Mastrangelo said that they had a Policy Sub-committee meeting, and they reviewed the code of Conduct that had been reviewed by Town Counsel. She said they voted to move it back to the Board of Selectmen for review. She said that they also talked about a grant that Ms. McCollem has applied for that would bring in someone to help codify the policies and she was approved of the grant.

Chair Meier said that there was a South Side Fire Station meeting earlier in the day and they met the new OPM. They discussed the four sites that are being reviewed. They will be interviewing architects in October.

11. Other Business – None.**12. Upcoming Meetings – September 27 @ 6 PM (Articles only) before BOSC; October 4, 2022.**

Ms. McCollem said that the minutes from the retreat, the Charter, and the warrant will be on the agenda for the October 4th meeting.

13. Adjourn

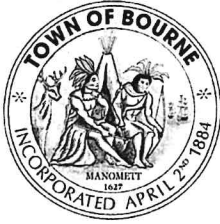
Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to adjourn.

Vote: 3-0-0.

This meeting of the Bourne Board of Selectmen was adjourned at 8:41 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



Department of Natural Resources

Memorandum

To: Board of Selectmen
From: Chris Southwood
Date: September 20, 2022
Subject: **2023 Shellfish Regulations**

Selectmen,

As per MGL Chapter 130 Sec 52, for this Public Hearing any regulations made hereunder shall take effect as therein stated, shall be published by posting a copy of the same in the office of the aldermen, city council or selectmen making the same, and in the office of the city or town clerk, and in three or more public places in said city or town. These postings include, Town Hall and three Post Offices (Buzzards Bay, Pocasset, Monument Beach) as well as the Town of Sandwich Clerk's Office.

Attached are the recommendations for the 2023 Recreational and Commercial Shellfish Regulations as submitted by this department. The changes from the current 2022 regulations include all of the applicable dates only.

The Town of Bourne Shore and Harbor Committee recommended the approval of these amendments at their September 13th public meeting.

This department is requesting a waiver for a third reading to meet deadlines relating to regulation approvals by January 1st, 2023 and the printing of the Town of Bourne Shellfish Regulation booklets.

RECEIVED

2022 SEP 14 AM 8:40

TOWN CLERK BOURNE

Town of Bourne

Selectmen/Town Administrator's Office

24 Perry Ave.

Buzzards Bay, Massachusetts 02532

(508) 759 – 0600, ext. 1307

PUBLIC HEARING NOTICE

As per MGL Chapter 130 Sec 52, for this Public Hearing any regulations made hereunder shall take effect as therein stated, shall be published by posting a copy of the same in the office of the aldermen, city council or selectmen making the same, and in the office of the city or town clerk, and in three or more public places in said city or town. These postings include, Town Hall and three Post Offices (Buzzards Bay, Pocasset, Monument Beach) as well as the Town of Sandwich Clerk's Office.

Attached are the recommendations for the 2023 Recreational and Commercial Shellfish Regulations as submitted by the Town of Bourne Department of Natural Resources.

A public hearing will be held on September 20, 2022 at 7:05 pm in the Bourne Veterans' Memorial Community Center, 239 Main Street Buzzards Bay, MA 02532

BOARD OF SELECTMEN

Peter Meier, Chm.

Jared P. MacDonald, V. Chm

Melisa Ferretti, Clerk

Judith MacLeod Froman

Mary Jane Mastrangelo



TOWN OF BOURNE

Shore & Harbor Committee

**24 Perry Avenue
Buzzards Bay, MA 02532**



Richard Libin, Chairman
David Wiggin, Vice Chairman
Paul Bushueff, Clerk
David Crane
Irving Salley
Paul Forsberg
Andrew Campbell

September 15, 2022

Select Board
24 Perry Avenue
Buzzards Bay, MA 02532

Dear Select Board,

The Shore and Harbor Committee held a public meeting on Tuesday September 13, 2022, at Bourne Middle School and reviewed the 2023 shellfish regulations. The shellfish regulations were reviewed, voted and approved by the committee.

Respectfully,

Richard F. Libin
Chairman

COMMONWEALTH OF MASSACHUSETTS

TOWN OF BOURNE

Barnstable, ss.

202~~3~~

SHELLFISH REGULATIONS

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NOTE: Special regulations or amendments covering shellfish bed closures, the harvesting of herring and temporary experimental programs for shellfish grants are published separately and are available upon request. Information is also posted on the Town web site at <http://www.townofbourne.com>.

LICENSING AUTHORITY

At a regular meeting of the Board of Selectmen held ~~October 5~~ September 20, 202~~2~~, the following rules and regulations, which were previously adopted on October 5, 202~~1~~, were amended covering the harvesting of shellfish, herring, eels and sea worms from the waters and flats of the Commonwealth within the limits of the Town of Bourne, effective January 1, 202~~3~~. Under the authority of Massachusetts General Laws, Chapter 130, Section 52 and Town Meeting vote passed in February of 1959, the Town hereby adopts the following regulations:

1 GENERAL REGULATIONS (Applies To All Permits)

1.1 GENERAL PROVISIONS & HARVESTING: Under the provisions of the aforementioned laws, all persons are prohibited from harvesting eels, herring (presently prohibited), sea worms, and any shellfish, including, but not limited to, clams, quahogs, mussels, oysters or scallops, from the coastal waters or flats of the Town without a current permit issued by the Town of Bourne, available at the Department of Natural Resources in Room 102 of Town Hall, located at 24 Perry Avenue in the village of Buzzards Bay, during the regular business hours of 8:30 AM to 4:30 PM, Monday-Friday, excluding holidays. "Harvest" means to catch, dig, take, or attempt to catch, dig or take, or otherwise have in possession any species covered by these regulations or amendments. The harvesting of eels, herring, shellfish or sea worms shall be limited to the regulations set forth herein. All permits shall be valid from January 1st through December 31st of each calendar year. Unless otherwise noted, any violation of these regulations or amendments shall be subject to a fine of one hundred dollars (\$100.00).

1.2 RECREATIONAL PERMITS: No more than one (1) Recreational permit will be issued per family, irrespective of the number of parcels of taxable real property owned by the family or the individual members thereof. In this context, a "family" is a person or group of persons, whether or not related by blood or marriage, which share a common domicile. "Domicile" shall be a true, fixed, permanent home and principal establishment. With the exception of Paragraph 1.2.2, the use of this permit is limited to the person to whom the permit was issued or any member of the family as defined herein. Use of this permit is limited to personal, non-commercial purposes, including sustenance. The customer must show to the satisfaction of the licensing authority, such as a valid photo ID and/or a Town real estate tax bill, that they are entitled to a permit and an application form may be required to be submitted and approved before the issuance of the permit. Recreational permit types are as follows:

1.2.1 RESIDENT PERMIT: Issued to a citizen who is domiciled or owns taxable real property in the Towns of Bourne or Sandwich. FEE: \$35.00

1.2.2 SENIOR CITIZEN PERMIT: Issued to a citizen who has attained the age of sixty-five (65) years and is domiciled or owns taxable real property in the Towns of Bourne or Sandwich. *NOTE: The Senior Citizen permit holder must be present and actively harvesting shellfish. If other domiciled family members also wish to shellfish independently, then a Resident permit must be obtained instead of a Senior Citizen permit.* FEE: \$10.00

1.2.3 MASSACHUSETTS RESIDENT PERMITS: Issued to a citizen who is domiciled within the Commonwealth. FEE: \$175.00

1.2.4 NATIVE AMERICAN PERMIT: Issued to a citizen who is of Native American heritage and domiciled or owns taxable real property in the Towns of Bourne or Sandwich. FEE: None

1.2.5 VETERAN RECREATIONAL PERMIT: Issued to a citizen who is domiciled within the Commonwealth. Valid documentation will be required as proof of Veteran status. FEE: \$35.00

1.2.6 SENIOR VETERAN RECREATIONAL PERMIT: Issued to a citizen who has attained the age of sixty-five (65) years old and is domiciled within the Commonwealth. Valid documentation will be required as proof of Veteran status. FEE: \$10.00

1.3 PERMIT DISPLAY: Permits must be in the possession of the permit holder and in plain view on outer clothing or posted on the boat in a visible manner while harvesting any species. (Fine: \$25.00)

1.4 AGE LIMIT: No child under the age of twelve (12) years shall harvest any species unless accompanied by an adult holding a valid permit, in which case said adult shall be held responsible for all acts of the child.

1.5 SHELLFISH SIZE LIMITS: No person shall harvest quahogs less than one inch (1") shell thickness (hinge width), soft shelled clams less than two inches (2") in the longest shell length, oysters less than three inches (3") in the longest shell length, or scallops without a well-defined annual growth ring. Any other shellfish not listed shall be in compliance with State Regulations. The harvesting of seed shellfish more than three percent (3%) of any batch is prohibited. *NOTE: Under Paragraph 1.7 below, all shellfish must be measured and realistically no seed should be taken!*

1.6 SHELLFISH GAUGE: A legal gauge for shellfish measurements shall be used while harvesting. (Fine: \$25.00)

1.7 DISPOSITION OF SEED: All shellfish shall be measured prior to placement in harvest containers and all seed shall be immediately returned to the same location from which it was harvested. Quahog seed shall be broadcast back into the water, or lightly covered with soil when dry digging. Clam seed shall be placed in the substrate in an upright position and lightly covered with soil, except that those harvested by Commercial clamming seaward of Mean Low Water shall be broadcast back into the water. Oyster seed longer than one inch (1") attached to adults shall be separated and broadcast below the Mean Low Water line. Oyster seed smaller than one inch (1") must be left on the adult shell, broadcast below the Mean Low Water line and shall not be harvested.

1.8 REMOVAL OF BEACH/MARSH GRASS OR PEAT BANKS: The removal of any grasses or peat for the purposes of harvesting shellfish shall be prohibited.

1.9 ALLOWABLE HARVEST HOURS: All shellfish shall be harvested, culled and landed above the Mean High Water line only during the following hours (Fine: \$50.00):

Daylight Saving Time:	March 12th through November 4th	Sunrise to Sunset
Standard Time:	November 5th through March 9th	Sunrise to Sunset
	January 1 st through December 31 st	Sunrise to Sunset
Scallop Season:	October 1 st through March 31 st	Sunrise to Sunset

1.10 SHOVELS and STANDARD GARDEN PITCH FORKS: The use of a shovel or standard garden pitch fork or any similar tool for the harvesting of shellfish is prohibited. (Fine: \$25.00)

1.11 CLOSED AREAS: Some areas are permanently closed, other areas are seasonally closed, and some areas may be temporarily closed on a random basis. Always note official signs along the shoreline, check the Town web site, review the closure list, or contact the Department of Natural Resources.

1.11.1 CLOSED: June through September, all Town public bathing beaches, a portion of the southeasterly side of Scraggy Neck known as "Sunrise Beach", a portion of Cedar Point Cove (swim beach) defined by two jetties, and all designated oyster beds, as noted in Paragraph 1.12.2, except during the oyster season, as noted in Paragraph 2.3.

1.12 RECREATIONAL AREAS: The following areas are restricted for the exclusive use of Recreational shellfishing and Commercial fishing in these areas is prohibited. At no time shall a fisherman be in possession of shellfish in excess of the Recreational limit while utilizing a Recreational area. *Note: Some of the following Recreational Areas may be temporarily closed - See closed area list under separate cover.*

Barlows Landing: All waters and flats north of a line drawn from stone jetty located north of pier (Swim Area) to a shellfish marker on the easterly shoreline by 39/43 Harbor Drive.

Cedar Point: From the end of Cedar Point Drive to stake thence northerly to stone jetty located on northeast side of Cedar Point Cove.

Eel Pond (Seasonal Restriction): During the months of June, July, and August Commercial shellfishing in this area shall be prohibited.

Hen Cove: All waterways and flats landward of shellfish boundary markers positioned at end of Pequot Avenue southerly around entire Cove to marker positioned approximately 400 feet south of Cedar Road on the easterly shoreline of Hen Cove.

Little Bay: All waters and flats north of a line drawn from the sign at 8 Briarwood Lane, which will align with the driveway and large tree at the southern end of the property, to the marker located on the opposite shore.

Queen Sewell Cove: All waterways and flats west (landward) of a line drawn from the sign at the end of Cranberry Road Extension to the sign at the sand spit at the end of Quamhasset Road, and east (landward) of a line drawn from the sign at the end of Cranberry Road Extension to the sign by 27 Lewis Point Road (Cape Cod Nursing Home).

Tahanto Flats: All flats landward of a line beginning at the east jetty of the Pocasset River and running northeasterly to Salt Pond inlet located just southeasterly of Monks Park.

Taylor Point: All waters and flats south of a line drawn westerly from #39 Buttermilk Way

to a line drawn westerly from the pilings at the State Pier at the Massachusetts Maritime Academy.

Tobey Island, North Side: All waters and flats south of an imaginary line running from the Monument Beach Ramp northwesterly to a shellfish marker placed on the most northerly end of the sand bar off the north shore of Tobey Island, thence by an imaginary line running in a southerly direction to the wooden pier located on the northerly shoreline point of Tobey Island.

Winsor Cove: All waters and flats easterly of an imaginary line drawn from shellfish boundary post located on Winsor Point to shellfish boundary post located on Long Point.

1.12.1 SENIOR CITIZEN AREAS: Recommended for use by those persons issued a Senior Citizen Permit or disabled persons approved by the Shellfish Constable (See Paragraph 2.7).

Buzzards Bay (Electric Avenue): All waters landward from a fixed marker located on the Town Pier at the Electric Avenue boat ramp to a fixed shellfish sign at the end of the private pier south of the ramp.

