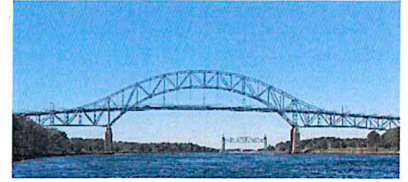


# . Board of Selectmen Meeting Notice AGENDA



Date

October 4, 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. Appointments and Licenses
  - a. Discussion and possible vote to grant a common victuallar license to Seaweed Shack as concessions at Gallo Ice Arena.
  - b. Discussion and possible vote to appoint J. Dateo to the Council on Aging Committee.
7. Selectmen's Business
  - a. Discussion and possible vote to allow B. Hartz to host a birthday party at BB Park.
  - b. Discussion and possible vote to allow A. Driscoll of Inebri-Art to organize and overseeing a weekly Farmers Market at BB Park.
  - c. Discuss and adopt the amended "Recycling Center Policy" – waive 2<sup>nd</sup> & 3<sup>rd</sup> readings.
  - d. Accept proposed amendments to the Bourne Home Rule Charter (H5476).
  - e. Discuss and adopt the proposed "Code of Conduct Policy" – waive 2<sup>nd</sup> & 3<sup>rd</sup> readings.

- f. Presentations & Discussions – Articles for Fall Town Meeting.
    - i. Article 10 – Community Preservation Projects.
    - ii. Article 12 – amend Section 3.1.43 of the General Bylaw – Property Maintenance.
    - iii. Article 13 – amend Section 3.1.29 (a) and (f) – Licensing and Control of Dogs.
    - iv. Article 14 – amend Sections 3210 and 2888 of the Bourne Zoning Bylaw – signs not permitted.
    - v. Article 15 – amend Section 2854 (b) of the Bourne Zoning Bylaw – Downtown Parking Regulations.
    - vi. Article 16 – amend Section 2842 (3) (a) and (b) – Performance Standards for Residential Uses – by petition.
  - g. Discussion and vote to Execute and Post the October 24, 2022 Town Meeting Warrant.
  - h. Discussion and vote on *Essential* and *Non-Essential* Articles for the October 24, 2022 Town Meeting.
  - i. Discussion and vote on the possible necessity of a second night for the October 24, 2022 Town Meeting (Tuesday, October 25, 2022).
  - j. Debrief annual retreat, held on August 12, 2022, and vote to confirm annual goals.
  - k. Discussion and possible ratification of LIUNA, Unit B Memorandum of Agreement – FY23-25.
- 8. Town Administrator Report: staffing update
  - 9. Minutes: 07/19/22; 09/13/22
  - 10. Correspondence
  - 11. Committee Reports
  - 12. Other Business
  - 13. Upcoming meetings
  - 14. Adjourn

RECEIVED  
2022 SEP 30 AM 10:06  
TOWN CLERK BOURNE

**Board of Selectmen  
Minutes of Tuesday, October 4, 2022  
Bourne Veterans' Community Center – Rm 2  
Buzzards Bay, MA**

---

**TA Marlene McCollem**

**Board of Selectmen**

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

Others: Janine Aversing, Carol Spinale, Robert Williams, Sarah Hannon, Barry Johnson (virtual), Attorney Bryan Bertram (virtual), Erica Flemming (virtual 7:30), Andrew Driscoll, Dan Barrett, Jennifer Copeland, Ken Murphy (virtual), Susan Ross, Chris Southwood, David O'Connor, Chris Farrell, and Cheryl Green.

Note this meeting is being televised, streamed, or recorded by Bourne TV.

**Zoom Meeting ID: 869 5775 5505      Password: 529740**

Vice Chair Jared MacDonald said that Chair Peter Meier is excused. 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**

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- 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.

Vice Chair MacDonald took a point of personal privilege. He said that Jonathan Nelson recently passed away. He said he wanted to recognize him this evening as he was a member of the community and was the Facilities Director for the Town of Bourne for some time.

- 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.

Janine Aversing and Carol Spinale of Gray Gables Girls Inc. said they are having their second annual Witches Walk scheduled for October 22<sup>nd</sup> at 5 PM. She said they are trying to get the word out, and they have brought flyers to share about the walk. They said that the walk starts at Gray Gable's Beach and ends at the Lobster Trap for a reception. Ms. Spinale said that with funding from the Community Engagements Committee, they can continue forward with Gray Gables Girls, Inc. to hold 3 events a year in which they choose different charities to help in the Bourne area. The charity recipient for this year's Witches Walk is Kind Hearts for Kids, a charity started by Nicole Mitchell.

**6. Appointments and Licenses**

- a. Discussion and possible vote to grant a common victualler license to Seaweed Shack as concessions at Gallo Ice Arena.**

- b. Discussion and possible vote to appoint J. Dateo to the Council on Aging Committee.**

- 6.a. Discussion and possible vote to grant a common victualler license to Seaweed Shack as concessions at Gallo Ice Arena.**

Robert Williams and Sarah Hannon introduced themselves and Ms. Hannon said that they are the owners of Seaweed Shack, and that they had the opportunity to run the concession stand last Winter at the Gallo Ice Arena through the Rec. Authority. She said that this year they put in an RFP and their bid was accepted so they are here for a common victualler license. Barry Johnson, Town Clerk, said that he is pleased with the Seaweed Shack, and hopes the Board of Selectmen will support their request. Town Manager Marlene McCollem said that everything is in order.

**Voted:** Judith Froman moved, and Melissa Ferretti seconded to grant a common victualler license to HLW Twenty-Two, Inc. dba The Seaweed Shack at the Gallo Ice Arena Snack Bar at 231 Sandwich Road, Robert Williams, Jr., applicant, per the conditions noted by the Building, Health, and Fire Departments.

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

- 6.b. Discussion and possible vote to appoint J. Dateo to the Council on Aging Committee.**

Ms. Froman said that Julie Dateo's letter of interest indicates that she is a nurse practitioner and is eager to be involved in community activities and she moved to Bourne a year ago. Ms. Dateo also indicated that she believes that the senior population is an undervalued and underserved population.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to appoint Julie Dateo to the Council of Aging for a 3-year term, ending June 30, 2025.

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



**7. Selectmen's Business**

- a. Discussion and possible vote to allow B. Hartz to host a birthday party at BB Park.
- b. Discussion and possible vote to allow A. Driscoll of Inebri-Art to organize and oversee a weekly Farmers Market at BB Park.
- c. Discuss and adopt the amended "Recycling Center Policy" – waive 2<sup>nd</sup> and 3<sup>rd</sup> readings.
- d. Accept proposed amendments to the Bourne Home Rule Charter (H5476).
- e. Discuss and adopt the proposed "Code of Conduct Policy" – waive 2<sup>nd</sup> and 3<sup>rd</sup> readings.
- f. Presentation & Discussions – Articles for Fall Town Meeting.
  - i. Article 10 – Community Preservation Projects
  - ii. Article 12 – amend Section 3.1.43 of the General Bylaw – Property Maintenance
  - iii. Article 13 – amend Section 3.1.29 (a) and (f) – Licensing and Control of Dogs.
  - iv. Article 14 – amend Sections 3210 and 2888 of the Bourne Zoning Bylaw – signs not permitted.
  - v. Article 15 – amend Section 2854 (b) of the Bourne Zoning Bylaw – Downtown Parking Regulations.
  - vi. Article 16 – amend Section 2842 (3) (a) and (b) – Performance Standards for Residential Uses – by petition.
- g. Discussion and vote to Execute and Post the October 24, 2022, Town Meeting Warrant.
- h. Discussion and vote on *Essential* and *Non-Essential* Articles for the October 24, 2022, Town Meeting.
- i. Discussion and vote on the possible necessity of a second night for the October 24, 2022, Town Meeting (Tuesday, October 25, 2022).
- j. Debrief annual retreat, held on August 12, 2022, and vote to confirm annual goals.
- k. Discussion and possible ratification of LIUNA, Unit B Memorandum of Agreement – FY 23-25.

**7.a. Discussion and possible vote to allow B. Hartz to host a birthday party at BB Park.**

Ms. McCollem said that everything is in order

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the application of Brittany Hartz, organizer, for a birthday party on October 15, 2022, from 3-6 pm at the Buzzards Bay Park, as conditioned by the DPW comments.

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

**7.b. Discussion and possible vote to allow A. Driscoll of Inebri-Art to organize and oversee a weekly Farmers Market at BB Park.**

Andrew Driscoll, one of the founders of Inebri-Art, said that his group was running a monthly Farmers Market in North Plymouth and that venue has gone away. Mr. Driscoll said that he reached out to the Bourne Community Engagement Committee, and they suggested a weekly Farmers Market. Ms. Froman said that she is familiar with their events and the Farmers Market, and they are professional and good.

Ms. McCollem said that everything is in order

**Voted:** Judith Froman moved, and Mary Jane Mastrangelo seconded to approve the request of Inebri-art, Andy Driscoll, organizer, to hold a weekly Farmer's Market at the Buzzards Bay Park on Wednesdays in 2023 from April through September, from noon to 7 pm to allow for set up and clean up, as conditioned by the Building, DPW, Recreation, Police, and Health Department comments.

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

**7.c. Discuss and adopt the amended "Recycling Center Policy" – waive 2<sup>nd</sup> and 3<sup>rd</sup> readings.**

Dan Barrett, General Manager of Integrated Solid Waste Management (ISWM), said that he is there for the annual renewal of the Board of Selectmen's "Recycling Center Policy". He said that last Wednesday evening they went before the Board of Health, and they unanimously approved it. Mr. Barrett listed and explained the changes. Mr. Barrett said Household Hazardous Waste Day is October 22<sup>nd</sup>. There was some discussion on the recycling of small appliances and textiles.

**Voted:** Mary Jane Mastrangelo moved, and Melissa Ferretti seconded to approve the request of the ISWM Manager to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading of the *Recycling Center Policy – Calendar Year 2023*, and to further approve the proposed changes as presented and amended in the presentation.

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

**7.d. Accept proposed amendments to the Bourne Home Rule Charter (H5476).**

Ms. McCollem said that recently a draft of the Charter was returned to them from the legislature with some floor amendments. She said that Attorney Brian Bertram has gone through them all and figured out where things were moved and reinserted some items that were inadvertently removed.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the proposed amendments to the Bourne Home Rule Charter (H5476) as presented and to return the same to the General Court.

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

**7.e. Discuss and adopt the proposed "Code of Conduct Policy" – waive 2<sup>nd</sup> and 3<sup>rd</sup> readings.**

Ms. Mastrangelo said that last Fall there was a Board of Selectmen meeting where they looked at two different drafts of Code of Conduct policies, which was something that the Board had talked

about implementing over the prior few months. At that time, it was decided to refer the drafts to the Policy Sub-committee for review and discussion. She said that last year she and George Slade were the members of the Policy Sub-committee, and they had a draft that was almost ready to be presented, then she and Ms. Froman made some changes to the draft over this past summer, and then it went to the Town Administrator and Town Counsel, where some more changes were made, and it went back the Policy Sub-committee.

She said that she does not think that they should waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings at this time, since this is a policy that is for all of the boards and committees to utilize, and she feels it would be a good idea for all of those boards and committees to have a chance to look at the policy. She talked about a few of the highlights of the policy. The Board decided that they would have the draft of the Code of Conduct Policy sent to the chairs of the boards and committees in the Town of Bourne.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to move the proposed *Code of Conduct Policy*, to the 2<sup>nd</sup> reading.

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

**7.f. Presentation & Discussions – Articles for Fall Town Meeting.**

Vice Chair MacDonald said that at the request of the Town Administrator, he is moving vi. Article 16, to the top, due to a change.

**vi. Article 16 – amend Section 2842 (3) (a) and (b) – Performance Standards for Residential Uses – by petition.**

Ms. McCollem said that this is a petitioner's article within the Zoning bylaw, specifically to deal with an issue that has arisen with making sure that a project complies with the Zoning bylaw and can be granted occupancy permits when it is finished. She said that based on a discussion at the Finance Committee meeting last night, and a comment that the Town Planner, Jennifer Copeland, brought up. Counsel, Ms. Copeland, and she have been discussing this since last night, and what they have determined is that the project - based on the date it applied for the special permit by the Planning Board and was granted the special permit by the Planning Board, the current rules were not yet in place. She said that they are confident in saying that the project is proceeding and can proceed without this zoning amendment because the zoning bylaw in place when the special permit was granted did not require certain things that the bylaw now requires.

She said that she recommends that the Board of Selectmen and the Finance Committee take no motion on this article. The Building Commissioner can proceed under the terms of the 2017 prior zoning bylaw.

Cheryl Green, General Counsel for the developer of Calamar introduced herself and thanked Ms. McCollem, Town Planner Jennifer Copeland, and the others that really looked at this issue because it has created a lot of angst amongst

approximately 200 seniors in this community. She gave an outline of where they are in the process.

**i. Article 10 – Community Preservation Projects**

Barry Johnson said that after advertising and reaching out to all departments, the CPC only received two applicants for this Town Meeting. One is from the Bourne Housing Partnership and one from the Bourne Historical Society and the funding from both would come from their reserves of the Community Preservation Fund. He said that the CPC has voted to recommend both requests.

Sue Ross, Chairperson of Bourne Affordable Housing Partnership, said that they are requesting funds to hire someone to do a housing production plan, which the State would like every Town to do every five years. Their request is for \$13,500. There was some discussion about how important this plan is.

Mr. Johnson said the second request from the Bourne Historical Society, is for the restoration and repairs of the Aptuxcet Windmill. He said that the original request was for \$15,280. and the Historical Society, through its membership fund, is donating \$2,000. for a total of \$17,280. He said there is a balance of \$1,035 from an earlier Town Meeting article to repair the windmill that will also be used toward this project. He said that after a lot of discussions, The CPC decided that because of the nature of the project, more funds may be needed than was requested, so they voted for a recommendation of \$20,000.

**ii. Article 12 – amend Section 3.1.43 of the General Bylaw – Property Maintenance**

Ms. McCollem said that this article is to increase enforcement ability for properties by the Building Inspector. She said that this bylaw has not yet been reviewed by the Bylaw Committee, therefore they are going to recommend that they withdraw it from this Town Meeting warrant and return to it in the Spring.

Ken Murphy, Building Inspector, explained that the amendment would give him some enforcement ability for any complaints that are filed against property owners about the amounts of abandoned vehicles and other large numbers of articles on people's properties.

Ms. Mastrangelo said that she spent a lot of time looking over the bylaw and the proposed amendment and they are vastly different. She thinks that this article should be withdrawn and that there needs to be more conversation about the goals and to be more definitive.

**iii. Article 13 – amend Section 3.1.29 (a) and (f) – Licensing and Control of Dogs.**

Chris Southwood, Natural Resources Director, said that he is requesting an amendment in dog licensing in the Town. He said that the Clerks' office deals with the licensing and his department deals with the enforcement. He said that residents have 3 options to license their dog – online, by mail, and in person. He said that the current rule is that every year residents are required to license their dogs by June 30<sup>th</sup>. He said the amendment would expedite the licensing and citation process if the date were changed to March 31<sup>st</sup> each year. He said that this amendment is for public health and safety. He said that the quicker a dog is licensed in Town, the quicker they can get information to access if they are lost or if they bite someone.

Barry Johnson reiterated that the change in the bylaw would expedite the process and ease the burden in the Clerk's office.

**iv. Article 14 – amend Sections 3210 and 2888 of the Bourne Zoning Bylaw – signs not permitted.**

David O'Connor of the Planning Board and the Design Review Committee said that are moving to amend the signage law, section 3210, General Sign Regulations, and section 2888, The Downtown District Signs Not Permitted. Mr. O'Connor said that they would like these sections to apply townwide and not just downtown. There was some discussion about the types of signs.

**v. Article 15 – amend Section 2854 (b) of the Bourne Zoning Bylaw – Downtown Parking Regulations.**

Chris Farrell of the Planning Board said that the Planning Board voted unanimously to push forward with this amendment. He said that it applies to mixed-use properties downtown.

**7.g. Discussion and vote to Execute and Post the October 24, 2022, Town Meeting Warrant.**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to remove article 12, to amend bylaw 3.1.43, from the warrant, re-number the warrant accordingly, and execute and post the October 24, 2022, Special Town Meeting Warrant as amended.

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

**7.h. Discussion and vote on *Essential* and *Non-Essential* Articles for the October 24, 2022, Town Meeting.**

Ms. McCollem said she would recommend articles 2 3, 5,6, and 11 as essential articles. There are no contingent articles.

**7.i. Discussion and vote on the possible necessity of a second night for the October 24, 2022, Town Meeting (Tuesday, October 25, 2022).**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to continue Town Meeting to Tuesday, October 25, 2022, if a 2<sup>nd</sup> night is deemed necessary.

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

**7.j. Debrief annual retreat, held on August 12, 2022, and vote to confirm annual goals.**

Ms. McCollem said there is a set of minutes that will be coming soon. She said that she wanted to pull out an excerpt from the minutes of the goals that were identified. The Board agreed that they would like to have the minutes and the full committee present to vote to confirm the annual goals.

**7.k. Discussion and possible ratification of LIUNA, Unit B Memorandum of Agreement – FY 23-25.**

Ms. McCollem said she is still at the table with several groups. She said that although they did discuss this in Executive Session, they still need to have the materials remain privileged. She does recommend that the Board ratify the MOA for FY 23-25 with Unit B.

**Voted:** Judith Froman moved, and Melissa Ferretti seconded to ratify the FY23-25 Memorandum of Agreement between the Town of Bourne and LIUNA, Unit B as discussed earlier in the executive session (materials to remain privileged due to ongoing negotiations).

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

**8. Town Administrator Report: staffing update**

Ms. McCollem said that except for the Assistant Town Administrator position, all the other vacant positions in Town Hall have been filled. She wanted to give credit to Kathleen and Elisa and the others who have conducted interviews and have taken the time to review applications.

Ms. McCollem said that the Town is not fully staffed. There are still positions vacant in the DPW, ISWM, Police Department, and Fire Department. Ms. Froman said that credit is also due to Ms. McCollem for taking the lead on the hiring, and Mr. MacDonald said she has moved quickly and did it well.

**9. Minutes: 07/19/22; 09/13/22**

**Voted:** Judith Froman moved, and Mary Jane Mastrangelo seconded to approve the minutes of July 19<sup>th</sup>, 2022, with a spelling correction.

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

**Voted:** Melissa Ferretti moved, and Mary Jane Mastrangelo seconded to approve the minutes of September 13<sup>th</sup>, 2022.

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



## **10. Correspondence**

Clerk Melissa Ferretti read aloud the correspondence:

- 4 Letters from DEP.
- Talent Bank Form from J. Detale for COA.
- Talent Bank Form from K. Riley for Human Services.
- Letter of resignation from the Bylaw Committee from Esip.

These are all on the Town's website.

## **11. Committee Reports**

None.

## **12. Other Business**

None.

## **13. Upcoming meetings**

There will be a meeting on October 11, 2022.

## **14. Adjourn**

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

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

This meeting of the Bourne Board of Selectmen was adjourned at 8:32 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



## TA-4

### Selectmen/Administrator Routing Slip

**Status:** Active

**Date Created:** Sep 7, 2022

#### Applicant

Robert Williams Jr

#### Primary Location

231 SANDWICH RD  
Bourne, MA 02532

#### Owner:

U S ARMY CORP OF ENGINEERS  
BUZZARDS BAY, MA 02532-1555

### Town of Bourne Interdepartmental Advisory Form

#### Start Date

09/07/2022

#### Owner/Applicant

Robert Williams Jr

#### Project Location

Gallo Ice Arena Snack Bar

#### Nature of request

Common Victualer License  
HLW Twenty Two Inc d/b/a The Seaweed Shack  
3 year lease; hours dependent on rink schedule  
about 1,000 sq ft; seat capacity 16  
parking about 400 (shared lot with arena)  
about 5 employees  
snack bar layout attached

Liability Insurance Naming Town of Bourne as  
Additonal Insured. Has applicant provided  
insurance?

**Yes**

☐

**No**

☐

**N/A**





## TA-4

## Selectmen/Administrator Routing Slip

Status: Complete

Date Created: Sep 7, 2022

## Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Recreation Department	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 1:49 pm	Kathryn Matthews	-
✓ Department of Natural Resources	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 2:25 pm	Christopher Southwood	-
✓ Planning Department	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 2:53 pm	Tracy Sullivan	-
✓ Assessors	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 3:14 pm	Rui Pereira	-
✓ Town Collector	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 3:16 pm	Town Collector	-
✓ Building Inspector	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 3:27 pm	Ann Gutterson	-
✓ Police Department	Complete	Sep 7, 2022 at 1:42 pm	Sep 7, 2022 at 3:35 pm	Brandon Esip	-
✓ Sewer Commissioners	Complete	Sep 7, 2022 at 1:42 pm	Sep 8, 2022 at 11:21 am	Maria Simone	-
✓ Department of Public Works	Complete	Sep 7, 2022 at 1:42 pm	Sep 8, 2022 at 2:41 pm	Matthew Quinn	-
✓ Board of Health	Complete	Sep 7, 2022 at 1:42 pm	Sep 8, 2022 at 3:56 pm	Kaitlyn Shea	-
✓ Conservation Commission	Complete	Sep 7, 2022 at 1:42 pm	Sep 9, 2022 at 12:10 pm	Stephanie Fitch	-
✓ Fire Department	Complete	Sep 7, 2022 at 1:42 pm	Sep 9, 2022 at 12:24 pm	David Pelonzi	-
✓ Engineering	Complete	Sep 7, 2022 at 1:42 pm	Sep 12, 2022 at 8:28 am	Tim Lydon	-
✓ Town Clerk	Complete	Sep 7, 2022 at 1:42 pm	Sep 29, 2022 at 11:34 am	Mary Fernandes	-
✓ Town Administrator	Complete	Sep 29, 2022 at 11:34 am	Sep 29, 2022 at 11:36 am	Maria Simone	-



Town of Bourne, MA

09/16/2022

TA-4

## Building Inspector

Selectmen/Administrator Routing Slip

**Status:** Complete

**Became Active:** 09/07/2022

**Assignee:** Ann Gutterson

**Completed:** 09/07/2022

### Applicant

Robert Williams Jr

### Primary Location

231 SANDWICH RD  
Bourne, MA 02532

### Owner:

U S ARMY CORP OF ENGINEERS  
BUZZARDS BAY, MA 02532-1555

### Comments

Ann Gutterson, Sep 7, 2022 at 3:27pm

They will need to apply for a Certificate of Inspection for the snack bar. <https://bournema.viewpointcloud.com/categories/1071>  
(<https://bournema.viewpointcloud.com/categories/1071>)



Town of Bourne, MA

09/16/2022

TA-4

## Board of Health

Selectmen/Administrator Routing Slip

**Status:** Complete

**Assignee:** Kaitlyn Shea

**Became Active:** 09/07/2022

**Completed:** 09/08/2022

### Applicant

Robert Williams Jr

### Primary Location

231 SANDWICH RD  
Bourne, MA 02532

### Owner:

U S ARMY CORP OF ENGINEERS  
BUZZARDS BAY, MA 02532-1555

### Comments

Kaitlyn Shea, Sep 8, 2022 at 8:30am

A Health Department food permit will need to be submitted for approval. Health Dept - Food Establishment Permit - ViewPoint Cloud (<https://bournema.viewpointcloud.com/categories/1073/record-types/1006470>)

Kaitlyn Shea, Sep 8, 2022 at 3:56pm

FE-182 received and under review.



