

Board of Selectmen Meeting Notice AGENDA



Date

March 22, 2022

Time

7:00 PM

Location

Bourne High School - Library
75 Waterhouse Road
Bourne, MA 02532

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

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
 - a. 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. **Joint Meeting with School Committee** - The Board of Selectmen will enter into a Joint Meeting with the Bourne School Committee to fill a vacancy until the next annual election due to the resignation of Steven Strojny.

Adjourn Joint Meeting with School Committee.

7. Minutes: 5/5/21, 8/9/21, 9/7/21, 9/21/21, 11/30/21, 1/25/22

8. Appointments and Licenses

- a. Discussion and possible vote to appoint members to the South Side Fire Station Committee

RECEIVED
2022 MAR 18 AM 11:17
TOWN CLERK BOURNE

9. Selectmen's Business

- a. Discuss and possible vote on the request of Leona Bombaci to place a public advisory question on the May 17, 2022 Annual Election Ballot.
- b. Shared Spaces Grant presentation for the West end of Main Street (Tim Lydon & Environmental Partners).
- c. Continued discussion and possible vote on the request from J.C. Engineering for vehicular access over 280 Standish Road (39 Phillips Road, LLC applicant).
- d. Discussion and possible vote relative to the Fiscal Year 2023 Budget and Fiscal Year 2023 Capital Plan.
- e. Continued discussion and possible vote regarding the draft May 2, 2022 Annual Town Meeting Warrant.
- f. Discussion and possible vote to accept a gift of white oak seedlings for Arbor Day.
- g. Discussion and possible vote to accept a \$300 donation to the Library.
- h. Discussion and possible vote to reconstitute the *Traffic Advisory Committee*.
- i. Discussion and possible vote to allow Bourne Historical Society the requested surplus chairs currently located at Hoxie School.

10. Town Administrator

- a. Update on staffing and vacant positions.

11. Correspondence

12. Committee Reports

13. Adjourn

RECEIVED

**Board of Selectmen
Minutes of Tuesday, March 22, 2022
Bourne High School - Library
Bourne, MA**

2022 MAY 11 AM 11: 29

TOWN CLERK BOURNE

TA Marlene McCollem

Board of Selectmen

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

Others: Barry Johnson, Town Clerk, Kerri Scofield, Emily Berry, Maureen Fuller, Viveca Stucke, Kari MacRae, Ryan Bagdonas, Leona Bombaci, Shawn Patterson, DPW Director, Tim Lydon, Engineering Dept., Jim Fitzgerald and Margot Schoenfelder, Environmental Partners, Brad Bertolo, J.C. Engineering,

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- 6. Joint meeting with School Committee** – The Board of Selectmen will enter into a Joint Meeting with the Bourne School Committee to fill a vacancy until the next annual election due to the resignation of Steven Strojny.

Chair Emily Berry called the Bourne School Committee meeting to order at 7:02 PM.

Chair Meier said that Kerri Scofield is the one person that applied for the vacancy on the Bourne School Committee. Kerri Scofield introduced herself and said she has been a resident of Bourne for almost fifteen years. She has two children in the Bourne Public Schools, and she is very excited to be a part of the Bourne School Committee.

Voted: Viveca Stucke moved, and Kari MacCrae seconded to nominate Kerri Scofield as the School Committee member until the election.

Roll Call Vote: Kari MacCrae – yes, Viveca Stucke – yes, Maureen Fuller – yes, Emily Berry – yes, and Ryan Bagdonas – yes.

Vote: 5-0-0.

Voted: Judy Froman moved, and Jared MacDonald, seconded to nominate Kerri Scofield to the term to expire at the annual election 2022.

Roll Call Vote: Jared MacDonald – yes, Judy Froman – yes, Chair Meier – yes, George Slade – yes, and Mary Jane Mastrangelo – yes.

Vote: 5-0-0.

Adjourn Joint Meeting with School Committee.

Chair Emily Berry moved, and Kari MacCrae seconded, to adjourn the joint meeting.

Roll Call Vote: Kari MacCrae – yes, Viveca Stucke – yes, Maureen Fuller – yes, Emily Berry – yes, and Ryan Bagdonas – yes.

Vote: 5-0-0.

The Bourne School Committee Meeting was adjourned at 7: 05 PM

7. Minutes: 5/5/21, 8/9/21, 9/7/21, 9/21/21, 11/30/21, 1/25/22.

Voted: Judy Froman moved, and George Slade seconded to approve the minutes of May 5, 2021.

Vote: 4-0-1. Mary Jane Mastrangelo abstained.

Voted: Judy Froman moved, and George Slade seconded to approve the minutes of August 9, 2021, with an edit to the minutes to correct the time.

Vote: 5-0-0.

Voted: Judy Froman moved, and George Slade seconded to approve the minutes of September 7, 2021.

Vote: 5-0-0.

Voted: Judy Froman moved, and George Slade seconded to approve the minutes of September 21, 2021.

Vote: 5-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the minutes of November 30, 2021.

Vote: 4-0-1. Judy Froman abstained.

Voted: Judy Froman moved, and George Slade seconded to approve the minutes of January 25, 2022.

Vote: 5-0-0.

8. Appointments and Licenses

a. Discuss and possible vote to appoint members to the South Side Fire Station Committee.

8.a. Discuss and possible vote to appoint members to the South Side Fire Station Committee.

Chair Meier said that there are three outstanding members left to be appointed. He said that one is needed from the Select Board, and he said that he was on the first committee. The Finance Committee has recommended Wayne Sampson and the Capital Outlay Committee has recommended Carol Lynch.

Voted: Judy Froman moved, and Jared MacDonald seconded to appoint Carol Lynch as the Capital Outlay Committee's representative to the South Side Fire Station Committee until the project is suspended or revoked.

Vote: 5-0-0.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to appoint Wayne Sampson as the Finance Committee's representative to the South Side Fire Station Committee until the project is suspended or revoked.

Vote: 5-0-0.

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded to appoint Peter Meier as the Board of Selectmen's representative to the South Side Fire Station Committee until the project is suspended or revoked, or completed.

Vote: 5-0-0.

9. Selectmen's Business

- a. Discussion and possible vote on the request of Leona Bombaci to place a public advisory question on the May 17, 2022, Annual Election Ballot.**
- b. Shared Spaces Grant presentation for the West end of Main Street (Tim Lydon & Environmental Partners).**
- c. Continued discussion and possible vote on the request from J.C. Engineering for vehicular access over 280 Standish Road (39 Phillips Road, LLC applicant).**
- d. Discussion and possible vote relative to the Fiscal Year 2023 Budget and Fiscal Year 2023 Capital Plan.**
- e. Continued discussion and possible vote regarding the draft May 2, 2022, Annual Town Meeting Warrant.**
- f. Discussion and possible vote to accept a gift of white oak seedlings for Arbor Day.**
- g. Discussion and possible vote to accept a \$300 donation to the library.**

- h. Discussion and possible vote to reconstitute the *Traffic Advisory Committee*.**
- i. Discussion and possible vote to allow Bourne Historical Society the requested surplus chairs currently located at Hoxie School.**

9.a. Discussion and possible vote on the request of Leona Bombaci to place a public advisory question on the May 17, 2022, Annual Election Ballot.

Leona Bombaci introduced herself and said she is from Pocasset. She said she is the Bourne contact for the Coalition to Save the Bay of Massachusetts and the Downwinders, which is Cape wide organization that has been addressing the issues that have been the result of the Pilgrim Nuclear Power Station in Plymouth. Ms. Bombaci said that she gathered over 25 signatures for this non-binding public advisory question for the 2022 sprint Town ballot.

The question is calling upon Holtec Pilgrim LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay. She explained that Cape Cod Bay is a federal and state-protected habitat for the endangered Right Whale and provides a vital livelihood for fishermen and the tourist industry. She said the National Academies of Science has determined that there is no safe dose of ionized radiation.

She also said that the question on the ballot would allow the people of Bourne to direct the local government to communicate with Governor Charlie Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay. She said the goal is to get citizen approval. She has information for anyone that would like it, and she can point anyone to the websites that have more information.

Ms. Mastrangelo told Ms. Bombaci that the Board did write letters to many people about this as well. She said she was in favor of putting this on the ballot. Mr. Slade said that he appreciates Ms. Bombaci bringing this to the Board. He said it is a good thing and it's good to keep it a high profile. The rest of the board was in favor, as well as the Town Clerk, Barry Johnson.

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded to place a Non-Binding Public Advisory Question on the 2022 Spring Town Ballot, on the petition of Leona Bombaci, calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay.

Vote: 5-0-0.

9.b. Shared Spaces Grant presentation for the West end of Main Street (Tim Lydon & Environmental Partners).

Shawn Patterson, DPW Director, said that as discussed at a previous meeting, there are three major intersections that were discussed. He said that he, Tim Lydon, and Environmental Partners met to discuss doing something on Main Street to tie the intersection into the park as well as the marina, to make it all cohesive.

Jim Fitzgerald of Environmental Partners showed a slide presentation of the Main Street and Academy Drive Intersection Improvements Project. He said there are several goals of this project and some of them are to improve pedestrian and ADA accommodations, provide a gateway to Main Street, reduce vehicular speeds, and provide community gathering spaces. He said it is their hope that most of the project be funded through the Shared Streets and Spaces grant through MassDOT. The grant was submitted by the Town on March 1st, 2022, and they anticipate hearing back from MassDOT by April 15th regarding funding. If this funding is awarded, then construction would have to be done by June of 2023.

Margot Schoenfelder of Environmental Partners went into more detail about the project. She talked about the number of crosswalks and the parking spots along Main Street. She also talked about being ADA compliant. She talked about colored texturized pavement to alert drivers they are entering a busy area. She said they are proposing some curb extensions.

Chair Meier asked about adding lighting on a temporary basis. Mr. Patterson said that it has been discussed and they have talked about getting funding for lights and they may have to use Chapter 90 money to do it on a permanent basis, and there is not a solution for temporary lighting. Ms. Froman said she thinks that a temporary fix is needed so motorists can see people that are on the crosswalks. Mr. MacDonald said that something needs to be done to slow people down after going through the rotary to Main Street. There was some more discussion on how to slow the traffic down and about expanding the project.

9.c. Continued discussion and possible vote on the request from J.C. Engineering for vehicular access over 280 Standish Road (39 Phillips Road, LLC applicant).

Brad Bertolo of J.C. Engineering said he was there to give a quick review on behalf of the applicant. He said the applicant got a permit from the Conservation Commission to restore an eroding dune and they are looking for access across the beach and the boat ramp that is located at about 600 feet to the north, which would be over town property. He said that since last week's meeting he has received a draft license agreement that seems appropriate and he is hoping that it can be discussed and possibly voted on.

Chair Meier said that yes, there is a temporary license that Town Administrator McCollem and Town Counsel have put together. Ms. McCollem said that if it is voted affirmatively tonight, then she will fill in the blank dates with the correct information and if it is moved as prepared, then she and the applicant can make sure it is in place.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded (1) grant a temporary, revocable construction access license to 39 Phillips Road, LLC, for access to the Town's property known and numbered as 280 Standish Road in the form and on the terms set forth in the Access License Agreement presented to the Board; (2) delegate all necessary authority to the Town Administrator to execute said Agreement on behalf of the Town; and (3) delegate all necessary authority to the Town Administrator to take any act or exercise any authority conferred on or reserved to the town by the provisions of said Agreement.

Roll Call Vote: Mary Jane Mastrangelo – yes – yes, Judy Froman – yes, Jared MacDonald – yes, George Slade – yes, and Chair Meier – yes.

Vote: 5-0-0.

9.d. Discussion and possible vote relative to the Fiscal Year 2023 Budget and Fiscal Year 2023 Capital Plan.

Ms. McCollem said that she has a few updates to provide to the board that were questioned at the last meeting. She said that the bills for the electric line for the Wastewater Treatment Plant have been approximately \$6,000 a month. She said that they will be coming before the Board to recommend a budget adjustment at the Spring Town Meeting, and they are working on what the amount should be.

Ms. McCollem said that they are also working to see if they can amend the Town's energy agreement as it was signed before the Wastewater Treatment Plant was online. They are looking to add the location to the agreement and lock in a lower rate for the power going to the Treatment Plant.

Regarding the fuel contracts, Ms. McCollem said that they are looking into them and gathering information. Once she has a full report, she will get back to the board for any questions.

Ms. McCollem said there was some discussion about how they are showing and organizing the budget for the Community building. She said the proposed budget for FY23 had taken the Community building budget and rolled it into Facilities. She said that they have been working on a different way of showing it to the Board, and she brought copies of the new way and passed them around to the Board. She said it is a budget sheet for the Facilities Department and there are two project areas now within the budget, and the rest of the budget falls underneath. Ms. Mastrangelo said that this sheet is exactly what they need, and she is pleased with the new presentation of the Facilities budget. Chair Meier asked for a copy to be emailed to him.

Chair Meier asked about the professional support staff being cut to two full-time equivalents in the Selectmen/Town Administrator's office. He said that it means that the part-time individual's position will be cut. He said that he thinks that where Ms. McCollem is new that she should keep that position for the time being and give it some time to see what she would like to do regarding the staff in the office. Ms. McCollem said that she has not had a lot of time to observe the day-to-day in the office. She also said that the proposed budget that was given to the board by Mr. Cannon was an increase to include 3 full-time positions. She said that she is fine with how the board would like to proceed. Mr. Slade said that he feels the time is needed to figure out the staffing, and Ms. Froman agrees. Ms. McCollem said she would be more comfortable if the budget reflects how the positions will be filled. There was more discussion about the positions and funding.

Voted: George Slade moved, and Mary Jane Mastrangelo seconded to amend the FY2023 operating budget to reflect two full-time and one part-time administrative staff in the Town Administrator/Selectmen's Office.

Vote: 5-0-0.

9.e. Continued discussion and possible vote regarding the draft May 2, 2022, Annual Town Meeting Warrant.

Ms. McCollem said she still has more work to do, and she hopes to have another version to the board by the end of the week after Counsel has reviewed it. She would like any additional feedback to be sent to her. Ms. Mastrangelo the draft that she saw looked good, but she was wondering about ESCO. Ms. McCollem is working with Dr. Quinlan-Zhou on the ESCO article.

9.f. Discussion and possible vote to accept a gift of white oak seedlings for Arbor Day.

Chair Meier said the Conservation Department would like to accept this donation for the town and they would like to work with the DPW, the Engineering Department, the Department of Natural Resources, and local volunteers to plant these trees in appropriate locations throughout the town. He also wanted to thank Stephanie Fitch for her work with this and for what she has done for the town thus far.

Voted: Judy Froman moved, and Mary Jane Mastrangelo seconded to accept 100 white oak saplings as a gift from the Falmouth Unitarian Universalist Church and other environmental organizations in celebration of Arbor Day and to further direct the Town Administrator to coordinate the planting of the trees in appropriate locations on Town-Owned land.

Vote: 5-0-0.

9.g. Discussion and possible vote to accept a \$300 donation to the library.

Chair Meier said thank you to the Wheelers for their donation.

Voted: Judy Froman moved, and George Slade seconded to accept a gift from Fred and Dorothy Wheeler of Pocasset in the amount of \$300.00 for the Jonathan Bourne Public Library.

9.h. Discussion and possible vote to reconstitute the *Traffic Advisory Committee*.

Chair Meier said that the former Chair of the Traffic Advisory Committee feels that it is time to reactivate the committee due to the canal bridges, the work going on from Belmont Circle to Edgehill Road, and the possibility of MBTA, the Bourne Rail Trail, and other transportation projects. Chair Meier said that they should go over the Executive Order. Ms. Froman said that it should be changed to Charge of the Committee, rather than Executive Order, and the rest of the board agreed.