Monument Beach: All waterways landward of markers posted between the Tobey Island Bridge and the Town Pier.

Pocasset (Barlows Landing): All waters from a fixed shellfish marker on Salt Marsh Lane to a painted cement marker on the end of the pier at Barlows Landing.

1.12.2 DESIGNATED OYSTER BEDS: The following designated oyster beds are CLOSED, except during the oyster season (unless closed for propagation), as noted in Paragraph 2.3:

- a) Taylor Point: The waters and flats along the western shore of Taylor Point at Cohasset Narrows north of a line drawn westerly from the beach way at #17 Buttermilk Way and south of a line drawn westerly from the beach way at #39 Buttermilk Way and thence seaward.

1.13 BOATS ON OYSTER BEDS: The use of dredges, tongs, bull rakes, or boats for the purposes of harvesting shellfish on designated oyster beds, as noted in Paragraph 1.12.2, shall be prohibited. (Fine: \$50.00)

1.14 PERMITS NON-TRANSFERABLE: Permits are not transferable and may be suspended or revoked by the Board of Selectmen for any violation of the shellfish rules and regulations, Massachusetts General Laws, Chapter 130, or amendments thereto and subject to rules and regulations of the Town of Bourne, by authority of the vote of this Town passed in February of 1959. Due notice in writing shall be given or mailed to the permit holder of such suspension or revocation.

1.15 PERMIT VIOLATION HEARING: Shellfish permits may be suspended or revoked

for violations of these regulations following a public hearing by the Board of Selectmen.

1.16 SHELLFISH INSPECTION: All persons harvesting or having in their possession shellfish or fish of any kind, in boat or container, shall exhibit such shellfish or fish for inspection upon demand of any Shellfish Constable, Natural Resources Officer or Police Officer.

1.17 DISPOSAL OF PREDATORS & SHELLS: All starfish or green crabs caught shall be placed above the Mean High Water line. Except that green crabs harvested may be contained in secure storage cages while waiting for market or personal use. Location of storage cages, cars or rafts are subject to written approval of the Harbor Master. Scallop shells may be disposed of in deep water (six feet {6'} or more at Mean Low Water); but in no case shall shells be disposed of at Town landings, off the end of Town docks, at Town swim beaches, where they may be otherwise considered a hazard, or in any other shallow water. (Fine: \$50.00)

1.18 TRANSFER OF SHELLFISH: With the exception of replacing seed shellfish into the waterways or flats as required by Paragraph 1.7, no person other than the appointed Shellfish Constable or his assistants shall plant, relocate, store or transplant shellfish within any waterways or flats of the Town without written approval from the Shellfish Constable.

1.19 PENALTIES & FINES: Whoever violates any rule or regulation made under authority of Massachusetts General Laws, Chapter 130, including the regulations established herein or amendments, shall be subject to a fine or not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00), or have their permit suspended or revoked, or both, subject to appeal of such suspension or revocation as provided in Paragraph 1.14. Additionally, Natural Resources Officers (NROs) assigned to the Town of Bourne Department of Natural Resources may, upon observing a violation of said regulations, issue a citation ticket to the offender in accordance with non-criminal process as authorized by MGL Chapter 40, Section 21-D and Town meeting vote of Article 52 of the 1986 Town Meeting and Town By-law Section 6.1.2. Specific fines were established in Special Shellfish Regulations 86-4 and are further stipulated, as amended, herein in parentheses following each appropriate paragraph. Unless otherwise noted, any violation of these regulations or amendments shall be subject to a fine of one hundred dollars (\$100.00).

1.20 CHANGES & POSTINGS: These regulations are subject to change by the Board of Selectmen, or in exigent circumstances, by the Town Administrator. Regulations and amendments will be posted at the offices of Town Clerk, Selectmen, Department of Natural Resources and at least three post offices of the Town, or in newspaper having general circulation, and a copy mailed to the Town Clerk of the Town of Sandwich for posting in Sandwich and to the Division of Marine Fisheries.

1.21 CHANGES & EXIGENCY: These regulations and any amendments shall remain in effect and in full force unless modified, changed, or revoked by the Board of Selectmen, or in exigent circumstances, by the Town Administrator.

1.22 TEMPERATURE RESTRICTIONS: Clams and scallops shall not be harvested and the dry digging of quahogs shall be prohibited when the air temperature is below twenty-

eight degrees Fahrenheit (28F), as determined by the Department of Natural Resources.

1.23 SCALLOP SEASON: Effective October 1st scallops may be harvested in all Town waters through March 31st.

1.23.1 HARVESTING: All scallops taken must be an adult scallop with a well-defined, raised, annual growth line, and any scallop without such a line shall be deemed a "seed" scallop (also see Paragraph 1.23.6 below).

1.23.2 RESTRICTED AREAS: The use of drags shall be prohibited in the following areas until the dates indicated:

a) Hen Cove: All waters and flats northeasterly of an imaginary line drawn from Handy Point to the most Southerly point of land on Patuisset Island until December 1st.

b) Recreational Areas: All designated Recreational areas listed in Paragraph 1.12 until January 1st. However, at no time shall the use of drags interfere with or endanger Recreational fishermen in the water who are using bag rakes, dip nets, or diving.

c) Oyster Beds & Senior Areas: All designated oyster beds and Senior Citizen areas, throughout the season.

1.23.3 SCALLOP DRAG RESTRICTIONS:

a) Frames shall not exceed 36" in width

b) Lead rollers are prohibited.

c) Teeth or scoops on drags are prohibited.

1.23.4 LANDING AREAS: All scallops harvested by use of boat and drags shall be landed only at authorized Town Landings: Barlows Landing Ramp, Bourne Marina Ramp, Eel Pond Beach Way, Electric Avenue Ramp, Gray Gables Beach Way, Hen Cove Ramp, Massasoit Avenue Ramp, Monks Park Ramp, Monument Beach Ramp, Ocean Avenue Beach Way, Parker's Boat Yard Ramp, Pocasset River Ramp, and Squeteague Harbor Beach Way (no vehicles allowed on the beach). "Landed" shall mean that location where shellfish are removed from the shoreline to any point of land above the Mean High Water line. When circumstances warrant it, shellfish may be landed at other areas with prior approval from the Director of the Department of Natural Resources.

1.23.5 DIVERS: Taking of scallops by means of diving shall be limited to Recreational permit holders only and this method shall be prohibited for Commercial permit holders. Divers shall be prohibited in areas where the use of drags is already in progress and must comply with Paragraph 2.6 of the Shellfish Regulations.

1.23.6 CULLING PRACTICE: In the interest of maximum seed survival, it is recommended that seed and by-catch be removed from culling boards into deep water. *NOTE: This practice improves the survival rate of seed.*

1.24 SHELLFISH CONTAINERS: A peck is 537.605 cubic inches, a bushel is 2,150.42 cubic inches, commonly measured level to the top edge of the container, unless otherwise designed/indicated.

1.25 DIG HOLES: All holes created above the Mean Low Water Line while shellfishing shall be back-filled before leaving the area, taking care to not break or crush any seed shellfish.

2 RECREATIONAL PERMIT REGULATIONS (Also See Section 1)

2.1 NON-COMMERCIAL USE: Shellfish taken by the use of this permit are personal, non-commercial use only and are not to be sold.

2.2 AUTHORIZED HARVEST SEASON/DAYS/LIMITS: Total weekly catch not to exceed one (1) peck per species, Sunday through Saturday, nor shall it exceed one (1) bushel of any or all kinds of shellfish. *NOTE: This must be kept in mind during scallop season, when clams, oysters and quahogs may also be harvested.* On days where more than one species may be harvested, catch may be mixed species, but total day's catch is not to exceed one (1) peck.

2.2.1 Summer Season: June through September

Sundays:	Total Limit:	1 peck of quahogs
Wednesdays:	Total Limit:	1 peck of quahogs
Saturdays:	Total Limit:	1 peck of quahogs or clams

2.2.2 Standard Season: October through May

Sundays:	Total Limit:	1 peck of quahogs or oysters during oyster season.
Wednesdays:	Total Limit:	1 peck of quahogs or clams
Saturdays:	Total Limit:	1 peck of quahogs or clams

2.2.3 SCALLOP HARVEST DAYS: Recreational permit holders shall be allowed to shellfish any day of the week.

2.2.4 SCALLOP METHOD OF RECREATIONAL SHELLFISHING: Recreational permit holders may shellfish any day during the season by use of bag rake, dip net, diving or drags.

2.2.5 SCALLOP AUTHORIZED CATCH LIMITS: Recreational permit holders shall be entitled to take not more than one (1) bushel per calendar week, during the season, Sunday

through Saturday.

2.3 OYSTER HARVEST DAYS: Oysters may be harvested on Sundays only from first Sunday of November through the last Sunday of December.

2.4 EELS, SEAWORMS & OTHER SHELLFISH: Eels, sea worms and other shellfish may be harvested any day throughout the year. The permit entitles the holder to set up to three (3) eel pots for personal, non-commercial use. Pots shall be marked with the Recreational permit number. The flotation device shall be a minimum of six inches (6") by four inches (4"), capable of floating three (3) pounds eleven (11) ounces, be painted yellow, use only sinking line, and must also have the permit number affixed thereto. Wooden buoys and plastic bottles are prohibited. The harvesting of eels less than nine inches (9") long and in excess of 25 total are prohibited. The placement of eel pots in navigable channels or where they may otherwise create a hazard is prohibited. (Fine: \$50.00)

2.5 REQUIRED SHELLFISH CONTAINER: Permit holders must utilize a standard "one peck wire basket" while harvesting shellfish. Only one basket per permit holder is permitted and no other containers may be utilized. (Fine: \$25.00)

2.6 DIVING: Permit holders may harvest shellfish while using scuba or snorkel equipment, subject to the following conditions:

- a) In accordance with the Laws of the Commonwealth, diving flags of proper size must be displayed at all times when divers are in the water. Divers must stay within one hundred feet (100') of the diving flag at all times.
- b) The permit shall be displayed on the diver's flag in a visible manner.
- c) The harvesting of shellfish shall be prohibited in water depths less than six feet (6').
- d) Shellfish shall be harvested by hand only and the use of any mechanical, suction, or air device for the purposes of disrupting the sea bottom to expose shellfish shall be prohibited.

2.7 DISABLED PERSON: Permit holders who are physically disabled and are unable to harvest shellfish at all because of such a disability may request approval for another person to harvest their shellfish for them. Sufficient medical documentation that meets the satisfaction of the licensing authority must be submitted to the Director of the Department of Natural Resources for approval. No person shall be allowed to harvest shellfish for more than one disabled person.

3 COMMERCIAL PERMIT REGULATIONS (Also See Section 1)

3.1 COMMERCIAL PERMITS: Issued to a citizen who is domiciled in the Towns of

Bourne or Sandwich, and valid only for the period that the holder maintains the said domicile. Domiciled tenants must submit a current, valid, notarized lease. "Domicile" shall be a true, fixed, permanent home and principal establishment. The use of this permit is limited to the person to whom the permit was issued. The citizen must show to the satisfaction of the licensing authority, such as a valid photo ID and/or a Town real estate tax bill, that he/she is entitled to a permit. A Commonwealth of Massachusetts Commercial Shellfish Permit and an application form shall be submitted, which shall be approved prior to the issuance of the permit. The Department of Natural Resources must be notified immediately of any change of application information.

3.1.1 AUTHORIZED HARVESTERS: Citizens who wish to participate in a Commercial fishery must hold a current, applicable Commercial Permit.

3.2 COMMERCIAL APPRENTICE PERMIT: Subject to Paragraph 1.2, issued to a minor citizen twelve (12) to sixteen (16) years old inclusive who is domiciled in the Towns of Bourne or Sandwich. The permit may be issued for the purposes of harvesting shellfish provided that an adult member of his immediate family (i.e., parent, grandparent, legal guardian, etc.) is a current holder of a Commercial permit of the same species. Said adult Commercial permit holder shall directly supervise all activities of and shall be held responsible for all acts of the apprentice. Only two (2) Commercial Apprentice permits per domiciled family shall be permitted at any time.

3.3 COMMERCIAL PERMIT TYPES:

a) Clam Permit:	FEE: \$250.00
b) Eel Permit:	FEE: \$100.00
c) Quahog Permit:	FEE: \$250.00
d) Scallop Permit:	FEE: \$250.00
e) Master Permit: (For all Commercial species above)	FEE: \$625.00
f) Apprentice Permit:	FEE: \$100.00

3.4 LANDING AREAS: All shellfish harvested shall be landed at one of the following Town landing areas: Barlows Landing Ramp, Bourne Marina Ramp, Eel Pond Beach Way, Electric Avenue Ramp, Gray Gables Beach Way, Hen Cove Ramp, Massasoit Avenue Ramp, Monks Park Ramp, Monument Beach Ramp, Ocean Avenue Beach Way, Parker's Boat Yard Ramp, Pocasset River Ramp, and Squeteague Harbor Beach Way (no vehicles allowed on the beach). "Landed" shall mean that location where shellfish are removed from the shoreline to any point of land above the Mean High Water line. When circumstances warrant it, shellfish may be landed at other areas with prior approval from the Director of the Department of Natural Resources.

3.5 TAGGING: Once landed and while in transit, all shellfish containers shall be marked clearly by a tag stating date of harvest, place of harvest, State permit number, and name of the harvester. (Fine: \$50.00)

3.6 MIXING OF CATCH: The harvesting of different shellfish species on the same day is prohibited. Regardless of the different types of Commercial Permits held, fishermen shall not harvest more than one (1) species on any one (1) day.

3.7 RECREATIONAL PERMIT USE: Commercial fishermen must stay in compliance with Section 1, Paragraph 1.12 and abide by the Recreational Shellfish Regulations at all times.