09/16/2022

TA-4

## Fire Department

Selectmen/Administrator Routing Slip

**Status:** Complete

**Became Active:** 09/07/2022

**Assignee:** David Pelonzi

**Completed:** 09/09/2022

### Applicant

Robert Williams Jr

### Primary Location

231 SANDWICH RD  
Bourne, MA 02532

### Owner:

U S ARMY CORP OF ENGINEERS  
BUZZARDS BAY, MA 02532-1555

### Comments

**David Pelonzi, Sep 9, 2022 at 12:24pm**

Any modifications to the existing kitchen fire suppression system will require a building permit with review from this department. Ventilation hood will need to be inspected/cleaned and tagged by a licensed company.

**Robert Williams Jr, Sep 9, 2022 at 2:48pm**

Hello. Nothing has changed to the existing fire suppression system. Also, the ventilation hood has been inspected and cleaned and tagged. The rink manager, John Hickey, has this information.

**David Pelonzi, Sep 9, 2022 at 3:47pm**

Outstanding, thank you for the information, and best of luck.





Town of Bourne, MA

09/16/2022

TA-4

## Town Clerk

Selectmen/Administrator Routing Slip

**Status:** Active

**Became Active:** 09/07/2022

**Assignee:** Mary Fernandes

**Completed:**

### Applicant

Robert Williams Jr

### Primary Location

231 SANDWICH RD  
Bourne, MA 02532

### Owner:

U S ARMY CORP OF ENGINEERS  
BUZZARDS BAY, MA 02532-1555

### Comments

Maria Simone, Sep 16, 2022 at 12:55pm

Will need a completed business certificate before Clerk sign off

09/22/2022

Book: XXII  
Page: 56  
Expiration: 09/22/2026

*Town of Bourne*  
*The Commonwealth of Massachusetts*

**BUSINESS CERTIFICATE**

**THE SEAWEED SHACK**

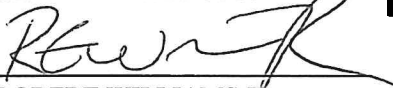
**231 SANDWICH ROAD BOURNE, MA 02536**

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

In conformity with the provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of THE SEAWEED SHACK conducted at Number 231 SANDWICH ROAD by the following person(s):

Name Address  
**ROBERT WILLIAMS JR** [REDACTED] **FALMOUTH, MA 02536**

**SARAH HANNON** [REDACTED] **FALMOUTH, MA 02536**

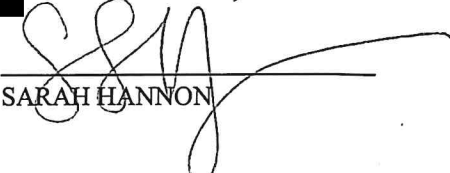


**ROBERT WILLIAMS JR**

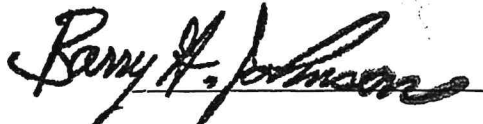
Phone #:

ID:

Type of Business: RESTAURANT

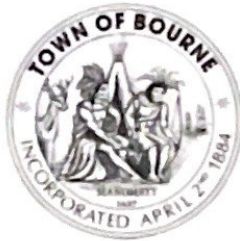
  
**SARAH HANNON**

Appeared before me the above named person(s) and acknowledged the foregoing to be a true and accurate account, given under the pains and penalties of perjury this 22nd day of September 2022.



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

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



TO THE LICENSING AUTHORITY OF THE TOWN OF BOURNE:

The Undersigned hereby makes application for a

COMMON VICTUALER'S LICENSE ☒

Under MGL, Chapter 140

FOOD VENDOR'S LICENSE ☒

Under Town of Bourne Bylaws

Article 3.5

Location:	Gallo Ice Arena Snack Bar
Corporate Name:	HLW Twenty Two Inc.
Individual/Partnership:	Robert Williams Jr.
Business Name:	The Seaweed Shack
Manager:	Robert Williams Jr.
Date:	8/8/22

We/I hereby agree to conform in all respects to the conditions governing such license as printed in the Bylaws of the Town, and such other rules and regulations as the Selectmen may establish.

With the signing of this application the applicant acknowledges that:

- (a) It is understood that the Board is not required to grant the license;
- (b) In event of a proposed sale of a business requiring a *Common Victualer and/or Food Vendor's* License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Board of Selectmen a thirty-day notice of his intention to sell same before such application will be acted upon by the Selectmen;
- (c) That the license is subject to revocation if the holder of the license does not comply with state law, town bylaws or the Rules and Regulations of the Board of Selectmen.

Signature Name:	Robert E. Williams Jr.
Signature Name:	REW~R
Business Address:	231 Sandwich Road
Home Address:	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]

- NOTE: (a) If a corporation, state full names and addresses of principal officers;  
(b) If a co-partnership, information must be provided on each partner; if corporation information must be provided on corporate officer making application.

Name: Robert E. Williams Jr.

Name: Sarah L. Hannon

Address: [REDACTED]

Description of Applicant

Born in U.S. Yes ☒ No ☐

Born Where: Concord, NH

Date of Naturalization: \_\_\_\_\_

Male or Female: Male

Photo (1 inch x 1 inch)



Description of Applicant

Born in U.S. Yes ☒ No ☐

Born Where: Falmouth, MA

Date of Naturalization: \_\_\_\_\_

Male or Female: Female

Photo (1 inch x 1 inch)



The Establishment shall operate as:

- ( ) Sole ownership  
( ) Limited Liability Corporation  
( ) Partnership - Total Number of Partners \_\_\_\_\_  
☒ Corporation based in Massachusetts

Corporate information (if applicable):

President: Robert E. Williams Jr.  
Secretary: Sarah L. Hannon  
Treasurer: \_\_\_\_\_  
(Name) (Address)

INFORMATION RELATIVE TO APPLICANT

Is the property owned by you? (Please Check) Yes \_\_\_\_\_ No ☒

Tenant at Will \_\_\_\_\_  
Lease ☒ Years 3

Hours of Operation: dependent upon rink ice schedule

Floor Space ~1,000 Sq. Ft. Seating capacity 110

Parking capacity ~400 Number of Employees ~5

One (1) copy of the following items must be submitted with the application:

1. Layout plan of facility and fixtures Date received \_\_\_\_\_
2. Site Plan Date received \_\_\_\_\_
3. Outside Facade and Sign Plan Date received \_\_\_\_\_

If the facilities are not yet completed, provide estimated cost of work to be done:

\$ \_\_\_\_\_ Date received \_\_\_\_\_

Please attach Applicant's Resume including References

FOR OFFICE USE ONLY

RECEIVED BY: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

FEE PAID: \_\_\_\_\_

Scheduled hearing when application will be presented to Board of Selectmen for Processing

Date \_\_\_\_\_ Time \_\_\_\_\_

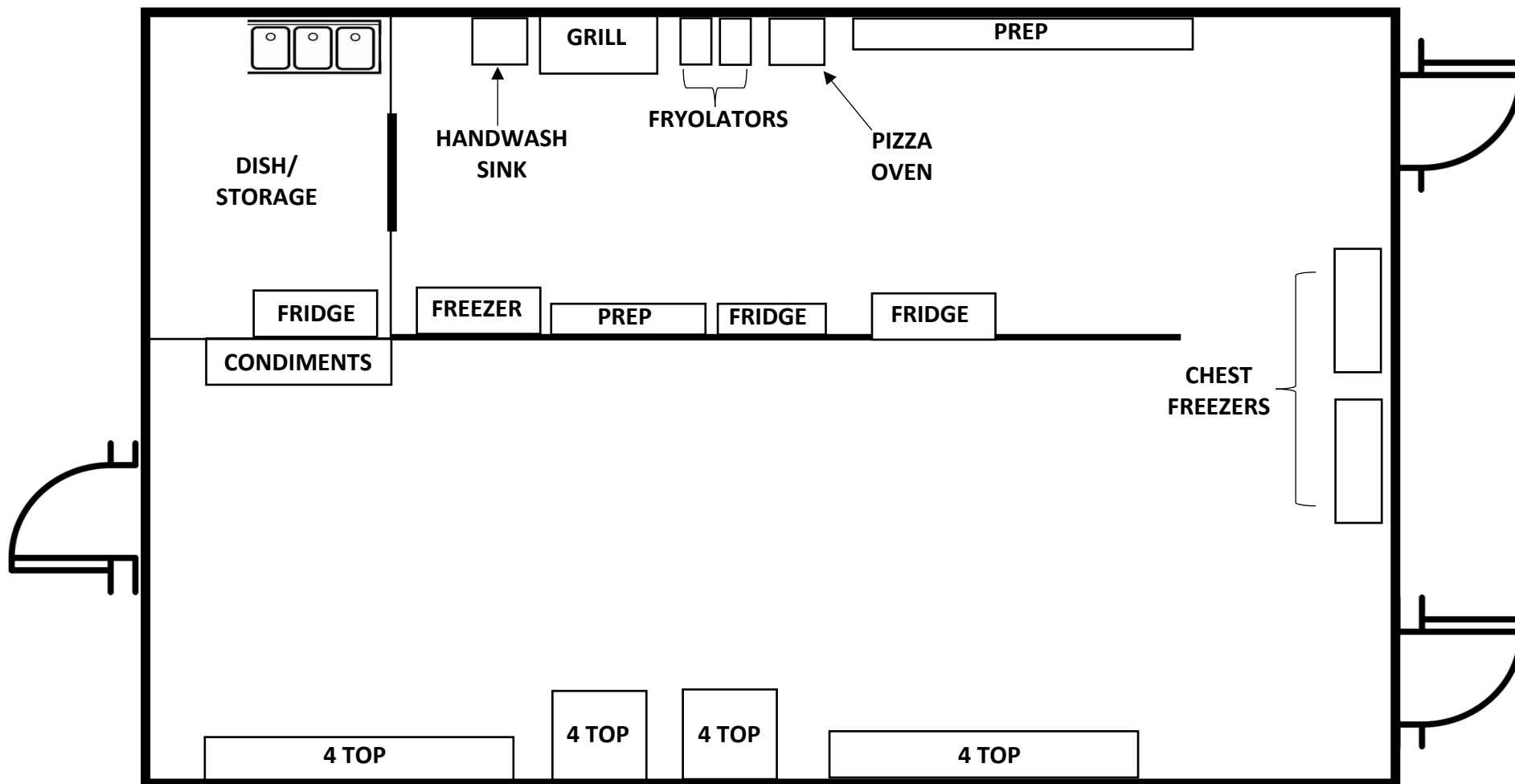
Board Action: Approved for processing Yes ☐ No ☐ Date \_\_\_\_\_

If approved for processing Department reports are due \_\_\_\_\_ for action at the  
\_\_\_\_\_ meeting of the Board of Selectmen.

Board Action: Approved: Yes ☐ No ☐ Date \_\_\_\_\_ License # \_\_\_\_\_

Signature \_\_\_\_\_





# NOTICE OF ASSIGNMENT

**EMPLOYER:**HLW TWENTY TWO INC  
[REDACTED]**COMBO I.D.**

001248506

**STATUS OF EMPLOYER**

Corporation

**COVERAGE GROUP**

1336618

The Waiver of Our Right to  
Recover from Others Endorsement  
is available on Pool policies.  
Contact your agent for details.

Coverage under this assignment  
applies to Massachusetts  
operations only. For coverage  
outside of Massachusetts, contact  
the appropriate Pool or Plan for  
that state.

**AGENT  
OR  
PRODUCER:**ROBERT E BOUCHIE JR INSURANCE AGENCY INC  
ROBERT E BOUCHIE JR  
1352 RT 28A P O BOX 400  
CATAUMET, MA 02534**INSURANCE COMPANY:**LM INS CORP  
Mailstop: 2240 / Attention: Amy Wood  
2000 WESTWOOD DRIVE  
WAUSAU, WI 54401  
(800) 653-7893**AGENCY FEIN:** 043247581**CLASSIFICATION OF OPERATION****CLASS  
CODE****ESTIMATED  
TOTAL ANNUAL  
REMUNERATION****RATE****ESTIMATED  
PREMIUM**

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[REDACTED]

[REDACTED]  
EMPLOYERS LIABILITY 1000/1000/1000  
STANDARD PREMIUM[REDACTED]  
9812

\$39,160

0.86

[REDACTED] 37  
\$75[REDACTED]  
EXPENSE CONSTANT[REDACTED]  
0900

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

**THIS IS NOT A BILL****COMMENTS**

Coverage effective 12:01 AM on 09/19/22.

CARRIER NOTE: Certain information on the electronic application was initially reported  
incorrectly or has changed. For the corrected information, refer to the attachments to  
this application included in your application bundle.

**DATE OF NOTICE:** 09/19/22**PREPARED BY:**Maryellen Nee  
EXT 532**\* \* SERVICING CARRIER ASSIGNMENT \* \*****LETTER ID:** 6001071

The Workers' Compensation Rating and Inspection Bureau of Massachusetts  
101 Arch Street • Boston, MA 02110  
(617)439-9030 • FAX (617)439-6055 • [www.wcribma.org](http://www.wcribma.org)



Julie Dateo RN, MSN

Town Administrator's Office  
24 Perry Avenue  
Buzzards Bay, MA 02532

RE: Council of Aging Vacancy

Sept 7, 2022

To Town Administration,

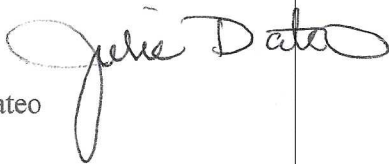
My husband and I moved to Bourne approximately one year ago. I am very interested in volunteering for the Board Vacancy on the Council of Aging.

I am a nurse practitioner and eager to be involved in community activities. My belief is that the senior population is an undervalued and underserved population. I would like to volunteer and advocate for programs and services that support our seniors.

My resume is attached. My most recent addition, Nurse Practitioner Hospitalist, at Falmouth Hospital is not yet added. My main responsibilities are managing patients on the medical floors and working in the Transition Care Clinic. We moved from Needham, MA where I volunteered at the Needham Community Council Food Pantry. We love our new neighborhood in Monument Beach!

Thank you for considering,

Julie Dateo

A handwritten signature in cursive script that reads "Julie Dateo". The signature is written in dark ink and is positioned above the printed name "Julie Dateo".

# TALENT BANK FORM

## ACT NOW- SERVE YOUR COMMUNITY

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Selectmen, Moderator and Town Administrator as a means of compiling names of interested citizens to serve on a voluntary basis, on boards and committees and working groups. This file is available for use by the public as well as the Moderator, Selectmen and Town Administrator. Talent bank forms are being updated to include categories consistent with the changing needs of the Town. Please fill out this page and return it to:

TOWN GOVERNMENT TALENT BANK  
c/o Town Administrator,  
24 Perry Avenue  
Buzzards Bay, MA 02532

NAME:

Julie Dateo

DATE:

9-7-22

ADDRESS:

[REDACTED]

VILLAGE:

Monument Beach

OCCUPATION:

Nurse Practitioner

TELEPHONE #

[REDACTED]

EMAIL:

[REDACTED]

Please list in order of preference which committee(s) you are interested in:

Council on Aging

Historical Commission

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

See list + letter.



**EA-22-30**

Use of Town Property Event Application

**Status:** Active

**Date Created:** Sep 15, 2022

**Applicant**

Brittany Hartz

**Primary Contact Information**

**Name**

Brittany Hartz

**Mailing Address**

**Cell Phone No.**

**Email**

**Event Information**

**Organization/Individual Hosting the event**

Individual

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

Birthday party

**Location of Event**

Buzzards Bay Park - Pavillion

**Date(s) of Event**

10/15/21

**Hours (start and end times)**

3pm-6pm

**Total Attendance Expected**

40

**Description of Event**

Our daughter's first birthday party, we have a large family.

**Will admission be charged?**

No

**Is event open to the public?**

No

**Will your event impact parking?**

**Will your event impact traffic?**

No

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?**

Yes

**Will you require portable toilets?**

No

**Will there be food?**

Yes

**Describe type of food**

We will be bringing food from home (hot dogs/hamburgers)

**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.**

**If Yes for what purpose**

Food warming trays, cotton candy machine

**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**

Brittany E Hartz

09/15/2022

**Signature**



## EA-22-30

## Use of Town Property Event Application

Status: Active

Date Created: Sep 15, 2022

## Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Sep 15, 2022 at 3:54 pm	Sep 19, 2022 at 10:28 am	Maria Simone	-
✓ Building Inspector Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 10:29 am	Ann Gutterson	-
✓ Fire Department Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 10:29 am	David Pelonzi	-
✓ Health Agent Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 10:30 am	Kaitlyn Shea	-
✓ Recreation Department Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 10:30 am	Krissanne Caron	-
✓ Town Planner Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 10:36 am	Tracy Sullivan	-
✓ Town Collector's Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 10:44 am	Town Collector	-
✓ DNR Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 11:42 am	Christopher Southwood	-
✓ Town Clerk's Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 19, 2022 at 12:27 pm	Mary Fernandes	-
✓ Sewer Commissioner Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 20, 2022 at 1:49 pm	Maria Simone	-
✓ Conservation Agent Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 20, 2022 at 4:33 pm	Stephanie Fitch	-
✓ Engineering Department Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 22, 2022 at 9:17 am	Tim Lydon	-
✓ DPW Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 22, 2022 at 10:09 am	Matthew Quinn	-
✓ Police Department Comments	Complete	Sep 19, 2022 at 10:28 am	Sep 26, 2022 at 4:52 pm	Brandon Esip	-
✓ Town Administrator's Comments	Complete	Sep 26, 2022 at 4:52 pm	Sep 27, 2022 at 9:58 am	Maria Simone	-
✓ Board of Selectmen Vote	Active	Sep 27, 2022 at 9:59 am	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

09/28/2022

EA-22-30

## DPW Comments

Use of Town Property Event Application

**Status:** Complete

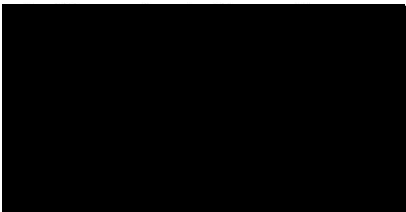
**Became Active:** 09/19/2022

**Assignee:** Matthew Quinn

**Completed:** 09/22/2022

### Applicant

Brittany Hartz



### Comments

Matthew Quinn, Sep 22, 2022 at 10:09am

We ask that you please carry in and out all rubbish. Thank You.





09/28/2022

**EA-22-26**

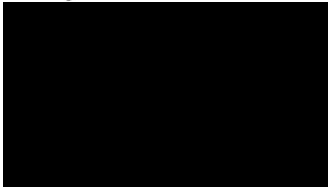
Use of Town Property Event Application

**Status:** Active

**Date Created:** Sep 2, 2022

**Applicant**

Andy Driscoll



**Primary Contact Information**

**Name**

Andy Driscoll

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

Inebri-art

**Mailing Address**

**Cell Phone No.**



**Email**



**Event Information**

**Organization/Individual Hosting the event**

Inebri-Art

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

LLC

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

Weekly Farmer's Market

**Location of Event**

Buzzards Bay Park - Pavillion

**Date(s) of Event**

Every Wednesday April-September

**Set up/Clean up Dates**

day of the event

**Hours (start and end times)**

2pm - 7pm (set up starting at noon)

**Total Attendance Expected**

150

**Description of Event**

A weekly farmer's market. Providing local farmers, crafters, artists, and more

**Will admission be charged?**

No

**Is event open to the public?**

Yes

**Will your event impact parking?**

Yes

**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?**

Yes

**Will there be food?**

Yes

**Describe type of food**

locally made food products and produce

**Describe type(s) of Vendors**

Local farmers, crafters, and artists

**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

Andrew Driscoll  
09/02/2022

### Signature

### Signature

Andrew Driscoll  
09/02/2022



Town of Bourne, MA

09/28/2022

EA-22-26

## Building Inspector Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** 09/06/2022

**Assignee:** Ann Gutterson

**Completed:** 09/06/2022

### Applicant

Andy Driscoll



### Comments

Ann Gutterson, Sep 6, 2022 at 12:30pm

As long as no tents to be used.