Mr. Slade said that this group could be the contact group for the bridges, and to obviously have a Select Board member on the committee. Chair Meier said that the charge says that the committee shall consist of 9 members including The Chief of Police or their designee, the DPW Director, a representative of the Cape Cod Commission, a Planning Board representative, and four other members, all appointed by the Board of Selectmen. They are all one-year terms following the Fiscal Year schedule. Chair Meier said that the Board should look this charge over, submit any suggested changes to the Town Administrator, and this will be on the agenda of the April 5, 2022, meeting.

9.i. Discussion and possible vote to allow Bourne Historical Society the requested surplus chairs currently located at Hoxie School.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to allow the Bourne Historical Society to remove up to 75 plastic, stackable chairs from the surplus equipment stored at the Hoxie School.

Vote: 4-0-1. Chair Meier abstained.

10. Town Administrator**a. Update on staffing and vacant positions.**

10.a. Update on staffing and vacant positions.

Ms. McCollem said she has been busy putting together a plan to fill the vacant positions in the Town of Bourne and she wanted to give an update. She said that she has held interviews for the I.T. Manager, and she has extended a verbal offer to one of the candidates. She has held interviews for the Town Planner position and she and the panel have agreed that the internal candidate, Jennifer Copeland, is the most qualified applicant. Ms. McCollem has offered her the permanent position of Town Planner and she has accepted. She said the Assistant Town Planner will be backfilled when Ms. Copeland is ready to staff the position.

Ms. McCollem said she has interviews scheduled for the Library Director and the H.R. Director. She said there is an RFP out and available to the public for an Assessment Center to identify a Police Chief candidate. She said the responses from the consulting forms are due back to her on April 8th. Once the responses are received, a panel will rate and review them, and she will contract with an assessment firm to hold an assessment center to develop a list of names to interview for Police Chief.

Ms. McCollem said she has reviewed and made some slight adjustments to the job description for the Assistant Town Administrator, and it has not been advertised yet and will be soon. She said once these positions are filled, she will take a step back to assess what is outstanding and vacant and move forward with getting the Town's staff to its full complement.

Chair Meier asked about the Facilities Director position. Ms. McCollem said she is meeting with both Mr. Feeney and Mr. Patterson on Thursday to discuss if it makes sense to have Facilities be a stand-alone department. There was some discussion about facilities being part of the DPW with one department and having a separate Director and Department and about the Assistant Town Administrator position.

Mr. Slade asked about the Library Director and the H.R. Director positions and if Ms. McCollem is handling interviews herself or with others. Ms. McCollem said she is putting together panels for interviewing for both positions, and there are two of the Library Trustees on the panel for the Library Director position.

11. Correspondence

Mr. Slade listed the correspondence

- Talent Bank Form from Toni Dearing with interest in being on the Bourne Historical Commission.
- A letter from Leonard Pinot from Mass DEP to Rose Forbes at the Joint Base Cape Cod with the status of clean-up issues that occurred in April of 2000.
- Upper Cape Tech meeting minutes of the School Committee from February 10th, and of their 2023 budget.
- Letter from Elizabeth Liddell with a list of grant projects from the last 11 years and an invoice for the town's share of the maintenance.

- Letter from Dan Cordeaux of the State Office of Planning with its interest in leasing space within 20 miles of the bridges for classroom and physical training for the Regional Police Academy.

Chair Meier said that they received an invitation today from Senator Markey's office for this Saturday to meet the Senator to tour Mass Maritime.

12. Committee Reports –

Judy Froman said she had a Cape Cod Metropolitan Planning Organization meeting on Monday and several items were discussed. They are in the process of improving and having to endorse their public participation plan. She said they also discussed the Unified Planning Work Program. They also are currently in the middle of making an amendment to the TIP for projects in Orleans and Mashpee. They also discussed the Bi-Partisan Infrastructure Law. She said the virtual public meeting for the Bourne Scenic Highway median project is tentatively scheduled for May 18th.

Mary Jane Mastrangelo said that the Policy Subcommittee started working on some of the policies of Buzzards Bay Park, reserving fields, the Community Building, and the Wedding Policy. She said they are considering doing a change to the Special Events policy.

Judy Froman said that there is a Community Engagement Committee meeting next Wednesday.

13. Adjourn

Voted: George Slade moved, and Jared MacDonald seconded to adjourn.

Vote: 5-0-0.

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

Respectfully Submitted,

Kim Johnson, Recording Secretary

Bourne School Committee
36 Sandwich Road
Bourne, MA 02532

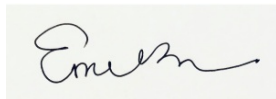
March 3, 2022

Peter Meier
Chairman of the Select Board
Bourne Select Board
24 Perry Avenue
Bourne, MA 02532

Dear Chairman of the Select Board,

At our regular meeting last night, the Bourne School Committee voted unanimously to request a joint meeting with the intention of filling a member vacancy. We kindly request this joint meeting to fill the seat of Mr. Strojny who recently resigned. We would like to appoint a new committee member to fill this seat until the upcoming election in May. Please let me know if you need any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Berry", is displayed on a light gray rectangular background.

Emily Berry
Bourne School Committee Chair

CORRES

Thut, Kathleen

From: Kerrie Scofield [REDACTED]
Sent: Friday, March 4, 2022 10:20
To: Thut, Kathleen
Subject: Bourne School Committee Position

Peter Meier
Town Hall
24 Perry Ave.
Buzzards, Bay, MA 02532

Dear Peter:

My name is Kerrie Scofield and I would like to be considered for the open School Committee Member position. My husband and I moved to Bourne over 14 years ago. When we initially moved to the area our intention was to stay only a year or two but we soon realized that Bourne is a special place. We quickly fell in love with the town and community and decided to stay. Over the years we became more emersed in the community as our two children got older and involved in many extracurricular activities. For 8 years I served as a den leader for Pack 44 Cub Scouts. I was also President of the Mothers of Bourne and a board member of Bourne Youth Baseball. I currently serve as a board member of the Bourne Education Foundation and also serve as a mentor to a Bourne Middle School student through their mentor program. I enjoy being a part of such a vibrant community and am always looking for ways to be more involved.

I have two sons, ages 15 and 12. My youngest son is currently a 6th grader at Bourne Middle School. My oldest is a freshman at Sturgis Charter School. With school age children I am highly vested in Bourne Public Schools and want nothing more than to see the schools continue to grow and improve. I have been impressed with how quickly our schools adjusted to the many changes brought on over the last two years and can't wait to see what the next two years will bring. I would love to be an active part of the decision-making process for Bourne schools by being a Bourne School Committee Member. I work from home and have a flexible schedule so I will be able to easily attend school committee meetings.

Thank you for your consideration.

Warm regards,

Kerrie Scofield
[REDACTED]

Board of Selectmen
Minutes of Tuesday, January 25, 2022
Zoom Remote – Public Access

ATA Glenn Cannon

Board of Selectmen

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

Excused

Others: Chris Southwood, Director of Natural Resources, Erica Flemming, Finance Director, Michael Rausch.

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

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099 Meeting ID: 847 9052 4776 Password: 059436.**

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above or go to <https://zoom.us/meetings> and look for the Join Meeting button. Please MUTE your phone/microphone upon entry.

Participants wishing to speak should click the “Participants” icon on the lower toolbar and then click “Raise Hand” in the dialog box to notify the Chair. The Chair will recognize participants. For participants who are calling into the meeting and wishing to speak, they should press *9 to notify the Chair. The Chair will recognize participants.

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

6:30 PM Call Public Session to Order in Open Session

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6. **Approval of Minutes: 12/21/21**

Voted: Judy Froman moved, and Jared MacDonald seconded to approve the minutes of December 21, 2021.

Roll Call Vote: Jared MacDonald -yes, Mary Jane Mastrangelo – yes, Judy Froman – yes, George Slade – yes, and Chair Meier – yes.

Vote: 5-0-0.

7. **Appointments and Licenses**
 - a. **6:45 PM Public Hearing: Discussion and possible vote relative to Aquaculture/Shellfish Grant Renewals for Patrick Ross, Dan Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor.**
 - b. **Discussion and possible vote to approve a Common Victualer license (food) for Gallo Ice Arena Concession Stand at 231 Sandwich Road, Bourne.**

Chair Meier said that item 7.a. is scheduled for 6:45 so item 7.b. will be next.

- 7.b. **Discussion and possible vote to approve a Common Victualer license (food) for Gallo Ice Arena Concession Stand at 231 Sandwich Road, Bourne.**

Barry Johnson said he was here on behalf of the Bourne Recreation Authority (BRA), and he said that this past fall they put out a request for proposal to lease the snack bar at the John Gallo Ice Arena for a five-year period. They awarded a contract to a certain person and sometime in December, they were notified that the individual could no longer fulfill the obligations under the lease and is seeking to cancel the lease. The governing board members of the Recreation Board voted and sent a letter to him saying that “pursuant to section 11.1 – default of lessee, of an agreed lease dated September 15th, you are hereby notified that the BRA has terminated this agreement effective January 7th, 2022”.

He said the Board is now considering operating it themselves, with their own staff, and maybe hiring an outside employee. He said the manager is John Hickey. He said that they have provided all necessary information for the Board. He said they anticipate operating the snack bars in the ice arena only until the end of the season, which is when the BRA will re-evaluate.

Mary Jane Mastrangelo asked if the staff will be Serv Safe certified, and Mr. Johnson said yes, they will and that the Board of Health will inspect before opening. George Slade asked when the season ends, and Mr. Johnson said usually until mid-April.

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded, to approve a Common Victualer License (food) for Gallo Ice Rink Concession Stand at 231 Sandwich Road, Bourne.

Roll Call Vote: George Slade – yes, Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, and Chair Meier – yes.

Vote: 5-0-0.

Chair Meier said they will take items 8.c. and 8.b. out of order due to it being too early for item 7.a.

8.c. Discussion and possible vote to waive the thirty (30) day review period relative to adding Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).

Acting Town Administrator Glenn Cannon said that this is for an upgrade of an existing position. They would like to upgrade one of the Health Inspectors to an Assistant Health Agent. He said that this is doable in the Health Department budget.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to waive the thirty-day (30) review period for the Assistant Health Agent. This action will allow the Town to move forward with the hiring process of an Assistant Health Agent in the Health Department.

Roll Call Vote: Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, George Slade – yes, and Chair Meier – yes.

Vote: 5-0-0.

8.b. Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5-year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.

Chair Meier said that according to the Charter this must be done by February 1st. Judy Froman said she supports moving the budget forward to compare it with the goals that are in the Strategic Plan and to make sure that they are supporting the goals that have been put forward. Mary Jane Mastrangelo said she would like to wait until next week to forward the budget as there might be some adjustments needed. Chair Meier said, as part of the strategic plan, he would like to see if they can fund a full-time Fire Inspector/Day Officer. Ms. Froman said that one of the strategic goals that should be a priority is a stronger website, and presence in that way, and it needs to be invested in. It was decided to wait until next week so discussions can be made before advancing the budget. Mr. Cannon said that the Board can always work on the budget and that some time should be set aside in early March to really finalize the budget and have a thorough review.

7.a. 6:45 PM Public Hearing: Discussion and possible vote relative to Aquaculture/Shellfish Grant Renewals for Patrick Ross, Dan Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor.

NOTICE
TOWN OF BOURNE
PUBLIC HEARING NOTICE

Notice is hereby given in accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations and Application Requirements promulgated by the Board of Selectmen, that Patrick Ross, 6 Benedict Rd., Bourne, MA 02532; Bruce Silverbrand, 18 Bayberry Rd., Bourne, MA 02532; John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532; Dan Maurice, 2 Evergreen Hill Rd., Monument Beach, MA 02553; James Rossignol, 21 Dollins Rd., Pocasset, MA 02559; Rod Taylor, 1 Shipyard Lane, Cataumet, MA 02534 have filed applications to renew existing Aquaculture/Shellfish Grant operation licenses within the municipal waters of the Town of Bourne. The applications, including a plan showing the specific locations of the existing sites, can be viewed at Town Hall.

Voted: Judy Froman moved, and George Slade seconded, to open the Public Hearing.

Roll Call Vote: George Slade – yes, Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, and Chair Meier – yes.

Vote: 5-0-0.

Chris Southwood, Natural Resources Director, said he was here tonight to recommend the aquaculture license renewals for the following Bourne residents: Patrick Ross, Daniel Maurice, James Rossignol, Bruce Silverbrand, John Ross, and Rodman Taylor. He said the past few years these growers have had to deal with financial impacts associated with the pandemic, and fortunately for some of them, they were able to utilize state grant funds to offset some of these losses. These applicants are up to date on their paperwork and fees and there have not been any issues with any of them since the last renewal, which was two years ago. He is recommending to the Board to renew these licenses to expire on December 31, 2023.

Ms. Froman asked if there were additional people that applied that did not get them. Mr. Southwood said that they are still under a moratorium through the Select Board and some people have called about the possibility of getting grants and there are many caveats about the criteria for space to be used for aquaculture.

Voted: George Slade – yes, Judy Froman – yes, Mary Jane Mastrangelo – yes, Jared MacDonald - yes, and Chair Meier – yes.

Vote: 5-0-0.

Voted: Judy Froman moved, and Mary Jane Mastrangelo seconded, to renew the existing Aquaculture/Shellfish Grant operation licenses for the following individuals:

- Patrick Ross, 6 Benedict Rd., Bourne, MA 02532;
- Bruce Silverbrand, 18 Bayberry Rd., Bourne, MA 02532;

- John Ross, 20A Dry Cedar Swamp Road, Bourne, MA 02532;
- Dan Maurice, 2 Evergreen Hill Rd., Monument Beach, MA 02553;
- James Rossignol, 21 Dollins Rd., Pocasset, MA 02559;
- Rod Taylor, 1 Shipyard Lane, Cataumet, MA 02534

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

Vote: 5-0-0.

8. Selectmen's Business

- a. **Discussion and possible vote to approve the sale and issuance of Bond Anticipation Notes (BAN).**
- b. **Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5-year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.**
- c. **Discussion and possible vote to waive the thirty (30) day review period relative to adding Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).**

8.a. **Discussion and possible vote to approve the sale and issuance of Bond Anticipation Notes (BAN).**

Erica Flemming, Finance Director, said that before the Board tonight is a vote to approve the sale of Bond Anticipation Notes in the amount of \$6,242,359.00. She said they are rolling forward outstanding debt that has become due on February 1st. she said that this amount has been reduced by \$270,000.00, due to a budgeted pay down and timing. She said that in anticipation of the renewal and the sale they did have a bond rating call with Moody's and this call went very well as the Town received the highest rating for their short-term debt and AA+ was affirmed, which is still a great rating, and they pushed hard for the triple rating.

Voted: George Slade moved, and Jared MacDonald seconded, to approve the sale and issuance of the Bond Anticipation Notes (BAN) as presented. 2021.

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

Vote: 5-0-0.

8.b. **Discussion and possible vote to advance the Fiscal Year 2023 Operating Budget, the Capital Improvement Program (the 5-year plan) and the Fiscal year 2023 Capital Budget to the Finance Committee.**

Discussed earlier.

8.c. **Discussion and possible vote to waive the thirty (30) day review period relative to adding Assistant Health Agent to the Table of Organization as required by Town Charter Section 5.1 (Table of Organization).**

Discussed earlier.

9. Town Administrator - None.

10. Correspondence

George Slade said there was none.

11. Committee Reports

Judy Froman said that they did have a Cape Cod Metropolitan Planning Organization Meeting this week and they need to think about any long-term projects and if so to reach out to her or Mr. Cannon. Chair Meier said a suggestion for a project is that there was a discussion about Shore Road and Barlow's Landing and the Five Corners intersections and if these projects would be eligible, he would like to see them get any money that is out there.