3.8 ANNUAL CATCH REPORT: All permit holders must submit a copy of the Commonwealth's Annual Catch Report indicating the number of pounds and types of shellfish and eels harvested during previous twelve months. This report must be submitted to the Director of the Department of Natural Resources before the issuance of a new permit.

4 COMMERCIAL QUAHOG PERMIT REGULATIONS

4.1 MANPOWER ONLY: The taking of quahogs other than by manpower is prohibited.

4.2 AUTHORIZED HARVEST DAYS: Quahogs may be harvested Monday through Saturday only. No fishing is allowed on Sundays, or the Thanksgiving and Christmas holidays.

4.3 DAILY LIMIT: Shall not exceed three (3) level U.S. bushels - Bushel – U.S. dry measure; 2,150.42 cubic inches, or 32 quarts.

4.3.1 APPRENTICE DAILY LIMIT: Shall not exceed one (1) level U.S. bushel of quahogs, as defined.

4.4 METHOD RESTRICTIONS: Quahogs shall not be taken by means of skin-diving, snorkels, scuba gear, or shadow box.

4.5 RESTRICTED AREAS: Specific areas are closed to all commercial shellfishing. See Paragraph 1.12 and closure list published separately.

5 COMMERCIAL EEL PERMIT REGULATIONS

5.1 POTS/TRAPS: All eel pots shall be marked with the permit number assigned at the time of issuance. The flotation device shall be a minimum of six inches (6") by four inches (4"), capable of floating three (3) pounds eleven (11) ounces, be painted the colors assigned at issuance, use only sinking line, and have the permit number affixed thereto. Wooden buoys and plastic bottles are prohibited.

5.2 SETTING: Eel pots shall not be set in navigable established channels or where they may otherwise pose a hazard.

5.3 SIZE: Eels less than nine inches (9") in length shall not be taken.

6 COMMERCIAL CLAM PERMIT REGULATIONS

6.1 AUTHORIZED HARVEST SEASON: The harvesting of (soft-shelled) clams shall be allowed only from May 1st until the first day of Scallop Season each year, with the following exception: Any areas under State mandated seasonal closures (i.e., Red Brook Harbor) will be opened March 1st, provided that the State has approved the opening of such closures.

6.1.1 AUTHORIZED HARVEST DAYS/HOURS: Clams may be harvested only on Mondays through Saturdays between the hours of Sunrise to Sunset.

6.2 AUTHORIZED HARVEST EQUIPMENT: Clams may be harvested by means of plunger or jet pump (manifold) which must not exceed four feet (4') in width with two inch (2") long one-quarter inch (1/4") nozzles at three inch (3") spacing along the width of the manifold which shall be restricted to only penetrate nine inches (9") below the bottom surface. This manifold specification may be altered with prior approval of the Director of the Department of Natural Resources. Clams are to be removed from the waters by hand or hand held rakes with a three-quarter inch (3/4") mesh opening to allow for free passage of seed clams. Pump engines shall be equipped with adequate muffler device to ensure that noise levels are kept to an absolute minimum and in no case shall noise levels exceed Federal or State minimum standards. The pump shall be rated at no more than five and one half (5.5) HP.

6.3 AUTHORIZED HARVEST AREAS: The harvesting of clams shall be restricted to the following areas, and shall be "Sub-Tidal" only, meaning six feet (6') seaward of the Mean Low Water line, or as otherwise noted below:

Back River East: That portion of Back River east of the Shore Road bridge up to the outer mouth of the Eel Pond inlet.

Bassetts Island East: From the stream located mid-island southerly to southern end of island.

Bassetts Island West: The entire westerly shoreline of Bassetts Island.

Buttermilk Bay: All of Buttermilk Bay.

Hen Cove: All of inner Hen Cove, outside of the Recreational shellfish markers and in deep water only.

Hospital Cove: All of Hospital Cove.

Little Buttermilk Bay: All of Little Buttermilk Bay.

Mashnee Dike West: The entire West Side of Mashnee Dike.

Phinney's Harbor: From the ramp at Chester Park to shellfish marker located at the house on stilts.

Red Brook Harbor: From Handy Point to most seaward portion of Long Point.

Scraggy Neck: The entire shoreline of Scraggy Neck.

Squeteague Harbor: All of Squeteague Harbor, excluding that portion north of a line drawn from a stationary marker on the westerly side of Squeteague Harbor to the end of Ocean Avenue.

Tobey Island East: The easterly shoreline of Tobey Island southerly from a marker at the beginning of Emmons Cove to sand spit at the south end.

Tobey Island West: The entire westerly shoreline of Tobey Island south to the sand spit.

Wings Neck: The southeasterly shoreline of Wings Neck, excluding Barlows Landing (see Closure BB: 49.3).

6.4 DAILY LIMIT: Shall not exceed three (3) level U.S. bushels, as defined.

6.4.1 APPRENTICE DAILY LIMIT: Shall not exceed one (1) level U.S. bushel of clams, as defined.

6.5 BOAT RESTRICTION: No more than two (2) Commercial Clam or Master Permit and one (1) Apprentice Permit holders per boat shall be permitted. The term "boat" as used herein shall mean a registered boat fully equipped with motor, jet pump and associated equipment capable of jet clamming independently of another boat.

6.6 HARVESTING: In Sub-Tidal areas, clams dislodged by means of jet pumping or hand plunger may be harvested inside the six foot (6') seaward Mean Low Water line by hand or hand held rakes, as outlined in Paragraph 6.2, provided that the pump motor has been shut off and the manifold and/or plunger unit has been placed on board the boat.

7 COMMERCIAL SCALLOP PERMIT REGULATIONS

7.1 RESTRICTED DAYS: Commercial permit holders shall be allowed to shellfish every day during the scallop season, as noted in Paragraph 1.23 except Sundays, Thanksgiving and Christmas.

7.2 DAILY LIMIT: Commercial permit holders shall be entitled to a daily limit of not more than five (5) level bushels, as defined.

7.2.1 APPRENTICE DAILY LIMIT: Shall not exceed one (1) level U.S. bushel of scallops, as defined.

7.3 BOAT RESTRICTION: Any one (1) boat shall be limited to not more than ten (10) level bushels of scallops per day for Commercial purposes.

*The Board of Selectmen adopted these Shellfish Rules and Regulations on ~~October 5,~~ 2022.

PER ORDER OF THE BOARD OF SELECTMEN

Peter J. Meier, Chair

Jared P. MacDonald, Vice Chair

Melissa Ferretti, Clerk

Judith MacLeod Froman

Mary Jane Mastrangelo

Statement of method and time of publication, as required by Chapter 130, Section 52:

These regulations were duly posted at the Office of the Board of Selectmen, Buzzards Bay, Monument Beach and Pocasset Post Offices, and a certified copy was mailed to the Division of Marine Fisheries Director and to the Town of Sandwich Town Clerk.

-==> CONDITIONALLY STATE APPROVED SHELLFISH BEDS <==-
(Selectively Open/Closed – Opening Dates Always Subject To State Approval)

BACK RIVER - BB:47.1
November 1 - April 15 {Closed April 16}

The waters and flats of that portion of Back River, in the Town of Bourne, northeast of a line drawn from Rocky Point across to Maryland Avenue and west of the railroad bridge.

BACK RIVER & EEL POND - BB:47.2
November 1 - April 15 {Closed April 16}

The waters and flats of that portion of Back River and Eel Pond, in the Town of Bourne, east of the Shore Road Bridge.

HIAWATHA ROAD - BB:44.14
August 1 – May 31 {Closed June 1}

The waters and flats and all tributaries of Buttermilk Bay, in the Towns of Wareham and Bourne, southeast of a line drawn southwesterly from the orange "NO SHELLFISHING" sign located on the eastern shore at the entrance to Red Brook to the "NO SHELLFISHING" sign located approximately 50' south of the storm drain at Indian Heights Beach and northwest of a line drawn from the shellfishing sign on the beach at the southern end of #14 Hiawatha Road to the shellfishing sign at the southern end of the Leary property approximately 200' east of Red Brook .

HOSPITAL COVE MOORING AREA – BB:49.7
October 1 – May 31 {Closed June 1}

The waters and flats of Red Brook and Pocasset Harbor, in the Town of Bourne east of a line drawn from the base of a dock at #75 Winsor Road continuing south to a point on the shore line 480' east from the intersection of Scraggy Neck Road and Eustis Lane.

LITTLE BAY – BB:46.2
November 1 – June 30 {Closed July 1}

The waters and flats of that portion of Phinney's Harbor north of a line drawn across the jetties at the Pocasset River, south of the Toby's Island Bridge and east of a line drawn from the western jetty at the mouth of the Pocasset River to the "NO SHELLFISHING" sign at the southern end of Toby's Island.

MACOS AND BUDDS - BB:43.4
November 1 – April 30 {Closed May 1}

The waters and flats of that portion of Fisherman's Cove, in the Towns of Wareham and Bourne, south of a line drawn across the Route 6 Bridge and north of a line drawn from the "NO SHELLFISHING" sign at #39 Buttermilk Way to the "NO SHELLFISHING" sign at the western end of the stone wall approximately 300 feet southwest of the railroad bridge.

MASHNEE ROAD – BB:46.3
September 1 – July 31 {Closed August 1}

The waters and flats of that portion of Phinney's Harbor north of a line drawn from the "NO SHELLFISHING" sign at the Mashnee Island Association Pier to the "NO SHELLFISHING" sign at the southern end of Rocky Point.

MILL POND MOORING AREA – BB:49.6
October 1 - May 31 {Closed June 1}

The waters and flats of Red Brook and Pocasset Harbor, in the Town of Bourne, southeast of a line drawn from the base of a dock at 41°40'56.31" N -70°38'21.90" W to the northwestern most tip of Bassett's Island."

MONUMENT BEACH - BB:46.1
November 1 - May 31 {Closed June 1}

The waters and flats of Phinney's Harbor, in the Town of Bourne, east of a line drawn in a northeasterly direction from the most westerly pier on Toby's Island posted with a "NO SHELLFISHING" sign, to the "NO SHELLFISHING" sign at the end of Worcester Avenue.

POCASSET HARBOR - BB:49.3 (Barlows Landing)
November 1 – May 31 {Closed June 1}

The waters and flats of Pocasset Harbor in the Town of Bourne, north of a line drawn south from the house at 45 Harbor Drive on the western shore to the northern most tip of Bassett's Island thence east to the foot of Massasoit Avenue.

RED BROOK HARBOR - BB:49.1
November 1 - May 31 {Closed June 1}

The waters and flats of Red Brook Harbor in the Town of Bourne, east of a line drawn in a southeasterly direction from the end of the breakwater at 87 Elgin Road to the north eastern tip of Long Point (excluding BB:49.2).

SQUETEAGUE HARBOR - BB:50.3
October 1 – June 30 {Closed July 1}

The waters and flats of Squetegue Harbor in the Towns of Bourne & Falmouth south and east of a line drawn from the end of the breakwater in Megansett Harbor to the Town marker on Lawrence Island.

-=> STATE PROHIBITED SHELLFISH BEDS <=-
(Closed At All Times)

BACK RIVER - BB:47.3

The waters and flats of Back River in the Town of Bourne located between Shore Road and the Railroad Bridge.

* Discharge & Drainage Issues *

BOURNE MARINA - BB:43.6

The waters and flats of the Bourne Marina in the Town of Bourne east of a line drawn across the mouth of the entrance.

* Marina & Road Runoff *

THE BROOK - BB:44.8 (Buttermilk Bay North)

The waters and flats of that portion of Buttermilk Bay, in the Town of Bourne, within the "NO SHELLFISHING" signs located approximately 50 feet on each side of the brook (at Hideaway Village) and extending seaward for 150 feet.

* Brook Discharge & Road Runoff *

CAPE COD CANAL EAST - BB:45.4

The waters and flats of the Cape Cod Canal easterly of a line drawn northerly across the Canal from Pole 100; westerly of a line drawn from the end of the Sandwich Breakwater to the end of the Scusset Beach Breakwater and northerly of a line drawn across the entrance to the Sandwich Boat Basin (BB:45.5).

* Drainage Culverts & Boat Traffic *

CAPE COD CANAL SAGAMORE BRIDGE - BB:45.3

The waters and flats of the Cape Cod Canal, east of Pole 100 and west of a line drawn north across the Canal at Pole 160.

* Drainage Culverts & Boat Traffic *

CAPE COD CANAL WEST - BB:45.1 (Also see BB:43.8 - Extension)

The waters and flats of the Cape Cod Canal, westerly of the Railroad Bridge and easterly of a line drawn from the southeast tip of the Massachusetts Maritime Academy Pier to the Cape Cod Canal Navigation Light #18 at the end of Jefferson Road.

* Drainage Culverts & Boat Traffic *

SOUTHEAST SHORELINE OF LITTLE BUTTERMILK BAY BB:44.12

The waters and flats of Buttermilk Bay in the Town of Bourne in the portion of Little Buttermilk Bay east of a line drawn from the "NO SHELLFISHING" sign located approximately 50' west of the mouth of the creek on the northern shoreline and continuing to the "NO SHELLFISHING" sign located off of 25 Little Bay Lane.

* Farm Runoff *

GRAY GABLES - BB:43.3

The waters and flats of that portion of Butler Cove known as Gray Gables in the Town of Bourne, northeast of a line drawn northwest from the "NO SHELLFISHING" sign at the wooden fence at the southern end of #7 Bryant Road to the "NO SHELLFISHING" sign at the west end of the stone jetty at the end of Presidents Road.