Town of Bourne, MA

09/28/2022

EA-22-26

## DPW Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** 09/06/2022

**Assignee:** Matthew Quinn

**Completed:** 09/06/2022

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### Applicant

Andy Driscoll



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### Comments

Matthew Quinn, Sep 6, 2022 at 2:23pm

DPW. Just asks to keep park clean and carry in/out all trash. Thanks



09/28/2022

EA-22-26

## Recreation Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** 09/06/2022

**Assignee:** Kathryn Matthews

**Completed:** 09/06/2022

### Applicant

Andy Driscoll



### Comments

Kathryn Matthews, Sep 6, 2022 at 4:02pm

Applicant must receive approval from Army Corps of Engineers for use of parking lot and facilities.

<https://www.nae.usace.army.mil/Portals/74/docs/Recreation/CCC/2019Rec/CCC-SpecialEventPermitApplication2019.pdf>  
(<https://www.nae.usace.army.mil/Portals/74/docs/Recreation/CCC/2019Rec/CCC-SpecialEventPermitApplication2019.pdf>)

Jonathan Dumais, Park Ranger, Army Corps of Engineers: 978-318-8534



Town of Bourne, MA

09/28/2022

EA-22-26

## Police Department Comments

Use of Town Property Event Application

**Status:** Complete

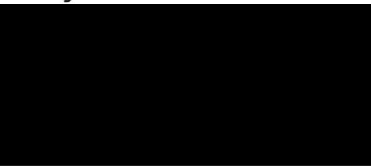
**Became Active:** 09/06/2022

**Assignee:** Brandon Esip

**Completed:** 09/07/2022

### Applicant

Andy Driscoll



### Comments

Brandon Esip, Sep 7, 2022 at 3:38pm

Approved, but PD requests right to evaluate traffic impacts, especially during summer months. A detail officer may be necessary should attendance and traffic dictate.



Town of Bourne, MA

09/28/2022

EA-22-26

## Health Agent Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** 09/06/2022

**Assignee:** Kaitlyn Shea

**Completed:** 09/08/2022

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### Applicant

Andy Driscoll



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### Comments

Kaitlyn Shea, Sep 8, 2022 at 8:27am

Please be sure that any food related vendors contact the Health Department to fill out the appropriate permits.





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
09/26/2022

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

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

<b>PRODUCER</b> Hollis Insurance Agency Inc 1 Village Green North  Plymouth MA 02360		<b>CONTACT NAME:</b> Jillian Hollis <b>PHONE (A/C, No, Ext):</b> (508) 209-0400 <b>E-MAIL ADDRESS:</b> jhollis@hollisagency.com <b>FAX (A/C, No):</b> (508) 209-0444	
<b>INSURED</b> Inebri-Art LLC 7 Washington St  Plymouth MA 02360-3434		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Ohio Security <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 24082	

## COVERAGES

**CERTIFICATE NUMBER:** 2022 Master

**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		BLS64230329	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Expense Mod Factor 1 \$
	<input type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<input type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Where required in a written contract, the Town of Bourne is included within the blanket additional insured endorsement with respects to the General Liability policy.

Buzzards Bay Farmers Market

## CERTIFICATE HOLDER

## CANCELLATION

Town of Bourne

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

AUTHORIZED REPRESENTATIVE

*Robert L. Hollis Jr.*

## ACCEPTABLE ITEMS (prices may change)

- Bulky items: each household will get 4 bulky item stickers, good for **2023** only, that can be used for free disposal of the items below.
- **Bulky item stickers must be presented or charges will apply. The charges are:**
  - Appliances (including microwaves) - **\$10**
  - Flat screen monitors and TVs, computers (CPUs), Cathode Ray Tubes (TVs, monitors), laptops, tablets - **\$20**
  - Mattresses, boxsprings - **\$30**
  - Fluorescent bulbs - One sticker per bundle of up to 8 - **\$4** each bulb
  - Auto/Truck Tires:
    - (20" or less) up to 4 tires per sticker- **\$10**
    - (over 20") 1 tire per sticker - **\$60**
    - non-auto equipment tires - **market rate pricing only, stickers cannot be used**
- Recyclables, scrap metal
- E-waste: laptops, CPUs, tablets, phones
- Food waste- separated
- Yard waste, brush and stumps
- Residential garbage and rubbish
- Bulky items, textiles and furniture
- Construction & demolition debris/shingles
- Propane tanks (20 lbs. and small cylinders)
- Batteries- Ni-Cad, auto/marine, lithium
- Mercury containing items- thermometers, thermostats, switches
- PCB ballasts
- Paint- March 25<sup>th</sup> through October 7<sup>th</sup>, 10 can limit/day
- Waste oil and antifreeze (5 gallon limit each), oil filters, **no gasoline**

## SWAP SHOP

- Only leave items in good condition.
- No loitering over 20 minutes or harassing others.
- Items are to be left and taken free of charge. No financial transactions of any kind allowed.
- The Swap Shop is not for commercial users.

## Do not leave at Swap Shop

- Items with sharp broken parts, water damage or mildew
- Mattresses, boxsprings, futons, sleeper sofas, pillows
- Fluorescent bulbs, child car seats
- Televisions, computer monitors
- Paint, hazardous products
- Rubbish
- Clothing (**use textile containers**)

## PAY FOR AT SCALE (sticker holders only)

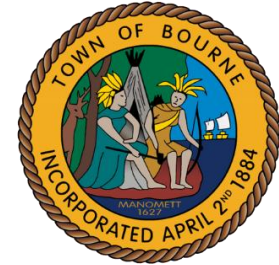
- Campers, boats and RVs.
- **Scale availability during residential recycling center hours; Mon. – Fri., 7:00 a.m. – 3:00 p.m. Saturdays 7:00 a.m. – noon. Closed Sundays. Subject to seasonal schedule.**

## FOR SALE

Compost bins - \$25

## **Bourne Board of Selectmen Recycling Center Policy Calendar Year 2023**

201 MacArthur Boulevard (RT. 28 N)



Approved by the Selectmen of Bourne:  
Peter J. Meier, Chair  
Jared P. MacDonald, Vice Chair  
Melissa A. Ferretti, Clerk  
Judith MacLeod-Froman  
Mary Jane Mastrangelo

### HOURS OF OPERATION

**Labor Day to Memorial Day**  
Wed. – Mon., 7:00 a.m. to 3:00 p.m.  
Closed Tuesdays & Holidays

**Memorial Day to Labor Day**  
7 days a week, 7:00 a.m. to 3:00 p.m.  
Closed Holidays  
Exact dates to be posted later

### IMPORTANT PHONE NUMBERS

ISWM Office	508-759-0600, ext. 4
Recycling Center	508-759-0643
Scale	508-759-0639
Town Hall	508-759-0600
Bourne Board of Health	508-759-0600, ext. 1513
DPW (curbside)	508-759-0600, ext. 3
Website	<a href="http://www.townofbourne.com">www.townofbourne.com</a>

### Recycling/Disposal Sticker

- 1<sup>st</sup> sticker **\$30**; 2<sup>nd</sup> sticker **\$15**
- Seniors (60), 1<sup>st</sup> **\$20**, 2<sup>nd</sup> **\$10**
- Replacement sticker **\$10**
- Limit of two (2) stickers per property owner/residential household.
- **Credit/debit card or check only. NO CASH.**

### GENERAL RULES

- **No Smoking.**
- **Abusive language toward employees will not be tolerated.**
- Stickers are Town property.
- Any violations of these rules may result in loss of sticker.
- **State waste disposal bans must be followed.** These items include: commercial organic material, recyclable paper, single resin narrow neck plastic containers, metal and glass containers, yard waste and leaves, lead acid batteries, whole tires, cathode ray tubes, white goods (appliances), metal, asphalt pavement, brick, concrete, clean gypsum, wood (>5 cu. yd. loads), mattresses/boxsprings, textiles.
- Fluorescent bulbs must be recycled.
- Stickers only issued to Bourne **residential** property owners and renters with proof of residence. Raw

landowners, JBCC residents and MMA students do not qualify.

- Stickers will not be applied to Vehicles with:
  - Dump bodies
  - Trailers greater than 12 feet
  - Beds longer than 8 feet
  - Sidewalls higher than cab
  - Bodies larger than a standard passenger van
  - Dealer plates or rental cars
  - Business lettering (but sticker is kept at the guard shack for referral)
- Proof of residence or ownership required includes:
  - Current driver's license **and**
  - Current vehicle registration
  - One of the following shall be required:
    - Current property tax bill (Assessor can e-mail a copy, call Town Hall)
    - Current lease
    - Current deed with stamps
    - Other current substantive proof
- Department personnel will apply and remove all stickers on vehicles.
- Hazardous wastes/products and business wastes are prohibited.
- No high-pressure cylinders.
- The Town may track and question excessive numbers of loads or ask for proof of a building permit.
- Builders who build houses on speculation must bring that waste over the scale and pay.

- The acceptance of C&D and bulky items is dependent upon the Town's ability to replace full containers and may be suspended periodically.
- Trailers are not to be used for commercial "dump runs."
- Areas other than the residential recycling center and department offices are off limits.
- All scrap metal and other recyclables are the property of the Town. **Picking is prohibited.**
- Site is under video surveillance.
- The Town recognizes that special circumstances may arise. In these situations, a temporary sticker or other arrangements may be made. Sticker holders must be present with the load unless otherwise approved. Please call or visit the ISWM office in advance.
- Marijuana/cannabis residuals, including plants, must go in the trash and not in the yard waste or brush piles.

### Household Hazardous Waste (HHW)

Regional waste collection days are held each April - October, dates TBA. Look for a separate mailing, local ads or visit the ISWM website for more information and how to access collections all over the Cape.

+Ms. Garlick of Needham moves to amend House, No.4576 by striking all after the enacting clause and inserting in place thereof the following:

1           SECTION 1. Article 1 of the charter of the town of Bourne, which is on file in the office  
2 of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General  
3 Laws, is hereby amended by striking out the words "board of selectmen", each time they appear,  
4 and inserting in place thereof, in each instance, the following words:- select board.

5           SECTION 2. Article 2 of said charter is hereby amended by striking out the words "board  
6 of selectmen", each time they appear, and inserting in place thereof, in each instance, the  
7 following words:- select board.

8           SECTION 3. The section subtitle of section 2-2 of said article 2 of said charter is hereby  
9 amended by striking out the word "officer" and inserting in place thereof the following word:-  
10 official.

11          SECTION 4. Subsection (a) of section 2-5 of said article 2 of said charter is hereby  
12 amended by striking out the word "officer" and inserting in place thereof the following word:-  
13 official.

14          SECTION 5. Said subsection (a) of said section 2-5 of said article 2 of said charter is  
15 hereby further amended by striking out the words "multiple member body" and inserting in place  
16 thereof the following words:- governmental body.

17          SECTION 6. Subsection (b) of said section 2-5 of said article 2 of said charter is hereby  
18 amended by striking out the figure "25" and inserting in place thereof the following figure:- 30.

19           SECTION 7. Said subsection (b) of said section 2-5 of said article 2 of said charter is  
20 hereby further amended by striking out the words “majority vote” and inserting in place thereof  
21 the following words:- 4/5th vote of members present and voting.

22           SECTION 8. Said subsection (b) of said section 2-5 of said article 2 of said charter is  
23 hereby further amended by inserting after the word “emergency”, the following words:- or when  
24 calling a special town meeting less than 30 days before the date of the special town meeting.

25           SECTION 9. Said section 2-5 of said article 2 of said charter is hereby further amended  
26 by striking out subsection (c) and inserting in place thereof the following subsection:-

27 (c) The voter handbook shall include the text of any annual or special town meeting warrant with  
28 the recommendations and counted votes of the finance committee, select board and any other  
29 appointed or elected governmental body proposing an article. In the voter handbook for the  
30 annual town meeting, the select board members shall include the recommended operating budget  
31 with revenue projections, their budget goals, departmental goals for the upcoming fiscal year, an  
32 organizational chart and five-year financial, debt and capital projections. The voter handbook  
33 shall be available to the public at the town hall, the public library and the town’s website not less  
34 than 15 days before the annual town meeting or any special town meeting. By majority vote, the  
35 select board may waive the requirements for a special town meeting in case of an emergency or  
36 when calling a special town meeting less than 30 days before the date of the special town  
37 meeting.

38           SECTION 10. Section 2-6 of said article 2 of said charter is hereby amended by striking  
39 out the word “officers” and inserting in place thereof the following word:- officials.

40 SECTION 11. Said section 2-6 of said article 2 of said charter is hereby further amended  
41 by striking out the word “boards and commissions” and inserting in place thereof the following  
42 words:- governmental bodies.

43 SECTION 12. Said section 2-6 of said article 2 of said charter is hereby further amended  
44 by striking out the word “boards, commissions” and inserting in place thereof the following  
45 words:- governmental bodies.

46 SECTION 13. Section 2-9 of said article 2 of said charter is hereby amended by adding  
47 the following sentence:- The chairperson of the finance committee may not chair any other  
48 governmental body.

49 SECTION 14. The section subtitle of article 3 of said charter is hereby amended by  
50 striking out the words “Board of Selectmen” and inserting in place thereof the following words:-  
51 sSelect Bboard.

52 \_\_\_\_\_SECTION 15. Said article 3 is hereby amended by striking out the words “board of  
53 selectmen”, each time they appear, and inserting in place thereof, in each instance, the following  
54 words:- select board.

55 SECTION 16. Section 3-1 of said article 3 of said charter is hereby amended by striking  
56 out the word “serve” and inserting in place thereof the following word:- act.

57 SECTION 17. Section 3-2 of said article 3 of said charter is hereby amended by striking  
58 out the word “selectmen” and inserting in place thereof the following words:- the select board.

59 SECTION 18. Said article 3 of said charter is hereby further amended by striking out  
60 section 3-3 and inserting in place thereof the following section:-

Section 3-3: Policy Role.

The select board shall serve as the chief goal-setting and policy-making agency of the town, keeping in mind the goals, policies and action items of the strategic plan and local comprehensive plan, or LCP, and shall appoint a town administrator to carry out such policies.

Annual goals as voted by the select board shall be filed with the town administrator not later than September 1<sup>st</sup>, after the regular spring town election and also published in the annual town report.

**Commented [BB1]:** This omitted text is preexisting text in the Charter that was not changed in the Town's submission, other than a change in the date to September 1st when it previously said July 1

**Formatted:** Superscript

An individual select board member shall have no independent authority unless specifically authorized by a vote of the select board. Select board members shall deal with administrative agencies and departments only through the town administrator. Select board members, individually or as a board, shall not become involved in the day-to-day administration of the town department. The select board shall act only through the adoption of written policy goals, strategic plan goals, policies and action items which shall be implemented by the town administrator and written in a policy book that shall be available to the public for review.

SECTION 19. Section 3-4 of said article 3 of said charter is hereby amended by striking out the words "boards of selectmen" and inserting in place thereof the following words:- select boards.

SECTION 20. Said section 3-4 of said article 3 of said charter is hereby further amended by inserting after the word "commonwealth," the following words:- shall have the power and authority to adopt rules and regulations, after public hearing and publication, for the conducting of town business, the use of town real and personal property, and other matters within its jurisdiction and to set the penalties for violations thereof.

83           SECTION 21. Said article 3 of said charter is hereby further amended by striking out  
84   section 3-5 and inserting in place thereof the following section:-

85           Section 3-5: Appointing Powers.

86   The select board shall appoint the town administrator, town counsel, registrars of voters and  
87   constables. The board shall also have the power to appoint other governmental bodies for whom  
88   no other appointment provision is made in this charter or by by-law. Representatives of  
89   governmental bodies specified as members of a governmental body shall be designated by their  
90   respective governmental body. Governmental bodies established by the select board shall possess  
91   and exercise all powers given to them under the Constitution and laws of the commonwealth and  
92   shall possess and exercise such additional powers and duties as may be authorized by this  
93   charter, by by-law or by vote of town meeting. This charter names those governmental bodies  
94   which (1) are mandated or authorized by the laws of the commonwealth and (2) exercise  
95   regulatory or other authority. All governmental bodies appointed by the select board shall be  
96   responsible to the select board.

97           SECTION 22. Section 3-6 of said article 3 of said charter is hereby amended by striking  
98   out the words "town board or committee" and inserting in place thereof the following words:-  
99   governmental body.

100          SECTION 23. Section 3-7 of said article 3 of said charter is hereby amended by striking  
101   out the word "committees", each time it appears, and inserting in place thereof, in each instance,  
102   the following words:- governmental bodies.



103           SECTION 24. Said section 3-7 of said article 3 of said charter is hereby amended by  
104 adding the following sentence:- The select board shall maintain an active list of the governmental  
105 bodies and representation and make said list accessible to the public on the town's website.

106           SECTION 25. Article 4 of said charter is hereby amended by striking out the words  
107 "board of selectmen", each time they appear, and inserting in place thereof, in each instance, the  
108 following words:- select board.

109           SECTION 26. The second paragraph of section 4-1 of said article 4 of said charter is  
110 hereby amended by inserting after the first sentence the following 2 sentences:- The town  
111 administrator's contract shall not automatically renew each contract period. The select board, by  
112 an affirmative vote of 4 of its members, may renew the contract.

113           SECTION 27. Said section 4-1 of said article 4 of said charter is hereby further amended  
114 by striking out the words, as inserted by section 13 of chapter 37 of the acts of 2018, "when  
115 appointed but shall establish primary residence in the town of Bourne within 1 year after the date  
116 of appointment; provided, however, that the board of selectmen may, by simple majority vote of  
117 the selectmen in office at the time of appointment, extend the time for establishing residence or  
118 otherwise allow the town administrator to reside elsewhere. Once a residency exemption is  
119 granted to a specific town administrator, it shall not be rescinded in future contracts with that  
120 town administrator".

121           SECTION 28. Section 4-2 of said article 4 of said charter is hereby amended by striking  
122 out the word "officer" and inserting in place thereof the following word:- official.

123           SECTION 29. Section 4-3 of said article 4 of said charter is hereby amended by striking  
124 out the words "some other" and inserting in place thereof the following word:- a.

125 SECTION 30. Section 4-4 of said article 4 of said charter is hereby amended by striking  
126 out the word "officer" and inserting in place thereof the following word:- official.

127 SECTION 31. Said section 4-4 of said article 4 of said charter is hereby further amended  
128 by striking out the words "some other" and inserting in place thereof the following word:- a.

129 SECTION 32. Said section 4-4 of said article 4 of said charter is hereby further amended  
130 by adding the following sentence:- The select board reserves the right to limit the powers and  
131 duties of the acting or interim town administrator by a majority vote of the select board.

132 SECTION 33. Said article 4 is hereby further amended by striking out section 4-6 and  
133 inserting in place thereof the following section:-

134 Section 4-6: Powers and Duties.

135 The town administrator shall be the chief administrative official of the town. The town  
136 administrator shall be responsible to the select board for the proper administration of all town  
137 affairs placed in the town administrator's charge by or under the charter. The town administrator  
138 shall have the following powers and perform the following duties:

139 (a) implement and carry out all policies and goals established by the select board, and

140 ~~inclusion~~included in of the strategic plan;

**Commented [BB2]:** Deviates slightly from what Town Meeting voted (in both redline and report) but this was the intent and we believe this was a scrivener's error by the Town Meeting

141 (b) appoint and, in appropriate circumstances, remove, subject to civil service laws and collective  
142 bargaining agreements where applicable, all department heads and employees, including  
143 members of the board of assessors and other employees for whom no other appointment  
144 provision is made in this charter; provided, however, that appointments made by the town  
145 administrator shall be effective immediately; provided, further, that an appointment of a

146 department head or member of the board of assessors shall become effective on the fifteenth day  
147 after the day on which notice of the proposed appointment is filed with the select board ~~en~~-unless  
148 a majority of the select board votes to reject the appointment within that period;

149 (c) prepare and submit an annual operating budget and capital improvement plan and capital  
150 improvement budget in accordance with sections 7-1 and 7-2 of this charter and in accordance  
151 with the policies and goals established by the select board;

152 (d) investigate or inquire into the affairs of a town department under the jurisdiction of the town  
153 administrator or, when authorized by the select board, investigate or inquire into the affairs of  
154 any other town department;

155 (e) attend all regular and special meetings of the select board, unless unavailable for reasonable  
156 cause; provided, however, that the town administrator shall have a voice, but no vote, in all  
157 proceedings of the select board;

158 (f) keep the select board fully informed of all issues and problems it needs to address;

159 (g) inform the select board on departmental operations, fiscal matters and administrative actions  
160 and provide regular periodic reports to the select board;

161 (h) inform the select board of the availability of public and private funding opportunities;

162 (i) administer human resource policies, practices, rules and regulations, compensation plans and  
163 related matters for all municipal employees, except school employees;

164 (j) be responsible for the negotiation, administration and enforcement of collective bargaining  
165 agreements and other employment agreements, exclusive of the schools, on behalf of the select  
166 board;

167 (k) have jurisdiction over all town property, ensuring that a full inventory of all real and personal  
168 property is kept, excluding property under the jurisdiction of the school committee;

169 (l) be responsible for and oversee the purchase of all supplies, materials, services and equipment  
170 and approve the award of all contracts for all town departments; provided, however, that the  
171 town administrator shall secure the approval of the select board for contracts of 3 or more years;

172 (m) fix the compensation of all town employees and officials appointed by the town  
173 administrator within the limits of the town's compensation plan, collective bargaining  
174 agreements and other employment agreements and inform the select board of all changes in  
175 compensation made within 30 days;

176 (n) oversee the activities of all appointed and elected governmental bodies; provided, however,  
177 that the town administrator may require elected governmental bodies and individuals to meet  
178 with and provide information to the town administrator at reasonable times;

179 (o) create new full-time, compensated positions, subject to the approval of the select board and  
180 funding by the town meeting; provided, however, that the town administrator may enter into  
181 employment contracts for these positions;

182 (p) supervise, direct and be responsible for the efficient administration of all officials appointed  
183 by the town administrator and their respective departments, and for all functions for which the  
184 town administrator is given responsibility, authority or control by this charter, by by-law, by  
185 town meeting vote or by vote of the select board;

186 (q) delegate, authorize or direct any subordinate or employee appointed by the town  
187 administrator to exercise any power, duty or responsibility which the office of the town

188 administrator is authorized to exercise; provided, however, that all such acts shall be deemed to  
189 be the acts of the town administrator;

190 (r) administer and enforce either directly or through a person supervised by the town  
191 administrator, in accordance with this charter, all provisions of law applicable to the town, all by-  
192 laws and all regulations established by the select board; and

193 (s) attend all sessions of the town meeting to answer questions addressed to the town  
194 administrator which are related to warrant articles and matters of general supervision of the town  
195 administrator.