Mr. Slade said that the deadline of February 3rd is approaching for public comment for the stakeholders, town officials, elected and appointed, on their priorities for eligible uses of ARPA funds.

12. Adjourn

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

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

Vote: 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Selectmen
Minutes of Tuesday, May 5, 2021
Zoom Remote – Public Access**

.....

TA Tony Schiavi
ATA Glenn Cannon

Selectmen

Judy Froman, Chair
James Potter, Vice Chair - Excused
George Slade, Clerk
Jared MacDonald
Peter Meier

Others: Chad Smith, Chris Southwood, Whithey, J McGrail, Mike Raush, Samuel Haines, Tabitha Vasconcelos, Richard Libin S&H, Mary Jane Mastrangelo, C Moore

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

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: 1 929 205 6099 Meeting ID: 860 1470 5597 Password: 826207.

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above, or go to <https://zoom.us/meetings> look for the Join Meeting button.

Participants wishing to speak should click the "Reactions" icon on the lower toolbar and then click "Raise Hand" in the dialog box to notify the Chair. The Chair will recognize participants.

For Participants who are calling into the meeting and wishing to speak should press *9 to notify the Chair. The Chair will recognize participants.

Please mute your phone/microphone upon entry.

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

Documents:

7:00 p.m. Call Public Session to order in Open Session

Madam Chair Froman called the meeting to order at 7:00 pm.

Moment of Silence for our Troops and our public safety personnel /Salute the Flag

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.

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.

Public Comment – 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) Approval of Minutes: 3/30/21; 4/6/21; 4/20/21

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes of March 30, 2021.

Roll Call Vote: George Slade - Yes, Peter Meier - Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote 4-0-0.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes of April 6, 2021.

Roll Call Vote: George Slade - Yes, Peter Meier - Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote 4-0-0.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the minutes of April 20, 2021 as submitted.

Roll Call Vote: George Slade - Yes, Peter Meier - Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote 4-0-0.

7) License and Appointments

- a. 7:15 p.m. Application for a transfer of year-round Common Victualer's License for the sale of all kinds of alcoholic beverages to be drunk on the premises from Trading Post Lounge, Inc., Kristine M. Leitzel Mgr. to Trading Post Restaurant, Inc., David P. Delancey, Mgr., 12 Trowbridge Road, Bourne. Application for Common Victualer Food License and Entertainment License.

- b. Bourne Bridge Approach, Buzzards Bay for a year-round Common Victualer License for the sale of all kinds of alcoholic beverages to be drunk on the premises, application for Common Victualer Food License and Entertainment License.
- c. Application for a Common Victualer's Food License for Mic's Main Scoop, Inc., d/b/a Mic's Main Scoop, Michaela Michienzi, Mgr., 100 Main Street, Buzzards Bay.
- d. Downtown Parking Study Final Report — Discussion and possible vote
- e. Application to close a section of Circuit Avenue between Pequot and Kennebec Road to vehicle traffic between 3-8 p.m. for wedding reception for the Stenberg family
- f. Use of Monument Beach Fire Station for a small Ice Cream Social on July 12, 2021 from 6:00 p.m.-7:30 p.m., sponsored by the Monument Beach Civic Association

7.a. 7:15 p.m. Application for a transfer of year-round Common Victualer's License for the sale of all kinds of alcoholic beverages to be drunk on the premises from Trading Post Lounge, Inc., Kristine M. Leitzel Mgr. to Trading Post Restaurant, Inc., David P. Delancey, Mgr., 12 Trowbridge Road, Bourne. Application for Common Victualer Food License and Entertainment License.

Applicant: - Transfer in license from Trading Post Lounge, Inc., Kristine M. Leitzel, Manager to Trading Post Restaurant, Inc., d/b/a Trading Post Lounge, David P. Delancey, Mgr. 12 Trowbridge Road, Bourne. This is the sale of the business with the following description: First floor: 3 dining room, lounge area, kitchen and 3 restrooms. Second floor; 3 rooms and attic space used for apartment & storage, cellar used for storage, outside deck, 4 entrances and exits. Full application on file in the TA's Office.

Applicant has also applied for food and entertainment licenses. Since the current licenses are not transferrable, they are required to file new ones.

Location: 12 Trowbridge Road, Bourne; Nature of Request: Transfer in Liquor License, Common Victualer and Entertainment Licenses

Remarks: Town Clerk - In process of obtaining business certificate. Assessors - need new fol from new owner

Judy Froman read the Notice:

NOTICE

TOWN OF BOURNE

LIQUOR HEARING

Notice is hereby given in accordance with Massachusetts General Laws Chapter 138, Section 12 that application has been received from Trading Post Lounge, Inc., Kristine M. Leitzel, Manager, 12 Trowbridge Road, Bourne, MA 02532 to transfer their year-round Common Victualer's License for the sale of all kinds of alcoholic beverages to Trading Post Restaurant, Inc., d/b/a Trading Post Lounge, David P. Delancey, Manager. 12 Trowbridge Road, Bourne, MA 02532. Description of premises: First floor: 3 dining rooms, lounge area, kitchen and 3 restrooms. Second floor: 3 rooms and attic space used for apartment & storage, cellar used for storage, outside deck, 4 entrances and exits.

A Zoom Remote Public Access hearing will be held on May 5, 2021 at 7:15 PM by calling the following conference line: 1-929-205-6099 Meeting ID: 860 1470 5597 Password: 826207 or by using the following link: <https://zoom.us/join> and look for the Join Meeting button. BOARD OF SELECTMEN Judith MacLeod Froman, James L. Potter, George G. Slade, Jr., Peter J. Meier, Jared P. MacDonald

Voted: Peter Meier moved and seconded by Jared MacDonald to open the public hearing.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Jared MacDonald questioned if they are going to do any renovations/upgrades.

Dave Delancey said there are some upgrades that they would do, hoping to transfer ownership in June, will operate as is for this summer, will do some work next year.

Voted: Peter Meier moved and seconded by Jared MacDonald to close the public hearing.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to transfer the year-round Common Victualer's License for the sale of all kinds of alcoholic beverages to be drunk on the premises from Trading Post Lounge, Inc., Kristine M. Leitzel (Manager) to Trading Post Restaurant, Inc., David P. Delancey (Manager).

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to transfer of the Common Victualer's Food License from Trading Post Lounge, Inc., Kristine M. Leitzel (Manager) to Trading Post Restaurant, Inc., David P. Delancey (Manager).

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to transfer of the Common Victualer's Food License from Trading Post Lounge, Inc., Kristine M. Leitzel (Manager) to Trading Post Restaurant, Inc., David P. Delancey (Manager).

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

7.b. Bourne Bridge Approach, Buzzards Bay for a year-round Common Victualer License for the sale of all kinds of alcoholic beverages to be drunk on the premises, application for Common Victualer Food License and Entertainment License.

Applicant: Buzzard's Bay Bars LLC, d/b/a TJ's Grill and Bar, Chad Smith, Manager; Project Location: 4 Bourne Bridge Approach, Buzzards Bay; Request: New License – Year-Round Common Victualer License for the sale of all kinds of alcoholic beverages to be consumed on the premises. 1 floor consisting of 7 rooms: dining room and bar room, men's and ladies' restrooms, kitchen, storage room, office and a 150' enclosed patio on the west end of the building without seating. Full application on file in the TA's Office. Applicant has also applied for a common victualer food and entertainment license. Remarks: Planning Department - Restaurant permitted by right. Any site changes would require Site Plan Review per Zoning Bylaw sec. 1233. Board of Health - Food Establishment Plan Review currently in review. Will require Food Permit and Pre-op Inspection prior to opening. Building Inspector - Will need new occupancy permit as has been empty 2 years. Assessors - rcvd fol 3/19/21. Police Department - Must follow all liquor laws. Fire Department - Pending inspection prior to opening.

Judy Froman read the Notice:

NOTICE

TOWN OF BOURNE

LIQUOR HEARING

Notice is hereby given in accordance with Massachusetts General Laws Chapter 138, Section 12 that application has been received from Buzzards Bay Bars LLC, d/b/a TJ's Grill and Bar, Chad Smith, Manager; 4 Bourne Bridge Approach, Bourne, MA 02532 for a Year-Round Common Victualer License for the sale of all kinds of alcoholic beverages to be drunk on the premises. Description: 1 floor consisting of 7 rooms: dining room and bar room, men's and ladies' restrooms, kitchen, storage room, office and a 150 sq. ft. enclosed patio on the west end of the building without seating.

A Zoom Remote Public Access hearing will be held on May 5, 2021 at 7:20 PM by calling the following conference line: 1-929-205-6099 Meeting ID: 860 1470 5597 Password: 826207 or by using the following link: <https://zoom.us/join> and look for the Join Meeting button. BOARD OF SELECTMEN Judith MacLeod Froman, James L. Potter, George G. Slade, Jr., Peter J. Meier, Jared P. MacDonald

Voted: Peter Meier moved and seconded by Jared MacDonald to open the public hearing.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Chad Smith, plan is to open TJ's as it was. The largest change we will do is to outsource food to a variety of local licensed food trucks. The food will be served by wait staff. Hoping to bring in a better diversity of food. I submitted a special permit to have the food trucks dock on the building where there is a patio/porch. We still operate like a conventional

restaurant, where patrons sit down, order their food, and the waitstaff will go to the food truck window, and bring it to the patrons, but we could operate with self-service, and patrons could order their own food.

Judy Froman questioned the BOH walk through. Chad Smith said there has been a walk through. Judy Froman questioned the Occupancy permit and the Fire Inspection.

Chad Smith said regarding the Fire Inspection we were looking to schedule that when work is done, in May.

Voted: Peter Meier moved and seconded by Jared MacDonald to close the public hearing

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the Buzzard's Bay Bars, LLC, (d/b/a TJ's Grill and Bar) Chad Smith, Manager, 4 Bourne Bridge Approach, Bourne, MA 02532 for a year-round common victualer license for the sale of all kinds of beverages to be drunk on the premises:

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the Common Victualer's Food License for Buzzard's Bay Bars, LLC, (d/b/a TJ's Grill and Bar) Chad Smith, Manager, 4 Bourne Bridge Approach, Bourne, MA 02532.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the Entertainment License for Buzzard's Bay Bars, LLC, (d/b/a TJ's Grill and Bar) Chad Smith, Manager, 4 Bourne Bridge Approach, Bourne, MA 02532.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

7.c. Application for a Common Victualer's Food License for Mic's Main Scoop, Inc., d/b/a Mic's Main Scoop, Michaela Michienzi, Mgr., 100 Main Street, Buzzards Bay.

Applicant: Mic's Main Scoop, Inc., d/b/a Mic's Main Scoop, Michaela Michienzi. Location: 100 Main Street, Buzzards Bay. Request: Common Victualer License for ice cream and frozen food items. Remarks: Board of Health - Initial walk through looked good. Pending final inspection day before opening.

Michaela Michienzi, Manager said she is opening an ice cream shop and snack shack on Buzzards Bay park. Will have. Simple foods, ice cream, and milk shakes.

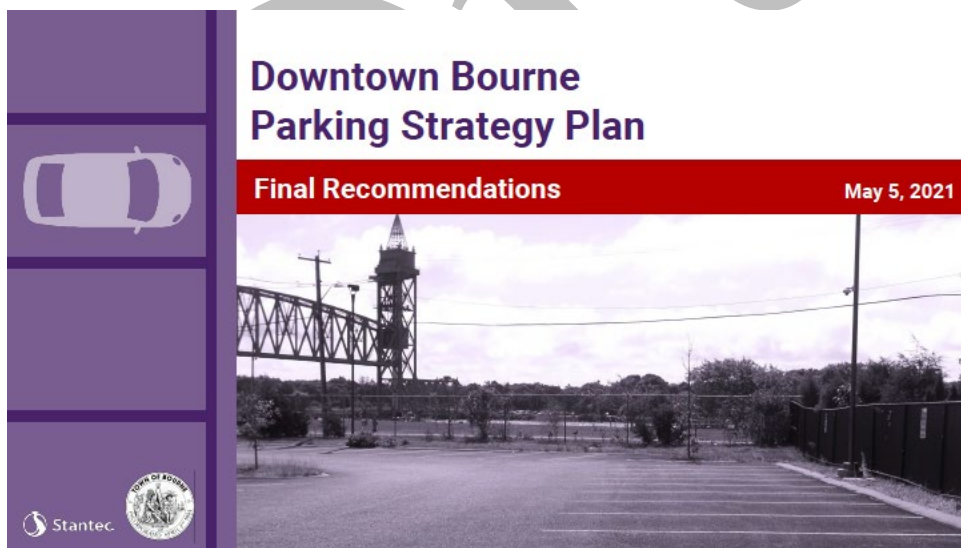
Voted: Peter Meier moved and seconded by Jared MacDonald to approve the Common Victualer's Food License for Mic's Main Scoop, Inc., (d/b/a Mic's Main Scoop) Michaela Michienzi, Manager, 100 Main Street, Buzzards Bay, MA 02532.

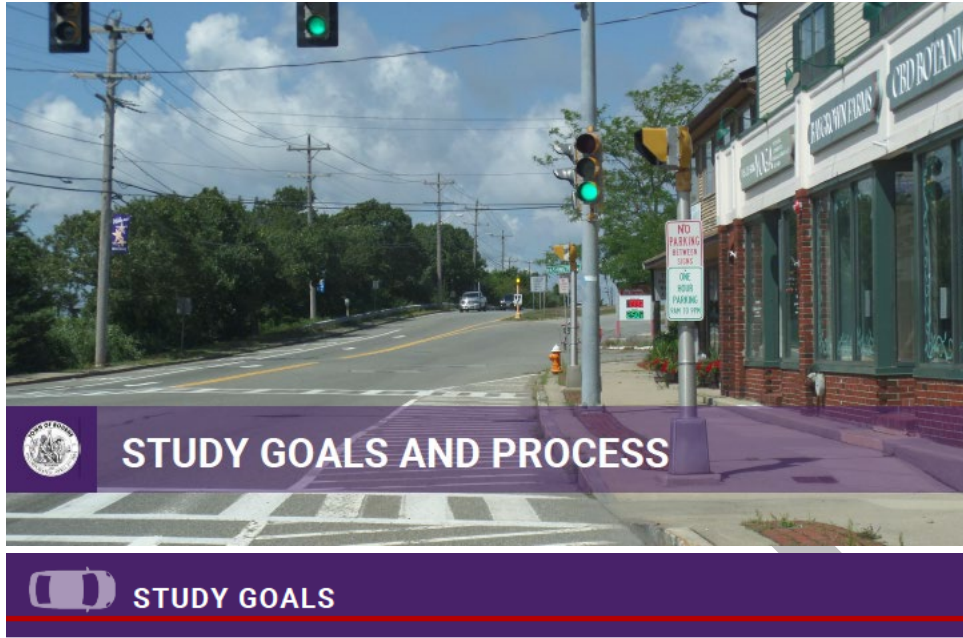
Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote: 4-0-0.

7.d. Downtown Parking Study Final Report — Discussion and possible vote

Coreen Moore, Town Planner, said downtown parking has been an issue for the past few years. We had a previous study done by Green Seal Environmental, they looked at 8 sights. We got another grant from the state and we got consultant Stantec to do a feasibility study of the existing parking and potential new parking, possibly some zoning changes. The report shows how many existing parking spaces we have.