* Drainage Culvert *

HEN COVE - BB:49.5

The waters and of Hen Cove in the Town of Bourne, northeast of a line drawn southeast from the orange "NO SHELLFISHING" sign at the foot of Wabash Avenue to the orange "NO SHELLFISHING" sign at the foot of Hill Road.

* Drainage Culvert & Salt Pond Drainage *

JEFFERSON ROAD - BB:43.8 (Extension of BB:45.1)

The waters and flats of that portion of Fisherman's Cove, in the Town of Bourne, from the "NO SHELLFISHING" sign at the end of Jefferson Road to Red Canal Buoy "26", thence to Green Canal Buoy "27" and continuing to the "NO SHELLFISHING" sign at the northern most piling along the southern side of the Massachusetts Maritime Academy.

*** Culvert Pipe ***

PLOW PENNY ROAD – BB:47.4

The waters and flats and all tributaries of that portion of Back River from the "NO SHELLFISHING" sign at the southern end of the marsh system south of Plow Penny Road to the "NO SHELLFISHING" sign at the dock at #70 Old Dam Road.

POCASSET RIVER - BB:48

The waters and flats of Pocasset River in the Town of Bourne, southeast of a line drawn across the jetties at the entrance of Pocasset River.

*** Drainage Culverts & Road Runoff ***

QUEEN SEWELL COVE - BB:44.7

The waters and flats of Queen Sewell Cove in the Town of Bourne, south of a line drawn from the "NO SHELLFISHING" sign at #2 Cranberry Road Extension to the "NO SHELLFISHING" sign at #6 Quamhasset Road.

*** Road Runoff ***

RED BROOK RIVER - BB:44.4

The waters and flats of Red Brook River in the Towns of Wareham and Bourne, north of a line drawn west from the orange "NO SHELLFISHING" sign located on the eastern shore of Red Brook River to the orange "NO SHELLFISHING" sign located approximately 50 feet south of the storm drain and Indian Heights Beach.

*** Road Runoff & Stream Outlet ***

WINGS NECK CREEK - BB:49.4

The waters and flats of Wings Neck Creek north of a line drawn across the mouth of the creek.

*** Road Runoff & Stream Outlet ***

-=> SHELLFISH PROPAGATION CLOSURES <=-
(Seed, Transplant & Contaminated Relay Areas)

LITTLE BUTTERMILK BAY BB:44.20

"The waters and flats of that portion of Little Buttermilk Bay in the Town of Bourne Harbor within the following coordinates;
41045.992N/70036.490W (North) 41045.970N/70036.504W (Northwest) 41045.961N/70036.442W (East) 41045.937N/70036.455W (South)

*** Relay Area ***

PENGUIN HOLE

The waters and flats of what is commonly known as Penguin Hole, located off Shore Road and across from Bennetts Neck Drive.

NOTE: *REGARDLESS OF DATES SHOWN, NO CLOSED AREAS AUTOMATICALLY RE-OPEN UNTIL TESTED AND APPROVED BY THE STATE! Always check with the Department of Natural Resources before harvesting shellfish in a previously closed area to ensure that the closure has been lifted.*
www.townofbourne.com



EA-22-27

Use of Town Property Event Application

Status: Active

Date Created: Sep 6, 2022

Applicant

Eva Sheehy



Primary Contact Information

Name

Eva Sheehy

Business/Organization Name (if applicable)

BHS Field Hockey

Mailing Address



Cell Phone No.



Email



Event Information

Organization/Individual Hosting the event

BHS Field Hockey

Type of Organization (LLC, non-profit)

High school

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

Car wash

Location of Event

Sagamore Beach Fire Station

Date(s) of Event

Saturday, Sept. 24

Set up/Clean up Dates

Same day

Hours (start and end times)

8:45-12:15

Total Attendance Expected

10

Description of Event

Car wash

Will admission be charged?

No

Is event open to the public?

Yes

Will your event impact parking?

No

Will your event impact traffic?

No

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

Will there be alcohol service/ on-premise consumption?

No

Alcoholic beverages are not permitted on Town property without a license issued by the Board of Selectmen. A separate application and fee is required.

Will there be food?

No

Will there be vendors?

No

Will a tent be used?

No

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 is required.

Will you be holding a raffle?

No

Only a non profit organization who has been organized and functioning in the Commonwealth of Massachusetts for two years can hold a raffle. A separate Raffle Permit from the Clerk's Office is required.

Use of Electricity/generators?

No

Will you require portable toilets?

No

Portable toilets are the responsibility of event organizer.

Rules & Regulations

By checking this box, I have read and agree to Town of Bourne's rules & regulations



Hold Harmless Agreement

Signature

Eva Sheehy

09/06/2022

Signature

Signature

Eva Sheehy

09/06/2022

**EA-22-27**

Use of Town Property Event Application

Status: Active**Date Created:** Sep 6, 2022**Timeline**

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Sep 6, 2022 at 4:23 pm	Sep 6, 2022 at 4:24 pm	Maria Simone	-
✓ DNR Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 6, 2022 at 4:25 pm	Christopher Southwood	-
✓ Fire Department Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 6, 2022 at 4:26 pm	David Pelonzi	-
✓ Recreation Department Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 6, 2022 at 4:27 pm	Kathryn Matthews	-
✓ Town Planner Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 6, 2022 at 4:30 pm	Tracy Sullivan	-
✓ Building Inspector Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 7, 2022 at 9:03 am	Ann Gutterson	-
✓ Engineering Department Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 7, 2022 at 9:30 am	Tim Lydon	-
✓ Sewer Commissioner Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 7, 2022 at 10:05 am	Maria Simone	-
✓ Town Collector's Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 7, 2022 at 3:16 pm	Town Collector	-
✓ Police Department Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 7, 2022 at 3:43 pm	Brandon Esip	-
✓ Health Agent Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 8, 2022 at 8:28 am	Kaitlyn Shea	-
✓ DPW Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 8, 2022 at 2:42 pm	Matthew Quinn	-
✓ Conservation Agent Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 9, 2022 at 12:09 pm	Stephanie Fitch	-
✓ Town Clerk's Comments	Complete	Sep 6, 2022 at 4:24 pm	Sep 16, 2022 at 12:50 pm	Maria Simone	-
✓ Town Administrator's Comments	Complete	Sep 16, 2022 at 12:50 pm	Sep 16, 2022 at 12:50 pm	Maria Simone	-
✓ Board of Selectmen Vote	Active	Sep 16, 2022 at 12:51 pm	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

09/16/2022

EA-22-27

Fire Department Comments

Use of Town Property Event Application

Status: Complete

Became Active: 09/06/2022

Assignee: David Pelonzi

Completed: 09/06/2022

Applicant

Eva Sheehy



Comments

David Pelonzi, Sep 6, 2022 at 4:26pm

All set and added to the calendar.



EA-22-28

Use of Town Property Event Application

Status: Active

Date Created: Sep 7, 2022

Applicant

Jenna Timo



Primary Contact Information

Name

Jenna Timo

Business/Organization Name (if applicable)

Bourne Volleyball Spike Club

Mailing Address



Cell Phone No.



Email



Event Information

Organization/Individual Hosting the event

Bourne Volleyball Spike Club

Type of Organization (LLC, non-profit)

--

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

Team Picnic

Location of Event

Buzzards Bay Park - Pavillion

Date(s) of Event

9/24/22

Set up/Clean up Dates

--

Hours (start and end times)

10a-2:30p

Total Attendance Expected

55

Description of Event

Team bonding event for the Bourne High School Volleyball program. Activities played and lunch served.

Will admission be charged?

No

Is event open to the public?

No

Will your event impact parking?

No

Will your event impact traffic?

No

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

Will there be alcohol service/ on-premise consumption?

No

Alcoholic beverages are not permitted on Town property without a license issued by the Board of Selectmen. A separate application and fee is required.

Will there be vendors?

No

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 is required.

Use of Electricity/generators?

No

Will there be food?

Yes

Describe type of food

pre-made sandwiches

Will a tent be used?

No

Will you be holding a raffle?

No

Only a non profit organization who has been organized and functioning in the Commonwealth of Massachusetts for two years can hold a raffle. A separate Raffle Permit from the Clerk's Office is required.

Will you require portable toilets?

No

Portable toilets are the responsibility of event organizer.

Rules & Regulations

By checking this box, I have read and agree to Town of Bourne's rules & regulations



Hold Harmless Agreement

Signature

Jenna Timo
09/07/2022

Signature

Signature

Jenna Timo
09/07/2022

**EA-22-28****Use of Town Property Event Application****Status:** Active**Date Created:** Sep 7, 2022**Signature****Signature**

Jenna Timo

09/07/2022

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Sep 7, 2022 at 1:49 pm	Sep 7, 2022 at 1:50 pm	Maria Simone	-
✓ Recreation Department Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 7, 2022 at 2:02 pm	Kathryn Matthews	-
✓ DNR Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 7, 2022 at 2:26 pm	Christopher Southwood	-
✓ Town Planner Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 7, 2022 at 2:46 pm	Tracy Sullivan	-
✓ Town Collector's Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 7, 2022 at 3:17 pm	Town Collector	-
✓ Building Inspector Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 7, 2022 at 3:24 pm	Ann Gutterson	-
✓ Police Department Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 7, 2022 at 3:42 pm	Brandon Esip	-
✓ Health Agent Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 8, 2022 at 8:32 am	Kaitlyn Shea	-
✓ Sewer Commissioner Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 8, 2022 at 11:21 am	Maria Simone	-
✓ DPW Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 8, 2022 at 2:45 pm	Matthew Quinn	-
✓ Engineering Department Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 9, 2022 at 9:36 am	Tim Lydon	-
✓ Conservation Agent Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 9, 2022 at 12:08 pm	Stephanie Fitch	-
✓ Fire Department Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 9, 2022 at 12:22 pm	David Pelonzi	-
✓ Town Clerk's Comments	Complete	Sep 7, 2022 at 1:50 pm	Sep 16, 2022 at 12:52 pm	Maria Simone	-
✓ Town Administrator's Comments	Complete	Sep 16, 2022 at 12:52 pm	Sep 16, 2022 at 12:53 pm	Maria Simone	-
✓ Board of Selectmen Vote	Active	Sep 16, 2022 at 12:53 pm	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

09/16/2022

EA-22-28

DPW Comments

Use of Town Property Event Application

Status: Complete

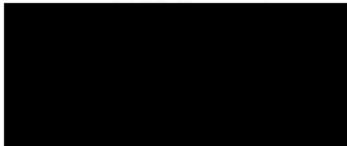
Became Active: 09/07/2022

Assignee: Matthew Quinn

Completed: 09/08/2022

Applicant

Jenna Timo



Comments

Matthew Quinn, Sep 8, 2022 at 2:45pm

All Set, We just ask keep park clean and carry in/out rubbish. Thanks

Thut, Kathleen

From: Irja Finn <ifinn@bournelibrary.org>
Sent: Monday, September 12, 2022 13:51
To: Thut, Kathleen
Subject: \$150 Gift

Hi Kathleen!

[REDACTED] wrote a gift check for \$150 on Friday.

Please add to BoS for acceptance.

Thanks,
irja

--

[Irja S. Finn, MSLIS](#)
Library Director
Jonathan Bourne Public Library
19 Sandwich Road
Bourne, MA 02532
508-759-0600 x 6103

Thut, Kathleen

From: Marlene McCollem
Sent: Monday, September 12, 2022 14:08
To: Irja Finn; Thut, Kathleen
Subject: RE: Care & Custody of "The Quilt"

Hi Irja: we can certainly ask them.

Kathleen, can you please add this to the 9/20 agenda?

Thanks,
Marlene

From: Irja Finn [mailto:ifinn@bournelibrary.org]
Sent: Monday, September 12, 2022 1:54 PM
To: Marlene McCollem <mmccollem@townofbourne.com>
Subject: Care & Custody of "The Quilt"

Hi Marlene,

The Trustees and the Friends of the Library reached out to a national quilting magazine (name escapes me) and the publisher is very interested in doing an article about the Bourne Bicentennial Quilt next year.

One question was ownership of the quilt.

Ive been asked to inquire if the BoS would consider transferring care and custody of the quilt to the Board of Trustees. Of course I have no idea if the BoS ever accepted the quilt back in 1976 as a gift, but let's say it is town property.