196 SECTION 34. Article 5 of said charter is hereby amended by striking out the words  
197 “board of selectmen”, each time they appear, and inserting in place thereof, in each instance, the  
198 following words:- select board.

199 SECTION 35. The section subtitle of section 5-1 of said article 5 of said charter is hereby  
200 amended by striking out the words “Table of Organization” and inserting in place thereof the  
201 following words:- Organizational Chart.

202 SECTION 36. Said section 5-1 of said article 5 of said charter is hereby amended by  
203 striking out the words “table of organization” and inserting in place thereof the following  
204 words:- organizational chart.

205 SECTION 37. Section 5-2 of said article 5 of said charter is hereby amended by inserting  
206 after the words “authorized in this charter”, the following words:- or transferred to another  
207 agency in accordance with the provisions of section 5-3.

208 SECTION 38. Section 5-3 of said article 5 of said charter is hereby amended by striking  
209 out the fourth sentence.

210 SECTION 39. Said article 5 of said charter is hereby further amended by striking out  
211 section 5-4 and inserting in place thereof the following section:-

212 Section 5-4: Department of Public Works.

213 (a) There shall be a department of public works, which shall be responsible for those public  
214 works functions described in this article and as may be assigned from time to time by the town  
215 administrator or town meeting.

216 (b) The department of public works shall be under the direct control of a director of public works  
217 who shall be appointed by and who shall be directly responsible to the town administrator. The  
218 director of public works shall be a registered civil engineer or a person otherwise especially  
219 suited by education, training and previous experience to perform the duties of the office. The  
220 director of public works shall keep full and complete records of the doings of the director's office  
221 and shall render a report of all operations to the town administrator as may be required. The  
222 director shall keep the town administrator fully advised as to the needs of the town within the  
223 scope of the director's duties.

224 (c) The department of public works shall include, but not be limited to, the following functions:  
225 highways and streets; storm drains; tree and park maintenance; public sewers; rubbish collection;  
226 and the maintenance and repair of town buildings, except school buildings unless requested by  
227 the school committee and approved by the select board.

228           SECTION 40. Section 5-5 of said article 5 of said charter is hereby amended by striking  
229 out subsection (a) and inserting in place thereof the following subsection:-

230       (a) there shall be a department of integrated solid waste management responsible for those solid  
231 waste functions described in this article and as may be assigned from time to time by the town  
232 administrator or town meeting.

233           SECTION 41. Subsection (c) of said section 5-5 of said article 5 of said charter is hereby  
234 amended by striking out the second sentence and inserting in place thereof the following  
235 sentence:- The general manager shall keep full and complete records of the doings of the office  
236 and report on all operations under its control to the town administrator as may be required.

237           SECTION 42. Said section 5-5 of said article 5 of said charter is hereby further amended  
238 by striking out subsection (e).

239           SECTION 43. Item (10) of subsection (a) of section 5-6 of said article 5 of said charter is  
240 hereby amended by striking out the words "related data processing function," and inserting in  
241 place thereof the following words:- related financial data processing functions, financial.

242           SECTION 44. The section subtitle of article 6 of said charter is hereby amended by  
243 striking out the words "Town Boards and Officers" and inserting in place thereof the following  
244 words:- Governmental Bodies and Officials.

245           SECTION 45. Said article 6 is hereby amended by striking out the words "board of  
246 selectmen", each time they appear, and inserting in place thereof, in each instance, the following  
247 words:- select board.

248           SECTION 46. Said article 6 of said charter is hereby amended by striking out section 6-1  
249   and inserting in place thereof the following section:-Section 6-1: Other Governmental Bodies  
250   and Officials.

251   (a) Following the adoption of this charter, the only officials to be elected shall be the town  
252   moderator, town clerk and a constable.

253   (b) Governmental bodies to be elected in addition to the select board shall be:

254   (1) school committee;

255   (2) board of health;

256   (3) planning board;

257   (4) housing authority;

258   (5) recreation authority;

259   (6) trustees of Jonathan Bourne Public Library;

260   (7) trustees of soldier's memorials;

261   (8) upper cape cod regional vocational technical school committee; and

262   (9) such town members of regional districts, governmental bodies and authorities as are now or  
263   may be established as elective offices by the General Laws, a vote of town meeting or an  
264   intergovernmental agreement.

265           SECTION 47. Section 6-2 of said article 6 of said charter is hereby amended by striking  
266   out the word "officer" and inserting in place thereof the following word:- official.



SECTION 48. Section 6-10 of said article 6 of said charter is hereby amended by inserting after the word "Bourne" the following word:- Public.

SECTION 49. Said section 6-10 of said article 6 of said charter is hereby further amended by striking out the second paragraph and inserting in place thereof the following:-

The Trustees have the following powers, duties, and responsibilities: (a) The trustees shall have the custody and management of the library and all property of the town related thereto.

(b) The selection of the library director consistent with the General Laws and this charter.

(c) Provide an annual review of performance of the library director and submit to the town administrator.

(d) Review and advise the library director regarding preliminary budget prior to being submitted to the town administrator's budget report to the select board.

(e) All money raised or appropriated by the town for its support and maintenance shall be expended by the trustees and all money or property that the town may receive for the library by gift or bequest shall be administered by the trustees in accordance with the gift or bequest.

(f) The trustees will establish and act upon their policies and by-laws consistent with the General Laws, town by-laws and this charter.

(g) The trustees of the Jonathan Bourne public library shall have all of the powers and duties given to boards of library trustees under the Constitution and General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by other town meeting vote.

287               SECTION 50. Article 7 of said charter is hereby amended by striking out section  
288   7-1 and inserting in place thereof the following section:-

289               Section 7-1: Budget Process.

290   Prior to the annual town meeting and within a time fixed by by-law, the town administrator shall  
291   submit to the select board a proposed operating budget and a capital improvement plan and  
292   capital improvement budget for all town departments, including the school department, for the  
293   ensuing fiscal year. The school committee budget shall be submitted to the town administrator in  
294   sufficient time to enable the town administrator to consider the effect of the school department's  
295   requested appropriation on the total town budget and make recommendations on the same. The  
296   proposed budget shall be accompanied by a budget message and supporting documents. The  
297   budget message shall explain the budget both in fiscal terms and in terms of expected outcomes,  
298   delivery of services and initiatives. The proposed budget shall be balanced and shall show both  
299   proposed expenditures and anticipated revenue. The proposed budget shall provide a complete  
300   fiscal plan of all town funds and activities and shall be in the form the town administrator deems  
301   desirable or as the select board requires. The proposed budget shall include a listing of the funds  
302   requested by town departments and agencies. The select board shall review the proposed budget  
303   and capital improvement plan and make such changes as the board deems appropriate prior to  
304   transmitting the budget and capital improvement plan to the finance committee.

305               SECTION 51. Said article 7 of said charter is hereby further amended by striking out  
306   section 7-2 and inserting in place thereof the following section:-

307               Section 7-2 Capital Improvement Plan and Capital Improvement Budget.

The town administrator, in conjunction with any committee established for such purpose, shall annually submit a capital improvement plan to the select board 10 days prior to the date fixed by by-law and prior to the submission of the operating budget. The capital improvement plan shall include a clear summary of its contents, an itemization of all capital improvements, including those of the school department, proposed to be undertaken during the next 5 fiscal years with supporting data, cost estimates, methods of financing and recommended time schedules. The first year's budget would be the capital budget and include the estimated annual cost of operating and maintaining the facilities included.

**Commented [BB3]:** This text was in the Town's submission but was omitted here.

SECTION 52. Section 7-3 of said article 7 of said charter is hereby amended by inserting after the word "annually", the following words:- , in a format the town administrator deems desirable or as the select board requires,.

SECTION 53. Said section 7-3 of article 7 of said charter is further amended by striking out the words "board of selectmen", each time they appear, and inserting in place thereof, in each instance, the following words:- select board.

SECTION 54. Said article 7 of said charter is hereby further amended by striking out section 7-4 and inserting in place thereof the following section:-

Section 7-4: Finance Committee Action.

The select board shall submit the operating budget and the capital improvement plan and capital budget to the finance committee by a date fixed by by-law. The finance committee, upon receipt of the operating and capital improvement plan and capital improvement budget from the select board, shall consider in public meetings the detailed expenditures for each town department and agency and shall conduct 1 or more public hearings on the proposed operating and capital

330 improvement budgets, including the school budget. The finance committee shall issue its  
331 recommendations in a detailed written report, which shall include the fiscal and tax implications  
332 of the proposed budget, a statement outlining its support or opposition to the proposed budget or  
333 any sections thereof and its vote, by roll call, on all warrant articles.

334 The finance committee shall make copies of its report available to the voters in the town hall and  
335 the public library at least 20 days before the scheduled date of the town meeting. The report shall  
336 be prepared in sufficient time to be incorporated into the annual town meeting voter handbook.

337 The finance committee may request the town administrator to provide necessary information  
338 from any town agency and the town administrator shall promptly respond to such requests. The  
339 office of the town administrator shall provide staff support to the finance committee in issuing its  
340 recommendations on the operating budget and capital improvement budget. The budget to be  
341 acted upon by the town meeting shall be the budget approved by the select board.

342 SECTION 55. Section 8-1 of article 8 of said charter is hereby amended by striking out  
343 the words "board of selectmen" and inserting in place thereof the following words:- select board.

344 SECTION 56. Subsection (b) of said section 8-1 of said article 8 of said charter is hereby  
345 amended by striking out the word "immediately".

346 SECTION 57. Said subsection (b) of said section 8-1 of said article 8 of said charter is  
347 hereby further amended by adding the following sentence:- The select board may extend time to  
348 the charter review committee by majority vote to meet the duties and responsibilities of article  
349 LXXXIX enacted to implement said article LXXXIX.

350 SECTION 58. Section 8-5 of said article 8 of said charter is hereby amended by striking  
351 out the word “officers” and inserting in place thereof the following word:- officials.

352 SECTION 59. Said article 8 of said charter is hereby further amended by striking out  
353 section 8-6 and inserting in place thereof the following section:-

354 Section 8-6: Procedures for Governmental Bodies.

355 (a) All governmental bodies of the town whether elected, appointed or otherwise constituted  
356 shall meet at such times and in places open to the public within the town as they may by their  
357 own rules prescribe. Special meetings of a governmental body shall be held at the call of the  
358 respective chairman or by a majority of the members thereof. Public posting of all meetings shall  
359 be made in accordance with the open meeting laws. The meetings of a governmental body shall  
360 be open to the public and the press, except as may otherwise be authorized by law.

361 (b) A majority of the members of a governmental body shall constitute a quorum but a smaller  
362 number may adjourn from time to time unless otherwise provided by law.

363 (c) Each governmental body shall provide for the keeping of the minutes of its proceedings. The  
364 Open Meeting Law requires public bodies to create and approve minutes in a timely manner. A  
365 “timely manner” is considered to be within the next 3 public body meetings or 30 days from the  
366 date of the meeting, whichever is later, unless the public body can show good cause for further  
367 delay. The minutes shall be a public record and a copy of the minutes shall be filed with the  
368 office of the town clerk, once approved by the governmental body as outlined above.

369 (d) Meetings of the select board, the school committee, the board of health and the planning  
370 board shall be televised, recorded, livestreamed or broadcasted on the local cable channel or

371 recorded and posted on the town's website. The town shall choose the most effective method but  
372 technical difficulties with equipment shall not cause a meeting to be postponed.

373 SECTION 60. Said article 8 of said charter is hereby amended by striking out section 8-7  
374 and inserting in place thereof the following section:-

375 Section 8-7: Computation of Time.

376 In computing times under this charter, "days" will be defined as calendar days unless otherwise  
377 specified.

378 SECTION 61. Said article 8 of said charter is hereby amended by striking out section 8-8.

379 SECTION 62. Said article 8 of said charter is hereby further amended by striking out  
380 section 8-9 and inserting in place thereof the following section:-

381 Section 8-8: Definitions.

382 For the purposes of this charter, the following words shall, unless the context clearly requires  
383 otherwise, have the following meanings:-

384 "Charter", this charter and any amendments to it made through any of the methods provided  
385 under Article LXXXIX of the amendments to the Constitution of the Commonwealth.

386 "Gender Neutrality", any reference to gender in this charter shall be construed as meaning any  
387 person, people, individual or individuals.

388 "Goal", the desired outcome of a policy, program or other action.

389 "Governmental Body", any federal, state, local, municipal or other government; any  
390 governmental, regulatory or administrative agency, commission or other authority lawfully  
391 exercising or entitled to exercise any administrative, executive, judicial, legislative, police,  
392 regulatory or taxing authority or power; and any court or governmental tribunal.

393 "Library", the Jonathan Bourne Public Library and any branch thereof that may be established.

394 "Local Comprehensive Plan", an important planning tool used to guide the growth and direction  
395 of the town while balancing a wide variety of needs, including economic growth, protection of  
396 environmental resources, quality of life and community character.

397 "Local newspaper", a newspaper of general circulation within the town.

398 "Majority vote", as to a town meeting, a majority of those present and voting; as to a multiple  
399 member body, the affirmative vote of a majority of all members present and voting shall be  
400 necessary to adopt any motion, order, appointment or approval or disapproval or to take any  
401 action not entirely procedural in nature, unless otherwise provided by law.

402 ~~"Multiple member body", a board, commission or committee consisting of 2 or more persons,~~  
403 ~~whether elected or appointed.~~

404 "Policy", a statement of a preferred practice.

405 "Strategic Plan", the long-term vision, goals and objectives for the town of Bourne codified in a  
406 document accepted by the select board.

407 "Town", the town of Bourne.

**Commented [BB4]:** Struck in the Town's redline but not in the report accompanying the Town's redline. Should be Struck.

408 "Town agency", a board, commission, committee, department or office of town government,  
409 whether elected, appointed or otherwise constituted.

410 "Town meeting", the town meeting of the town of Bourne established in article 2.

411 "Town official", an elected or appointed official of the town who, in the performance of that  
412 person's official duties, exercises some portion of the sovereign power of the town, whether great  
413 or small; provided, however, that a person may be a town official whether or not that person  
414 receives compensation for his services.

415 "Voter handbook", the voter handbook established in subsection (c) of section 2-5 and referenced  
416 in section 7-4.

417 "Voters", the registered voters of the town.

418         SECTION 63. The section subtitle of section 8-10 of said article 8 of said charter is  
419 hereby amended by striking out the figure "8-10" and inserting in place thereof the following  
420 figure:- 8-9.

421         SECTION 64. Article 9 of said charter is hereby amended by striking out the words  
422 "board of selectmen", each time they appear, and inserting in place thereof, in each instance, the  
423 following words:- select board.

424         SECTION 65. Section 9-4 of said article 9 of said charter is hereby amended by striking  
425 out the first sentence and inserting in place thereof the following sentence:- Any official whose  
426 recall is sought may be a candidate for re-election to the same office and, unless the individual  
427 requests otherwise in writing, the town clerk shall place that official's name on the ballot without  
428 nomination.



429

430           SECTION 66. Section 9-6 of said article 9 of said charter is hereby amended by striking  
431 out the word “officer”, each time it appears, and inserting in place thereof, in each instance, the  
432 following word:- official.

433

434           SECTION 67. Section 10-2 of article 10 of said charter is hereby amended by striking out  
435 the word “officers” and inserting in place thereof the following word:- officials.

436           SECTION 68. Section 10-3 of said article 10 of said charter is hereby amended by  
437 striking out the word “his”, each time it appears, and inserting in place thereof, in each instance,  
438 the following word:- their.

439           SECTION 69. Said article 10 of said charter is hereby further amended by striking out  
440 section 10-5.

441           SECTION 70. Said charter is hereby further amended by striking out article 11 and  
442 inserting in place thereof the following article:-

443           Article 11

444           Charter Compliance Committee.

445   There shall be a charter compliance committee to consist of 7 members who shall be appointed  
446 by the town moderator for 3-year overlapping terms, so arranged that the term of not more than 3  
447 members shall expire each year. No appointee shall be a town employee or a member of an  
448 existing governmental body governed by the charter.

449 The committee shall take action only after receiving a written complaint, filed by 1 or more  
450 voters of the town, alleging a violation of this charter by reason of an act or a failure to act by the  
451 town administrator, the select board, the school committee, the finance committee or a member  
452 of such governmental body.

453 The complaint shall state the specific section of this charter that is the subject of the violation,  
454 the individual, governmental body responsible for the violation and the act or failure to act  
455 resulting in the violation. The complaint shall be filed with the town clerk who shall immediately  
456 send, via certified mail, return receipt requested, a copy to each member of the committee.

457 Within 3 weeks after receipt of the complaint by the town clerk, the committee shall vote  
458 whether to dismiss the complaint without further action. If the committee so votes, the chair shall  
459 give written notification to the town clerk. If the committee votes to not dismiss the complaint,  
460 the chair shall set a time and date for a hearing and mail notice of the hearing to the town clerk,  
461 the complainants and the individual, governmental body named in the complaint. The town clerk  
462 shall post and publish the notice in a newspaper of general circulation for at least 7 days before  
463 the hearing date. The hearing shall occur within 60 days after the date on which the complaint  
464 was received by the town clerk. At the hearing, the committee shall allow any person to address  
465 the committee on the merits of the complaint.

466 Within 3 weeks after the hearing, the committee shall vote on whether there has been a violation  
467 of this charter as alleged in the complaint and shall mail a notice of its decision to the  
468 complainant, to the individual, governmental body named in the complaint and to the town clerk.  
469 The town clerk shall post a copy of the decision at the town hall and on the town's website.

470 If the committee determines that there has been a violation of this charter as alleged by the  
471 complaint, and if, following its vote, there continues to be a violation, the committee may contact  
472 town counsel who may file a complaint on behalf of the town with the superior court. Nothing in  
473 this article shall limit the right to seek enforcement of this charter as otherwise provided by law.

474 SECTION 71:- Chapter 117 of the acts of 2012 is hereby amended by striking out the  
475 words "board of selectmen", each time they appear, and inserting in place thereof, in each  
476 instance, the following words:- select board.

477 SECTION 72. This act shall take effect upon its passage.

**TOWN OF BOURNE  
SELECT BOARD**  
24 Perry Avenue  
Buzzards Bay, Massachusetts 02532  
(508) 759-0600

**TOWN OF BOURNE CODE OF CONDUCT**  
**Adopted:**\_\_\_\_\_

**I. PURPOSE**

The purpose of this policy is to achieve and maintain a high level of public trust and confidence in Town of Bourne Municipal Government. It establishes standards of conduct for elected and appointed members of Town of Bourne governmental bodies. They will hereinafter be referred to in this policy as "town officials."

**II. APPLICABILITY**

This Code of Conduct and all its sections apply to each elected or appointed town official and shall be provided to each town official when being sworn in as a board or committee member. The Select Board will affirm the policy annually after the annual town election.

**III. CODE OF CONDUCT**

**A. Conduct Generally and in Relation to the Community**

Each elected or appointed town official should:

1. Recognize that the official's function and scope of authority is defined in the Town Charter, Town Bylaws, and other Town regulations and policies.
2. Stay informed concerning official duties under Federal and State law.
3. Acknowledge that a town official represents the Town of Bourne with respect to official actions.
4. Acknowledge that official duties are in the unselfish service to the public.
5. Recognize the primary function of municipal government is to serve the common good of town residents.
6. Demonstrate respect for other Town officials and the public being served.
7. Safeguard confidential information.
8. Conduct official business in a manner that promotes open and transparent government, and complies with the Massachusetts open meeting law, unless specifically exempted, e.g., executive session, and complies with Massachusetts law regarding public record disclosure and retention.

9. Not seek favor, personal aggrandizement, or profit from this public service.
10. Conduct oneself to maintain public confidence in town government.
11. Conduct official business in a manner that demonstrates he or she cannot be improperly influenced in the performance of official duties.
12. Comply with Town of Bourne's policies and procedures, including, but not limited to:
  - a. Town of Bourne Sexual Harassment and Protected Classes Harassment Policy
  - b. Conduct of Employees Policy
  - c. Town of Bourne Social Media Policy
13. Comply with all applicable laws, including, but not limited to:
  - a. Open Meeting Law
  - b. Procurement Law
  - c. Conflict of Interest Law (G.L. c.268A)/Ethics
  - d. Public Records Law and Municipal Retention Schedules

#### **B. Conduct in Relation to Other Town Officials**

Each elected or appointed town official should :

1. Recognize the responsibility to attend all meetings to assure a quorum.
2. Promptly notify the chair if unable or unwilling to continue to serve.
3. Recognize that multi-member deliberative bodies may only officially act at duly noticed meetings with a quorum in attendance, and that one official alone cannot bind a Board or Committee outside of these meetings.
4. Not make statements or promises as to how an official will vote on pending quasi-judicial matters until the issue is discussed, and an opportunity has been provided to evaluate the merits, at a public meeting or hearing.
5. Not disclose privileged or otherwise confidential information discussed in executive session or otherwise learned by virtue of holding an elected or appointed position.

6. Make decisions only after all available information on an issue has been presented and discussed.

### **C. -Conduct in Relation to the Town Administrator**

Each elected or appointed town official shall:

1. Recognize that the official's function and scope of authority is defined in the Town Charter, Town Bylaws, and other Town regulations and policies.
2. Recognize that in creating and enforcing Town policy, the Select Board may direct the Town Administrator in setting priorities that affect policy, but that day-to-day operations are delegated to appropriate department heads.
3. Respect the administrative chain of command and not act on complaints as an individual outside the municipal administration.
4. Give the Town Administrator full responsibility for discharging the Town Administrator's duties under the Town Charter.
5. Refrain, as an individual town official, from directing or ordering the Town Administrator to take action.
6. Refrain from directly giving instructions to or requesting assistance from department heads, but rather channel these through the Town Administrator.