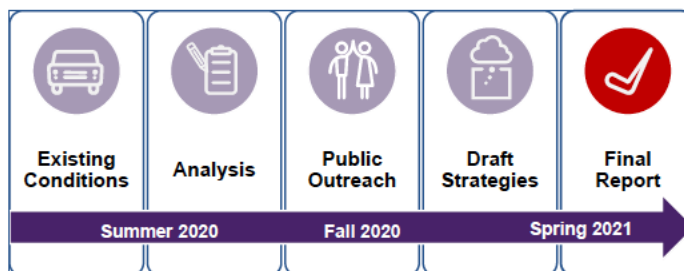
Whitney Burdge, and Jason Schrieber from Stantec gave the presentation and went over the Parking Plans & Goals, Existing Conditions, Analysis, Public Outreach, Draft Strategies, Process, Recommendations.





- 1 ADDRESSING SHORT-TERM PROBLEMS**
Understanding where parking is and isn't hard to find, and what/where factors cause parking impacts
- 2 PLANNING FOR LONG-TERM GROWTH**
Testing future scenarios and understanding impacts of future changes, including new housing, other development, and more events
- 3 IMPROVING TOWN'S PARKING MANAGEMENT APPROACH**
Identifying how current practices based on ordinances and parking pricing can be improved using a best practice approach
- 4 PROMOTING SHARED PARKING**
Maximizing the efficiency of existing underutilized lots for the benefit of all to attract new customers and investment

Downtown Bourne Parking Strategy Plan

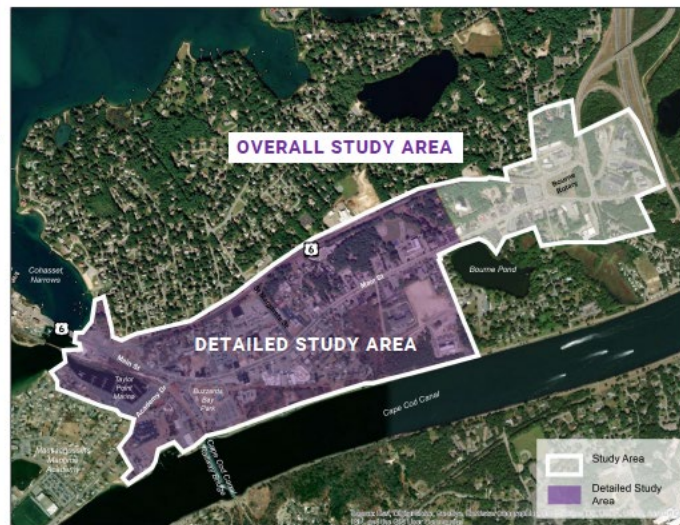


Downtown Bourne Parking Strategy Plan



STUDY AREA

We defined a detailed study area to be able to capture more specific data in the area of greatest perceived parking challenges



Downtown Bourne Parking Strategy Plan

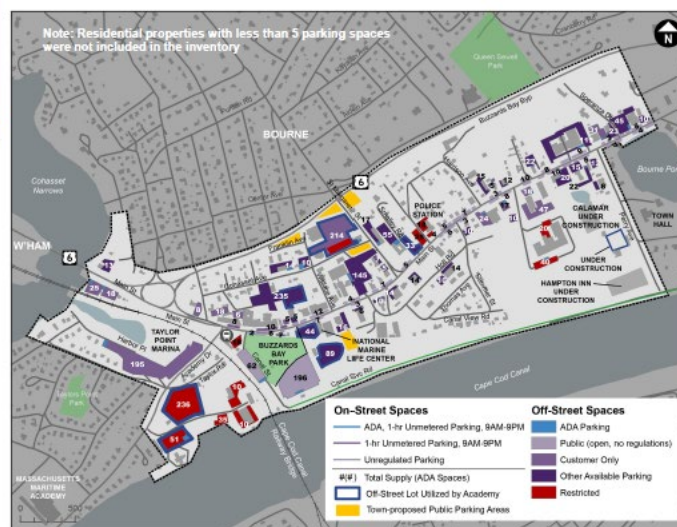


PARKING INVENTORY

We identified where different types of parking are located

**Total
Parking
Spaces
2,549**

Downtown Bourne Parking Strategy Plan



PARKING UTILIZATION

Using aerial imagery (both from 2016 and 2018), we identified how many parking spaces were being used during an afternoon on a typical day

Downtown Bourne Parking Strategy Plan



EXISTING CONDITION KEY FINDINGS

- **Parking is generally widely available** during typical, non-peak conditions but there is a lack of signage to direct people to appropriate off-street lots
- **Localized negative impacts** are hurting the perception of availability
- While **some shared parking is taking place**, there is opportunity for more
- The potential of parking **demand exceeding capacity** only occurs during a **handful of days** per year
- Some people are biking but there is a **lack of signage identifying safe routes** to use these options and bike parking
- **Transit ridership is increasing** but there is a lack of signage identifying it as an option to people unfamiliar with the area

Downtown Bourne Parking Strategy Plan



STAKEHOLDER ENGAGEMENT SUMMARY



SUMMARY OF STAKEHOLDER ENGAGEMENT

We met with two groups of stakeholders, including representatives from the Chamber of Commerce, Regional Transit Authority, Planning Board, the Regional Cape Cod Transportation Committee, and others.



SUMMARY OF STAKEHOLDER COMMENTS



Parking is **generally widely available** during typical, non-peak conditions but there is a **lack of signage** to direct people to appropriate off-street lots



Localized negative impacts are hurting the **perception of availability**



While some shared parking is taking place, there is **opportunity for more**



The potential of parking demand exceeding capacity only occurs during a **few days** a year



Some people bike, but there is a lack of signage identifying **safe routes** and **bike parking**



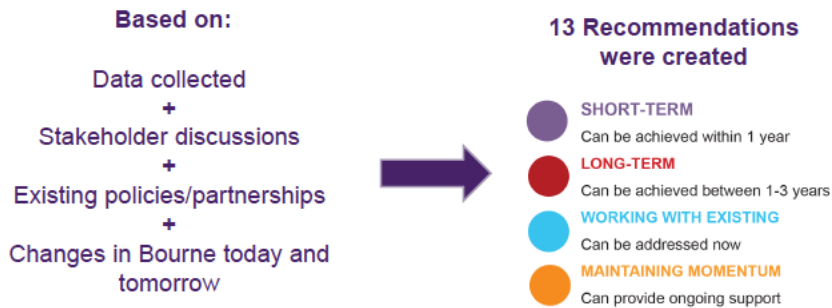
Transit ridership is increasing but a **lack of signage** doesn't make it a likely option for new visitors



RECOMMENDATIONS



WHAT INFORMED THE RECOMMENDATIONS



1 Create a joint management strategy

WHY?

To encourage a more collaborative approach and increase the consistency of parking facility regulations and physical conditions



1 Create a joint management strategy

HOW?

Incentivize Participation in Shared Parking

- Provide **in-kind** services to re-pave lots, provide lighting and signage, and winter maintenance
- Act as a **mediator between parties** to ensure land rights are protected
- Provide **resources** with sample shared agreements, best practices

Reduce complexity for landowners

- Arrange **fair designation** of parking between public and private owners
- Establish **sharing periods**
- Provide **exit clauses**

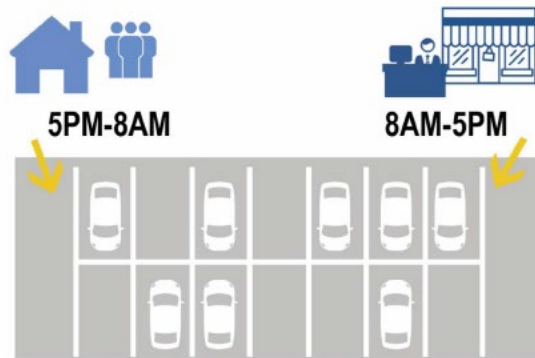
Define and Enforce Roles/Responsibilities:

- Chains of communication for **enforcement**
- Communication to the public (**current maps**, signage)
- Coordination and **sharing of data**

2 Identify options for shared parking spaces

WHY?

To ensure that adequate parking is both available and located near desired destinations during different times of the day



2 Identify options for shared parking spaces

HOW?

- **Educate landowners** about the benefits of sharing. Hold an informational meeting with sample agreements.
- **Amend ordinances** to encourage shared parking at current and future developments
- Using this study, **identify the lots** which would be most beneficial to alleviating parking demand in specific areas of Main Street (e.g. the Marina parking lot, St. Peter's Church)
- **Pursue shared agreements** between the Town and landowners with in-kind services provided by the Town to help private lots become part of an overall public system

3 Improve wayfinding and cues to parking

WHY?

To create a visitor-friendly environment (especially for the unfamiliar visitor) and reduce violations of homeowners leasing personal parking spaces



3 Improve wayfinding and cues to parking

HOW?

- Define **clear parking rules**
- Identify **different types of parking** (short and long-term, on and off-street)
- Identify major **points of interest**
- Help **pedestrians navigate**
- **Design** a consistent wayfinding signage system and maintenance program



4 Identify short- and long-term parking areas

WHY?

To ensure that parking is available to users with different or competing locations and time needs



4 Identify short- and long-term parking areas

HOW?

- Work with landowners to **identify needs**
- **Designate on-street spaces** on Main Street as short-term
- **Designate** lots (or portions) that can support **all-day parking** (e.g. the Marina lot during off-season) and form an agreement with relevant landowners and businesses
- Publish a user-friendly **town parking map** on the Town website to describe available parking resources



6 Review and amend parking ratios

HOW?

- Reference study findings and national standards for **parking ordinance wording** that would support Bourne and its development goals
- Amend ordinances to **reduce requirement of parking spaces** where reasonable, and to permit shared parking prior to finalization of upcoming development plans
- Establish **zoning and bylaw amendments** prior to the adoption of current developments and proposals being considered for the downtown area. This will aid in setting the stage for long-term best practice.

7 Plan for exceptional circumstances

WHY?

To ensure efficiency and best management of parking during unusual periods of demand



7 Plan for exceptional circumstances

HOW?

- **Form a committee** to develop an event parking plan and strategy
- Identify **roles and responsibilities** for landowner coordination (e.g. organizers, traffic control, communication triggers)
- Identify **all planned events/days** requiring a special parking plan
- Identify **private facilities** that can be publicly shared during events
- Identify potential existing parking facilities at the edge of town or adjacent to town that might be used for **remote parking**

7

Plan for exceptional circumstances

HOW?

- Identify existing services/drivers which might be a resource for providing **shuttle service during events**, define a schedule and incentives
- **Advertise** the connection to particular destinations with signage/wayfinding
- Consider **potential incentives** to offer visitors to take transit (e.g. reduced fare)
- Consider defining and implementing a **paid parking zone** during events and using the revenue towards a fund for parking operations/maintenance
- Evaluate **parking lot utilization** to understand effectiveness and need to adjust plan



PARKING STRATEGY PACKAGE

1. Create a joint management plan
2. Identify options for shared parking spaces
3. Improve wayfinding and cues to parking
4. Identify short- and long-term parking areas
5. Provide options for developers
6. Review and amend parking ratios
7. Plan for exceptional circumstances
8. Designate bike areas
9. Improve education about options
10. Improve connectivity to the waterfront
11. Allocate parking for all user types
12. Identify need for future parking structure
13. Maintain and update study information

13 Recommendations were created

Short-Term – Can be achieved within 1 year

Long Term – Can be achieved between 1-3 years

Working with Existing – Can be addressed now

Maintaining Momentum – Can provide ongoing support

- 1 – Create a joint management strategy
- 2 – Identify options for shared parking spaces
- 3 – Improve wayfinding and cues to parking
- 4 – Identify short- and long-term parking areas
- 5 – Provide options for developers
- 6 - Review and amend parking ratios
- 7- Plan for exceptional circumstances

Parking Strategy Package

Peter Meier spoke about the future expansion of parking, because if the MBTA move forward they may have a certain number of parking spaces they need to service the station; there was talk about a parking garage. What can we do for future parking uses?

Jason Schrieber said we did a parking model based on all that data. We did estimates on buildings being at 100% occupancy. The data still said there was 1000 empty parking spaces. If the MBTA is able to bring in a garage dedicated directly to transit access, that would be great and it would be used. Sharing parking is an immediate and continues to be an opportunity.

Judy Froman said having signs for where there is parking is critical

Peter Meier suggested to also invite the public to comment on this study. We need to emphasize handicap parking spaces.

Glenn Cannon said we'd welcome the opportunity to sit down with the consultant; have more discussion about the recommendations, and maybe define some of the recommendations. We should, since this was a grant, see if there is any additional funding for public outreach.

Voted: Peter Meier moved and seconded by Jared MacDonald to continue the discussion to a future meeting

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote: 4-0-0.

7.e. Application to close a section of Circuit Avenue between Pequot and Kennebec Road to vehicle traffic between 3-8 p.m for wedding reception for the Stenberg family

Applicant: Paul and Madeline Stenberg, 435. Circuit Ave, Pocasset. Project Location: Circuit Avenue – section of Circuit Ave between Pequot Ave & Kennebec between house numbers. 425-457 on June 26, 2021 from 3-8 p.m. Nature of Request: Wedding reception for daughter with a clambake. Remarks: Planning Department – No issue for the Planning Dept. Conservation Commission No structures are allowed to be erected on the beach without a permit and no porti-potties within 100' of the water. Police Department – Access for emergency vehicles must be maintained. Appropriate barriers/signage should be in place indicating closure. Fire Department – Access for emergency vehicles must be provided if necessary.

Glen Cannon said the applicant was contacted.

Judy Froman suggested to get from Police what signage would be required. Routing slip states that neighbors would be notified, would like to see that the neighbors did get notified.

Tony Schiavi said he can add it to the June meeting agenda.

Voted: Peter Meier moved and seconded by Jared MacDonald to continue this to a future meeting.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote: 4-0-0.

7.f. Use of Monument Beach Fire Station for a small Ice Cream Social on July 12, 2021 from 6:00 p.m.-7:30 p.m., sponsored by the Monument Beach Civic Association

Applicant: Beth Agrillo, Monument Beach Civic Associates. Location: Monument Beach. Fire Station. Nature of Request: July 12, 2021 6:00-7:30 p.m. [MMBA. Arriving at. 4:00 p.m. for setup] Ice Cream Social. The newly revised Monument Beach Civic Association (501c3) is seeking approval to host a small socially distance ice cream social for the Monument Beach community at the Monument Beach fire station on July 12th. Members of the association will be present to strictly enforce the safety guidelines issued by the state detailed below.

MBCA will provide tables spaced no less than 6' apart for families to sit at a if families choose to sit.

MBCA will provide paper towels, hand sanitizer, disinfectant, and garbage receptacles and ensure all trash is carried out.

MBCA will disinfect each table after each use with a EPA-registered disinfectant while wearing gloves

All MBCA volunteers will wear masks and encourage others to do the same if a distance of 6' cannot be kept

We will clearly mark the "entrance only" so we can easily count attendance if there is a cap limit at the time of the social

In addition to hand-written posted sign encouraging distancing, masks wearing, and the use of hand sanitizer MBCA members will be on site for the duration of the event in easily identifiable Monument Beach T-shirts to enforce all of the above explain policies

MBCA will adapt to any and all Covid guidelines that are put in place after our request letter

Public safety is our paramount concern and we look forward to safely bringing events back to our beloved community.

We are happy to answer any questions,

Monument Beach Civic Association Board of Directors.

Peter Meier wonder if we can coordinate their efforts with Bourne Police Department and Fire Department to see if we can coordinate with them to do a public safety night out.

Jared MacDonald said it is a good opportunity for community policing and fire department to get out there.

Beth Agrillo said we are looking at the fire station for the ice cream social, which is different than the Bourne Night Out which we are also be involved in.