Thanks,
Irja

--

[Irja S. Finn, MSLIS](#)

Library Director
Jonathan Bourne Public Library
19 Sandwich Road
Bourne, MA 02532
508-759-0600 x 6103

Article	Description	Capital Outlay	Bylaw Committee	Fin Com	BOS
1	<u>Committee Reports</u>			19-Sep	20-Sep
2	GF Budget Amendments electronic voting (BJ & MM) move Police Station R&M to facilities (BE, SF, MM) Fire OT (DC) Fire Inspector Postion (DC) Department adjustments (EF) Liability Insurance - 111F (EF) Contractural Reserve (EF) DPW - laborer to mechanic (SP) DPW - 4 truck drivers (SP)			19-Sep	20-Sep
3	<u>Sewer Budget Amendments</u> Electricity (ME, EF, MM) EQ basins (ME, EF, MM)			26-Sep	27-Sep
4	<u>ISWM Budget Amendment</u> Indirect re: truck drivers (ME, DB, SP)			19-Sep	20-Sep
5	<u>OPEB Liability</u> (EF)			19-Sep	20-Sep
6	<u>Compensated Absences</u> (EF, MM)			19-Sep	20-Sep
7	<u>Capital</u> Police Vehicle (BE) Con Com/Eng truck (SF, TL) Queen Sewell Lighting (SP, KC, BE) Sign Machine (SP) Flail Arm (SP) Storm water Infrastructure (TL) Sagamore Beach Access Ramp (TL)	19-Sep		26-Sep	27-Sep
8	<u>Intersection Rebuild - Shore @ Barlow's Landing</u> (SP)	3-Oct		26-Sep	27-Sep
9	<u>Leachate Pilot</u> (DB)	19-Sep		19-Sep	20-Sep
10	<u>ISWM container truck</u> (DB)	26-Sep		26-Sep	27-Sep
11	<u>ISWM fuel tank</u> (DB)	26-Sep		26-Sep	27-Sep
12	<u>Capital Stabilization Fund</u> (EF)	19-Sep		19-Sep	20-Sep
13	<u>Community Preservation Fund</u> Housing Production Plan Joseph Jefferson Windmill	n/a < \$20k		3-Oct	4-Oct
14	<u>Long-term Lease with TRANE for ESCO</u> (MM)	19-Sep		26-Sep	27-Sep
15	<u>Accept Sanderling Whimbrel & Pintail as public</u> (SP)			19-Sep	20-Sep
16	<u>Amend Bylaw 3.1.43</u> (KM)		??	3-Oct	4-Oct
17	<u>Amend Bylaw 3.1.29 (a) & (f)</u> (BJ & CS)		??	3-Oct	4-Oct
18	<u>Amend Zoning - Signs</u> (JC)			3-Oct	4-Oct
19	<u>Amend Zoning - Parking</u> (JC)			3-Oct	4-Oct
20	<u>Petition - Zoning</u> (Calamar)			3-Oct	4-Oct

Town of Bourne
Proposed FY23 Budget Adjustments FTM - 10/24/2022

Prelim 9/16/2022

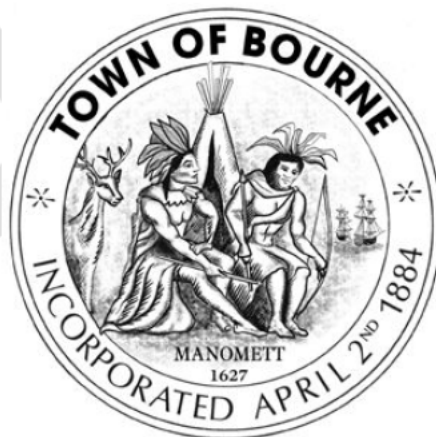
Fund	Dept.	GL #	GL Description	TA Proposed 5/2/2022	TA Proposed 10/24/2022	Change Inc (Dec)	Explanation
GF	Town Meeting	01-999-100-113-5400-5586-999-99	Other-Town Meeting Exp	6,000 00	16,000 00	10,000 00	Electronic Voting Cost
GF	Town Administrator	01-999-100-123-5100-5146-999-99	Contractual Reserve	15,000 00	24,000 00	9,000 00	Contractual Performance Incentives (TA/HR/FC)
GF	Audit	01-999-100-136-5200-5302-999-99	Audit	70,000 00	80,000 00	10,000 00	Audit Expense Increase
GF	Facilities	01-999-100-197-5200-5240-210-99	R&M Bldg & Grounds	-	36,300 00	36,300 00	Move police building expense to Facilities budget
GF	Police	01-999-200-210-5100-5113-999-99	Sal Clerical/Supv	333,968 00	359,290 00	25,322 00	Contractual obligations for police admin staff
GF	Police	01-999-200-210-5200-5240-999-99	R&M Bldg & Grounds	60,000 00	23,700 00	(36,300 00)	Move police building expense to Facilities budget
GF	Police	01-999-200-210-5400-5594-999-99	Other Operational	30,000 00	47,000 00	17,000 00	Radio Towers - Copper to Fiber plus Annual Cost
GF	Fire	01-999-200-220-5100-5130-999-99	Overtime	410,000 00	550,000 00	140,000 00	Anticipated OT Cost
GF	Fire	01-999-200-220-5100-5113-999-99	Sal Clerical/Sec	57,606 00	62,100 00	4,494 00	Admin Staff Upgrade
GF	Fire	01-999-200-220-5100-5114-999-99	Sal FF	1,976,931 00	2,055,047 00	78,116 00	Contractual obligations - Fire CBA finalized post budget
GF	Fire	01-999-200-220-5100-5112-999-99	Sal Clerical/Supv	1,170,001 00	1,344,363 00	174,362 00	Contractual obligations - Fire CBA finalized post budget, includes Fire Inspector Lt Position
GF	Fire	01-999-200-220-5100-5194-999-99	Recertification	77,500 00	27,500 00	(50,000 00)	Re-allocate recertification funds
GF	Public Works	01-999-400-420-5100-5116-010-99	Sal Laborers Sanitation	461,817 00	643,527 00	105,392 00	4 New Truck Drivers (7/12 - Dec-June)
GF	Public Works	01-999-400-420-5100-5112-011-99	Sal Supv Vehicle Maint	179,239 00	189,729 00	10,490 00	Upgrade Laborer position to Mechanic
GF	Insurance	Various	Various	1,752,034 00	1,782,034 00	30,000 00	Final Liability Insurance cost rec'd post budget
Subtotal GF Expense Adjustment						<u>564,176.00</u>	
						200,000 00	Ambulance Receipts Reserved for Appropriation
						242,273 00	Final Cherry Sheet (state receipts)
						78,849 00	Indirect Cost Fee (ISWM) - 75% of Truck Driver Cost
						<u>43,054 00</u>	Motor Vehicle Excise
Subtotal GF Revenue Adjustment						<u>564,176.00</u>	
				Net Change			
				\$ <u>-</u>			

Town of Bourne
Proposed FY23 Budget Adjustments FTM - 10/24/2022

Prelim 9/16/2022

Fund	Dept.	GL #	GL Description	TA Proposed 5/2/2022	TA Proposed 10/24/2022	Change Inc (Dec)	Explanation
EF	Sewer	60-999-400-442-5700-5760-999-99	Wareham Cap	-	35,552 00	35,552 00	Wareham EQ Basins
EF	Sewer	60-999-400-442-5900-5910-999-99	Debt	36,000 00	11,400 00	(24,600 00)	SRF WWTF Debt
EF	Sewer	60-999-400-442-5200-5211-999-99	Electricity	8,500 00	30,048 00	21,548 00	Increase Line for WWTF
Subtotal SEF Expense Adjustment						32,500.00	
EF	Sewer					32,500 00	Sewer Overage Voted \$0 0125 9 28 21
Subtotal SEF Revenue Adjustment						32,500.00	
Net Change						\$ -	
EF	ISWM			2,390,996 00	2,496,128 00	78,849 00	Indirect Costs 4 Truck Drivers
Subtotal ISWM Expense Adjustment						78,849.00	
EF	ISWM					78,849 00	ISWM Receipts
Subtotal ISWM Revenue Adjustment						78,849.00	
Net Change						\$ -	

Articles of the Warrant
For the Bourne
Special Town Meeting
Monday, October 24, 2022
7:00 P.M.
Bourne High School Auditorium



SPECIAL TOWN MEETING

ARTICLE 1^[MM1] To see if the Town will vote to hear Reports and Recommendations of Committees and Town Officers, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 2^[MM2]: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of supplementing and/or reducing the FY2023 Regular Annual Expenses of the departmental expenses as voted under Article 2 (Fiscal Year 2023 Budget) of the 2022 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 3^[MM3] To see if the Town will vote to appropriate, borrow or transfer from available funds, as sum of money for the purpose of supplementing and/or reducing the FY 2023 Sewer Department Budget as voted under Article 3 (Sewer Department) of the 2022 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

ARTICLE 4: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of supplementing and/or reducing the FY 2023 ISWM Department Expense Budget as voted under Article 4 (ISWM) of the 2022 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 5: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of funding the Town's Other Post-Employment Benefits (OPEB) Liability, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund costs related to payments of accrued contractual compensated absences, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE^[MM4]**7**: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of funding the Fiscal Year 2023 Capital Budget, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 8:^[MM5] To see if the Town will vote to appropriate, borrow or transfer from available funds, as sum of money for the purpose of funding the reconstruction and improvement of the intersection of Shore Road at Barlow Landing's Road, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 9: To see if the Town will vote to appropriate or transfer from available funds including but not limited to Integrated Solid Waste Management (ISWM) Enterprise Fund
September 16, 2022 - DRAFT

Retained Earnings, a sum of money for the purpose of funding an Amendment to Article 6 voted at the November 16, 2020 Special Town Meeting for the purpose of funding development, installation and operational costs associated with a Pilot Leachate Treatment System to be installed at the ISWM Facility, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 10: To see if the Town will vote to appropriate or transfer from available funds including but not limited to Integrated Solid Waste Management (ISWM) Enterprise Fund Retained Earnings, a sum of money for the purpose of funding an Amendment to Article V voted at the May 3, 2021 Annual Town Meeting for the purpose of adding additional funding to the ISWM FY' 2022 Capital Budget Request, 1-ton Container Truck Line Item, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 11: To see if the Town will vote to appropriate or transfer from available funds including but not limited to Integrated Solid Waste Management (ISWM) Enterprise Fund Retained Earnings, a sum of money for the purpose of funding relocation and installation of a fuel storage tank at the ISWM Facility, including site preparation, installation of all necessary structures and associated appurtenances, or take any other action relative thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 12: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Capital Stabilization Fund**, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 13: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for **Community Preservation Fund purposes**, and to meet said appropriation, to transfer from available funds or reserves from the FY2023 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relation thereto.

Sponsor - Community Preservation Committee

ARTICLE 14: To see if the Town will vote to authorize a long-term lease with TRANE for ESCO, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 15: To see if the Town will vote to authorize the Board of Selectmen to accept and allow as a public way the following street or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; to authorize the Board of Selectmen to acquire by gift, or eminent domain an easement or easements to use said way for all purposes for which public ways are used in the Town of Bourne, and all associated easements; and further, accept gifts for this purpose and any expenses related thereto; and authorize the Board of Selectmen to enter into all agreements and take all

actions necessary or appropriate to carry out said acquisition(s), or take any other action in relation thereto.

Sanderling Drive

Whimbrel Drive

Pintail Drive

Sponsor – Board of Selectmen

ARTICLE 16:^[MM6] To see if the Town will vote to amend Section 3.1.43 Downtown Blight and Vacant Building of the General Bylaw, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE^[MM7] **17:** To see if the Town will vote to amend the Town of Bourne Bylaws, Article 3.1 Public Safety and Good Order, Section 3.1.29 – Licensing and Control of Dogs, Paragraphs (a) and (f) as follows:

- a. Licensing Provisions. Except as may otherwise be provided by bylaw, all owners or keepers of dogs over six (6) months of age within the Town of Bourne must obtain from the Town Clerk ~~between January 1st and June 30th for each year~~ **by March 31 of each year**, an annual dog license and pay an annual license fee to the Town as required by bylaw...

f. Dog Licensing Fees.

~~...On or before June 15 of each year, the Town Clerk shall notify the owner or keeper of record of any unlicensed dog of the requirements to license the dog.~~

or take any other action in relation thereto.

Sponsor – Town Clerk and Department of Natural Resources

ARTICLE 18: To see if the Town will vote to amend the Bourne Zoning Bylaws as follows, or to take any other action in relation thereto:

Amend Section 3210 General Sign Regulations and Section 2888 Downtown District - Signs Not Permitted, by adding the following language:

Flag signs or fabric advertising devices attached to curved plastic or fiberglass poles intended to move or swing in a breeze – commonly called “feather signs” - are prohibited. Similarly, signs or advertising devices that consist of an inflatable stick figure created from fabric tubing attached to a fan that causes the figure to move in a rhythmic, flailing motion – commonly called “sky dancers” or “tube men” – are prohibited.

Sponsor – Planning Board

ARTICLE 19: To see if the Town will vote to amend the Bourne Zoning Bylaws relative to the Downtown Parking Regulations as follows, or take any other action relative thereto:

SECTION 2854. Parking Reduction Methods

September 16, 2022 - DRAFT

Amend Section 2854 b) Off-Site Parking Credit to delete 300 and 500 feet and replace with 1000 feet for public and private parking lots as follows:

b) Off-Site Parking Credit - Parking requirements may be reduced by up to fifty percent (50%) with a Special Permit by the Planning Board if an off-street public parking lot of 20 spaces or more exists within ~~300~~ **1000** feet of the principal land use, and the public parking lot has ample spaces available to serve the immediate area as determined by a survey of peak hour occupancy and usage. If this rule cannot be met, the applicant can secure private off-site parking within ~~500~~ **1000** feet of the site by ownership or lease with another landowner with the following conditions:

1. The off-site parking will be shared by more than one landowner; and
2. The greater distance is justified because of pedestrian traffic patterns and the vitality of the area that would be part of the walk.

Sponsor – Planning Board

ARTICLE 20: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 2842, Performance Standards for Residential Uses, by clarifying subparagraphs (3)(a) and (b) by adding those words identified in red and indicated herein:

- a) General Residential Use Performance Standards
 - 3) Affordable Housing
 - a. Residential developments whether new construction, alteration or expansion that results in a net increase of 10 (ten) or more dwelling units shall include a minimum of 10% of the total number of units available to low and moderate-income residents in accordance with the Commonwealth of Massachusetts Department of Housing and Community Development (*DHCD*) standards for affordable housing *except where inclusion of affordable housing units is prohibited by DHCD.*
 - b. Residential of mixed-use developments (rental or ownership) with 55 or more total units are required to meet all standards set forth by the Department of Housing and Community Development (DHCD) to ensure all affordable units are placed on the Commonwealths Subsidized Housing Inventory (*CSHI*) *unless otherwise prohibited for inclusion in the CSHI.* The Developer is responsible for incurring all costs and is also responsible for administering the process associated with attaining the affordable units on the Commonwealths Subsidized Housing Inventory, or take any action in relation thereto.