### **D. Conduct in Relation to Town Staff**

Each elected or appointed town official shall :

1. Treat all staff as professionals, and respect the abilities, experience, and dignity of everyone.
2. Direct questions to staff and/or requests for information through the Town Administrator.
3. Desist from publicly criticizing any individual employee or department, including but not limited to, through social media. Concerns about staff performance should only be directed to the Town Administrator .
4. Make requests for staff support only through the Town Administrator .

## **IV. Enforcement**

This Code of Conduct is intended to be self-enforcing, with members of governmental bodies being familiar with its provisions. Town officials themselves have primary responsibility to assure that standards are met and to bring any concerns about a town official's conduct to the attention of governmental body on which the town official serves.

Approved:

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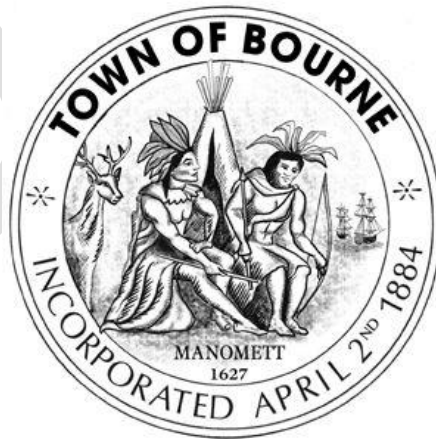
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Articles and Motions  
For the Bourne  
Special Town Meeting  
Monday, October 24, 2022  
7:00 P.M.  
Bourne High School Auditorium





## **SPECIAL TOWN MEETING**

**ARTICLE 1:** 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***

**MOTION:** *We move that the Town vote to hear reports and recommendations of Committees and Town Officers.*

**ARTICLE 2:** 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***

**MOTION:** *We move that the Town vote to amend the action taken under Article 2 (Fiscal 2023 Budget) of the 2022 Annual Town Meeting by increasing expenses by \$458,784 as noted in the chart entitled “These Amounts are to be Voted” as shown below.*

**Funding Sources:**

Raise and Appropriate from the FY22 Tax Levy and other General Revenues from the Town	\$ 258,784
Ambulance Fund	<u>200,000</u>
<b>Total</b>	<b><u>\$ 458,784</u></b>

**These Amounts are to be Voted:**

General Government	\$ 65,300
Public Safety	352,994
Public Works	10,490
Shared Costs	<u>30,000</u>
<b>Total</b>	<b><u>\$ 458,784</u></b>

**ARTICLE 3:** 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***

**MOTION:** *We move that the Town vote to amend the action taken under Article 3 (Sewer Budget) of the 2022 Annual Town Meeting by increasing expenses by \$32,500 from \$1,095,110 to \$1,127,610 and increase the amount raised from Sewer Enterprise Receipts from \$1,414,138 to \$1,446,638.*

**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 funding the Town’s Other Post-Employment Benefits (OPEB) Liability, or take any other action in relation thereto.

***Sponsor – Board of Selectmen***

**MOTION:** *We move that the Town vote to appropriate the sum of \$872,538 for the purposes of funding the Town's Other Post-Employment Benefits (OPEB) Liability and to meet this appropriation, to transfer the sum of \$582,538 from free cash, \$30,000 from ISWM retained earnings and \$260,000 from Sewer retained earnings to the OPEB Trust Fund.*

**ARTICLE 5:** 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***

**MOTION:** *We move that the Town vote to appropriate the sum of \$150,000 for the purposes of this article and to meet this appropriation to transfer the sum of \$150,000 from free cash.*

**ARTICLE 6:** 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***

**MOTION:** *We move that the Town vote to appropriate the sum of \$ to pay costs of the capital outlay projects listed in the schedule printed with the motion and to meet this appropriation, we move to:*

**ARTICLE 7:** 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 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***

**MOTION:** *We move that the Town vote to appropriate the sum of \$ for the purposes of this article and to meet this appropriation to transfer the sum of \$ from ISWM Retained Earnings.*

**ARTICLE 8:** 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 5 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***

**MOTION:** *We move that the Town vote to appropriate the sum of \$ for the purposes of this article and to meet this appropriation to transfer the sum of \$ from ISWM Retained Earnings.*

**ARTICLE 9:** 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***

**MOTION:** *We move that the Town vote to appropriate the sum of \$306,034.87 for the purposes of this article and to meet this appropriation to transfer the sum of \$306,034.87 from free cash.*

**ARTICLE 10:** To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds or reserves from the FY2023 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto:

***Sponsor - Community Preservation Committee***

**MOTION:** *We move that the Town vote, upon the recommendation of the Community Preservation Committee, to appropriate the sum of \$33,500 for the Community Preservation Fund projects as shown below and to meet this appropriation to transfer the sum of \$13,500 from Community Housing Reserves, transfer \$20,000 from Historic Preservation reserves.*

<b><i>Item</i></b>	<b><i>Sponsor</i></b>	<b><i>Project Description</i></b>	<b><i>CPA Purpose</i></b>	<b><i>Amount</i></b>
<b><i>A</i></b>	<b><i>Bourne Housing Partnership</i></b>	<b><i>Housing Planned Production Program</i></b>	<b><i>Community Housing</i></b>	<b><i>\$13,500 From Community Housing Reserves</i></b>
		<b><i>Total Community Housing Reserves Requested</i></b>		<b><i>\$13,500</i></b>
<b><i>C</i></b>	<b><i>Bourne Historical Society</i></b>	<b><i>Restoration of Joseph Jefferson Windmill Museum at Aptucxet</i></b>	<b><i>Historic Preservation</i></b>	<b><i>\$20,000 From Historic Reserves</i></b>
		<b><i>Total Historic Reserves Requested</i></b>		<b><i>\$20,000</i></b>
			<b><i>Total Requests</i></b>	<b><i>\$33,500</i></b>

**ARTICLE 11:** To see if the Town will vote to appropriate a sum of money to pay costs of energy efficiency improvements to be made pursuant to an energy services contract (ESCO) between the Town and TRANE; to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing, including the use of a lease-purchase financing agreement, or otherwise, or to take any other action relative thereto.

***Sponsor – Board of Selectmen***

**MOTION:** *We move that the Town votes to appropriate \$XX to pay costs of energy efficiency improvements to facilities throughout the Town to be made pursuant to an energy services contract (ESCO) between the Town and TRANE, and that to meet this appropriation, the Selectmen are authorized to raise said amount by entering into a lease-purchase financing agreement with Bank of America, or any subsidiary thereof, under and pursuant to G.L. c. 44*

§21C, or pursuant to any other enabling authority.

**ARTICLE 12:** To see if the Town will vote to amend Section 3.1.43 of the General Bylaw by striking Section 3.1.43 in its entirety and in place thereof inserting the following text:

Property Maintenance

- a. Purpose and Intent: The Town of Bourne and its residents have a strong interest in the continued maintenance of property within the Town's borders to (i) ensure the health, safety, and welfare of residents, (ii) correct and prevent unsanitary conditions, (iii) control rodents, vermin, and other pests, (iv) prevent adverse impacts to abutting and surrounding properties, (v) maintain property values, (vi) maintain neighborhood and community character, (vii) protect the quality of the natural environment; and (viii) protect the enjoyment and normal use of public and private property and the normal conduct of business on the same. This bylaw sets forth standards to correct conditions that adversely impact these interests and to ensure the continued maintenance of such property—including all structures and other objects located on such property—in furtherance of these interests.
- b. Applicability: This section's provisions apply to all parcels of land located within the Town's borders, including any structures or other physical objects of any kind or nature that are located on such land.
- c. Definitions: As used in this section, the following words shall have the following meanings:
  1. "Abandoned or vacant building" means any building that is not legally occupied, is vacant, is abandoned, or is otherwise not in use for a period of at least 45 consecutive days.
  2. "Accumulation means a buildup, growth, or collection, scattered, amassed, or piled, existing at the time of inspection.
  3. "Building" means a combination of any materials fixed to the ground and having a roof, enclosed within exterior walls, built to form a structure for the shelter of persons, animals or property.
  4. "Container" means a dumpster, garbage can, garbage bin, or other receptacle designed, intended, or used to hold refuse.
  5. "Derelict motor vehicle" means an inoperative motor vehicle or may not legally be operated on a public way in the Commonwealth because it is unregistered or for any other reason.

6. “Inoperative motor vehicle” means a motor vehicle having missing bodywork, components, or parts, deteriorated, or removed adjuncts, or such other conditions that: (a) prevents its mechanical function; (b) prevents its safe storage on a property; (c) would cause or contribute to an unsanitary condition; or (d) would have an adverse effect on neighborhood or community character or on abutting or surrounding property values.
7. “Inspector of Buildings” means the Inspector of Buildings for the Town of Bourne, or that person’s designee.
8. “Legally occupied” means a building occupied in accordance with the provisions of the Massachusetts State Building Code, the Town of Bourne General Bylaws and Zoning Bylaws, and the Massachusetts State Sanitary Code.
9. “Owner” means a person or entity who, alone or joint and severally with any other person or entity, owns or has legal possession, custody, or control of property.
10. “Property” means a parcel of land located within the Town’s borders, including any building, structure, or other physical object of any kind or nature located on that land. This term shall mean the same as “parcel” or “land” unless context dictates otherwise.
11. “Motor vehicle” means any form of equipment used for the transport of one or more individuals that utilizes a combustion engine or electric motor.
12. “Nuisance” means any condition that annoys, irritates, disturbs, or interferes with a person’s use or enjoyment of private or public property, whether located on the property containing the nuisance or on abutting or surrounding properties, or otherwise causes a condition that is detrimental to the interests set forth in the Purpose and Intent subsection of this bylaw.
13. “Refuse” means: (a) debris, junk, or effluent; (b) unused or unusable material that by reason of its state, condition, or excessive accumulation, would cause an unsafe or unsanitary condition on a property or would otherwise have an adverse impact on neighborhood or community character or on abutting or surrounding property values; (c) garbage, special collection materials, recyclable materials, yard waste, or other similar forms of organic or inorganic material. For the avoidance of doubt, this term may mean and include but not be limited to the following items, if such an item satisfies one of the three requirements for refuse set forth above: food wastes, market wastes, litter, combustibles such as paper, cardboard, yard trimmings, leaves and brush, plastics, and leather, non-combustibles such as metal, cans, glass and glass containers, crockery, dirt, ashes from fireplaces, street sweepings, bulky wastes such as furniture, appliances, tires, stumps, recycling, construction, trade and demolition waste, unlicensed, unused or

stripped automobiles, trucks, trailers, boats, vessels, machinery, or mechanical or metal parts. This term shall be construed broadly in furtherance of the purpose and intent of this section.

14. "Structure" means a combination of materials, whether wholly or partially level with, above or below the surface of the ground, whether permanent or temporary, assembled at a fixed location to give support, shelter, or enclosure such as a building, framework, retaining wall, platform, bin, fence, parking area, sign, flagpole, or mast for antenna or the like.
15. "Turf grass" means blue grass, fescues, perennial ryes and tall fescues, ryegrasses, bent grasses, and all other grasses used to create a manicured or maintained lawn.

d. General Requirements: The following requirements shall apply to all property:

1. All property shall be used and kept free of refuse. Refuse shall be removed from any property no later than 48 hours after its placement on such property, unless such refuse is (a) stored in a container; or (b) stored, in a structure or in another manner, approved by the Inspector of Buildings. Properties are limited to no more than 4 containers unless more containers are approved by the Inspector of Buildings.
2. All property shall be used and kept free from any nuisance. Should a nuisance arise on a property, that nuisance shall be promptly repaired or corrected.
3. No more than one derelict motor vehicle shall be stored on any property in a location visible to the public. No more than two derelict motor vehicles may be stored on any property in any location.
4. No person shall throw, place, dump, deposit or permit to be thrown, placed dumped or deposited any refuse on any property without the consent of the owner and at no time shall refuse be deposited in ponds, rivers, and watercourses.
5. Turf grass shall not exceed 8 inches in height.
6. Property shall be maintained in accordance with all applicable requirements of federal, state, and local laws, including but not limited to the provisions of the Town of Bourne General Bylaws and Zoning Bylaws and the Massachusetts State Building, Fire, and Sanitation Codes.
7. All exterior components of every building and structure including but not limited to walls, roofs, chimneys, cornices, gutters, downspouts, drains, porches, canopies, awnings, steps, landings, fire escapes, exterior stairs, windows, shutters, and doors, shall be kept in sound condition and good repair, substantially free of deterioration, including but not limited to loose or missing shingles or siding, crumbling brick, stone and mortar, and peeling, scaling or deteriorated paint.

8. Overhanging structures, including canopies, awnings, exterior stairways, fire escapes, and other overhanging extensions shall be maintained in sound condition, good repair and be securely anchored.
9. All steps, fences, retaining walls, and landscape features shall be firmly anchored and maintained in good structural repair.
10. All property shall be maintained substantially free from overgrowth of vegetation that constitutes a suitable habitat for vermin, rodents, or other pests, or otherwise poses a hazard to the health, safety, or welfare of any person in the vicinity of the property, or is so overgrown as to have a clear adverse effect on abutting or surrounding properties.
11. Water shall not be permitted to continuously stagnate outside of any building or structure for more than 10 days except under natural conditions. Property shall be maintained to prevent such stagnation and to prevent: (a) recurrent or excessive accumulation of water; (b) the flow of water into any building or structure on the property or on any abutting or surrounding properties; or (c) instability or erosion of soil.
12. Property shall be kept free of rodents, birds, insects, vermin, or other pests that cause or may cause a nuisance to the use of abutting or surrounding properties or would otherwise be detrimental to the public health, safety, or welfare.
13. All areas used by motor vehicles, such as driveways or parking pads, shall have a surface suitable for that purpose, kept in good repair.
14. All areas on the property used for pedestrian traffic shall be maintained at all times so as to provide safe passage under normal use and weather conditions.
15. All lighting used to illuminate a parking area, driveway, walkway, or the exterior of a building shall be maintained in a safe, structurally-sound condition and in working order. All fixtures shall be installed to deflect the light away from adjacent properties.
16. Property shall be maintained free from objects or conditions, such as holes, or excavations, that cause or may cause a substantial danger to public safety.
17. Property damaged by fire, explosion, weather, or other cause shall be made safe promptly following such an event, and shall otherwise be repaired and returned to their former condition or in compliance with this section or be razed within six (6) months unless granted an extension by the Inspector of Buildings.

- e. Abandoned or Vacant Buildings: The following requirements shall apply to all abandoned or vacant buildings in addition to those requirements imposed by the General Requirements subsection of this bylaw:
1. Not more than 7 days after a building is abandoned, foreclosed, or becomes vacant, the owner shall register the building with the Inspector of Buildings on a form or forms prescribed by the Inspector.
  2. Each registration shall certify that the property has been inspected by the owner and shall identify whether the property is abandoned, and if abandoned, the condition of the property and the status of maintenance thereof. Each registration shall designate a local individual or local property management company responsible for the maintenance and security of the property. This designation shall state the individual or company's name, direct telephone number, and local mailing address; the mailing addresses shall not be a post office box.
  3. Once the building is no longer abandoned, foreclosed, or vacant, or is sold, the owner shall provide proof of sale or written notice and proof of lawful occupancy to the Inspector of Buildings.
  4. Any owner that has registered a property under this section shall report any material change in information contained in the registration within 10 days of the change.
  5. All property registrations pursuant to this section are valid for one calendar year from the date when the registration is received by the Inspector. An annual registration fee of \$25 must accompany the registration form. Subsequent registrations and fees are due within 30 days after the date of the expiration of the previous registration. Subsequent registrations must certify whether the property remains abandoned and/or remains in foreclosure, and shall restate the current condition of such property as required above.
  6. The owner shall be responsible for continued maintenance of the property in conformance with the requirements of this section. The owner shall be so responsible even if the owner identifies a different person or entity for such responsibility pursuant to subsection d.2. of this section.
- f. Investigation: The Inspector of Buildings may undertake an investigation of any potential violation of this section pursuant to a complaint by any person or upon the Inspector's own initiative.
- g. Penalties and Enforcement: The Inspector of Buildings shall be responsible for the enforcement of this section, subject to the following requirements:



1. Any owner determined by the Inspector of Buildings after an investigation to have violated any provision of this section shall be notified in writing of the violation or violations.
2. If a violation is an owner's first violation of this section, then the Inspector of Buildings shall issue a warning to the owner with an order to correct the violations no later than 7 days from delivery of the order. The Inspector of Buildings may extend the time to correct violations within his sole discretion.
3. If a violation is not an owner's first violation of this section, then the Inspector of Buildings may issue additional warnings or may impose a fine for each day the violation continues and is not corrected pursuant to the following schedule:

First 30 days: \$50.00 per day

31 to and including 60 days: \$100.00 per day

61 days and after: \$200.00 per day

Fines for noncompliance may be assessed as a noncriminal disposition under G.L. c.40, §21D.

4. If a violation is not an owner's first violation of this section, then the Inspector of Buildings may, in addition to issuing additional warnings or imposing fines, bring a civil action in a court of competent jurisdiction seeking equitable relief for the enforcement of this section.
  5. Any enforcement action taken under this section shall not bar or waive any separate action initiated by the Town, pursuant to any applicable federal, state, or local law, based on or related to any actual or alleged violation of the provisions of this section.
- h. Preexisting Conditions: Conditions existing at the date of this section's enactment that would constitute violations of one or more of this section's provisions shall be brought into compliance with this section within 90 days of the date of approval of this bylaw or within such other time as the Inspector of Buildings may approve.
- i. Relationship to Other Laws and Obligations: The provisions of this section prescribe minimum standards for maintenance of property to achieve this section's purpose and intent. This section is not intended and shall not be interpreted to preempt any other more stringent standards found in any other applicable Town bylaws, regulations, or policies, or any other Federal or State law or regulation. Compliance with this section shall not relieve an owner of any applicable obligations set forth in any other laws, codes, regulations, covenant conditions or restrictions, or homeowner or condominium association rules and regulations.

- j. Severability: Provisions of this section are severable and if any provision shall be held invalid under any circumstances, such invalidity shall not affect any other provisions of circumstances.

or take any other action in relation thereto.

***Sponsor – Board of Selectmen***

***MOTION: We move that the Town vote***

***ARTICLE 13:*** 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 1<sup>st</sup> and ~~June 30<sup>th</sup>~~ **March 31** for 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.~~ Any owner or keeper who fails to obtain a license by ~~June 30~~ **March 31<sup>st</sup>** of each year shall be subject to an additional charge of \$5.00 for any dog licensed after ~~June 30~~ **March 31<sup>st</sup>**.

or take any other action in relation thereto.

***Sponsor – Town Clerk and Department of Natural Resources***

***MOTION: We move that the Town vote to approve Article 15 as set forth in the Warrant.***

***ARTICLE 14:*** To see if the Town will vote to amend Section 3210 and Section 2888 of the Bourne Zoning Bylaws as follows:

Amend Section 3210 General Sign Regulations by inserting subsection (i) and Section 2888 Downtown District - Signs Not Permitted by inserting subsection (e) by adding the following language:

**Flag signs or fabric 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 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.**

or to take any other action in relation thereto.

***Sponsor – Planning Board***

***MOTION: We move that the Town vote to approve Article 16 as set forth in the Warrant.***

**ARTICLE 15:** To see if the Town will vote to amend Section 2854, subsection b) of the Bourne Zoning Bylaws, relative to the Downtown Parking Regulations, as follows:

**SECTION 2854. Parking Reduction Methods**

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.

or take any other action relative thereto.

***Sponsor – Planning Board***

**MOTION:** *We move that the Town vote to approve Article 17 as set forth in the Warrant.*

**ARTICLE 16:** 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***

**MOTION:** *We move that the Town vote*

RECEIVED

2022 AUG 17 PM 1:02

TOWN CLERK BOURNE

Application for Community Preservation Funding  
Submit to: Community Preservation Committee  
Town of Bourne  
24 Perry Ave.  
Bourne, MA 02532

Name of the Applicant: Bourne Housing Partnership

Name of Co-Applicant if Applicable: Bourne Affordable Housing Trust

Contact Name: Susan Ross, Chairperson

Mailing Address: Bourne Housing Partnership, Town Hall, 24 Perry Ave., Bourne, MA 02532.

Daytime Phone: 508-274 2920 E-mail: sross31310@aol.com

Name of Proposal: Bourne Housing Production Plan Update

Address of Proposal: Bourne Affordable Housing Trust, Town Hall, 24 Perry Ave., Bourne, MA 02532

Assesses Map and parcel number: N/A

CPA Category (circle all that apply): Open Space - Historic Preservation - Recreation - {Community Housing}

CPA Funding Requested: \$13500 Total Cost of Proposed Project: \$13,500

Project Description

The Massachusetts Department of Housing and Community Development (DHCD) introduced the Planned Production Program in December 2002, in accordance with regulations that were meant to provide municipalities with greater local control over housing development. Under the Program, cities and towns were required to prepare and adopt a Housing Plan that demonstrated the production of an increase of .75% over one year or 1.5% over two-years of its year-round housing stock eligible for inclusion in the Subsidized Housing Inventory. If DHCD certified that the locality had complied with its annual goals or that it had met two-year goals, the Town could, through its Zoning Board of Appeals, potentially deny what it considered inappropriate comprehensive permit applications for one or two-years, respectively, without the developer's ability to appeal the decision. Since the Town received approval for its original 2006 Plan, there have

7. *Budget:* The following budget is for the cost of the services of a housing planning consultant .

CPA funds Requested: \$13,500. Total project cost \$13,500

Housing Production Plan- \$12,750

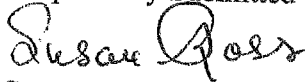
Contingencies-\$750.00

I have attached part of the proposal submitted from the Consultant that we have used for our previous two plans. We are working to find other consultants from whom we can request bids.