Voted: Peter Meier moved and seconded by Jared MacDonald to allow the Monument Beach Civic Associates (Beth Agrillo and the Monument Beach Civic Associates Board of Directors) a 501c3 to host a socially distanced ice cream social at the Monument Beach Fire Station on July 12, 2021 from 6:00 PM to 7:30 PM (arriving at 4:00PM for set-up).

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

8) License/Appointments

- a. Discussion and possible vote to reduce parking at Shore Rd Park
- b. Discussion and possible vote to appoint an alternate to the Military, Civilian, Community Council (MC3)
- c. Update on DEP Notice of Non-Compliance at 239 Main St.
- d. Update on DEP Administrative Consent Order at 120 Main St.

8.a Discussion and possible vote to reduce parking at Shore Rd Park

The Planning Board, at a regularly scheduled meeting on Feb. 27, 2020, voted favorably for this project. They would like to see a 50% reduction in parking, with the ability to expand it in the future if necessary, the park should be ADA accessible and compliant, and encourage signage regarding the educational value of the surrounding area.

Sam Haines, Conservation Agent, said we have been trying to make improvements on the Shore Road Pocasset Park site. We have laid some hard pack and getting some loam in. Over the past years we have had difference of opinions and recommendations from Boards. The Planning Board thought there was too much parking, they wanted to reduce the parking by 50%; they preferred the parking to the north side as opposed to the south side. We redesigned the plan based on their recommendations. We also wanted Shore & Harbor input. Shore & Harbor wanted additional parking. We are at an impasse. This property is under the BOS custody and control, so the BOS can make the decision

Richard Libin, Shore and Harbor, said they discussed the plans. The parking by the Singing Bridge becomes an overflow parking for Barlow's Landing, for people that don't have permits to park their trailers. Our thought was there was going to be a parking lot to the south, a park in the middle and parking at the north end. Our motion was to put back the parking on the south end, enhance the width to the stairway going down, and to put more trailer parking towards the Singing Bridge. We don't want to lose any parking.

Peter Meier suggested to not make a decision tonight. Would like to hear the Planning Board's comments. Extra parking for trailer use is critical, have it by the singing bridge.

Tony Schiavi said we would like to see the original plan with both the north and south parking, no redesign so there is no need to go back to the Planning Board. Consider the parking recommendation from Shore & Harbor and Conservation Commission. Our recommendation is to keep it as designed originally.

Sam Haines said we tried to incorporate what the property was originally used for, which was an overflow areas for events and boaters and to beautify the area.

Jared MacDonald said the original plan looks good, wouldn't change it.

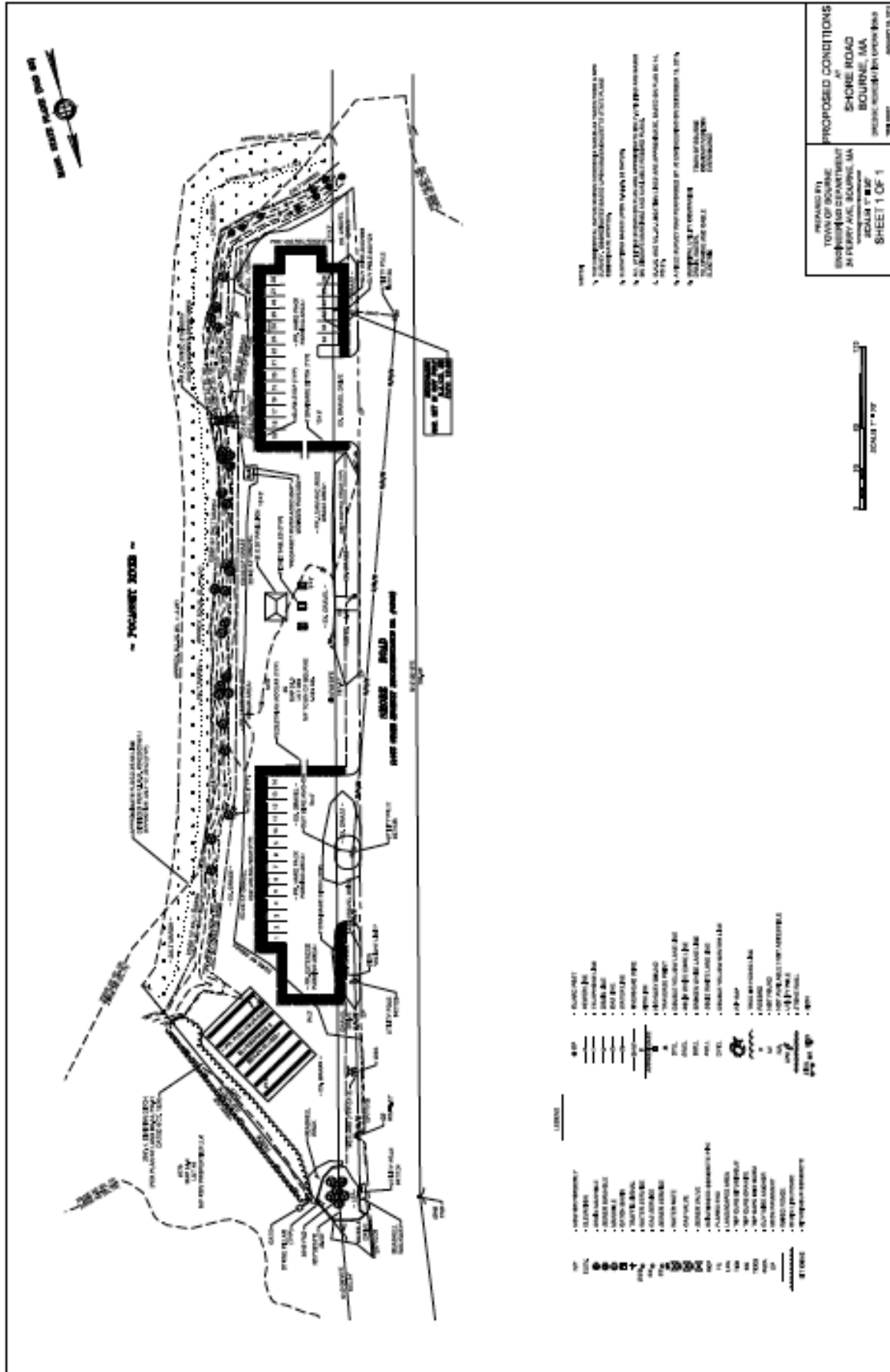
Judy Froman questioned the erosion in the area

Sam Haines said this area is historic dredge soils, it is a lot of compacted sand. With people driving over that area it has created erosion. It is currently eroding down into the salt marsh. People are accessing from two separate paths; we'd like to confine it to one path. We would like to propose a 25 ft. buffer between any parking area and the edges of the coastal bank and hydroseed that area to help stop the erosion. We are OK with widening the stairs. Will be meeting with Lori Cooney to get ideas to make it more ADA compliant.

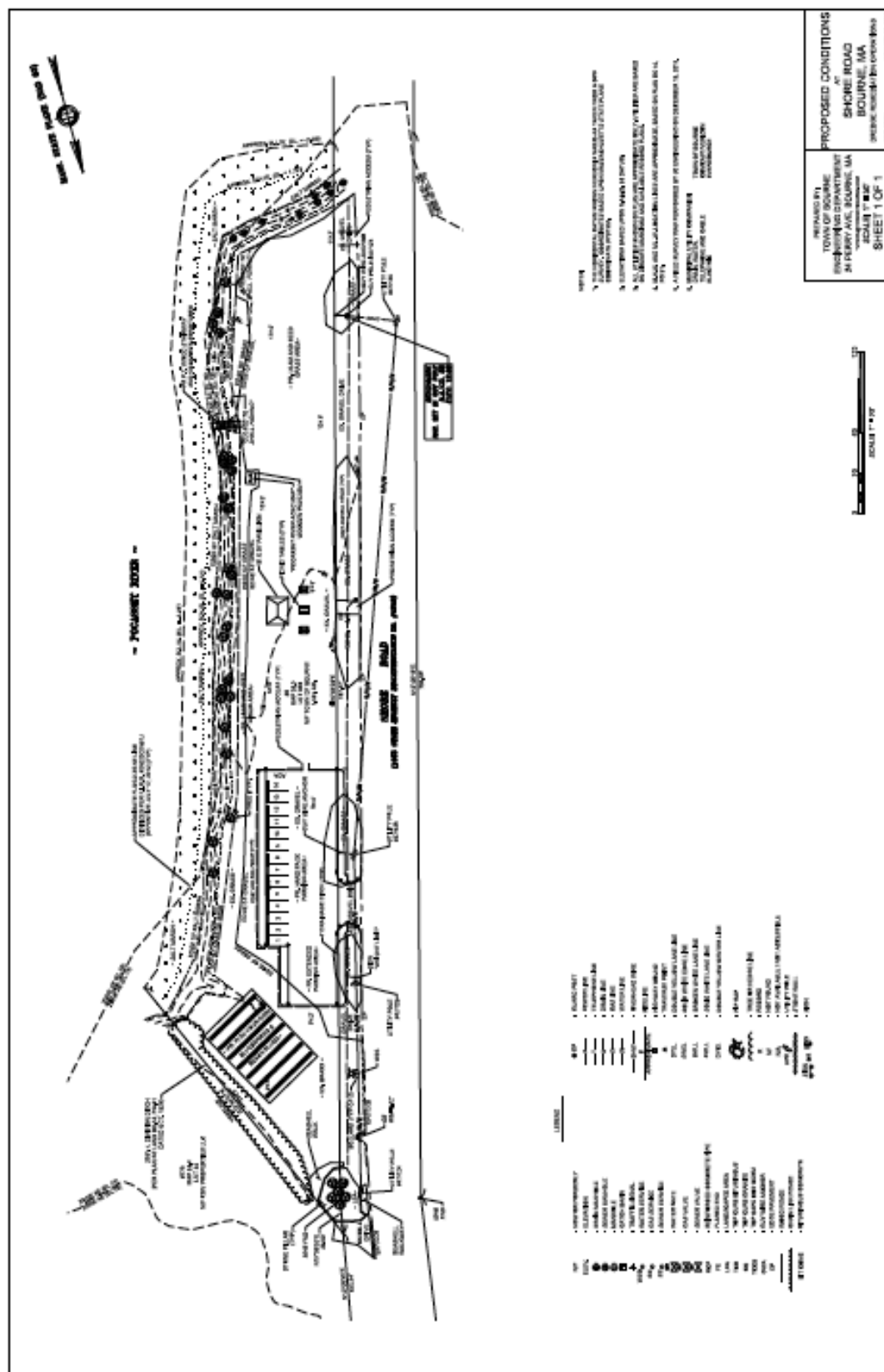
Chris Southwood, Natural Resource Director, said regarding the beach parking stickers, with the reduced capacity allowed at Barlow's it's hard to get parking. This elevates the problem for people to get a sticker for Barlow's, and they can store their trailer in a safe spot. It's nice to have this access for recreational boaters and kayakers, this is a nice project.

Judy Froman said she is in support of the original plan that was put forward.

Sam Haines went over the maps. We wanted one lot to be more for pedestrian and the other for more utilization for commercial and boating. The recommendation from the Planning Board was to remove the southern side lot, so we did a redesign. We have started to put the hardpack down on the northern lot. Would like to get the hard pack, and seed down.



The revised Plan



Sam Haines said we revised the plan to include some drainage and ADA Compliance, and we removed southern parking lot.

Judy Froman questioned would it be the beach permit parking

Sam Haines said we had no intention to make it beach permit require parking.

Richard Liben said that area is also used for the overflow for the marina across the street, it has also been used for weddings.

Peter Meier suggested to maybe pass it by the Pocasset Heights association to get some more input.

Elmer Clegg, Planning Board, and an active member of Pocasset Village Association, speaking as a private citizen, said this park needs to be designed so it can accommodate trailers for overflow from Barlow's landing parking area, also to accommodate people who want to kayak who don't have a beach sticker. The original plan to incorporate access by a number of trailers and trucks needs to be incorporated. We need more than that single parking lot.

Voted: Peter Meier moved and seconded by Jared MacDonald to continue this matter to the next available meeting as determined by the Chair and the Town Administrator.

Jared Mac Donald and George Slade would like to move this forward, we can keep an eye on it, and maybe alter the plan if it doesn't work out.

Judy Froman referenced the Bylaw Section 1.4.5:

Public land. No public park, recreation area, or similar land or facility for public use shall be created without prior reference to the Planning Board for investigation and the Planning Board shall report and make recommendations to the Board of Selectmen thereon.

The Planning Board made recommendations but the decision making is up to the BOS. If there is an opportunity to go with the plan, with the 2 parking lots, that goes along with our vision, mission, and strategic plan, not interested in postponing this.

Peter Meier withdrew his motion Jared withdrew his second

Voted: Peter Meier moved and seconded by Jared MacDonald to go with the original plan, with the two parking areas, and give the staff the discretion for flexibility.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 4-0-0.

8.b. Discussion and possible vote to appoint an alternate to the Military, Civilian, Community Council (MC3)

Tony Schiavi said we don't have an alternate so George Slade is the Boards representative to the Military, Civilian, Community Council. They asked for an alternate incase Mr. Slade is unavailable, to make sure the town has an opportunity to have a representative present.

Voted: Peter Meier moved and seconded by Jared MacDonald to appoint Tony Schiavi as the alternate to the Military, Civilian, Community Council (MC3) for a term to expire on June 30, 2021.

Roll Call Vote: George Slade - Yes, Peter Meier - Yes, Jared MacDonald - Yes, Judy Froman - Yes
Vote: 4-0-0.

8.c. Update on DEP Notice of Non-Compliance at 239 Main St.

Tony Schiavi said we have 2 environmental cleanup issues.

The 1st is the underground storage tanks at the Community Center location (formerly Phil's Auto) that had been compromised. There had been leakage into the soils and ground water, it reached the ground water. There was a series of monitoring wells and injection wells that were placed on the property. There were a number of steps the town took over the course of 6 years. After 2006 the town stopped reporting progress on that particular site. The town was issued a Notice of Non-compliant by DEP recently. We hired Bennet Environmental to help get ourselves back into compliance. They took samples from monitoring wells and injection wells. When they opened a couple of the wells there was odor of gasoline. The samples have been sent off to the lab to get analyzed. Once we get samples back, part of our solution set is to look at what the chemical analysis is of the samples and determine from a risk perspective to human and environmental receptors, which will guide Bennet Environmental for potential solutions. Hoping to have additional reporting by next week. Should have a response for DEP for the BOS to review on June 1st. We have until June 5th to submit a Tier 2 Extension. By next year we have to have a temporary or permanent solution that is feasible for this particular site

8.d. Update on DEP Administrative Consent Order at 120 Main St.

Tony Schiavi went over the second site, which is 120 main street where National Marine Life Center is located.

This site is under an Administrative Consent Order by the DEP

The town was originally in compliance after the ACO was issued, in 2016 they submitted a Tier 2 Extension, as well as a Release of Abatement form/report. July 2016, they submitted a Phase IV status report. By October 2016 they were supposed to determine a permanent or temporary solution that would be feasible for that particular site. After 2016 there was no more reporting by the town. DEP said we need to provide them a Tier 2 Extension as well as a Phase IV status report and any implementation plan. Bennet Environmental will be starting work on that shortly, we have to get the Community Center done first.

9) Town Administrators Report

- a. Annual and Special Town Meeting Recap
- b. Gardner Bridge Update
- c. FY2021 Closeout

9.a. Annual and Special Town Meeting Recap

Tony Schiavi gave an update on the Town Meeting
All 20 warrant articles were passed, most unanimously.
We will look at which warrant articles we need to take action on.
There was one article for Special town meeting that passed unanimously.

Peter Meier suggested, if it is safe to do so, to go back to remote voting for the Fall.