Sponsor – Barbara Johnston, et al

Approved:

BOARD OF SELECTMEN

September 16, 2022 - DRAFT

Barnstable, ss.

Bourne, Massachusetts

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Veterans' Memorial Community Center, Bourne Town Hall and in all the post offices in the Town of Bourne viz: Buzzards Bay Post Office, Bourne Post Office, Monument Beach Post Office, Pocasset Post Office, Cataumet Post Office, Sagamore Post Office, and the Sagamore Beach Post Office.

Dated this _____ day of _____, 2022

Constable

Received in the Town Clerk's Office _____

Barry H. Johnson, Town Clerk

Facilities Reorganization Proposal to the Board of Selectmen
September 20, 2022

TOWN ADMINISTRATOR – reports to the BOS (currently McCollem)

- Chief Procurement Officer
- Responsible for proposing Capital Plan & Budget
- Overall employee supervision (Step 3 hearing officer in the Grievance Procedure)

ASSISTANT TOWN ADMINISTRATOR - reports to the TA (currently vacant)

- Procurement assistance
 - Plans, specifications, estimates
 - Bidding & contracting (including establishing on-call trades)
- Operating and Capital budgeting – building & managing
- Coordinating resources & schedules with other depts.
 - Communicating – schedules, construction impact/disruption
- Assist with employee supervision & coaching

FACILITIES MANAGER – reports to the ATA (currently Feeney)

- Daily supervisor of front-line staff
 - Works assignments
 - Schedule coverage
- Troubleshooting & task planning
- Coordinating contractors & supervising their presence/work in town buildings
- Implementing Dude Solutions

HEAD CUSTODIAN – reports to Facilities Manager (currently vacant)

- Coordination & scheduling of custodial staff & supplies across all town buildings
- Directed by task

ELECTRICIAN – reports to Facilities Manager (currently PT)

- Licensed
- Directed by task

CRAFTSMAN – reports to Facilities Manager (currently 2FTE)

- Carpentry, painting, maintenance, etc. (non-licensed)
- Directed by task

CUSTODIANS – reports to Facilities Manager (currently 3.5 FTE)

- All buildings, including Library, Community Building, Police Station
- Directed by task

TA OFFICE – administrative & clerical support to all of the above (currently 2.5 FTE)

- Payroll
- Time & attendance
- Invoices, bills, budget tracking
- SO MUCH MORE!

**Board of Selectmen
Minutes of Monday, October 5, 2021
Bourne Veteran's Memorial Community Center
Buzzards Bay, MA**

Acting Town Administrator Tim King
Assistant Town Administrator Glenn Cannon

Selectmen

Peter Meier, Chair
Judith Froman, Vice-Chair
George Slade, Clerk
Jared MacDonald
Mary Jane Mastrangelo

Others: Michael Rausch, Stephanie White, Dennis White, Jenna White, Bill Mohan, Murat Taskaynatan, Steve Mealy, and Ann Marie Siroonian

Note this meeting is being televised, streamed, or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time. Michael Rausch, Bourne Enterprise, acknowledged that he is recording the meeting.

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

6:15 P.M. Call Public Session to Order in Open Session

1. Board of Selectmen Executive Session

Motion to enter into Executive Session to consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

- 0 Ernest Valeri Road (several parcels)
- 479 Scenic Highway

Roll call Vote to convene in Executive Session for the purpose stated.

The Board of Selectmen "WILL" reconvene in open session at the end of the Executive Session.

The Chair will report out a summary of any votes taken during the Executive Session.

Conduct Executive Session

Roll call vote to adjourn the Executive Session and re-enter Public Session.

Chair Meier called the Public Session to order at 7:02 PM.

Chair Meier said that Brian Lussier is receiving the New England Association Chief of Police Medal of Valor tonight at a ceremony in New Hampshire for bravery in preventing a person from

driving a vehicle into the Canal several months ago. Chair Meier wanted to formally recognize this achievement and congratulate him.

2. Moment of Silence to recognize our Troops and our public safety personnel.

3. Salute to the Flag

4. 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.

5. 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.

6. 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.

7. Minutes: 06/15/21; 7/6/21; 8/31/21

Chair Meier said that the minutes from 6/15/21 were approved previously.

Voted: Judith Froman moved, and George Slade seconded, to approve the minutes of July 6th, 2021.

Vote: 5-0-0.

Voted: Judith Froman moved, and Mary Jane Mastrangelo seconded, to approve the minutes of August 31st, 2021.

Vote: 5-0-0.

8. Appointments and Licenses

- a. **7:00 PM Liquor License Hearing – Norman B. White, Jr., Inc., d/b/a The Liquor Barn, 150 Main Street. Application for a Change in Manager, Change in Officers & Directors, Transfer of Stock & Pledge of License.**
- b. **Wareham Pizza Corp., d/b/a Domino's Pizza, Murat Taskaynatan, Mgr., 2 Bourne Bridge Approach – Discussion and possible vote on the request for a Food Vendor's License for takeout and delivery only.**
- c. **Calamar project update – Jerry Hill, Calamar Project Manager.**

d. Discussion and possible vote to appoint Merry James to Bourne Human Services Committee.

8.a. 7:00 PM Liquor License Hearing – Norman B. White, Jr., Inc., d/b/a The Liquor Barn, 150 Main Street. Application for a Change in Manager, Change in Officers & Directors, Transfer of Stock & Pledge of License.

Chair Meier read aloud the Notice of the Liquor License Hearing.

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded, to open the Public Hearing.

Roll Call Vote – Chair Meier – yes, George Slade – yes, Jared MacDonald – yes, Judith Froman – yes, and Mary Jane Mastrangelo – yes. 5-0-0.

NOTICE
TOWN OF BOURNE
LIQUOR LICENSE HEARING

Notice is hereby given in accordance with Massachusetts General Laws, Chapter 138, Section 15 that an application has been received from Norman B. White, Jr., Inc., d/b/a The Liquor Barn, Philip Joseph Malouin, III, Manager, 150 Main Street, Buzzards Bay, MA 02532 for a change in Manager from Joseph Malouin, III, Manager to Jenna White, Manager; Change in Officers and Directors from Dennison White, President & Director & Faith O. White, Treasurer & Secretary to Dennison White, President & Director, Stephanie White, Treasurer, Secretary & Director, & Jenna White, Director; Transfer of Stock from Faith O. White to Dennison White, and Pledge of Stock from Dennison White to Faith O. White.

Voted: Judith Froman moved, and Jared MacDonald seconded, to open the Public Hearing.

Roll Call Vote –Mary Jane Mastrangelo – yes, George Slade – yes, Chair Meier – yes, Judith Froman – yes, and Jared MacDonald – yes. 5-0-0.

Stephanie White introduced herself and her husband, Dennis White, and their daughter Jenna White. She thanked everyone for the work that they have done in the Town of Bourne. She then explained that the Liquor Barn has been in the White family for 39 years, and her mother-in-law has expressed that she would like to be out of the business, so they came before the board to request approval to make some amendments in the ownership and change in officers.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded, to close the public hearing

Roll Call Vote – Jared MacDonald – yes, Judith Froman – yes, Chair Meier – yes, George Slade – yes, and Mary Jane Mastrangelo – yes. 5-0-0.

Voted: Judith Froman moved, and Mary Jane Mastrangelo seconded, to approve a request for a change in manager, change in officers and directors, change in transfer of stock and pledge of stock from Norman B. White, Jr., Inc. (d.b.a. The Liquor Barn), 150 Main Street, Buzzards Bay. The following are the requested changes:

- Jenna White, Manager,
- Dennison White, President & Director,
- Stephanie White, Treasure, Secretary & Director
- Jenna White, Director,
- Transfer of Stock from Faith O. White to Dennison White
- Pledge of Stock from Dennison White to Faith O. White.

Roll Call Vote –Mary Jane Mastrangelo – yes, George Slade – yes, Chair Meier – yes, Judith Froman - yes, and Jared MacDonald – yes. 5-0-0.

8.b. Wareham Pizza Corp., d/b/a Domino's Pizza, Murat Taskaynatan, Mgr., 2 Bourne Bridge Approach– Discussion and possible vote on the request for a Food Vendor's License for takeout and delivery only.

Bill Mohan, the consultant working with Murat Taskaynatan, said that Mr. Taskaynatan owns Domino's Pizza business in Wareham and Marshfield, as well as the one in Buzzards Bay. He said he would like to know what the Town needs from them to make the transition as smooth as possible.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded, to approve a Common Victualer (food) License for Wareham Pizza Corporation (d.b.a. Domino's Pizza), Murat Taskaynatan, Manager, for takeout and delivery only, located at 2 Bourne Bridge Approach, Buzzards Bay, MA 02532.

Vote: 5-0-0.

8.c. Calamar project update – Jerry Hill, Calamar Project Manager.

Chair Meier said that Jerry Hill, Executive Vice President of Calamar Construction and Development, asked to be re-scheduled for the first meeting in November

8.d. Discussion and possible vote to appoint Merry James to Bourne Human Services Committee.

Voted: Judith Froman moved, and Mary Jane Mastrangelo seconded, to appoint Merry James to the Human Services Committee to fill a vacancy with an expiration of June 30, 2023.

Vote: 5-0-0.

9. Selectmen's Business

- 7:15 PM Discussion and possible vote on the Adoption of the Shellfish Regulations for 2022 Recreational and Commercial Shellfish Licenses. The Board of Selectmen will consider waiving the second and third reading of this policy.**
- Charter Review Committee Report – Steve Mealy.**
- Discussion and possible vote to create a Board of Selectmen Subcommittee.**
- Discussion and possible vote related to hire a consultant to write and codify Board of Selectmen policies.**
- American Rescue Plan Act (ARPA) –**
 - Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to implement the recommendation outlined in the Inflow and**

Infiltration (I/I) Study conducted by Environmental Partners including trenchless sewer pipe lining and manhole repair recommendation (approximately \$750,000).

ii. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to complete the DRAFT Sewer Regulation.

iii. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to review and make recommendations on both the existing sewer rates/fees and any proposed new sewer rates/fees structure.

- 9.a. 7:15 PM Discussion and possible vote on the Adoption of the Shellfish Regulations for 2022 Recreational and Commercial Shellfish Licenses. The Board of Selectmen will consider waiving the second and third reading of this policy.**

Assistant Town Administrator Glenn Cannon said that the department head was not able to attend the meeting and that this is a routine matter that comes before the Board every year. He said there are no fee increases and the only changes are the dates.

Voted: Judith Froman moved, and Jared MacDonald seconded, to waive the second and third reading of the Town of Bourne shellfish regulations and approve the Town of Bourne shellfish regulation as presented.

Vote: 5-0-0.

- 9.b. Charter Review Committee Report – Steve Mealy.**

Steve Mealy gave a history of the Charter and what the Charter Commission has been through while reviewing the Charter over the past year. He talked about the process and about the fact that in the over 30 meetings that they have had, only one meeting was in person. Chair Meier and Ms. Froman thanked Mr. Mealy and the Charter Review Committee for all their work this past year. Mr. MacDonald said that he appreciated the attention to grammar and detail. Mr. Slade said they did a wonderful job, especially while using the virtual format. Ms. Mastrangelo said that she appreciates their very thoughtful discussions. There was some discussion about the Chair of the Finance Committee not serving on other committees.

- 9.c. Discussion and possible vote to create a Board of Selectmen Policy Subcommittee.**

Chair Meier said that the Board all had the charge in front of them that is in preparation for creating a Policy Subcommittee. He said the committee will be made up of 2 of the Board of Selectmen members, selected by the Board of Selectmen, that will serve for one-year terms. Chair Meier said that he feels that having this subcommittee could help the Board as a whole. There was some discussion about the possibility of this new subcommittee.

Anne Marie Siroonian spoke about the processes that the School Committee went through to develop a Policy Subcommittee. Mr. Cannon spoke about his research into developing and writing policies.

Voted: Judith Froman moved, and Mary Jane Mastrangelo seconded, to approve the Board of Selectmen Policy Subcommittee charge with amended changes, changing to Select Board and that

the committee would consist of two to three members and that the length of the term could be up to a year.

Vote: 5-0-0.

Chair Meier said that they will vote for the members of the Policy Subcommittee at the next meeting.

9.d. Discussion and possible vote related to hire a consultant to write and codify Board of Selectmen policies.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded, to instruct the Acting Town Administrator to solicit offers and quotes for a consultant to write and codify Board of Selectmen policies.

Vote: 5-0-0.

9.e. American Rescue Plan Act (ARPA) –

i. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to implement the recommendation outlined in the Inflow and Infiltration (I/I) Study conducted by Environmental Partners including trenchless sewer pipe lining and manhole repair recommendation (approximately \$750,000).

Acting Town Administrator Tim King said they are waiting for a proposal from EPG to give a better cost estimate on what the work will entail. There was some discussion on what uses ARPA funds are intended for.

Voted: Judith Froman moved, and George Slade seconded, to approve the use of American Rescue Plan Act funds to implement the recommendations outlined in the I&I study conducted by Environmental Partners including sewer pipe lining and manhole repair recommendations.

Vote: 5-0-0.

ii. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to complete the DRAFT Sewer Regulations.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded, to approve the use of American Rescue Plan Act funds to complete the DRAFT Sewer Regulations.

Vote: 5-0-0.

iii. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to review sewer rates and fees and to advise the Board of Selectmen and make recommendations on both the existing sewer rates/fees and any proposed new sewer rates/fees structure.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to approve the use of American Rescue Plan Act funds to review sewer rates and fees and to advise the Board of Selectmen on rates and fees for the Sewer.