8. *Other funding:* None available

9. *Maintenance:* N/A

Respectfully Submitted

A handwritten signature in cursive script that reads "Susan Ross".

Susan Ross, Chairperson

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. *(Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)*

- no 1) Does the project have other sources of funding? If so, indicate percentage.
- yes 2) Does the project require urgent attention?
- yes 3) Does the project serve a currently underserved population?
- yes 4) Does the project preserve a threatened resource?
- yes 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- yes 6) Does the project fit within the current or already proposed zoning regulations?
- n/a 7) Does the project have a means of support for maintenance and upkeep?
- N/A 8) Does the project involve currently owned municipal assets?
- no 9) Does the project have two other sources of funding?
- no 10) Does the project have more than two other sources of funding?
- yes 11) Does the project involve two core concerns of the CPA?
- yes 12) Does the project involve all three-core concerns of the CPA?
- yes 13) Does the project have community support?
- yes 14) Does the project have sufficient supporting documentation?
- yes 15) Does the project have support from another Board or Committee?
- yes 16) Does the project provide a positive impact to the community?
- N/A 17) Does the project have the support of the majority of immediate abutter?

## Affordable Housing Selection Criteria

Check each line as it applies:

- N/A 1) Will this involve the renovation of an existing building? If so,  
Is the building structurally sound?  
Is it free of lead paint? (this would be necessary if children are to live there)  
Is it free of asbestos, pollutants, and other hazards? Is there Town sewerage?  
Is the septic system in compliance with Title 5?  
Does the building comply with building and sanitary codes?  
Is it handicap accessible?  
Is this a conversion of market rate to affordable housing?  
Is this a tax title property?
- N/A 2) Does this project involve the building of a new structure? If so,  
Will the structure be built on tax title property?  
Will it be built on Town owned land?  
Will it be built on donated land?  
Are there other grants available to help fund this project? Explain.  
Are there other programs such as Habitat for Humanity involved?  
Will the project be built on a previously developed site?
- N/A 3) Does the project provide housing that is similar in design and scale with the surrounding community?
- yes 4) Does this serve the 60% income level population?
- yes 5) Does this serve the 80% income level population?
- no 6) Will this be geared to one age group?
- N/A 7) Is this infill development?
- N/A 8) Will there be more than two bedrooms?
- N/A 9) Will it be located near conveniences (grocery, mass transit, etc.)?
- yes 10) Does this project fit with the Master Plan?
- N/A 11) Will there be multiple units?
- N/A 12) Is long term affordability assured?
- N/A 13) Will priority be given to local residents, Town employees, or employees of local businesses?

Karen Sunnarborg Consulting  
2 Red Mountain Road  
Lakeville, CT 06039  
860-596-4441  
And  
195 Binney Street, Apt. 3101  
Cambridge, MA 02142  
617-510-1698

July 29, 2022

Ms. Susan Ross, Chair  
Bourne Affordable Housing Trust  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Dear Ms. Ross:

I would like to formally express my interest in updating the Housing Needs Assessment and Action Plan for the Town of Bourne that will meet all state requirements of 760 CMR 56.03(4) under the state's Housing Production Program. I have attached a Scope of Services with timetable and fee schedule for your consideration as well as a statement of qualifications and references. Because I have been familiar with housing issues in Bourne, I believe that I can help you update the Plan for local and state approval expeditiously and cost-effectively. Specifically, I have been involved in the following consulting work for the Town of Bourne:

- Prepared the 2005 and 2014 Housing Plans, working with the Bourne Housing Partnership and Affordable Housing Trust, respectively;
- Coordinated the development and marketing of new homes for first-time homebuyers with the Bourne Housing Partnership and Bourne Housing Authority; and
- Supported the implementation of the Bourne Housing Opportunity Purchase Program (B-HOPP) related to establishing a "Ready to Buy List", reviewing applications to determine eligibility, conducting the lottery and information sessions, and providing other training and technical assistance to ensure that the Program met all relevant laws and requirements, Local Initiative Program (LIP) guidelines in particular.

Briefly, I was professionally trained as a planner at Harvard's Graduate School of Design and have been involved in planning for the preservation and development of affordable housing for more than 35 years. During the last 20 years, my consulting work has focused on coordinating planning and development efforts to help Massachusetts towns and cities boost affordable housing production. This work has included the preparation of more than 70 Housing Plans for communities in Massachusetts including most communities on the Cape and neighboring towns of Sandwich and Falmouth for example.

I continue to be interested in working with the Town of Bourne on its future housing agenda. I have enjoyed the privilege of working with the Bourne Housing Partnership, Bourne Housing Authority, and Bourne Affordable Housing Trust in the past and see this project as another opportunity to work together on the continued mission of promoting affordable housing in the community.

Please contact me if you have any questions concerning this submission. I can be reached at 860-596-4441 or [ksunnarborg@msn.com](mailto:ksunnarborg@msn.com).

Sincerely,



**Task 1: Initial Meetings and Start-up**

Attend an initial meeting to discuss contract terms and the Scope of Services. It will also be important to obtain recent documents that might be helpful in revising the existing Housing Production Plan. This meeting will also enable me to get some early input on progress that has been made since the last Plan was completed and current thoughts regarding the status, if any, of the housing strategies included in the last Plan. A discussion of the community outreach process for the Plan will also be an important agenda item. Given the pandemic, this meeting as well as some others will be held virtually.

*Timeframe for Completion:* Within two (2) weeks of contract execution.

*Fee:* \$250.00

**Task 2: Background Research and Information Gathering**

Collect and analyze additional information, including but not limited to the following:

- Updated demographic, economic and housing data from the U.S. Census including the American Community Survey Five-Year census estimates, 2016-2020.
- Updated population figures from Town Clerk records.
- Population projections from several sources.
- Information from the Town Assessor on the current value of residential property to analyze the range of housing values by housing type.
- Building permit information on the numbers of new dwellings by year since 2020.
- Data regarding wait lists and wait times for affordable units in town.
- Types of housing inquiries and issues from the Council on Aging.
- Latest report on the Subsidized Housing Inventory.
- Data on foreclosures.
- Multiple Listing Service data for properties that have sold within the last year.
- More recent median house and condo prices.
- Home and apartment listings in local and regional papers and Internet (such as Craigslist, Zillow.com, trulia.com, apartments.com, etc.).
- Data on cost burdens by tenure, income, and type of household from HUD.
- Updated school enrollment data and capacity issues.
- Current work force and wage information.

The task will also involve interviews with key local and regional stakeholders such as the Bourne Housing Authority, Council on Aging, and Housing Assistance Corporation.

*Timeframe for Completion:* Within two (2) months following the start date.

*Fee:* \$2,000.00

**Task 3: Draft Housing Production Plan**

Update and augment the existing draft Housing Production Plan (HPP) to ensure that it meets all requirements under the state's Housing Production Program and responds to current housing needs and priorities. The updated Housing Needs Assessment will be the first major section of the Plan to be completed and submitted for review and comment followed by the other components of the HPP.

*Timeframe for Completion:* Within five (5) months of the start date.

*Fee:* \$7,500.00

**Task 4: Meetings/Presentation of draft Housing Production Plan**

Facilitate meetings to present the Plan, obtain feedback, and secure approvals. In addition to the start-up meeting included under Task 1, the following additional meetings are proposed:

- Meeting with the Affordable Housing Trust to discuss the draft Housing Needs Assessment, the first major component of the update.
- Meeting with the Affordable Housing Trust to discuss the draft HPP, particularly the housing goals and strategies, as well as the public process. I will prepare a flyer and press release as part of this task.
- A public meeting to present the draft Plan and obtain feedback. This may be included as part of a Planning Board or Board of Selectmen meeting as long as there is some notification to the community about the agenda and opportunities for input. This meeting would include a PowerPoint presentation of the key takeaways from the draft Housing Plan. DHCD wants to see opportunities for civic engagement included in the planning process.
- Support in presenting the Plan to both the Planning Board and Board of Selectmen for

approvals, which are prerequisites to submitting the Plan to the state. Some communities have combined the presentations to the Planning Board and Select Board in a single joint meeting and others have included the public meeting as part of the Planning Board or Board of Selectmen hearing.

*Timeframe for Completion:* It has been my experience that the scheduling of meetings has often been challenging given other competing local issues; however, all meetings could reasonably be held within 1 month of the completion of Task 3.

*Fee:* \$2,500.00

**Task 5: Finalize Plan**

Finalize the Housing Production Plan based on comments. I will also provide instructions for submitting the Plan to DHCD.

*Timeframe for Completion:* Changes to the draft will be made within two (2) weeks following receipt of comments.

*Fee:* \$500.00

**Total Fee: \$12,750.00 (includes all expenses)**

**Any additional work beyond this Scope would be charged an hourly fee of \$125.00.**

## APPLICATION FOR COMMUNITY PRESERVATION FUNDING RECEIVED

Submit to: Community Preservation Committee

Town of Bourne

24 Perry Avenue

Buzzards Bay, MA 02532

2002 JUN 23 PM 3:18

TOWN CLERK BOURNE

Name of Applicant Bourne Historical Society, Inc

Name of Co-Applicant, if applicable NA

Contact Name Diane Flynn

Mailing Address PO Box 3095 City Bourne State MA Zip 02532

Daytime Phone 508-272-8749 Email Bournehistoricalsociety@comcast.net

Name of Proposal Joseph Jefferson Windmill Museum @ the Museum at Attuck

Address of Proposal 24 Attuck Road Bourne, MA 02532

Assessors Map 23.4 Parcel 2-3-4-5-6

CPA Category (circle all that apply): Open Space ☐ Historic Preservation ☐ Recreation ☐ Community Housing ☐

CPA Funding Requested \$ 17,280.00 Total Cost of Proposed Project \$ 17,280.00

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?
- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.
- **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?
- **Credentials:** How will the experience of the applicant contribute to the success of this project?
- **Success Factors:** How will the success of this project be measured? Be as specific as possible.
- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)
- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?
- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

## PROJECT DESCRIPTION

Goals- To restore damage to exterior of the Joseph Jefferson Windmill at the Museums at Aptucxet. Woodpeckers and other wildlife have pecked much damage to the exterior of this historic building now listed on the National Register of Historic Places. The Windmill was the Art Studio in Town of Bourne on Buttermilk Bay before being moved to the Museums at Aptucxet in 1976.

Community Need – Preserves local history in the Town of Bourne Photo attached On the west side of the entrance map of area attached. Moved to site in 1976. Building is eight-sided, 2 stories, of wood frame, curved structure, tapered walls.

Support of other Bourne historic groups

Estimate attached is a local historical restorer

Success Factor – The Joseph Jefferson is significant to the community for the history that is portrayed there. The structure is open to the public, many school groups, field trips each year in season. Many Bourne schools visit free of charge with all 3<sup>rd</sup> and 5<sup>th</sup> grades are told of the history of this Town of Bourne facts.

Budget \$17,280, REQUESTING \$15,280 funds raised by The Society through an appeal from members. Inside of building will also be safer with the installation of balusters placed on stairs up to second floor. These meeting liability requirements.

No ongoing needs

Oversite will be handed by Society Building and Grounds manager Dan Warnack

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. (Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)

- Y 1) Does the project have other sources of funding? If so, indicate percentage. *Donation made during appeal to membership \$3,000.00*
- Y 2) Does the project require urgent attention? *Photos point out restoration needs to happen before damage is beyond restoration*
- N 3) Does the project serve a currently underserved population?
- Y 4) Does the project preserve a threatened resource?
- Y 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- Y 6) Does the project fit within the current or already proposed zoning regulations?
- Y 7) Does the project have a means of support for maintenance and upkeep?
- N 8) Does the project involve currently owned municipal assets?
- N 9) Does the project have two other sources of funding?
- N 10) Does the project have more than two other sources of funding?
- Y 11) Does the project involve two core concerns of the CPA?
- Y 12) Does the project involve all three-core concerns of the CPA?
- Y 13) Does the project have community support?
- Y 14) Does the project have sufficient supporting documentation?
- Y 15) Does the project have support from another Board or Committee?
- Y 16) Does the project provide a positive impact to the community?
- Y 17) Does the project have the support of the majority of immediate abutter? *All*

## Historic Preservation Selection Criteria

Check each line as it applies:

- Y 1) Is the building on the National Register of Historic Places? 2021
- Y 2) Is the property eligible for listing on the National Register of Historic Places?
- Y 3) Is the property on the State Historic Register? 2021
- Y 4) Is the property eligible for listing on the State Historic Register?
- Y 5) Has the property been included in the local Survey of Historic Properties?
- N 6) Is the property in danger of being demolished?
- Y 7) Are there potential archeological artifacts at the site?
- Y 8) Has the property been noted in published histories of the town or county?
- Y 9) Is there a realistic chance of restoring the property?
- Y 10) Are there other potential uses for the property, which could benefit the town?
- N 11) Could the building be converted for affordable housing use while still retaining its historic quality?
- Y 12) Is the property part of a historic area or district in the town?
- Y 13) Is the owner also interested in preserving the historic integrity of the property?
- Y 14) Is there an opportunity for other matching funding to preserve the property? Explain?  
ON National Register
- Y 15) Are there any particularly important historic aspects about the property?
- Y 16) Did the property ever play a documented role in the history of the town?

## Recreation Criteria for Rating CPC Proposals

Check each line as it applies:

- Yes 1) Will the project be used by more than one age group?
- Yes 2) Can the project be used by more than one activity (multiuse)?
- No 3) Does the project require maintenance costs of less than \$1000 per year?
- Yes 4) Does the project require maintenance costs of less than \$500 per year?
- Yes 5) Would more than 12 participants normally use the project at once?
- Yes 6) Would more than 20 participants normally use the project at once?
- Yes 7) Is this project the first of its kind in the town?
- Yes 8) Is this project the first of its kind in the county?
- No 9) Can the project be used by the participants unsupervised by an adult?
- No 10) Are grants available to help pay for the construction? If so, has application been made for the grant?
- No 11) Can at least 10% of the cost be done by "In Kind Services"?
- No 12) Can at least 25% of the cost be done by "In Kind Services"?
- No 13) does the project include considerations for additional parking?
- Yes 14) Can the project be used more than 1 of the 4 seasons per year?
- Yes 15) Does the project match the surrounding areas looks?
- Yes 16) Does the project include all normal safety considerations?
- Yes 17) Does the project meet all building and safety codes?
- Yes 18) Is the project accessible by pedestrians? Cars?
- Yes 19) Does the project take advantage of connections to other resources?

*Collins C. O'Connor*  
*9 Harbor View Road - Pocasset, MA 02559*

August 19, 2022

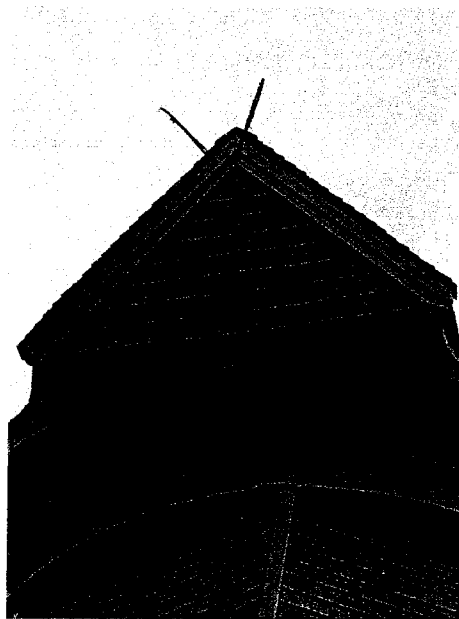
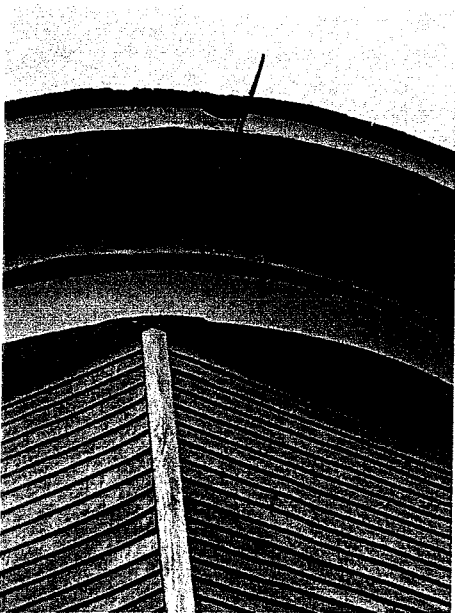
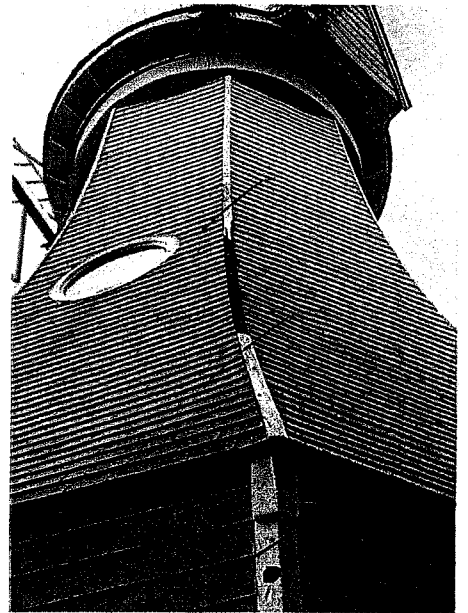
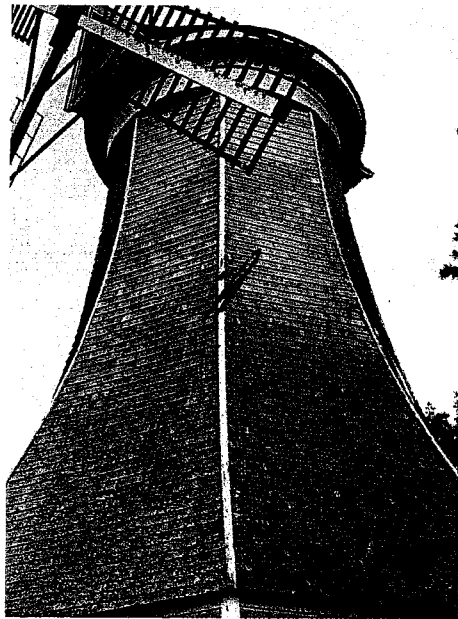
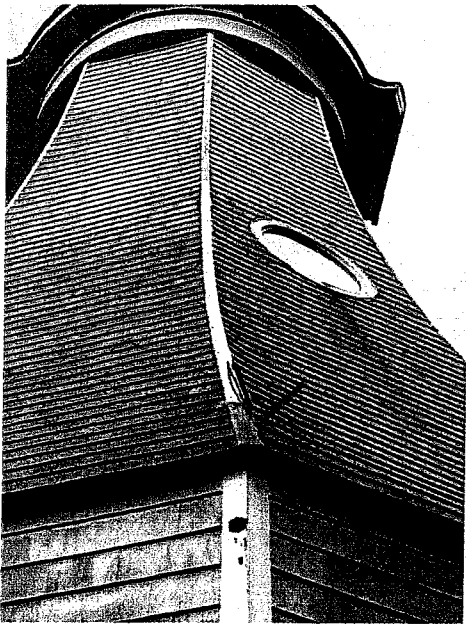
Bourne Historical Society  
PO Box 3095  
Bourne, MA 02532

Attention: Diane Flynn, President

RE: Jefferson Windmill at Aptuxet

Replace Vertical Trim	\$ 5,000.00
Replace Top Fascia/Soffit	2,000.00
Strip & Reside/Trim Upper Dormer	1,000.00
Add Balusters to 9' Section	600.00
Stagging/Lift	3,000.00
Misc. Hardware	800.00
Paint Trim	<u>2,000.00</u>
	\$14,000.00
P&O	<u>2,880.00</u>
Total	\$17,280.00





Aptucxet Trading Post Museum Historic District  
Bourne (Barnstable Co), MA

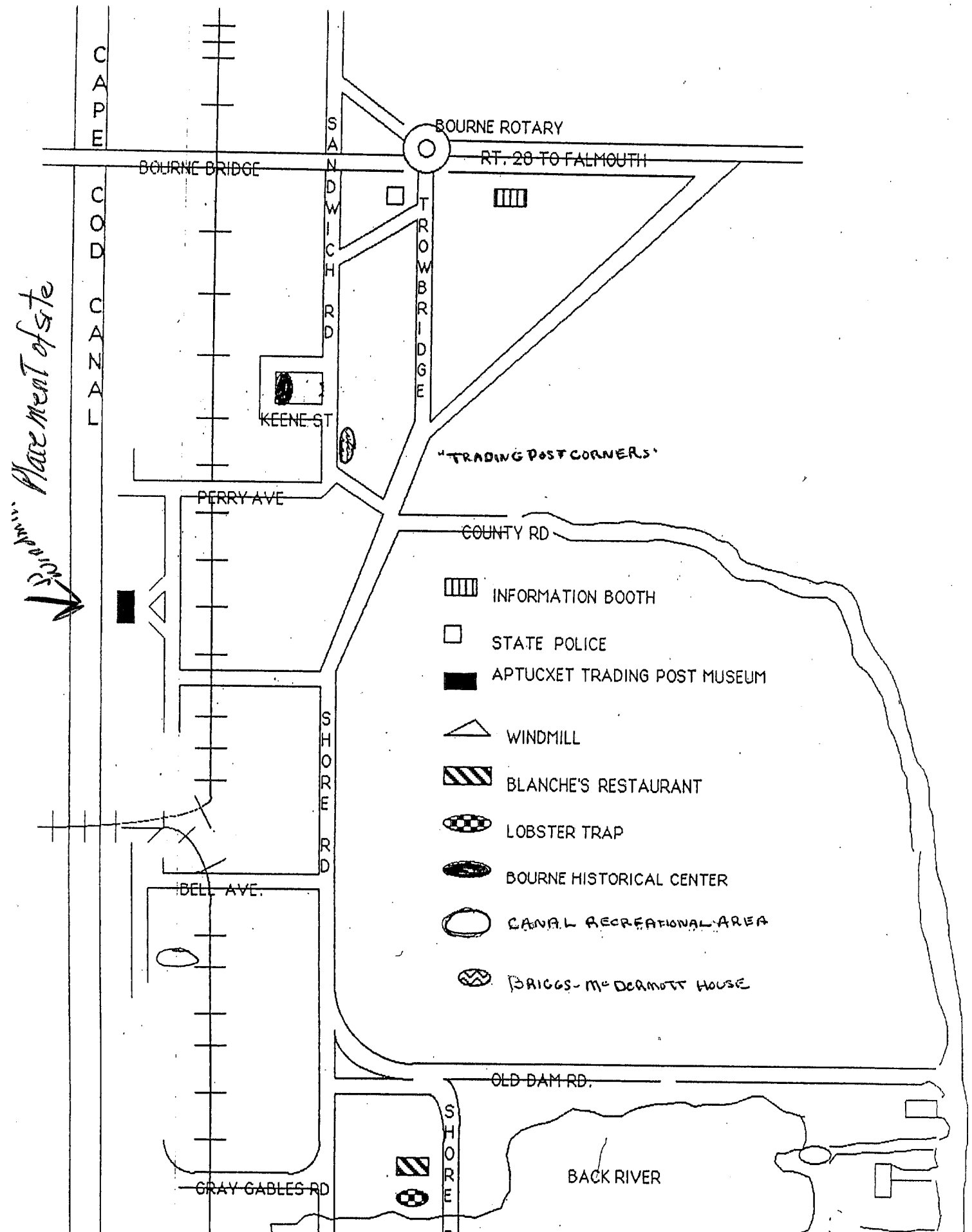


17. Joseph Jefferson Windmill, looking west



18. Sagamore Information Booth, looking southwest. (Mar. 2018)

# BOURNE VILLAGE





# *Aptucxet Trading Post Museum Historic District*

*Bourne, Massachusetts*

was accepted on *March 25, 2021* for inclusion in the

## *National Register of Historic Places*

The National Register is the nation's official list of buildings, districts, sites, structures, and objects that retain their historical character and are important to our local, state, or national history. The National Register was established under the National Historic Preservation Act of 1966 and is administered in the Commonwealth by the Massachusetts Historical Commission.