9.b. Gardner Bridge Update

Tony Schiavi said he had a conference call this morning with Robert B. Our.
Was a slight delay on the delivery of the timbers.
Hoping to start work on the Bridge on Monday
End date slipped from May 31 to about mid June.
As a precaution we asked David Vieira to submit a Prior Authorization Continued, since this is one-year money that expires on June 30th.

Peter Meier questioned when the town buildings will be opened back to the public.
Tony said that is on the agenda for the next meeting.

9.c. FY2021 Closeout

We are in the last 2 months of the Fiscal Year

Having a Dept Head meeting next week to begin the FY21 closeout actions and preparations.

Revenue side – in terms of local receipts, no too much of a concern at this point.

If we need to make any reserve fund transfers we'll inform the Finance Committee and the BOS.

We will have another update in June

10) Correspondence

George Slade brought the Board and the public up to date on the correspondence

- A. Letter from TEC Associates regarding Massachusetts Coastal Railroad 2021 Vegetation Control Program.
- B. Email from Melissa Allard regarding meeting to take place in May or June with Maggie Downey to provide updates on Cape Light Compact Programs.
- C. Notification from Horsley Witten Group notifying of public meeting to take place with Preservation of Affordable Housing, Inc and Housing Assistance Corporation with Board of Health regarding property at Cape View Way.
- D. Notification from Eversource regarding Eversource Energy Transmission Vegetation Management in Bourne.
- E. Letter from Scott and Katherine Conlon in opposition to the Buzzards Bay Coalition's project to run a wastewater outfall pipe.
- F. Mark Renaud submitted Massachusetts Cable Television Forms 200 and 400 for the year-ended December 31, 2020.

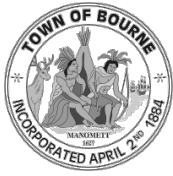
11) Adjourn

Voted Jared MacDonald moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:20 pm.

Roll Call Vote: George Slade – Yes, Peter Meier – Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote 4-0-0.

Respectfully submitted – Carole Ellis, secretary.



Town of Bourne
24 Perry Avenue, Buzzards Bay, MA 02532-3441
(508) 759-0600

Board of Selectmen Minutes, August 9, 2021
Retreat held at Massachusetts Maritime Academy
101 Academy Drive, ABSIC Library Rm 201
Buzzards Bay

In attendance:

Peter J. Meier, Chair
Judith MacLeod Froman, Vice Chair
George G. Slade, Jr., Clerk
Jared P. MacDonald
Mary Jane Mastrangelo

Acting Town Administrator Glenn Cannon
Facilitator James Lampke

The open meeting is brought to order at 8:52 AM.

James Lampke facilitates the Selectmen's Retreat:

- Introductions
- Consensus Building Exercise
- Discussion relative to consensus building as a Board of Selectmen

DRAFT MOTIONS - The Board discussed draft motions and amending the Selectmen Rules & Procedures to include draft motions.

TOWN COUNSEL - The Board discussed the role of Town Counsel when reviewing contracts, articles, and even attending Board of Selectmen meetings.

ROLES & DUTIES –

- The Board of Selectmen should review the Charter and make recommendations to the Charter Review Committee
- Should the Board of Selectmen be the Board of Sewer Commissioners?
 - Existing IMA with Wareham was discussed
- The reporting structure of a separate Board of Sewer Commissioners was discussed
 - CWMP was discussed by the Board
 - The existing Board of Sewer Commissioner's work is not overwhelming to the Board of Selectmen
 - Should the Sewer Enterprise Fund become a Town Department?

Town Charter

Section 3-3- Policy Role

- Goals – July 1, - The Board is Concerned with the July 1, deadline for Goals

- Draft Motions
Rules and Procedures

Articles

- Budget Priorities – The Board of Selectmen should give the Budget priorities
- Budget Goals – Should the Charter refer to Budget Goals
- Should the Charter include a Strategic Plan
- Professional person to write Board of Selectmen policies

Town Charter 3-5 Appointing Powers

- The Board of Selectmen should discuss the hiring Authority of Special Counsel and Labor Counsel. Is the TA allowed to hire Labor Counsel?

Charter Section 3-3

Discussion ensure relative to the sole of the Board of Selectmen having discussions with the Department Heads.

Section 3-8 Rules of Procedure

- Public comments on agenda items will be taken during the agenda item.
Discussion ensued.
- Should Public Comment be included in the Select Board Rules of Procedure.
- The BOS could recommend changing the Charter language on Public Comments to move the language into the Town Bylaw.
- The BOS discusses adding item K. Other Selectmen Business – Not open to deliberation to the BOS Agenda

The Board of Selectmen discussed the following:

- Rules of Procedure
Page 8 – 4th paragraph
“Robert’s Rules of Order”
- MMA Handbook page 36
“Parliamentary Guide Considerations

Attorney Lampke recommends using “Bell’s Rules”

Attorney Lampke recommends adding a disclaimer to page 8, paragraph 4 in the Rules of Procedure:

- The BOS will consider adding a sentence under public comment on the BOS agenda, such as “No personal attacks will be allowed”

Read the Natick decision about public comment

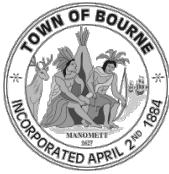
- Public Hearings

Swearing in Witness

- Unruly participants at a meeting
Attorney Lampke recommends “Taking a Recess” from the meeting
- Filing Disclosures process was discussed with the BOS
- Communication with applicants in front of the BOS was discussed
- Social Media
 - Attorney Lampke recommends NOT responding to social media posts
- Additional discussion is needed to discuss the Town Administrator transition plan
- Jared MacDonald: Motion to authorize Peter Meier and Judy Froman to discuss with Community Paradigm the current landscape of hiring Town Administrator. Seconded by George Slade, Voted 5-0-0
- Attorney Lampke recommends reading Board of Selectmen Handbook Pages 2-16
- Judy would welcome Attorney Lampe at a workshop to discuss the Rules of Procedure
- MJ recommends having a Facilitator for setting the BOS goals.
- Judy want to have further discussion on the Town Counsel and the Charter \ Review Committee topics
- MJ recommends a Board of Selectmen tour of Town Buildings

This meeting is adjourned at 8:48 PM

Respectfully submitted by Glenn Cannon, Acting Town Administrator.



Town of Bourne
24 Perry Avenue, Buzzards Bay, MA 02532-3441
(508) 759-0600

Board of Selectmen Minutes, September 7, 2021

In attendance:

Chairman Peter Meier

Acting Town Administrator Glenn Cannon

Vice Chair Judith Forman

Clerk George Slade

Mary Jane Mastrangelo

Chairman Peter Meier brings the Open Meeting to order at 6:30 PM

The Chair does note that Jared MacDonald is excused from tonight's meeting.

1. Board of Selectmen enter into Executive Session at 6:30 PM

The open session resumes at 7:18 PM

The Chair notes this meeting is being televised, streamed and/or recorded by Bourne TV. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time. Michael Rauch Bourne Enterprise is also recording.

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

3. Salute to the Flag

4. Vision

Mary Jane Mastrangelo reads the Town Vision.

5. Mission

George Slade reads the Town Mission.

6. Public Comment on Non-Agenda Items

None

7. Minutes: None

8. Appointments and Licenses

- a. Discussion and possible vote to approve a contract for the Interim Town Administrator (Mr. Timothy King)

Motion: Judy Froman makes a motion to approve an employment agreement with Timothy King as Acting Town Administrator at a salary of \$3017.25 per week, beginning on September 16, 2021, at the terms discussed in executive session and agreed to by Mr. King. Mary Jane Mastrangelo seconds this motion.

Vote: 4-0-0

- b. 7:00 PM. - Conduct a Public Hearing on the application from Arcade Ally, Inc., Robert Greene for an Arcade License at 175 Clay Pond Rd., Bourne MA

Motion: Judy Froman makes a motion to Open the Public Hearing, this motion is seconded by Mary Jane Mastrangelo

Roll Call Vote: Judith Forman- Yes, George Slade- Yes, and Mary Jane Mastrangelo- Yes, Peter Meier- Yes

Vote: 4-0-0

Mr. Green is present and addresses the Board to explain his arcade proposal and why the Town could benefit from this. He expresses he has received a lot of positive feedback on this project and explains the type of activities he will have.

Motion: Judy Froman makes a motion to adjourn the Public Hearing, this motion is seconded by George

Roll Call Vote: Judith Forman- Yes, George Slade- Yes, Mary Jane Mastrangelo- Yes, Peter Meier- Yes

Vote: 4-0-0

Motion: Mary Jane makes a motion to approve a License to Arcade Ally, LLC, Robert J. Greene (Manager) for the operation of automatic amusement devices under M.G.L. Chapter 140, Section 177A.

This motion is seconded by Judy Froman

Roll Call Vote: Judith Forman- Yes, George Slade- Yes, Mary Jane Mastrangelo- Yes, Peter Meier- Yes

Vote: 4-0-0

c. Discussion and possible vote to allow the Buzzards Bay Coalition to conduct their annual "Watershed Ride" along Town owned property on October 3, 2021 from 12:00 pm to 3:00 pm. Joes Medeiros? Is present to address the Board. Judy questions if volunteers will be present to help riders and traffic.

Motion: Judy Froman makes a motion to approve the application by Buzzards Bay Coalition to conduct the Watershed Ride along Town Roads as described tonight on October 3, 2021 from 12:00 PM to 3PM.

George Slade seconds this motion.

Vote: 4-0-0

d. Discussion and Possible vote to allow the Nicole Goodman Foundation to conduct their annual "Run-Walk" on Town owned property on October 30, 2021 from 10:00 am to 2:00 pm. e. Discussion and possible vote to appoint Karl Spilhaus as an Associate Member of the Board of Appeals f. Discussion and Possible vote to appoint Kelly Heede to the Recycling Committee. Heather Alden is present to discuss her mission for the Foundation with the Board.

Motion: Judy Froman makes a motion to approve the application by Nicole Goodman Foundation to conduct a Run-Walk on Town Property on October 30, 2021 from 10:00 AM to 2PM. Mary Jane seconds this motion.

Vote: 4-0-0

e. Discussion and possible vote to appoint Karl Spilhouse as an Associate Member of the Board of Appeals.

Motion: Judy Froman makes a motion to appoint Karl Spilhaus as an Associate Member of the Zoning Board of Appeals with the term to expire on June 30, 2022. This motion is seconded by Mary Jane Mastrangelo.

Vote: 4-0-0

F. Kelly Heede is present to discuss her interest in the Recycling Committee.

Motion: Mary Jane Mastrangelo makes a motion to appoint Kelly Heede to the Recycling Committee with the term to expire on June 30, 2023. This is seconded by Judy Froman.

Vote: 4-0-0

9. Selectmen's Business

A. Discussion and possible vote to adopt the Ascertainment Findings of Need related to the Town's Comcast License Renewal as well as Bourne Community TV's Capital and Operating Budgets in support of negotiations with Comcast.

Motion: Judy Froman makes a motion to adopt the license renewal Ascertainment findings of need and the Cable Capital and Cable Operating Budgets to be sought in negotiations with Comcast, subject to the Board of Selectmen reserving its right to modify proposed license renewal findings and budgets during negotiations. This motion is seconded by Mary Jane Mastrangelo

Vote: 4-0-0

b. Discussion and possible vote to accept the petition from the residents of Howard Avenue to allow repairs on Howard Avenue to move forward in accordance with Town Bylaw Sec 3.1.28. Linda is not present to discuss. Glenn Cannon explains the progress she has made and they have passed the initial money needed for repairs.

Motion: Mary Jane Mastrangelo makes a motion to accept the petition by the roadway abutters who own sixty-eight (68) percent of the roadway frontage. The petitioners are requesting various roadway improvements to occur on Howard Avenue, such as, but not limited to, filling potholes and drainage improvements as outlined the DPW Superintendent Scope of Work. Judy seconds this motion Froman

Vote: 4-0-0

c. Discussion and possible vote on the Final Order of Betterments for Nuovo Drive.

Motion: Judy Froman makes a motion to approve the Final Order of Betterments for Nuovo Drive in the amount of \$46,356.00 pursuant to the authority of the Bourne Special Town meeting on October 29, 2019 under Article 6 and pursuant to the authority set forth in Massachusetts General Laws, Charter 80, and Section 3.1.28 of the Town of Bourne Bylaws. Mary Jane Mastrangelo seconds this motion.

Vote: 4-0-0

d. Discussion and possible vote on the invitation to consult from the Sunrise Wind Farm Project. Acting Town Administrator Glenn Cannon further explains that this is a no obligation consultation.

Motion: Judy Froman makes a motion to approve the invitation to consult from Sunrise Wind Farm Project. This motion is seconded by George Slade.

Vote: 4-0-0

e. Discussion and possible vote to send a letter to MassDOT regarding the construction at the Belmont Circle (East End Rotary). The Chair explains this agenda was brought about by a resident email to the Board. A resident is present to express her concern that the traffic appearance has on the Town.

Motion: Mary Jane Mastrangelo makes a motion to direct the Town Administrator to write and sign a letter to the MassDOT District 5 Director relative to adding signage on the approaches to the Belmont Circle advising motorists that the construction impact are only temporary and that Main Street, Buzzards bay is open for business. Judy Froman seconds this motion.
Vote: 4-0-0

10. Town Administrator

- a. Energy Performance Contract Request for Qualification Update
Glenn Cannon provides the Board with the Energy Performance Contract Request for Qualification Update and explains to the board how the update is conducted.
- b. South Side Fire Station Request for Proposal for Land Acquisition Update
Glenn Cannon shares the update with the Board and the request has been extended to 5-6 land owners.
- c. Integrated Solid Waste Management Land Acquisition Unique Property Acquisition Update
Mr. Cannon explains the two options the Town is exploring.
- d. Review of the FY23 Budget Development and Fall/Spring Town Meeting timeline/ milestones. Mr. Canon explains that Mr. Schiavi had this updated on the website before he left his position.
- e. Pocasset Fire Station Update
Mr. Cannon explains that an engineer has advised not to park vehicles there.
- f. Personnel Updates - Ms. Coreen Moore (retirement), Nancy Sundman (retirement), Paul Shastany (contract extension) Glenn Cannon explains that Ms. Coreen Moores and Ms Nancy Sundman will be retiring this year. Paul Shastany will extend his contract until next spring to help the transition into the new police Chief. The Chair questions technicality

Motion: Judy Froman makes a motion to ask town counsel for charter reference and George Slade seconds this motion
Vote: 4-0-0

- g. Town booth at Cape Cod Canal Day-September 18, 2021
Glenn Cannon will be present to talk about Wastewater Management Plan and other resident questions.

11. Correspondence

George Slade shares the current correspondence with the Board:

- Leonard Pinaud has sent 5 letter regarding Bourne BWSC
 - Skip Barlow would like Town Meeting language for an article in the Special Town Meeting revised.
 - A Talent Bank form from Alan Gardner
 - Tom Egan requests information on the Town's acquisition of Academy Avenue.
 - Kenneth Moraff and Gary Keefe- concerns regarding Soul Source Aquifer
 - Gildo Cubellis A petition requesting permission for a memorial bench.
- All documents are on the Town Website.

A brief discussion between Ms. Mastrangelo and the Chair is held regarding the letter to request a revision to an article and the Chair and Mr. Slade regarding Memorials.

12. Committee Reports

None

13. Adjourn

Motion: Judy Froman makes a motion to adjourn this meeting and Mary Jane Mastrangelo seconds this motion

Vote: 4-0-0

This meeting is adjourned at 8:48 PM

Respectfully submitted by Kelly Smith, Recording Secretary.