Vote: 4-0-1. Chair Meier abstained

10. Town Administrator

- a. Special Town Meeting Article Summary.**
- b. ISWM approval from Cape Cod Commission.**
- c. Bourne Rail Trail Update.**

10.a. Special Town Meeting Article Summary.

Mr. King said that there are 22 articles for Town Meeting. He said there is an article for a sewer budget adjustment, and an article to transfer funds to the Special Education Reserve Fund, and he talked about some of the others. He said there are no capital items at this time. He talked about the Finance Committee's recommendations. Mr. Cannon explained the ESCO project. He said the draft of the warrant articles will be done in a few weeks, and meetings with the Finance Committee will need to happen soon.

10.b. ISWM approval from Cape Cod Commission.

Mr. Cannon said that ISWM is moving forward with permitting for phases 6,7 and 8. They received approval from the Cape Cod Commission.

10.c. Bourne Rail Trail Update

Mr. King said that phase 1 is at 25% design and the project is moving along. There was discussion about the meetings and the progress of the Rail Trail, and about all the work that has been done.

11. Correspondence

Mr. Slade listed the correspondence:

- Talent Bank Forms from Richard Libin for the Roadway Traffic Safety Committee, Mandy Holway for the Pedestrian Bikeway and Roadway Traffic Safety Committee, Kelly Race for the Roadway Traffic Safety Committee, Eda Cardoza for the Council on Aging, and David Newcombe who is interested in the Capital Outlay, Community Preservation, Education and Scholarship, Recreation, Bikeway Committee, and Finance Committee.
- Resignation letter from Frank Kodzis from the Energy Advisory Committee.
- 2 letters from DEP
- Massachusetts Department of Telecommunications and Cable regarding 6-month advance notice of license expiration.
- ISWM on quarterly groundwater monitoring results.
- Town Administrator informing Mr. Burkhead of the decision regarding his dogs
- Town Counsel opinion regarding whether a Finance Committee member can serve on other town committees.
- Request the use of a ball field as a landing zone from the Joint Base Cape Cod, and it turned out to be not needed.

12. Committee Reports

Mr. Slade said that they are going to be dealing with the screening committee and there are 20 people interested, and he will send the list to the Chair.

13. Adjourn

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

Vote: 5-0-0.

The meeting was adjourned at 8:39 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Selectmen
Minutes of Thursday, October 28, 2021
Bourne Veteran's Memorial Community Center
Buzzards Bay, MA**

Acting Town Administrator Tim King
Assistant Town Administrator Glenn Cannon

Selectmen

Peter Meier, Chair
George Slade, Clerk
Jared MacDonald
Mary Jane Mastrangelo

Others: Renée Gratis, Barry Johnson, and Tim Lydon.

Note this meeting is being televised, streamed, or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time. Chair Meier said that Judith Froman is excused.

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

6:00 P.M. Call Public Session to Order in Open Session

1. Board of Selectmen Executive Session

Motion to enter into Executive Session to consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

- 0 Ernest Valeri Road (several parcels)
- 479 Scenic Highway

Roll call Vote to convene in Executive Session for the purpose stated.

The Board of Selectmen "WILL" reconvene in open session at the end of the Executive Session.

The Chair will report out a summary of any votes taken during the Executive Session.

Conduct Executive Session

Roll call vote to adjourn the Executive Session and re-enter Public Session.

2. Moment of Silence to recognize our Troops and our public safety personnel.

3. Salute to the Flag

- 4. 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.

5. **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.

6. **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.

Renée Gratis introduced herself as the Chair of the Finance committee, and she said that the opinions that she will speak of at this meeting are her opinions as Chair of the Finance Committee, and not of anyone on the committee. She said that the joint meeting that was scheduled for the previous evening, Wednesday, October 27th, with the Select Board, was canceled due to the storm.

Ms. Gratis said that she sent an email to the Select Board and to the Town Administrator's office requesting that the articles regarding the Barlow's Landing boat ramp, and the Next Grid solar project be postponed. She said that there has been a tight schedule for this Town Meeting, and articles have fluctuated. She proposed that after this Town Meeting that the Finance Committee sit collaboratively with the Town Administrators' office and the Select Board to see how this process can be improved down the line.

7. **Minutes: No minutes to review.**

8. **Appointments and Licenses**

- a. **Discussion and possible vote to adopt the Reprecincting map; accept the Block Report; and adopt the legal description of the map – The Town Clerk will update the Board of Selectmen on the Reprecincting map; the Block Report; and the legal description of the map.**
- b. **Discussion and possible vote to authorize the Town Administrator and Special Counsel to DRAFT a Memorandum of Agreement with Next Grid for the proposed solar array project off Ernest Valeri Road.**
- c. ~~Discussion and possible vote to select the members of the Town Administrator Search Committee.~~
- d. **Discussion and possible vote to sign the Special Town Meeting Warrant.**
- e. **Discussion and possible vote to consider releasing a legal opinion relative to the citizen petition.**

8.a. Discussion and possible vote to adopt the Reprecincting map; accept the Block Report; and adopt the legal description of the map – The Town Clerk will update the Board of Selectmen on the Reprecincting map; the Block Report; and the legal description of the map.

Barry Johnson said that the reprecincting map came from Boston last week. He said that this happens every ten years, and once it is done then they must notify all the voters individually. He acknowledged Tim Lydon, the Town Administrator's office, and the Clerk's office for their work on the map. He talked about some of the changes in precincts.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to approve and adopt the reprecincting map, accept the Block Report and adopt the legal description of the map as presented.

Vote: 4-0-0.

8.b. Discussion and possible vote to authorize the Town Administrator and Special Counsel to DRAFT a Memorandum of Agreement with Next Grid for the proposed solar array project off Ernest Valeri Road.

Assistant Town Administrator Glenn Cannon said that the Board of Selectmen met in Executive Session earlier this evening with the development team that is helping with the Next Grid project. He said there was a revised proposal on the table to remove two parcels – parcels A and D. They offset the removal of the two parcels with payment to the Town of \$500,000.00. the Board of Selectmen accepted the proposal and the Chair read the entire option of what is being offered, and they need to formalize it into an agreement. He said the Town's consultant and the development team are aware of all the particulars, therefore the agreement should not take very long.

Voted: Jared MacDonald moved, and George Slade seconded, to authorize the Town Administrator to work with Special Counsel to DRAFT a Memorandum of Agreement between the Town of Bourne and Next Grid.

Mary Jane Mastrangelo amended the motion to read to authorize the Town Administrator to work with Special Counsel to DRAFT a Memorandum of Agreement between the Town of Bourne and Next Grid for approval by the Board of Selectmen and subject to approval as to form by Town Counsel. Jared MacDonald moved, and Mary Jane Mastrangelo seconded the amended motion.

Vote: 4-0-0.

8.c. ~~Discussion and possible vote to select the members of the Town Administrator Search Committee.~~

This item has been postponed due to the storm.

8.d. Discussion and possible vote to sign the Special Town Meeting Warrant.

Mr. Cannon said that they have in front of them a warrant with 20 articles on it. Mr. Cannon listed the articles. There was some discussion about the Barlow's Landing boat ramp article and bylaw. Ms. Mastrangelo read aloud the proposed Next Grid article number 17 and Mr. Cannon read aloud the Next Grid article number 18. Mr. Cannon recommended that articles 19 and 20 be removed from this warrant. There was discussion about removing some of the controversial articles from this warrant.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded, to remove articles 16, 19, and 20 from the Special Town Meeting warrant.

Vote: 4-0-0.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to approve the Special Town Meeting Warrant as amended with the removal of articles 16, 19, and 20.

Vote: 4-0-0.

8.e. Discussion and possible vote to consider releasing a legal opinion relative to the citizen petition.

Chair Meier said that a legal opinion was asked for by the moderator.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to release the Town Counsel legal opinion dated Sept. 15, 2021, and the email from Attorney Troy dated October 3, 2021, relative to the Citizen Petitions as a public document.

Vote: 4-0-0.

There was some discussion about the storm and the cleanup crews and the good job that the police department, fire department, and residents have done during this time.

9. Adjourn

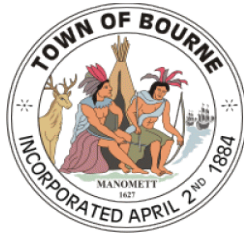
Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded, to adjourn.

Vote: 4-0-0.

The meeting was adjourned at 7:53 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



Selectmen's Correspondence

September 20, 2022

- A. DMF Grant Letter
- B. Shore Road Citizen Letter
- C. Mitchell Resignation Letter – Cultural Council
- D. Upper Cape Regional Technical School District Committee Minutes 07.14.22
- E. Barnstable County ARPA Ordinance Public Hearing



The Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400, Boston, MA 02114
p: (617) 626-1520 | f: (617) 626-1509
www.mass.gov/marinefisheries



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

BETHANY A. CARD
Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

Thursday, September 1, 2022

Attention Select Boards, Mayors, Town Managers, Marine Departments, and NGOs,

Welcome to the 10th offering of the Massachusetts Division of Marine Fisheries Small Grants Program to improve recreational fishing access. DMF is tasked with finding and funding projects that enhance recreational saltwater fishing opportunities through improved public access. To improve saltwater fishing opportunities, we are funding a grant program in the form of a Request for Responses to above listed entities. The maximum obligation of this grant opportunity is \$25,000. The current grant application is available by contacting Ross Kessler (ross.kessler@mass.gov) or applying through CommBuys. The following pages of this document include a template that identifies all questions and acts as a form for completing the competitive portion of the application. Applicants must use the template to complete the application.

This opportunity exists for all entities outlined in the Attention line of this letter that wish to promote or enhance saltwater fishing opportunities in Massachusetts.

Changes to the grant this year include the ability to apply for the current fiscal year, FY23 or FY24. The applicant must choose which FY they wish to apply for as two grants are being offered for each FY. The two-year option allows for longer permitting and planning. The current FY option is suitable for 'shovel ready' projects.

The Grant has a closing date of Friday, October 14, 2022 and is limited to \$25,000.00 / project. Some of the requirements that municipalities must agree to include equitable access. This is a reimbursement grant. All permitting and payment must be paid by the grant recipient. Paid receipts will be reimbursed at the completion of the project. Any questions should be directed to Ross Kessler ross.kessler@mass.gov.

CommBuys Bid #BD-23-1046-DMF-FW201-79004

Thank you,

Ross. K. Kessler
Public Access Coordinator

Date: Sunday 11 September 2022

To: Town of Bourne, Board of Selects

Subj: Shore Road proposal by Environmental Partners

Residents and Business in Pocasset appreciate the thorough report by Environmental Partners. We believe the Project Purpose slide and the Benefits slide are a good start for Pocasset Four Corners.

We believe the presentation to the Board of Selects deserves further review by a wider audience. We believe the 16 August hearing was held with short notice and little opportunity for residents and business interests to reach the meeting and participate. We have concerns with the cost and the implementation.

We request additional time to review and comment.

Mehos

[Signature]

Paul Truitt

Wlyce

John Canale

Sandra Jackson

Susan Baracchini

Robert T. Paul

Phil Austin

James L. Anderson

Joan Eubank

Thut, Kathleen

From: Rebello, Mary
Sent: Monday, September 12, 2022 09:41
To: Marlene McCollem
Cc: Thut, Kathleen; Simone, Maria
Subject: FW: Resign from Cultural Council

Resignation:

Maria Mitchell
Bourne Cultural Council
9.10.22

Mary Rebello
mrebello@townofbourne.com
508.759.0600 x1503
508.759.0420 - fax

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

From: Maria Winter [REDACTED]
Sent: Monday, September 12, 2022 2:05 AM
To: Rebello, Mary <MRebello@townofbourne.com>
Subject: Resign from Cultural Council

Dear Mary,

I, Maria Mitchell, moved from Bourne to Utah a while ago. Unfortunately I can not be longer on the Cultural Council Town of Bourne.
Please accept my resignation with immediate effect.

Best Regards
Maria Mitchell

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https://gdsprotect.cloud-protect.net/index01.php?mod_id*&mod_option=gitem&mail_id*62962678-4TY6kfJdL564&r_address=ebello%40townofbourne.com&report=

UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE
JULY 14, 2022 MEETING HELD AT THE SCHOOL
220 SANDWICH ROAD, BOURNE, MA 02532

PRESENT: Robert Fichtenmayer, Chair; Ellen Barber; Dominic Cammarano; Thomas Corriveau; Mary Crook; Michael Degan; Christine Marcolini; David P. Sampson; Maryann Smith; Roger Forget; Sharon Brito, Recording Secretary.

ABSENT: None.

The meeting was called to order at 6:17 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: No student representative was present.

STUDENT SPOTLIGHT / CURRICULUM UPDATE: None.

PUBLIC PARTICIPATION: None.

APPROVAL OF MINUTES: A motion was made by Mr. Corriveau, seconded by Ms. Smith, for approval of the minutes of the June 9, 2022 regular meeting. A motion was made by Mr. Degan, seconded by Mr. Corriveau, for approval of the minutes of the June 9, 2022 executive session. Motion passed unanimously.

COMMUNICATIONS: The Superintendent read several thank you notes for scholarships awarded to graduates of the Class of 2022 including Lucas Marcolini, Heather Cormier, Luke McKay, Molly Baptist, and Aidan Webb. He next read a letter from the Board of Registration in Nursing granting the Practical Nursing program Full Approval Status after a recent review of the program. Mr. Forget also read a thank you note from newly-elected Marion Selectman, Toby Burr, who recently visited the school for a tour and lunch in the Canalside Dining Room. He read a letter from Kim Carman, Evening Custodial Supervisor, indicating his intention to retire effective June 30, 2023. Finally, the Superintendent read a letter from Senator Susan Moran congratulating him for a successful performance evaluation.