William Francis Galvin  
Secretary of the Commonwealth  
Chairman, Massachusetts Historical Commission

Brona Simon  
State Historic Preservation Officer

MASSACHUSETTS HISTORICAL COMMISSION  
*A Division of the Secretary of the Commonwealth*



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

**THE NATIONAL REGISTER OF HISTORIC PLACES:  
EFFECTS AND BENEFITS OF LISTING**

The National Register of Historic Places is the nation's official list of historic places worthy of preservation. Listing in the National Register (NR) recognizes historic properties that are significant to our communities, our state, and our nation. The NR is a federal program of the National Park Service, administered in Massachusetts by the Massachusetts Historical Commission (MHC). The NR recognizes unique and irreplaceable historic resources that give a sense of time and place to our downtowns, neighborhoods, village centers, and rural landscapes, and contribute to our communities' character, making Massachusetts a special place.

NR listing is an important preservation planning tool that encourages preservation, but it does not guarantee that listed properties will be preserved. The NR is not a design review program, but it does provide limited protection from state and federal actions, as well as eligibility for certain matching state restoration grants (when available) and certain tax benefits for certified rehabilitation projects.

**STATE REGISTER OF HISTORIC PLACES:**

Properties listed in the NR are automatically listed in the State Register of Historic Places as well. The State Register is a compendium of properties with historic designations, listed by municipality, and serves as a reference guide, helping to determine whether a state funded, permitted, or licensed project will affect historic properties. The State Register review process helps ensure that listed properties will not inadvertently be harmed by activities supported by state agencies. The State Register is published annually and is available through the Statehouse Bookstore.

**EFFECTS OF NR LISTING FOR PRIVATE PROPERTIES:**

NR status in itself places no constraints on what owners may do with their property when using private funding, unless state or federal funds, permits, or licensing are used, or when some other regional or local bylaw, ordinance, or policy is in effect. NR listing does not impose additional restrictions to already existing local regulations or ordinances, nor does listing eliminate regulations currently in effect. Please be aware, however, that certain local ordinances, including demolition delay, may reference NR designation as a condition triggering review. NR-listed buildings may qualify for exemptions from some aspects of the State Building Code. Owners of private property listed in the NR have no obligation to open their properties to the public, to restore them, or even to maintain them. Owners can do anything they wish with their private property provided that no federal or state funding, licensing, permitting, or approval is involved. If owners use state or federal funds to alter their property or need state or federal permits, the proposed alteration will be reviewed by MHC staff. The review is triggered by the funding or permitting source, not by the historic designation. Local funding and permitting do not trigger MHC review. Owners may affix plaques to their listed properties, if they choose, but it is not required. MHC does not provide or review plaques. City or town sign ordinances should be consulted.

# Bourne Historical Commission

30 Keene Street, P.O. Box 3131, Bourne, MA 02532

## Press Release

*From:* Bourne Historical Commission and Bourne Historical Society

*Date:* Monday, May 10, 2021

*Subject:* National Designation

*Contact:* Deborah M. Burgess (508) 759 3436 (Commission Member)

### Aptuxet Trading Post Museum Historic District Named to National Register of Historic Places

#### First Nationally Recognized Historic District in Bourne

The Bourne Historical Commission, in co-operation with the Bourne Historical Society, sponsored the application for Historic District using Community Preservation Funds approved at Town Meeting in 2017. The Public Archaeology Laboratory (PAL) of Pawtucket, RI, was hired to do the painstaking work to bring this nomination to successful completion.

The Aptuxet Trading Post was established in 1637 on the banks of the Manomet River (now the Cape Cod Canal) by Pilgrims from Plimoth Plantation to carry on a three-way trade between the Pilgrims, Dutch from New Amsterdam (New York) and Native Americans. The site of the Post was partially excavated in 1852, with a complete excavation in 1926 by the Bourne Historical Society. The Society undertook the building of a replica on the original site, dedicated in 1930, and has maintained the Aptuxet grounds since then.

#### *Background Information*

Aptuxet Trading Post was established by the Pilgrims from Plimoth Plantation in 1637 on the banks of the Manomet River. Governor Bradford, in his "History of Plymouth Plantation," writes:

"That they might the better take all convenient opportunitie to follow their trade, both to maintaine them selves, and to disengage them of those build a smale pinass at Manamet, a place 20 mile from the plantation, standing on the sea to the south ward of them, unto which, by another creeke on this side, they could cary their goods, within 4 or 5 miles, and then transport them over land to their vessel; and so avoyd the compassing of Cap-Codd and those deangerous shoulds, and so make any vioage to the southward in much shorter time, and with farr less danger. And also for the saftie of their vessell and goods, they built a house theire, and kept some servants, who also planted corne and reared some swine, and were allwayes ready to



goe out with the barke when ther was occasion. All which tooke good effect, and turned to their profite."

Aptuxet was the first of three trading posts the colonists built. The second was Kennebec Post (Maine) in 1628 and the third was Matianuck on the Connecticut River in 1633. None of these posts survive today.

However, Aptuxet was known locally through the years with the location called Aptuxet Field. The field was first excavated in 1852 with a partial foundation found by Dr. John Bachelder and William S. Russell. It wouldn't be until 1926 when the Bourne Historical Society undertook complete excavation of the two cellar holes recognizable by deep depressions in Aptuxet Field. In the fall of 1927, the Society formed a committee to begin to plan for building a replica of the Trading Post. Funds needed to be raised and response to the appeal was nation wide. The General Society of Mayflower Descendants, to commemorate the Massachusetts Bay Tercentenary Celebration, gave \$10,000. The New England Society in the City of New York contributed \$5,000.

The building was opened to the public on August 1, 1930, and on September 3, 1930, under the combined auspices of the General Society of Mayflower Descendants and the Bourne Historical Society was dedicated and a memorial tablet placed. More than 1,500 people attended including local dignitaries as well as those from state and federal governments. Hugh D. Gibson, chief of the Bureau of Foreign and Domestic Commerce of the United States Department of Commerce in Boston represented Washington.

Today Aptuxet is no longer on the banks of the Manomet River, but on the banks of the Cape Cod Canal. What happened here is recognized as the basis for the system of free trade in the U.S. and around the world. It is here that trade with the Dutch from New Amsterdam (New York) and with the Native Americans was held. The Native American's use of Wampum became a trading item and helped to establish free trade.

The grounds of Aptuxet are the site of other historical buildings from much more recent times: Grover Cleveland's personal Railroad Station, moved from Gray Gables, sits at the entrance to Aptuxet across from actor Joseph Jefferson's Wind Mill, moved from his former estate in Buzzards Bay. The Society's Gift Shop is located in the Cape Cod Chamber of Commerce's former Sagamore Information Booth.

Also on the grounds are a caretaker's cottage, a pavilion for present day gatherings, and rest rooms.

If you have never visited Aptuxet, or haven't been here in a long time, please come and learn about the long history of this site now a designated National Register of Historic Places site.



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

April 20, 2021

Judith Riordan  
Bourne Historical Society  
PO Box 3095  
30 Keene Street  
Bourne, MA 02532

Dear Ms. Riordan:

The Massachusetts Historical Commission is pleased to inform you that the Aptuxet Trading Post in Bourne was accepted by the National Park Service, Department of the Interior, for listing in the National Register of Historic Places on March 25, 2021. Enclosed is a certificate recognizing the designation of the property in the National Register of Historic Places.

For your information, an explanation of the National Register of Historic Places is enclosed. If you have any questions or wish further information, please do not hesitate to contact the Massachusetts Historical Commission.

We share with you a sense of pride that this historic property has been listed.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Galvin", written over the printed name and title.

William Francis Galvin  
Secretary of the Commonwealth  
Chairman, Massachusetts Historical Commission

A handwritten signature in black ink, appearing to read "Brona Simon", written over the printed name and title.

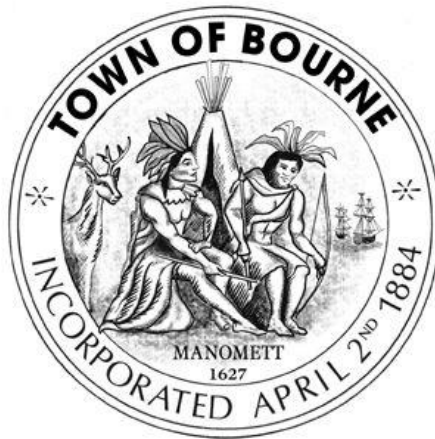
Brona Simon  
Executive Director  
State Historic Preservation Officer  
Massachusetts Historical Commission

cc: Laura Kline, Consultant, PAL  
Chair, Bourne Historical Commission  
Judith MacLeod Froman, Chair, Bourne Board of Selectmen  
Steven Strojny, Chair, Bourne Planning Board

Enclosures



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:** 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:** 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:** 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 funding the Town's Other Post-Employment Benefits (OPEB) Liability, or take any other action in relation thereto.

***Sponsor – Board of Selectmen***

**ARTICLE 5:** To see if the Town will vote to 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 6:** 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 7:** 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 6 voted at the November 16, 2020 Special Town Meeting for the purpose of funding design, development, installation and operational costs associated with a Pilot Leachate Treatment System to be installed at the ISWM Facility, including all related costs, expenses or fees, or take any other action in relation thereto.

***Sponsor – Board of Selectmen/Capital Outlay Committee***

**ARTICLE 8:** 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 5, 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 9:** 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 10:** 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 in relation thereto.

***Sponsor - Community Preservation Committee***

**ARTICLE 11:** To see if the Town will vote to appropriate a sum of money to pay costs of energy efficiency improvements to be made pursuant to an energy services contract (ESCO) between the Town and TRANE; to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing, including the use of a lease-purchase financing agreement, or otherwise, or to take any other action relative thereto.

***Sponsor – Board of Selectmen***

**ARTICLE 12:** To see if the Town will vote to amend Section 3.1.43 of the General Bylaw by striking Section 3.1.43 in its entirety and in place thereof inserting the following text:

**Property Maintenance**

- a. Purpose and Intent: The Town of Bourne and its residents have a strong interest in the continued maintenance of property within the Town's borders to (i) ensure the health, safety, and welfare of residents, (ii) correct and prevent unsanitary conditions, (iii) control rodents, vermin, and other pests, (iv) prevent adverse impacts to abutting and surrounding properties, (v) maintain property values, (vi) maintain neighborhood and community character, (vii) protect the quality of the natural environment; and (viii) protect the enjoyment and normal use of public and private property and the normal conduct of business on the same. This bylaw sets forth standards to correct conditions that adversely impact these interests and to ensure the continued maintenance of such property—including all structures and other objects located on such property—in furtherance of these interests.
- b. Applicability: This section's provisions apply to all parcels of land located within the Town's borders, including any structures or other physical objects of any kind or nature that are located on such land.
- c. Definitions: As used in this section, the following words shall have the following meanings:

1. “Abandoned or vacant building” means any building that is not legally occupied, is vacant, is abandoned, or is otherwise not in use for a period of at least 45 consecutive days.
2. “Accumulation means a buildup, growth, or collection, scattered, amassed, or piled, existing at the time of inspection.
3. “Building” means a combination of any materials fixed to the ground and having a roof, enclosed within exterior walls, built to form a structure for the shelter of persons, animals or property.
4. “Container” means a dumpster, garbage can, garbage bin, or other receptacle designed, intended, or used to hold refuse.
5. “Derelict motor vehicle” means an inoperative motor vehicle or may not legally be operated on a public way in the Commonwealth because it is unregistered or for any other reason.
6. “Inoperative motor vehicle” means a motor vehicle having missing bodywork, components, or parts, deteriorated, or removed adjuncts, or such other conditions that: (a) prevents its mechanical function; (b) prevents its safe storage on a property; (c) would cause or contribute to an unsanitary condition; or (d) would have an adverse effect on neighborhood or community character or on abutting or surrounding property values.
7. “Inspector of Buildings” means the Inspector of Buildings for the Town of Bourne, or that person’s designee.
8. “Legally occupied” means a building occupied in accordance with the provisions of the Massachusetts State Building Code, the Town of Bourne General Bylaws and Zoning Bylaws, and the Massachusetts State Sanitary Code.
9. “Owner” means a person or entity who, alone or joint and severally with any other person or entity, owns or has legal possession, custody, or control of property.
10. “Property” means a parcel of land located within the Town’s borders, including any building, structure, or other physical object of any kind or nature located on that land. This term shall mean the same as “parcel” or “land” unless context dictates otherwise.
11. “Motor vehicle” means any form of equipment used for the transport of one or more individuals that utilizes a combustion engine or electric motor.
12. “Nuisance” means any condition that annoys, irritates, disturbs, or interferes with a person’s use or enjoyment of private or public property, whether located on the

property containing the nuisance or on abutting or surrounding properties, or otherwise causes a condition that is detrimental to the interests set forth in the Purpose and Intent subsection of this bylaw.

13. "Refuse" means: (a) debris, junk, or effluent; (b) unused or unusable material that by reason of its state, condition, or excessive accumulation, would cause an unsafe or unsanitary condition on a property or would otherwise have an adverse impact on neighborhood or community character or on abutting or surrounding property values; (c) garbage, special collection materials, recyclable materials, yard waste, or other similar forms of organic or inorganic material. For the avoidance of doubt, this term may mean and include but not be limited to the following items, if such an item satisfies one of the three requirements for refuse set forth above: food wastes, market wastes, litter, combustibles such as paper, cardboard, yard trimmings, leaves and brush, plastics, and leather, non-combustibles such as metal, cans, glass and glass containers, crockery, dirt, ashes from fireplaces, street sweepings, bulky wastes such as furniture, appliances, tires, stumps, recycling, construction, trade and demolition waste, unlicensed, unused or stripped automobiles, trucks, trailers, boats, vessels, machinery, or mechanical or metal parts. This term shall be construed broadly in furtherance of the purpose and intent of this section.
14. "Structure" means a combination of materials, whether wholly or partially level with, above or below the surface of the ground, whether permanent or temporary, assembled at a fixed location to give support, shelter, or enclosure such as a building, framework, retaining wall, platform, bin, fence, parking area, sign, flagpole, or mast for antenna or the like.
15. "Turf grass" means blue grass, fescues, perennial ryes and tall fescues, ryegrasses, bent grasses, and all other grasses used to create a manicured or maintained lawn.

d. General Requirements: The following requirements shall apply to all property:

1. All property shall be used and kept free of refuse. Refuse shall be removed from any property no later than 48 hours after its placement on such property, unless such refuse is (a) stored in a container; or (b) stored, in a structure or in another manner, approved by the Inspector of Buildings. Properties are limited to no more than 4 containers unless more containers are approved by the Inspector of Buildings.
2. All property shall be used and kept free from any nuisance. Should a nuisance arise on a property, that nuisance shall be promptly repaired or corrected.
3. No more than one derelict motor vehicle shall be stored on any property in a location visible to the public. No more than two derelict motor vehicles may be stored on any property in any location.

4. No person shall throw, place, dump, deposit or permit to be thrown, placed dumped or deposited any refuse on any property without the consent of the owner and at no time shall refuse be deposited in ponds, rivers, and watercourses.
5. Turf grass shall not exceed 8 inches in height.
6. Property shall be maintained in accordance with all applicable requirements of federal, state, and local laws, including but not limited to the provisions of the Town of Bourne General Bylaws and Zoning Bylaws and the Massachusetts State Building, Fire, and Sanitation Codes.
7. All exterior components of every building and structure including but not limited to walls, roofs, chimneys, cornices, gutters, downspouts, drains, porches, canopies, awnings, steps, landings, fire escapes, exterior stairs, windows, shutters, and doors, shall be kept in sound condition and good repair, substantially free of deterioration, including but not limited to loose or missing shingles or siding, crumbling brick, stone and mortar, and peeling, scaling or deteriorated paint.
8. Overhanging structures, including canopies, awnings, exterior stairways, fire escapes, and other overhanging extensions shall be maintained in sound condition, good repair and be securely anchored.
9. All steps, fences, retaining walls, and landscape features shall be firmly anchored and maintained in good structural repair.
10. All property shall be maintained substantially free from overgrowth of vegetation that constitutes a suitable habitat for vermin, rodents, or other pests, or otherwise poses a hazard to the health, safety, or welfare of any person in the vicinity of the property, or is so overgrown as to have a clear adverse effect on abutting or surrounding properties.
11. Water shall not be permitted to continuously stagnate outside of any building or structure for more than 10 days except under natural conditions. Property shall be maintained to prevent such stagnation and to prevent: (a) recurrent or excessive accumulation of water; (b) the flow of water into any building or structure on the property or on any abutting or surrounding properties; or (c) instability or erosion of soil.
12. Property shall be kept free of rodents, birds, insects, vermin, or other pests that cause or may cause a nuisance to the use of abutting or surrounding properties or would otherwise be detrimental to the public health, safety, or welfare.
13. All areas used by motor vehicles, such as driveways or parking pads, shall have a surface suitable for that purpose, kept in good repair.

14. All areas on the property used for pedestrian traffic shall be maintained at all times so as to provide safe passage under normal use and weather conditions.
  15. All lighting used to illuminate a parking area, driveway, walkway, or the exterior of a building shall be maintained in a safe, structurally-sound condition and in working order. All fixtures shall be installed to deflect the light away from adjacent properties.
  16. Property shall be maintained free from objects or conditions, such as holes, or excavations, that cause or may cause a substantial danger to public safety.
  17. Property damaged by fire, explosion, weather, or other cause shall be made safe promptly following such an event, and shall otherwise be repaired and returned to their former condition or in compliance with this section or be razed within six (6) months unless granted an extension by the Inspector of Buildings.
- e. Abandoned or Vacant Buildings: The following requirements shall apply to all abandoned or vacant buildings in addition to those requirements imposed by the General Requirements subsection of this bylaw:
1. Not more than 7 days after a building is abandoned, foreclosed, or becomes vacant, the owner shall register the building with the Inspector of Buildings on a form or forms prescribed by the Inspector.
  2. Each registration shall certify that the property has been inspected by the owner and shall identify whether the property is abandoned, and if abandoned, the condition of the property and the status of maintenance thereof. Each registration shall designate a local individual or local property management company responsible for the maintenance and security of the property. This designation shall state the individual or company's name, direct telephone number, and local mailing address; the mailing addresses shall not be a post office box.
  3. Once the building is no longer abandoned, foreclosed, or vacant, or is sold, the owner shall provide proof of sale or written notice and proof of lawful occupancy to the Inspector of Buildings.
  4. Any owner that has registered a property under this section shall report any material change in information contained in the registration within 10 days of the change.
  5. All property registrations pursuant to this section are valid for one calendar year from the date when the registration is received by the Inspector. An annual registration fee of \$25 must accompany the registration form. Subsequent registrations and fees are due within 30 days after the date of the expiration of the previous registration. Subsequent registrations must certify whether the property

remains abandoned and/or remains in foreclosure, and shall restate the current condition of such property as required above.

6. The owner shall be responsible for continued maintenance of the property in conformance with the requirements of this section. The owner shall be so responsible even if the owner identifies a different person or entity for such responsibility pursuant to subsection d.2. of this section.
- f. Investigation: The Inspector of Buildings may undertake an investigation of any potential violation of this section pursuant to a complaint by any person or upon the Inspector's own initiative.
- g. Penalties and Enforcement: The Inspector of Buildings shall be responsible for the enforcement of this section, subject to the following requirements:
  1. Any owner determined by the Inspector of Buildings after an investigation to have violated any provision of this section shall be notified in writing of the violation or violations.
  2. If a violation is an owner's first violation of this section, then the Inspector Buildings shall issue a warning to the owner with an order to correct the violations no later than 7 days from delivery of the order. The Inspector of Buildings may extend the time to correct violations within his sole discretion.
  3. If a violation is not an owner's first violation of this section, then the Inspector of Buildings may issue additional warnings or may impose a fine for each day the violation continues and is not corrected pursuant to the following schedule:

First 30 days:	\$50.00 per day
31 to and including 60 days:	\$100.00 per day
61 days and after:	\$200.00 per day

Fines for noncompliance may be assessed as a noncriminal disposition under G.L. c.40, §21D.
  4. If a violation is not an owner's first violation of this section, then the Inspector of Buildings may, in addition to issuing additional warnings or imposing fines, bring a civil action in a court of competent jurisdiction seeking equitable relief for the enforcement of this section.
  5. Any enforcement action taken under this section shall not bar or waive any separate action initiated by the Town, pursuant to any applicable federal, state, or local law, based on or related to any actual or alleged violation of the provisions of this section.