**Board of Selectmen/Planning Board Joint Meeting
Minutes of Tuesday, September 21, 2021
Bourne Veterans' Community Center
Buzzards Bay, MA**

**TA Tim King, Acting
ATA Glenn Cannon**

Selectmen

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

Others: Erica Flemming, Finance Director, Nancy Sundman, Michael Cubellis, Bob Schofield, Maggie Downey.

6:45 P.M. Call Public Session to Order in Open Session

Chair Meier call the meeting to order at 6:45 PM The Planning Board called the meeting to order at 6:45 PM.

- 1. Open Joint Meeting with the Planning Board under the Bourne Zoning Bylaws, Section 1410 as authorized by Chapter 40A, Section 9, to reappoint 2 Associate Members to the Planning Board – William Meier and Shaun D. Handy.**

Chair Meier said that the Planning Board is there tonight to re-appoint two Associate members to the Planning Board. Chair Meier disclosed that one of the Associate members, William Meier (Dusty Meier), is his father. Chair Meier said that Shaun D. Handy is to be recommended to be re-appointed to a 3-year term because he has been there longer than William Meier, so one term will expire in 2023 and one will expire in 2024.

Voted: A motion was made and seconded, to appoint Shaun Handy to a three-year term and Dusty Meier to a two-year term.

Vote: Planning Board 7-0-0. Board of Selectmen 4-0-1. Chair Meier abstained.

- 2. Planning Board Adjourn from Joint Meeting**

Voted: Jared MacDonald moved, and Judy Froman seconded to adjourn the joint meeting.

Vote: 5-0-0.

- 3. Moment of Silence to recognize our Troops and our public safety personnel.**

- 4. Salute to the Flag**

- 4. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable

economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

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

6. **Public Comment on Non-Agenda Items**

- a. 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.

Chief David Cody wanted to take the time to inform the residents of some major operational things that will be taking place on the South Side. He said that station 4 (Pocasset) has an unsuitable floor to hold the apparatus. They will be moving their operations to the Monument Beach Station, which is uninhabitable, but the vehicles can go inside, and they are bringing in emergency temporary housing, which will be set up next to the facility on October 4th and will be fully operational by October 15th.

Chair Meier said he would like to address item 10.g. out of order next.

- 10.g. **Request from Fire Chief Cody to expend \$3500 from the Fire Department Donation Fund**

Chief Cody said they are going to use these funds for public educational materials and public outreach.

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded, to approve the request from Fire Chief, David Cody to expend \$3500 from the Fire Department Donation account to purchase public educational supplies i.e., handouts, fire prevention activity books for students, senior home flyers, etc.

Vote: 5-0-0.

7. **Formal Recognition of Nancy Sundman**

Chair Meier recognized Nancy Sundman's 52 years of service with a plaque that read: "Honoring Nancy Sundman who for 52 years never wavered her dedication to the businesses and people of the Town of Bourne", and she received a standing ovation. Nancy thanked the whole Town for the privilege to be able to work in the Town for 52 years. She said Bourne is a great town, and she loves it. Chair Meier suggested that Nancy's last day on the payroll for Bourne be called "Nancy Sundman Day". Once that date is known, he would like an agenda item so it can be voted on. Mary

Jane Mastrangelo thanked Nancy for all the help that she gave her through the years while being the Chair of the Finance Committee.

8. Approval of Minutes: June 15, July 6, 7 (exec), 12, 20, August 2, 9, 17, 24, 31

Deferred until the next meeting.

9. Appointments and Licenses

a. Alan Gardner appointment to Open Space Committee

9.a. Alan Gardner appointment to open Space Committee

George Slade would like to see this item postponed due to this being an important committee and the fact that Alan Gardner is not present. Mr. Slade also disclosed that he owns some property where there has been a contentious issue with Mr. Gardner and the property owners of a covenant, called Sunset Acres II, with a certain parcel of land. Mr. Slade said that he would recuse himself, abstain, or do whatever the rest of the Board would like him to do in this situation. Chair Meier told Mr. Slade that he needs to fill out a disclosure form and give it to the Town Clerk, and he can also get it documented with the Ethics Commission if he feels it is necessary.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to defer this appointment of Alan Gardner to the Open Space Committee until the next available meeting.

Vote: 5-0-0.

10. Selectmen's Business

- a. Discussion and possible vote to install a bench by a petition from the Cubellis Family at 3-mile look in the name of Shirley Jean Higgins-Cubellis Petition.**
- b. Cape Light Compact Presentation – Maggie Downey.**
- c. Discussion relative to creating a Code of Conduct Policy**
- d. Discussion relative to creating a Citizen Petition Policy**
- e. Discussion and possible vote to amend the existing Naming of Town Property Policy**
- f. Discussion and possible vote relative to the Charge and composition of the Road Acceptance Advisory Committee**
- g. Request from Fire Chief Cody to expend \$3500 from the Fire Department Donation Fund**
- h. Request from Irja Finn, Acting Library Director, to accept a \$300 donation for Mire Large Print books.**
- i. Discussion and possible vote to actively seek residents to serve on the Town Administrator's Search Committee.**

10.a. Discussion and possible vote to install a bench by a petition from the Cubellis Family at 3-mile look in the name of Shirley Jean Higgins-Cubellis Petition.

Michael Cubellis said that his father would like to install a bench where the old bridge was, in memory of his mother. Judy Froman asked for a little bit of background on his mom. He said

that the Cubellis family has been in Bourne for over a hundred years. She was a nurse and worked in the Emergency Room at Tobey Hospital. He talked a bit about his mom. Jared MacDonald said that she was involved in the community.

Voted: Judy Froman moved, and Jared MacDonald seconded, to approve the request from the Cubellis Family to install a bench with the name of Shirley Jean Higgins-Cubellis inscribed at 3 Mile Look. Cost for the installation of the bench and plaque to be paid for by the Cubellis Family and installed by the Bourne Department of Public Works.

Vote: 5-0-0.

10.b. Cape Light Compact Presentation – Maggie Downey.

Bob Schofield, from Pocasset, said that for the last 17 years he has represented the Town of Bourne with the Cape Light Compact. He introduced Maggie Downey and said that this is an annual affair that she comes to Bourne to speak about what they have done. Ms. Downey proceeded to give her presentation.

Ms. Downey started by saying that it has been twenty years that the Cape Light Compact has been running energy efficiency programs for Cape Cod and Martha's Vineyard. She said they have re-invested 350 million dollars of ratepayer funds and made sure those dollars stayed on the Cape and Vineyard and were re-invested on the Cape and Vineyard, which has resulted in a savings of about 5.18 billion kilowatt-hours with a total benefit of over 1.2 billion dollars over the last 20 years.

Ms. Downey said that they plan in three-year increments, and they are in the last year of the current three-year plan. The counting method changed in 2019, therefore the numbers have decreased due to the change. She also said that there are enhanced incentives for businesses through October 31, 2021. She also said there are new incentives for residents for 2021.

There will be new incentives in the next three-year plan which will be focusing on the climate bill that was passed, that targets the Cape Light Compact not only saving energy in kilowatt-hours but also reducing greenhouse gases. They will be working on homes and businesses that heat with oil or propane in trying to move them from delivered fuels to heat pumps. She talked about the benefits available for various income levels.

Ms. Downey also talked about solar panels. Chair Meier asked if they had to be installed on roofs, and she said not necessarily. They have established a low-interest loan for solar panels for the Cape and Martha's Vineyard.

10.h. Request from Irja Finn, Acting Library Director, to accept a \$300 donation for Mire Large Print books

Chair Meier said he was going to take a few agenda items out of order. The first is 10.h. the next will be 10.i.

Assistant Town Administrator Glenn Cannon said there is a typo it is more large print books. There was a typo in the email requesting the motion.

Voted: Judy Froman moved, and Mary Jane Mastrangelo seconded, to accept a \$300 donation from a patron of the library to purchase more large print books

Vote: 5-0-0.

10.i. Discussion and possible vote to actively seek residents to serve on the Town Administrator's Search Committee.

Chair Meier said that he sent a charge out to the Board and would like to discuss the size of the committee and once voted on, Mr. Slade can start accepting letters of interest. After some discussion, it was decided that there should be 7 at-large members and 2 ex-officio town employee members on the committee. Chair Meier said that anyone that had applied in the past will need to re-apply from tonight going forward to be on the committee. There was some discussion on what at-large means.

Judy Froman asked Acting Town Administrator Tim King and Mr. Cannon if they had any ideas on what the Screening Committee should look like. Mr. King said not to worry about it too much and that problems resolve themselves and good people will apply. Mr. Cannon said that he likes the idea of the 7 At-Large and the 2 ex-officio town employee members.

Voted: Judy Froman moved, and Mary Jane Mastrangelo seconded, to establish the Bourne Town Administrator Screening Committee at 7 At-Large members of the community and 2 Ex-Officio ie. Town employees, with one being the Finance Director and the other being the Superintendent of the Bourne Public Schools, unless they cannot do it, then someone else will be appointed as Ex-Officio.

Vote: 5-0-0.

There was discussion on the cutoff date for applications to be submitted to the Clerk of the Board of Selectmen, George Slade.

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded, that applications for the At-Large positions of the Bourne Town Administrator's Screening Committee be sent to gslade@townofbourne.com by email before Wednesday, October 13th, at 4:30 P.M.

Vote: 5-0-0.

The Board discussed the charge of the Town Administrator's Search Committee and made some changes to the charge. There was a discussion about the responsibilities of the consultant.

Voted: Judy Froman moved, and Jared MacDonald seconded, to approve the Town Administrator Screening Committee charge as presented and amended.

Vote: 5-0-0.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded, that staff put together the advertisement as we have discussed this evening with all of the appropriate changes and get it back to us as soon as possible for a review to get it out into the news as an advertisement.

Vote: 5-0-0.

10.c. Discussion relative to creating a Code of Conduct Policy

Mr. Cannon said that he printed out 2 drafts of conduct policies, one from the Town of Berlin, MA, and the other from Sandwich, MA. He put the Town of Bourne in place of the original Town in both and apologized for not leaving the original Town name in so the Board could see where the policies came from.

Ms. Mastrangelo said that the Mass. Municipal Association (MMA) labor and personnel committee put together a best practice for code of conduct and civility policies and she thinks it would be helpful for the Board to see it because it has a checklist of different things that should be included, and it has some suggestions about ways to talk about enforcement. She also said that she did not like the feel of the Berlin conduct policy and the Sandwich policy read better but would need some changes.

Mr. MacDonald agreed with Ms. Mastrangelo about the Sandwich policy. Ms. Froman would like to read the best practice by MMA that was put out before making any decisions. There was discussion about whether the conduct policy should be a blanket policy for all committees and boards in Town, or just for the Board of Selectmen. It was decided to send any suggestions or comments about the conduct policy to Mr. King or Mr. Cannon.

10.d. Discussion relative to creating a Citizen Petition Policy

Chair Meier said that the Citizen Petition Policy is new and the reason for it is that there have been a lot of private petitions over the last couple of years and the Town has a small boilerplate of how to do them and this will give people more information and guidance on the process on how to do them.

Chair Meier said that there has been some confusion about Town Counsel's role in these petitions. There was some discussion on the policies that Natick and Hull have. Ms. Mastrangelo said she preferred Natick's policies because they have a flow chart and Ms. Forman agreed that the flow chart is easy for citizens to follow. Mr. Cannon said there should be rules set as to what Town Counsel should be doing in the process.

Mr. King said he likes the idea of having a series of questions with answers that can help guide them in producing their petition and keeping the role of Town Counsel out of it. He said that he and Mr. Cannon will come up with a draft that will include the flowchart and they will give it to the Board to review. There was also some discussion about the first signer of the petition becoming the sponsor of the petition and making sure that the signers understand this.

10.e. Discussion and possible vote to amend the existing Naming of Town Property Policy

Chair Meier said that Judy Froman has put a lot of work into this policy, and it has been used quite a bit in the past few years, but he just wants to see if it is time to amend it. Chair Meier said it is time to go through the policy and if there are any changes that need to be made, then they will be discussed at a future meeting. Mr. Slade said that someone should be keeping some

sort of directory in the naming of Town property. Ms. Mastrangelo said that she thinks there should be a policy sub-committee to make the changes, then bring the policies in front of the Board for review and approval.

10.f. Discussion and possible vote relative to the Charge and composition of the Road Acceptance Advisory Committee

Chair Meier said that this committee has not met in quite a while and the membership of this committee is being considered to make sure that the right people are on that committee. There was some discussion about who the members are and about an accepted and not accepted road list.

There also was discussion about the charge of this committee. Mr. Cannon said that after looking at the charge, he said that this charge has been completed because the Town does have bylaws and they have completed projects and he said that there are other ways to go about accomplishing what some residents want. He said you can go to Town Meeting and have a special fund to allow the DPW to repair potholes and fix other projects on private roads.

Ms. Mastrangelo said that she does not think that the charges of this committee have been completed. She said there are some bylaws about acceptance of roads but there is no process for accepting a road. She thinks this committee could meet once a month. She feels it is a really important issue in the Town and it should be part of the Strategic Plan. She thinks that this is more than doing betterments and going to Town Meetings, she thinks it's about making sure that people have a packet of information so that they can understand where they live, what their obligations are when living on an unaccepted road and how they can work together with the Town to get it fixed.

Ms. Froman agrees that it needs to be discussed and there should be some type of process, but she does not know if having a committee is the right avenue as it might be something that should be given to the Town Administrator to identify the steps. There was more discussion about having a committee or having staff come up with the process or a little of both. Mr. King said he would put something together and get back to the Board.

11. Town Administrator

a. Wastewater Treatment Facility Noise Study

11.a. Wastewater Treatment Facility Noise Study

Mr. Cannon said that there is a resident that has made numerous noise complaints about the new Police Station and the new Wastewater Treatment Plant. The Chairman of the Wastewater Treatment Facility Building committee has talked to the engineer, Weston & Sampson, about hiring a third party for a noise evaluation. They will also talk to the Chairman of the Police Building Committee to make sure that they are on board with it. This will take a little time and Mr. Cannon will let the resident know that something is in the works about these complaints.

12. Correspondence

Mr. Slade listed the correspondence:

- Email from the Megansett Squeteague Association about dredging the harbor.
- Talent Bank Form from Mary James of Pocasset seeking appointment on the Human Services Committee

13. Committee Reports

Ms. Froman said that the Roadway Traffic Committee will be meeting tomorrow, and she will have an update at the next meeting. She said she also has a public hearing on September 29th for the Rail Trail with the Cape Cod Commission.

Mr. Slade said he attended the CCRTA Advisory Board meeting, and the State has consolidated the DART service and there are 5 or 6 regions where paratransit service was being scheduled and now it is being done out of Taunton.

Mr. Cannon said there are no signature packets tonight because the Town Clerk has now asked for certificates of votes for the appointments. He asked the Board of Selectmen if it was okay to use the stamp and they all said yes.

14. Adjourn

Voted: George Slade moved, and Judy Froman seconded, to adjourn.

Vote: 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Selectmen
Minutes of Tuesday, November 30, 2021
Bourne Veterans' Community Center
Buzzards Bay, MA**

**TA Tim King, Acting
ATA Glenn Cannon**

Selectmen

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

Others: Erica Flemming, Finance Director

Chair Meier said there are a few statements before the meeting begins:

Mary Jane Mastrangelo recommended that the public come or watch the Comprehensive Wastewater Management Plan public presentation on the needs analysis stage that they will be making on Thursday night, December 2nd at 7:00 PM in the Bourne High School Library. She said it will be a hybrid meeting through Zoom.