Legal 50-1430-0400-00	\$2,075	Info Tech Salary 50-1450-0100-00	\$4,483
Audit 50-1430-0400-01 Contract shortfalls	\$2,408		
FICA 50-5100-0600-04 FY22 Shortfalls	\$12,830	Health Benefits 50-5100-0600-00	\$12,830

Motion passed unanimously.

FY22 Transportation Stabilization – Mr. Forget explained that the district has received \$254,551.00 in additional transportation revenue for the FY22 Budget. As the full committee has previously voted to establish a Transportation Stabilization Fund, it is recommended that these funds be transferred to the stabilization account to be used within the next fiscal year. Mr. Degan made a motion, seconded by Ms. Crook, to follow the recommendation of the Budget Sub-Committee and transfer the FY22 Transportation Revenue of \$254,551.00 to the Transportation Stabilization Fund for use in the next fiscal year. Motion passed unanimously.

FY22 Engineering Stabilization – Mr. Degan made a motion, seconded by Ms. Crook, to follow the recommendation of the Budget Sub-Committee and transfer \$62,000 for additional funding for the Engineering Building from Instructional Assistants (50-2330-0300-00) to Extraordinary & Unanticipated Engineering Building (50-4300-0600-06). Motion passed unanimously. Mr. Degan made a motion, seconded by Ms. Crook, to transfer the amount of \$62,000 from Extraordinary & Unanticipated Engineering Building (50-4300-0600-06) be transferred to the Stabilization Fund Account for the construction of the Engineering Building 07-3005-0000-00. Motion passed unanimously.

FY22 Athletic Field / Roadway Stabilization – Mr. Degan made a motion, seconded by Mr. Corriveau, to follow the recommendation of the Budget Sub-Committee and transfer \$19,989 for the construction of an Athletic Field / Roadway as follows:

Transfer From:

50-1450-0100-00	Info Tech Professional	\$10,073
50-1450-0200-00	Info Tech Salaries	\$5,600
50-4300-0600-00	Extraordinary & Unanticipated	\$4,316

Transfer To:

50-4300-0600-07	Extraordinary & Unanticipated Athletic Field Roadway	\$19,989
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Documents reviewed / referred to:

- 07/14/2022 School Committee Packet
- Thank You Letter Dated 06/18/2022 from UCT Graduate, L. Marcolini
- Thank You Letter from UCT Graduate, H. Cormier
- Thank You Letter Dated 06/13/2022 from UCT Graduate, L. McKay
- Thank You Letter from UCT Graduate, M. Baptist
- Thank You Letter Dated 07/02/2022 from UCT Graduate, A. Webb
- Ltr. Dtd. 07/07/2022 from BORN re: Full Approval Status for PN Program
- Thank You Note Dated 06/27/2022 from Marion Selectman for Tour of UCT
- Ltr. of Retirement from K. Carman (effective 6/3/2023)
- Ltr. of Congratulations Dated 06/29/2022 from Senator S. Moran re: Superintendent Evaluation
- Treasurer's Notes Dated 07/14/2022

Thut, Kathleen

From: Owen Fletcher <owen.fletcher@barnstablecounty.org>
Sent: Thursday, September 15, 2022 10:19
To: Owen Fletcher
Subject: Proposed County ARPA Ordinance Public Hearing
Attachments: Letter-AOD-Hearing-ARPA-Ordinance-2022-09-15.pdf; Proposed-Ordinance-22-24-Amend-ARPA-Ordinance-22-07.pdf; Ordinance-22-07-ARPA-Allocations.pdf

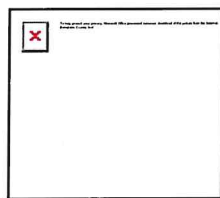
Good morning,

On behalf of Barnstable County Assembly of Delegates Speaker Patrick Princi, attached and reproduced below please find a letter regarding an upcoming public hearing on a proposed ordinance related to County ARPA distributions to towns.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Owen Fletcher



Owen Fletcher

Clerk | Assembly of Delegates

Barnstable County, Regional Government of Cape Cod

Email owen.fletcher@barnstablecounty.org | Office (508) 375-6761

3195 Main Street | P.O. Box 427 | Barnstable, MA 02630

www.barnstablecounty.org

Electronically

September 15, 2022

Barnstable County Town Select Boards
Barnstable Town Council

Dear Select Board Members and Barnstable Town Councilors:

On September 21, 2022 at 4:00 p.m., the Barnstable County Assembly of Delegates will hold a hybrid (in-person and remote) public hearing on Proposed Ordinance 22-24, to amend Ordinance 22-07 which allocated \$10 million for distributions to towns from funds received by Barnstable County under the American Rescue Plan Act of 2021 (ARPA).

Ordinance 22-07 prohibited towns from expending funds received from the County under the ordinance: 1) for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency as defined in the ARPA Final Rule or subsequent updates; or 2) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers.

In the four months since the County opened its online ARPA Portal only six of the Cape's fifteen towns have submitted applications for funds. The towns of Barnstable, Bourne, Falmouth, Mashpee, Sandwich, and Yarmouth have applied – Cape Cod's six largest towns by population. The other nine towns, with allocations totaling nearly \$3.3 million have not yet submitted applications.

Dennis Delegate John Ohman, Chair of the Assembly's Standing Committee on Finance, and Chatham Delegate Randi Potash introduced Proposed Ordinance 22-24 at a recent meeting of the full Assembly. It would remove the language in the original ordinance prohibiting towns from using the revenue loss category to expend funds for the full array of government services.

On behalf of the full Assembly, I ask you to consider attending this public hearing either in-person or remotely through Microsoft Teams to testify or make public comment on this proposed ordinance. You also can provide written comments to the Assembly's Clerk, Owen Fletcher. You can reach him at (508) 375-6761 or owen.fletcher@barnstablecounty.org for further details if you have any questions. I look forward to hearing from you.

Sincerely

Patrick Princi, Speaker
Barnstable County Assembly of Delegates

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Assembly Delegates

Speaker:

Patrick Princi
(Barnstable)

Deputy Speaker:

Mary Chaffee
(Brewster)

Dean:

John Ohman
(Dennis)

J. Terence Gallagher

(Eastham)

Daniel Gessen

(Falmouth)

Lilli-Ann Green

(Wellfleet)

Jon R. Fuller

(Orleans)

Elizabeth Harder

(Harwich)

James Killion

(Sandwich)

Thomas O'Hara

(Mashpee)

Brian O'Malley

(Provincetown)

Randi Potash

(Chatham)

George Slade

(Bourne)

Sallie Tighe

(Truro)

Susan Warner

(Yarmouth)

Clerk of the Assembly

Owen Fletcher

(508) 375-6761

owen.fletcher

@barnstable county.org

CAPE COD REGIONAL GOVERNMENT ASSEMBLY OF DELEGATES

BARNSTABLE COUNTY COMPLEX

SUPERIOR COURTHOUSE

3195 MAIN STREET – ROUTE 6A

P.O. BOX 427

BARNSTABLE, MA 02630

Electronically

September 15, 2022

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Sincerely

Patrick Princi, Speaker

Barnstable County Assembly of Delegates

BARNSTABLE COUNTY
In the Year Two Thousand Twenty-Two
Proposed Ordinance 22-24

Amending Ordinance 22-07 allocating \$10 million for distributions to towns from funds received by Barnstable County under the American Rescue Plan Act of 2021 (ARPA)

WHEREAS, Section 2.b. of Ordinance 22-07 prohibits towns from expending funds received from Barnstable County under Section 1.c. of said ordinance for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency as defined in the ARPA Final Rule or subsequent updates; and

WHEREAS, permitting towns to apply for funds under Ordinance 22-07 and expend them for the full array of government services will help ensure every town can use its total allocated funding under Section 1.c.

NOW, THEREFORE,

The Cape Cod regional government, known as Barnstable county, hereby ordains;

SECTION 1.

Ordinance 22-07 is hereby amended by striking out section 2.b. and inserting in place thereof the following section:

2.b. Said funds are to be expended by towns only for the purposes and in the ways set forth in the United States Department of the Treasury Coronavirus State and Local Fiscal Recovery Funds Final Rule (ARPA Final Rule) effective on April 1, 2022 or any subsequent directives issued, except towns shall not expend those funds to respond to workers performing essential work during the COVID19 public health emergency by providing premium pay to eligible workers

Introduced by Dennis Delegate John Ohman and Chatham Delegate Randi Potash at a regular meeting of the Assembly of Delegates on September 7, 2022.

BARNSTABLE COUNTY
In the Year Two Thousand Twenty-Two
Ordinance 22-07

The Cape Cod regional government, known as Barnstable county, hereby ordains;

Section 1.

1.a The sum of \$10,000,000 shall be expended for distributions to towns in Barnstable County and shall be derived from funds received by Barnstable County under the American Rescue Plan Act of 2021 (ARPA).

1.b. Barnstable County shall directly distribute the following funds to each town under Section 1.a. using the mathematical formulation outlined in the following table:

Town	2020 Federal Census Population	Town Population as % of County Population	\$10M ARPA Disbursement Allocated Per Capita	Town Grouping by % of County Population	Percent of Disbursement Reallocated by Population	Reallocation Amount
Truro	2,454	1.07%	\$107,163.44	1%-2%	30%	\$32,149.03
Wellfleet	3,566	1.56%	\$155,723.24	1%-2%	30%	\$46,716.97
Provincetown	3,664	1.60%	\$160,002.79	1%-2%	30%	\$48,000.84
Eastham	5,752	2.51%	\$251,183.43	2%-3%	20%	\$50,236.69
Orleans	6,307	2.75%	\$275,419.66	2%-3%	20%	\$55,083.93
Chatham	6,594	2.88%	\$287,952.63	2%-3%	20%	\$57,590.53
Brewster	10,318	4.51%	\$450,575.56	4%-5%	10%	\$45,057.56
Harwich	13,440	5.87%	\$586,909.82	5%-6%	5%	\$29,345.49
Dennis	14,674	6.41%	\$640,797.22	6%-7%	1%	\$6,407.97
Mashpee	15,060	6.58%	\$657,653.41	6%-7%	1%	\$6,576.53
Sandwich	20,259	8.85%	\$884,687.94	8%-9%	-4%	-\$35,387.52
Bourne	20,452	8.93%	\$893,116.04	8%-9%	-4%	-\$35,724.64
Yarmouth	25,023	10.93%	\$1,092,726.51	10%-11%	-4.57%	-\$49,965.94
Falmouth	32,517	14.20%	\$1,419,981.14	14%-15%	-6%	-\$85,198.87
Barnstable	48,916	21.36%	\$2,136,107.18	>20%	-8%	-\$170,888.57
County	228,996	100.00%	\$10,000,000.00			
Average	15,266	6.67%				

1.c. The amount of funds to be directly distributed to each town under section 1.a. shall be allocated as follows:

Town	Amount
Barnstable	\$1,965,218.61
Bourne	\$857,391.40
Brewster	\$495,633.11
Chatham	\$345,543.15
Dennis	\$647,205.19
Eastham	\$301,420.11
Falmouth	\$1,334,782.27
Harwich	\$616,255.31
Mashpee	\$664,229.94
Orleans	\$330,503.59
Provincetown	\$208,003.63
Sandwich	\$849,300.42
Truro	\$139,312.48
Wellfleet	\$202,440.22
Yarmouth	\$1,042,760.57
Total	\$10,000,000.00

Section 2.

2.a. All funds expended for direct distribution to towns in Barnstable County derived from funds received under ARPA shall be applied for through the Barnstable County ARPA Application Portal (arpa.barnstablecounty.org)

2.b. Said funds are to be expended by towns only for the purposes and in the ways set forth in the United States Department of the Treasury Coronavirus State and Local Fiscal Recovery Funds Final Rule (ARPA Final Rule) effective on April 1, 2022 or any subsequent directives issued, except towns shall not expend those funds: (i) for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency as defined in the ARPA Final Rule or subsequent updates; or (ii) to respond to workers performing essential work during the COVID19 public health emergency by providing premium pay to eligible workers

Section 3.

An amount not to exceed \$617,664 may be expended by Barnstable County for the purpose of managing and administering funds received under the American Rescue Plan Act of 2021 for the period of May 25, 2021 through June 30, 2023 and shall be derived from those funds

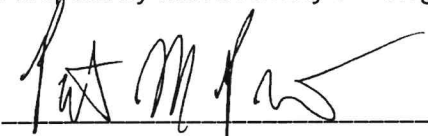
Section 4.

No additional ordinance shall be required for funds expended for distributions to towns in Barnstable County under Section 1 of this ordinance, or for funds expended for management and administration under Section 3 of this ordinance

Section 5.

Barnstable County shall utilize the Ordinance Process provided in Section 1-6, Section 2-8, and Section 3-8 of the Barnstable County Home Rule Charter to expend any and all funds received by the County under ARPA not authorized to be expended in this ordinance

Adopted by the Assembly of Delegates on April 20, 2022

A handwritten signature in black ink, appearing to read 'Patrick Princi', written over a horizontal line.

Patrick Princi, Speaker
Assembly of Delegates

Approved by the Board of Regional Commissioners on April 27, 2022

A handwritten signature in blue ink, appearing to read 'Sheila Lyons', written over a horizontal line.

Sheila Lyons, Chair

A handwritten signature in blue ink, appearing to read 'Ronald Bergstrom', written over a horizontal line.

Ronald Bergstrom, Vice Chair

A handwritten signature in blue ink, appearing to read 'Mark Forest', written over a horizontal line.

Mark Forest, Commissioner