- h. Preexisting Conditions: Conditions existing at the date of this section's enactment that would constitute violations of one or more of this section's provisions shall be brought into compliance with this section within 90 days of the date of approval of this bylaw or within such other time as the Inspector of Buildings may approve.
- i. Relationship to Other Laws and Obligations: The provisions of this section prescribe minimum standards for maintenance of property to achieve this section's purpose and intent. This section is not intended and shall not be interpreted to preempt any other more stringent standards found in any other applicable Town bylaws, regulations, or policies, or any other Federal or State law or regulation. Compliance with this section shall not relieve an owner of any applicable obligations set forth in any other laws, codes, regulations, covenant conditions or restrictions, or homeowner or condominium association rules and regulations.
- j. Severability: Provisions of this section are severable and if any provision shall be held invalid under any circumstances, such invalidity shall not affect any other provisions of circumstances.

or take any other action in relation thereto.

***Sponsor – Board of Selectmen***

**ARTICLE 13:** 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 1<sup>st</sup> and ~~June 30<sup>th</sup>~~ **March 31** for 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.~~ Any owner or keeper who fails to obtain a license by ~~June 30~~ **March 31<sup>st</sup>** of each year shall be subject to an additional charge of \$5.00 for any dog licensed after ~~June 30~~ **March 31<sup>st</sup>**.

or take any other action in relation thereto.

***Sponsor – Town Clerk and Department of Natural Resources***

**ARTICLE 14:** To see if the Town will vote to amend Section 3210 and Section 2888 of the Bourne Zoning Bylaws as follows:

Amend Section 3210 General Sign Regulations by inserting subsection (i) and Section 2888 Downtown District - Signs Not Permitted by inserting subsection (e) by adding the following language:

**Flag signs or fabric 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**

**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.**

or to take any other action in relation thereto.

***Sponsor – Planning Board***

**ARTICLE 15:** To see if the Town will vote to amend Section 2854, subsection b) of the Bourne Zoning Bylaws, relative to the Downtown Parking Regulations, as follows:

#### **SECTION 2854. Parking Reduction Methods**

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.

or take any other action relative thereto.

***Sponsor – Planning Board***

**ARTICLE 16:** 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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

**Board of Selectmen  
Minutes of Friday, August 12, 2022  
Mass Maritime Academy  
Buzzards Bay, MA**

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**TA Marlene McCollem**

**Board of Selectmen**

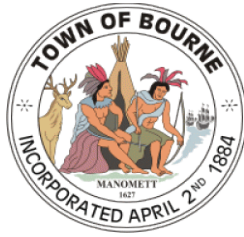
Peter Meier, Chair  
Jared MacDonald, Vice Chair  
Melissa Ferretti, Clerk  
Judith Froman  
Mary Jane Mastrangelo

**Others:** Karyn Rhodes, Meeting Facilitator and Kathleen Thut

Excerpt from DRAFT minutes of Aug. 12, 2022 Selectmen's Retreat Meeting.

Priorities/Goals for Town Administrator as agreed upon by Selectmen:

1. Investigate and make a plan for IT infrastructure improvements
2. Create financial and fiscal policy – including:
  - a. Establishing a sewer financial policy
  - b. Updating the Town financial policies
  - c. Using the assistance of the Cape Commission with grants
3. Create 5 and 10-year sewer and general fund financial plans
4. Create proposal for a Facilities reorganization
5. Keep CWMP progressing/moving



## Selectmen's Correspondence

October 4, 2022

- A. DEP Letter – Draft Remedial Investigation Work Plan for Per- and Polyfluoroalkyl Substances at the Flight Line Area Operable Unit - MOR
- B. DEP Letter – Draft Remedial Investigation Report Skeet Range Munitions Response Area
- C. DEP Letter – Draft Final Uniform Federal Policy – Quality Assurance Project Plan – 2022 Update for Source Response for Unexploded Ordnance at the Central Impact Area
- D. DEP Letter – Osborne Pond Formerly Used Defense Site Annual Public Education Program Review and Safety Inspection Checklist Report
- E. Bylaw Committee Resignation Letter (Esip)
- F. W. Perry – Talent Bank Form COA
- G. K. Riley – Talent Bank Form Human Services



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Bethany A. Card  
Secretary

Martin Suuberg  
Commissioner

September 21, 2022

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

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0000037  
Joint Base Cape Cod (JBCC)  
**Draft Remedial Investigation Work Plan  
for Per- and Polyfluoroalkyl Substances  
at the Flight Line Area Operable Unit - MOR,**  
Comments

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Air Force Civil Engineer Center (AFCEC) Memorandum of Resolution dated September 9, 2022, which provides responses to MassDEP comments on the document **“Draft Remedial Investigation Work Plan for Per- and Polyfluoroalkyl Substances at the Flight Line Area Operable Unit”** dated January 2022 (Flight Line RI Work Plan). The Flight Line RI Work Plan details the actions that will be taken to complete a Remedial Investigation (RI) for per- and polyfluoroalkyl substances (PFAS) contamination in soil and groundwater at the Flight Line Area Groundwater Operable Unit at JBCC.

MassDEP has no comments on the Memorandum of Resolution.

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

Sincerely,

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

P/ej

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



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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Lieutenant Governor

Bethany A. Card  
Secretary

Martin Suuberg  
Commissioner

September 20, 2022

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

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0000037  
Joint Base Cape Cod (JBCC)  
**Draft Remedial Investigation**  
**Report Skeet Range Munitions**  
**Response Area, Comments**

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **“Draft Remedial Investigation Report Skeet Range Munitions Response Area, Joint Base Cape Cod, Massachusetts”** (the Revised Draft RI Report) dated August 2022. The Revised Draft RI Report describes the management and technical approach used by the Air Force Civil Engineer Center (AFCEC) to assess the nature and extent of munitions and explosives of concern and munitions constituents associated with the historical military use of the Skeet Range Munitions Response Area (MRA) and was revised to report the results of a follow-on lead pellet density analysis conducted in August 2022 in five grid sampling locations to assess the presence of lead shot. MassDEP has the following comments on the Revised Draft RI Report.

### **General Comment**

1. The sampling for lead shot and modeling potential grit ingestion risks performed by the AFCEC in accordance with work done previously by the U.S. Fish & Wildlife Service at the Patuxent Refuge in Maryland and in the Peddicord & LaKind (2000) paper was well done. While lead shot was detected in three grid samples, the limited amount of lead shot in proportion to total grit in the samples (among other variables) indicates the lead shot that is present will not likely present any significant ecological risk (<10% probability of ingestion by doves). It is important to note that the bird chosen by the AFCEC to represent grit eating (gallinaceous) birds is consistent with previous modeling efforts but may not be the most conservative species for estimating potential lead shot ingestion risks.

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

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For example, the target species (mourning dove) has a significant home range of 539 acres whereas some other grit eating birds such as Bobwhite or Grouse have smaller home ranges (10-40 acres), thereby increasing the potential for lead shot grit ingestion risk. However, the combination of generally conservative assumptions and the empirical data collected from the five grids on the Skeet Range MRA signifies that the work was well done, and the conclusions are accurate.

### Page Specific Comments

1. Page 9-2, Section 9.2.2 Ecological Risk Assessment:

The text states **"The probabilities calculated for each of the three DUs were as follows: I7 = 0.01%, L3 = 1.71%, and M3 = 0.24%. Since these probabilities are less than the 10% risk threshold, the results indicate no potential risk from lead shot."** The wording of this statement should be revised to *"...the results indicate no significant risk from lead shot."* While the risk is clearly low (<10% probability of ingestion) it is not zero. Edits should be made in other areas of the Revised Draft RI Report using similar language.

2. Page 9-3, Section 9.3 Conclusions and Recommendations for Path Forward:

The text states **"The proposed area requiring remedial measures to address risk to residential children for lead in soil is depicted in Figure 9-1."** Figure 9-1 was not included in the Revised Draft RI Report.

Please incorporate this letter into the Administrative Record for the Skeet Range MRA at Joint Base Cape Cod. If you have any questions regarding this letter, please contact me at (508) 946-2871.

Sincerely,



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

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





## Department of Environmental Protection

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Secretary

Martin Suuberg  
Commissioner

September 23, 2022

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

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0015031  
Joint Base Cape Cod (JBCC)  
**Draft Final Uniform Federal Policy – Quality Assurance Project Plan – 2022 Update for Source Response for Unexploded Ordnance at the Central Impact Area, Comments**

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **“Draft Final Uniform Federal Policy – Quality Assurance Project Plan – 2022 Update for Source Response for Unexploded Ordnance at the Central Impact Area”** (UFP-QAPP) dated July 2022. The UFP-QAPP describes the methods, procedures, and technical approach, using digital geophysical mapping and advanced geophysical classification, to perform a Source Response for munitions and explosives of concern that are a threat to groundwater at the Central Impact Area. MassDEP has the following comments on the UFP-QAPP.

1. Page 110, Worksheet #18 - Sampling Locations and Methods, Section 18.1, CSS Material Sampling:  
The text states **“After the last consolidated shot of the field season, the material within the CSS and the additional material used to cover items during demolition is sampled annually to assess the concentrations of explosives and perchlorate to determine if it needs to be disposed of off-site and replaced with new material. One 30-point soil sample will be collected using ISM from sand within the CSS, and one 30-point soil sample will be collected using ISM from the associated material outside of the CSS as follows: CIA CSS Cell: One 30-point ISM soil sample (comprised of 10 subsamples) will be collected using an excavator bucket from sand within the CSS at various depths, (approximately 6-inch intervals) from the surface to the base of the 24-foot by 24-foot by 6-foot cell, at three representative locations/points on the cell to the extent that it is safe, and a subsample can be recovered. CIA CSS Sand Pile: One 30-point ISM soil sample (comprised of 10 subsamples) will be collected using an excavator bucket from the associated sand pile outside of the CSS. The sample will be comprised of subsamples throughout the pile at various depths.”** The sampling approach specified for the material within the CIA CSS Cell and for the CIA CSS Sand Pile does not appear to be consistent with Incremental Sampling Methodology (ISM) or with Appendix F ‘Standard Operating Procedure-18 Incremental Sampling Methodology (ISM)’. ISM, as a form of structured composite sampling, has a specific methodology that must be followed for the composite sample to be considered an incremental sample. Please modify the text to clarify and add detail to the sampling

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

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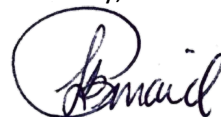
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procedure to support how the sampling procedure is ISM compliant. Alternatively, please modify the text to eliminate the reference to ISM and provide additional detail regarding a proposed discrete or conventional composite sampling approach.

2. Page C-1, Waste Management Plan, Section 3, Other Solid Waste, 3.1 Waste Soil/Material:  
The text states **“Waste soil will consist of soil excavated from areas below where either a BIP item or cracked/leaking item is located. The waste soil will be removed once the demolition operation in that area is complete, and the area has been cleared by the Senior UXO Supervisor (SUXOS) and the Demolition Team Leader (DTL). Excavations will take place within 5 days after the BIP or the removal of the cracked or leaking item. Soil will be excavated to a depth of 1 foot below the BIP crater and/or below each cracked open/leaking MEC item.”** The text should be clarified to define the excavation area for the BIP crater and below each cracked open/leaking MEC item as specified in Page C-3 ‘Section 4 Waste Handling, 4.1 Staging’ **“Waste soil excavated to a depth of 1 foot from a 5-foot by 5-foot square area centered on each BIP...”**.
3. Page C-2, Waste Management Plan, Section 3, Other Solid Waste, 3.1 Waste Soil/Material:  
The text states **“Annually (at the end of the field season or before the following field season) and after completing all demolition operations at the CSS, two 30-point soil samples associated with the CSS material will be collected as follows: CIA CSS Cell: One 30-point soil sample (comprised of 10 subsamples) will be collected using incremental sampling methodology (ISM) from sand within the CSS at various depths (approximately 6-inch intervals) from the surface to the base of the 24-foot by 24-foot by 6-foot cell, at three representative locations/points on the cell to the extent that it is safe, and a subsample can be recovered. CIA CSS Sand Pile: One 30-point soil sample (comprised of 10 subsamples) will be collected using ISM from the associated sand pile adjacent to the CSS. The sample will be comprised of subsamples throughout the pile, at various depths.”** The sampling approach specified for the material within the CIA CSS Cell and for the CIA CSS Sand Pile does not appear to be consistent with Incremental Sampling Methodology (ISM) or with Appendix F ‘Standard Operating Procedure-18 Incremental Sampling Methodology (ISM)’. ISM, as a form of structured composite sampling, has a specific methodology that must be followed for the composite sample to be considered an incremental sample. Please modify the text to clarify and add detail to the sampling procedure to support how the sampling procedure is ISM compliant. Alternatively, please modify the text to eliminate the reference to ISM and provide additional detail regarding a proposed discrete or conventional composite sampling approach.

Please incorporate this letter into the Administrative Record for the Central Impact Area Operable Unit. If you have any questions regarding this letter, please contact me at (508) 946-2871.

Sincerely,



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

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



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## Department of Environmental Protection

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Governor

Karyn E. Polito  
Lieutenant Governor

Bethany A. Card  
Secretary

Martin Suuberg  
Commissioner

September 23, 2022

USACE New England District  
ATTN: Ms. Gina Kaso, Project Manager  
1807 West Outer Road  
Camp Edwards, MA 02542

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0019900  
FUDS MMRP Project No. D01MA000913  
Joint Base Cape Cod (JBCC)  
**Osborne Pond Formerly Used Defense Site  
Annual Public Education Program Review  
and Safety Inspection Checklist Report,**  
Comments

Dear Ms. Kaso:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **“Osborne Pond Formerly Used Defense Site Annual Public Education Program Review and Safety Inspection Checklist Report”** (the Report) dated August 2022. The Report was prepared by the U.S. Army Corps of Engineers (USACE) in support of activities associated with the Osborne Pond Formerly Used Defense Site (Osborne Pond FUDS) at Joint Base Cape Cod. The annual public education program review and safety inspection was performed in accordance with the Osborne Pond FUDS Land Use Control Implementation Plan (LUCIP) and documents the findings of the required annual LUCIP activities. MassDEP has no comments on the Report.

Please incorporate this letter into the Administrative Record for the Osborne Pond Formerly Used Defense Site. If you have any questions regarding this letter, please contact me at (508) 946-2871 or Ellie Donovan at (508) 946-2866.

Sincerely,

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

P/kw

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

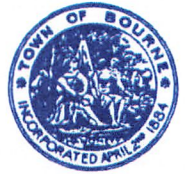
This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

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MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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# TOWN OF BOURNE POLICE DEPARTMENT



**BRANDON M. ESIP**  
**CHIEF OF POLICE**

35 Armory Road, Buzzards Bay, Massachusetts, 02532  
PHONE: (508) 759-4420 EXT 8003  
FAX: (508) 759-0603  
EMAIL: [BESIP@TOWNOFBOURNE.COM](mailto:BESIP@TOWNOFBOURNE.COM)

September 27, 2022

Town Administrator Marlene McCollem  
24 Perry Ave  
Buzzards Bay, MA 02532

Dear Town Administrator McCollem,

I have had the honor of serving the Town of Bourne Bylaw Committee as a Member at Large and have enjoyed the cooperative work all members of the committee have performed over the years. As I embark on this new journey as Police Chief, I will need to resign from my "at-large" position on the committee so I can assume my Ex-Officio position on the committee as Police Chief.

Thank-you for the trust the town has placed in me as a voting member of this committee and I look forward to continuing to work with the committee as the Police Chief.

Sincerely,

Brandon M. Esip  
Police Chief

# TALENT BANK FORM

## ACT NOW- SERVE YOUR COMMUNITY

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Selectmen, Moderator and Town Administrator as a means of compiling names of interested citizens to serve on a voluntary basis, on boards and committees and working groups. This file is available for use by the public as well as the Moderator, Selectmen and Town Administrator. Talent bank forms are being updated to include categories consistent with the changing needs of the Town. Please fill out this page and return it to:

TOWN GOVERNMENT TALENT BANK  
c/o Town Administrator,  
24 Perry Avenue  
Buzzards Bay, MA 02532

NAME: Wallace J. Perry IV DATE: 9/27/2022

ADDRESS: ~~██████████~~ ~~██████████~~ VILLAGE: ██████████

OCCUPATION: Police Sergeant ██████████ 781-551-7005

EMAIL: wjerry@townofb-██████████

Please list in order of preference which committee(s) you are interested in:

By-law Committee  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

My position as a police sergeant would provide an  
enforcement perspective on the actual by-laws, to  
ensure that they are fair and actually able to be  
enforced.

before the Committee. The committee shall provide quarterly reporting to the Board of Selectmen and Town Administrator.
<b>CONSERVATION COMMISSION</b> - administers the Wetlands Protection Act, Local Wetlands bylaws
<b>COUNCIL ON AGING</b> - coordinates programs designed for the needs of aging in coordination with the MA Executive Office of Elder Affairs
<b>CULTURAL COUNCIL</b> - reviews applications for local arts and cultural events and awards grant funds received from the MA Cultural Council.
<b>EDUCATION/SCHOLARSHIP</b> - utilizes donations from residents of Bourne to create scholarships and educational mini grants.
<b>SELECTMEN'S ENERGY ADVISORY COMMITTEE</b> - assist the Board of Selectmen on the investigation, research and consideration of siting and utilizing alternative forms of energy for municipal purposes.
<b>FINANCE COMMITTEE</b> - reports to town meeting on the proposed budget of town manager and any warrant articles having a fiscal impact on the Town.
<b>HISTORICAL COMMISSION</b> - caretakers of the Town history.
<b>HOUSING PARTNERSHIP</b> - addresses local housing needs through a collaborative effort between local govt., community organizations, banks and the private sector.
<b>HUMAN SERVICES</b> - The Committee is charged with recommending policies and potential programs to the Town Administrator related to the delivery of human services to the citizens of Bourne.
<b>LANDFILL BUSINESS MODEL WORKING GROUP</b> -Make recommendations on long term viability of the Integrated Solid Waste Management Department to the Town Administrator and Selectmen
<b>LOCAL EMERGENCY PLANNING COMMITTEE</b> - mission is to provide residents with an emergency response program for hazardous materials incidents, extreme weather, and other high impact events.
<b>OPEN SPACE COMMITTEE</b> - was formed in 1999 for the purpose of recommending acquisitions of interest in real property to be owned or managed by the Conservation Commission or other designated nonprofit organization or in the case of interests to acquire sites for future wellhead development for a Water Resource District.
<b>RECREATION COMMITTEE</b> – Works with the Director of Recreation on long term planning for the recreational needs of the Town
<b>RECYCLING</b> - Provide advice and assistance to the Board of Selectmen, the ISWM General Manager and Town residents concerning recycling requirements and procedures. Assist the Board of Selectmen with public education concerning recycling, composting and source reduction.
<b>REGISTRAR OF VOTERS</b> - The Board of Registrars responsibilities include registering voters, making local listings of residents, certifying nomination papers and petitions, processing absent voter applications and administering election recounts.
<b>ROADWAY TRAFFIC SAFETY COMMITTEE</b> - This committee is a review and clearing house for all issues relating to the roadways and traffic or other related safety issues in the Town of Bourne.
<b>SOUTH SIDE FIRE STATION BUILDING COMMITTEE</b> - To make recommendations regarding the feasibility, design, siting and construction of new, replacement Fire/EMS station on south side of Cape Cod Canal.
<b>SHORE AND HARBOR COMMITTEE</b> – Works on plans, future development and recommends regulatory change and enforcement
<b>SPECIAL WORKS OPPORTUNITY PROGRAM</b> - SWOP's mission statement is to provide social opportunities to adults with intellectual disabilities residing in the Town of Bourne. We do this through social settings that foster independence and cultivate respect and support through community involvement.
<b>TOWN ADMINISTRATORS ADVISORY COMMITTEE ON PEDESTRIAN BICYCLE PATHWAY</b> - to assist in the creation of a pedestrian and bicycle pathway within the geographic boundaries of the Town of Bourne, connecting with the Shining Sea pathway in Falmouth

**UPPER CAPE REGIONAL TRANSFER STATION** - is the body that oversees all operations for the municipally-owned regional solid waste transfer station located on Joint Base Cape Cod (JBCC) in Sandwich.

**VETERANS GRAVES OFFICER** –responsible for maintaining veteran’s graves and placing flags on Memorial Day

**WASTEWATER ADVISORY COMMITTEE** - To serve as advisors to the Town Administrator and Bourne Board of Sewer Commissioners in the areas of public policy and long-range planning as it relates to the implementation of the Comprehensive Wastewater Management Plan.

# TALENT BANK FORM

## ACT NOW- SERVE YOUR COMMUNITY

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TOWN GOVERNMENT TALENT BANK  
c/o Town Administrator,  
24 Perry Avenue  
Buzzards Bay, MA 02532

NAME:

Kelli J Riley

DATE:

9/19/22

ADDRESS:

[REDACTED]

VILLAGE:

Buzzards Bay

OCCUPATION:

Substitute Teacher

TELEPHONE #

[REDACTED]

EMAIL:

[REDACTED]

Please list in order of preference which committee(s) you are interested in:

Task Force

Human Services Comm.

Community Engagements

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

Founder of 501c3 Behavioral health  
Clinic member of Task Forces in Taunton,  
Brockton. Grant writer Event Coordinator  
Planner