Chair Meier wanted to take a point of personal privilege to address the issue regarding the November 15, 2021, Board of Selectmen meeting not being televised. He said: "the Board of selectmen meeting scheduled before the Special Town meeting on November 15, 2021, was a special circumstance meeting, not our typical Board of Selectmen meeting. Due to votes needed before the Special Town meeting, the Board of Selectmen found it was necessary to hold the open session meeting to discuss different topics, including the old police station parking lot and the land to be sold as part of selling the old police station, making article 17 contingent on article 16, and discussion of the Next Grid first amendment, memorandum of agreement. As always, the Board of Selectmen want to be open and transparent. Although the Board of Selectmen's meeting was not televised, anyone was allowed to attend the Board of Selectmen's open session meeting and it was duly posted within the timeframes".

Caroline Smith and Maggie Shea introduced themselves as Girl Scouts with troop # 62919.

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag -** Caroline Smith and Maggie Shea led the group with saying the pledge of allegiance.
- 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**

- a. 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.

Dick Conron of Gray Gables said he was there to ask the Town's leadership team to initiate a request for an update on the machine gun range.

- 6) **Approval of Minutes: November 2, 2021**

Voted: George Slade moved, and Mary Jane Mastrangelo seconded to approve the minutes of November 2, 2021.

Vote: 3-0-0.

- 7) **Selectmen's Business**

- a. **Discussion and possible vote to allow Caroline Smith and Sophia Benedetto to build a box at Monks Park in Monument Beach. Caroline Smith and Sophia Benedetto are members of the Girl Scouts of America, and they are working toward their silver award. The box would be filled with pet supplies, such as dog leashes and cat toys.**
 - b. **Discussion and possible vote relative to the request by the homeowner of 1 Tattler Circle, Cataumet to refinance a restricted affordable home.**
 - c. **7:00 PM public hearing – discussion and possible vote to approve the Property Classification under MGL Chapter 40, Section 56.**
 - d. **Fiscal year 2021 financial review presentation by Erica Flemming, Finance Director, followed by a question-and-answer period.**
 - e. **Discussion and possible vote to affirm the Deed Conveyance taken by the Conservation Commission to accept the 6.5 acre “Flyover” parcel as acceptable open space mitigation for the potential Integrated Solid Waste Management (ISWM) facility expansion.**
 - f. **Discussion and possible vote to sign the deed for the 6.5 acre “Flyover” parcel. The “Flyover” parcel is required as open space mitigation for the potential Integrated Solid Waste Management (ISWM) facility expansion.**

- 7.a. **Discussion and possible vote to allow Caroline Smith and Sophia Benedetto to build a box at Monks Park in Monument Beach. Caroline Smith and Sophia Benedetto are members of the Girl Scouts of America, and they are working toward their silver award. The box would be filled with pet supplies, such as dog leashes and cat toys.**

Caroline Smith said the person she was working with is unable to complete her silver award, so she is going to do it solo going forward. Ms. Smith explained that the box is to help people that might

not be able to afford pet supplies but need them. She would like to build it at Monk's Park because it is a popular dog-walking area. George Slade asked where it would be located. Ms. Smith provided photos of the location of where she would like to build the box. Chair Meier asked her how often it would be maintained, and she said, if possible, every month. She will start soliciting for donations once she receives the Town's permission.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to allow Caroline Smith and Sophia Benedetto, of the Girl Scout troops of America, to construct a box on town property, at Monk's Park in Pocasset. The location and specifications of the box shall be approved by the DPW Superintendent Shawn Patterson. The purpose of the box is to provide pet supplies such as dog leashes and cat toys.

Vote: 3-0-0.

From: Caroline Smith

Sent: Saturday, November 20, 2021 7:21 PM

To: King, Timothy <tking@townofbourne.com>

Subject: Girl Scout Questions - Caroline Smith

Dear Mr. Tim King,

Hello, my name is Caroline Smith, I am a girl scout in the local Bourne troop. I am working on my silver award, which is the second highest award a Girl Scout of America can receive. I was talking to Sam Haines, who I know no longer works with the town of Bourne. We were discussing where and when I and my fellow girl scout, Sophia Benedetto, could talk to the select people about starting our project. Our idea for a project is to build a box that is filled with pet supplies, like dog leash, and cat toys. We need approval for the location that has been decided on, which is in the Monks Park area in Mo Beach. It is a popular spot for pet owners, especially dog owners. So, I am emailing about how I am able to contact the select people to meet with. I was also wondering, when I start building the box, and filling the box?

Sincerely,

Caroline Smith

7.b. Discussion and possible vote relative to the request by the homeowner of 1 Tattler Circle, Cataumet to refinance a restricted affordable home.

Chair Meier said this is an affordable house in town and due to DHCD requirements, the Town of Bourne has the right of first refusal when they go to re-finance. The Town of Bourne is not going to exercise their right of first refusal in this case.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the refinancing of 1 Tattler Circle conditioned upon Department of Housing and Community Development (DHCD) approval of the transaction and that the total amount refinanced is not to exceed the lesser of \$194,031 or that approved by DHCH

Vote: 3-0-0.

There was some discussion on the refinanced amount and about approval by DHCH.

Bourne Housing Partnership Town Hall, 24 Perry Ave., Buzzards Bay, MA 02532
Tel 508 457 1005
email: affordablehomes@townofbourne.com

November 16, 2021

Bourne Select Board
Town Hall
24 Perry Ave
Buzzards Bay, MA 02532
Re: Request to refinance the property 1 Tattler Circle, Bourne

Dear Members of the Bourne Select Board,

The deed restriction on the property at 1 Tattler Circle designates the Board of Selectmen (now Select Board) as the local monitoring agent which must review for approval any refinancing, sale, or transfer of ownership. Approval for such actions must also be received by the owner from the Massachusetts Department of Housing and Community Development Local Initiative Program (LIP).

The owners have submitted a written request to the Select Board including the amount they wish to refinance. The maximum resale price of \$200,032 has been calculated from the formula in the property deed rider and has been confirmed by DH CD. The deed rider can be found in Barnstable County Registry of Deeds at Bk 24736 beginning at page 107 recorded on 8/6/2010. The requested amount requested to be refinanced is \$167, 800 which is well below the maximum which DHCD would allow which is \$194,031 (97% of the maximum resale price).

It is recommended that the Board approve the request to refinance 1 Tattler Circle conditioned upon DHCD approval of the transaction and that the total amount refinanced is not to exceed the lesser of \$194,031 or that approved by DHCD.

Kerry Horman,,

Affordable Housing Programs Administrator

Cc. Susan Ross, Chairperson, Bourne Housing Partnership
Tim King, Interim Town Administrator
Glen D.Cannon, Assistant Town Administrator

7.c. 7:00 PM public hearing – discussion and possible vote to approve the Property Classification under MGL Chapter 40, Section 56.

Chair Meier read aloud the Public Hearing Notice:

**PUBLIC HEARING NOTICE
ATTENTION TAXPAYERS**

TOWN OF BOURNE

PROPERTY CLASSIFICATION HEARING

A PUBLIC HEARING, AS REQUIRED UNDER MGL CHAPTER 40, SECTION 56, REGARDING THE PERCENTAGE OF LOCAL TAX LEVY TO BE BORNE BY EACH CLASS OF PROPERTY FOR THE FISCAL YEAR 2022 WILL BE HELD NOVEMBER 30, 2021 AT 7:00 PM AT THE BOURNE VETERANS MEMORIAL COMMUNITY BUILDING, 239 MAIN ST, BUZZARDS BAY, MA. INTERESTED TAXPAYERS ARE ENCOURAGED TO ATTEND AND PRESENT ORAL OR WRITTEN COMMENTS.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to open the Public Hearing.

Roll Call Vote – George Slade – yes, Chair Peter Meier – yes, Mary Jane Mastrangelo – yes. 3-0-0.

Rui Pereira, Director of Assessing, presented the 2022 Classification Hearing:

**TOWN OF BOURNE
FISCAL YEAR 2022
TAX CLASSIFICATION HEARING
November 30, 2021**

Purpose – to adopt the Town's Tax Policy by allocating or classifying the tax levy among property types – Board of Selectmen must vote on how to adopt the Tax Rate policy:

Either by

- Single tax rate
- Split tax rate

Additionally, can adopt exemptions and discounts

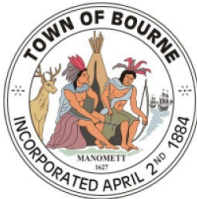
- Open space discount
- Residential exemptions; - up to 20% of the average of all residential value
- Eligibility' must be owner's primary residence

SMALL COMMERCIAL EXEMPTION

Up to 10% of assess value of eligible properties

Eligibility:

- Occupied by business
- Value of less than \$1 million
- No more than 10 employees; aggregate



TOWN OF BOURNE

Board of Assessors

24 Perry Avenue

Buzzards Bay, MA 02532

(508) 759-0600 Ext. 1510 ☐ Fax (508) 759-8026



Michael Leitzel, Chairperson
Ellen Doyle Sullivan, Clerk

Donna Barakauskas, Member

Rui Pereira, MAA
Director of Assessing

November 30, 2021

PROPERTY CLASSIFICATION RECOMMENDATION

FISCAL YEAR 2022

The Board of Assessors recommends that the Board of Selectmen retain one tax rate for all classes of property for Fiscal year 2022..The Board feels that the relatively small benefit to the residential taxpayer that could be achieved through the use of two tax rates is not warranted in light of the dramatic increase in taxes paid by the Commercial/Industrial/Personal Property taxpayer. Bourne is largely a residential community that simply does not have enough of a Commercial/Industrial base to make classification worthwhile.

**FISCAL YEAR 2022
TOTAL VALUE BY CLASS**

- Residential \$4,944,027,422

- Commercial \$418,160,368
- Industrial \$42,498,370
- Personal Property \$191,359,460

Total Taxable Value \$5,596,045,620

Increase of 9% from Fiscal Year 2021

FISCAL YEAR 2022
PERCENTAGE OF LEVY BY
CLASS

- Residential 88.347 %
 - Commercial 7.472 %
 - Industrial .759 %
 - Personal Property 3.419 %
-
- 100.00 %

TAX LEVY ANALYSIS

Fiscal Year 2021 tax levy \$54,749,620.36

Fiscal Year 2022 tax levy \$56,464,100.30

Projected single tax rate for Fiscal Year
2022

Fiscal year 2022 Tax Levy / Fiscal year 2022 Total
Taxable Valuation of Town =

\$10.09 Per thousand of valuation

SINGLE TAX RATE ANALYSIS Single Family Property

Tax Rate

Annual Taxes

Commercial / Industrial Building Property

Tax Rate

Annual Taxes

Last Year

Median Assessment FY 2021

\$374,600

\$10.77

\$4,034.44

Last Year

Median Assessment FY 2021

\$404,150

\$10.77

\$4,352.69

Median Assessment FY 2022

\$413,600

\$10.09

\$4,173.22

Median Assessment FY 2022

\$412,700

\$10.09

\$4,164.14

FY21 to FY22

+ 9.43 %

-\$0.68

+\$138.78

FY21 to FY22

+ 2.07 %

-\$0.68

-\$188.55

SINGLE TAX RATE ANALYSIS WITH NO SHIFT

FISCAL YEAR 2022 No
CIP Shift – Residential factor
of 1.00

Tax Rate

Median Assessment *

Taxes

Residential
Com/Ind

\$10.09
\$10.09

\$ 413,600
\$ 412,700

\$ 4,173.22
\$ 4,164.14

SPLIT TAX RATE ANALYSIS WITH SHIFT OPTIONS

FISCAL YEAR 2022 1.110
CIP Shift - Residential factor
99.520264

Residential
Com/Ind

Tax Rate

\$ 9.94
\$ 11.20

Median Assessment

\$ 413,600
\$ 412,700

Taxes

\$ 4,111.18
\$ 4,622.24

Tax bill change
(-) or (+)

- \$ 62.04
+ \$ 458.10

1.250 CIP Shift - Residential
factor 98.909690

Residential
Com/Ind

Tax Rate

\$ 9.76
\$ 12.61

Median Assessment

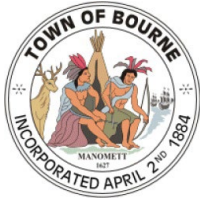
\$ 413,600
\$ 412,700

Taxes

\$ 4,036.73
\$ 5,204.14

Tax bill change (-) or (+)

- \$ 136.49
+ \$ 1,040.00



TOWN OF BOURNE

Board of Assessors

24 Perry Avenue

Buzzards Bay, MA 02532

(508) 759-0600 Ext. 1510 ☐ Fax (508) 759-8026



Michael Leitzel, Chairperson
Ellen Doyle Sullivan, Clerk

Donna Barakauskas, Member

Rui Pereira, MAA
Director of Assessing

November 30, 2021

Recommended Motion for Board of Selectmen

Motion to adopt a single tax rate by selecting a residential factor of 1 in determining the allocation of taxes to be borne by the four classes of real property, along with personal property, for Fiscal Year 2022 and not to adopt an Open Space Discount, Residential Exemption or a Small Commercial Exemption for Fiscal Year 2022.

There was some discussion about new growth.

Voted: George Slade moved, and Mary Jane Mastrangelo seconded to close the hearing.

Roll Call Vote – George Slade – yes, Chair Peter Meier – yes, Mary Jane Mastrangelo – yes. 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to adopt a single tax rate by selecting a residential factor of 1 in determining the allocation of taxes to be borne by the four classes of real property, along with personal property, for Fiscal Year 2022 and not to adopt an Open Space Discount, Residential Exemption or a Small Commercial Exemption for Fiscal Year 2022.

Roll Call Vote – Mary Jane Mastrangelo – yes, Chair Peter Meier – yes, George Slade – yes. 3-0-0.

7.d. Fiscal year 2021 financial review presentation by Erica Flemming, Finance Director, followed by a question-and-answer period.

Erica Flemming presented the Year End Financial Review for June 30, 2021:



**Town of Bourne
Financial Review
For the Year Ended June 30, 2021.
Presented by Erica Flemming, Finance Director**

Presentation Agenda

- General Fund Financial Results
- Financial Policy Compliance
- Other Funds (special revenue, trust funds, agency)
- Enterprise Funds

On March 10, 2020, Governor Charlie Baker declared a state of emergency due to the Coronavirus

outbreak. The state of emergency was Terminated on June 15, 2021.

Due to the state of emergency, Bourne Town Offices were closed from March 16, 2020 until June 1, 2021

– the finance department was able to continue operations throughout the emergency without any interruptions in service – bills paid, funds collected, payroll issued, etc.

General Fund Operating Budget FY2021

Annual Town Meeting 6/29/2020 Original Budget Vote \$ 70,373,266
Special Town Meeting 11/16/2020 Budget Increase 180,088
Special Education Reserve 3/2/2021 Budget Increase 100,000
Reserve Fund Transfers Various Budget Increase 115,000
Final General Fund Budget \$ 70,768,354

Budget Revenue Sources

Tax Levy \$ 54,749,621
State Aid, Net of Assessments 3,135,435
Local Receipts 7,092,454
Other - EF Indirect Costs &
Host Community Fee 3,002,940
Other - Special Revenue Funds 2,452,733
Free Cash, Net of Off Budget Items
(Reserve Fund, Overly Reserve,
Elected Official Salaries) 220,171
Reserve Fund 115,000
Total \$ 70,768,354

ARTICLES OF THE WARRANT, MOTIONS,
VOTER INFORMATION, AND
RECOMMENDATIONS
OF THE
FINANCE COMMITTEE

FOR THE
BOURNE SPECIAL

and

ANNUAL TOWN MEETING

Monday, June 29, 2020

7:00 P.M.

Bourne High School Jackson Field



A Voter's Handbook

*PLEASE BRING THIS HANDBOOK TO EACH SESSION OF
TOWN MEETING*

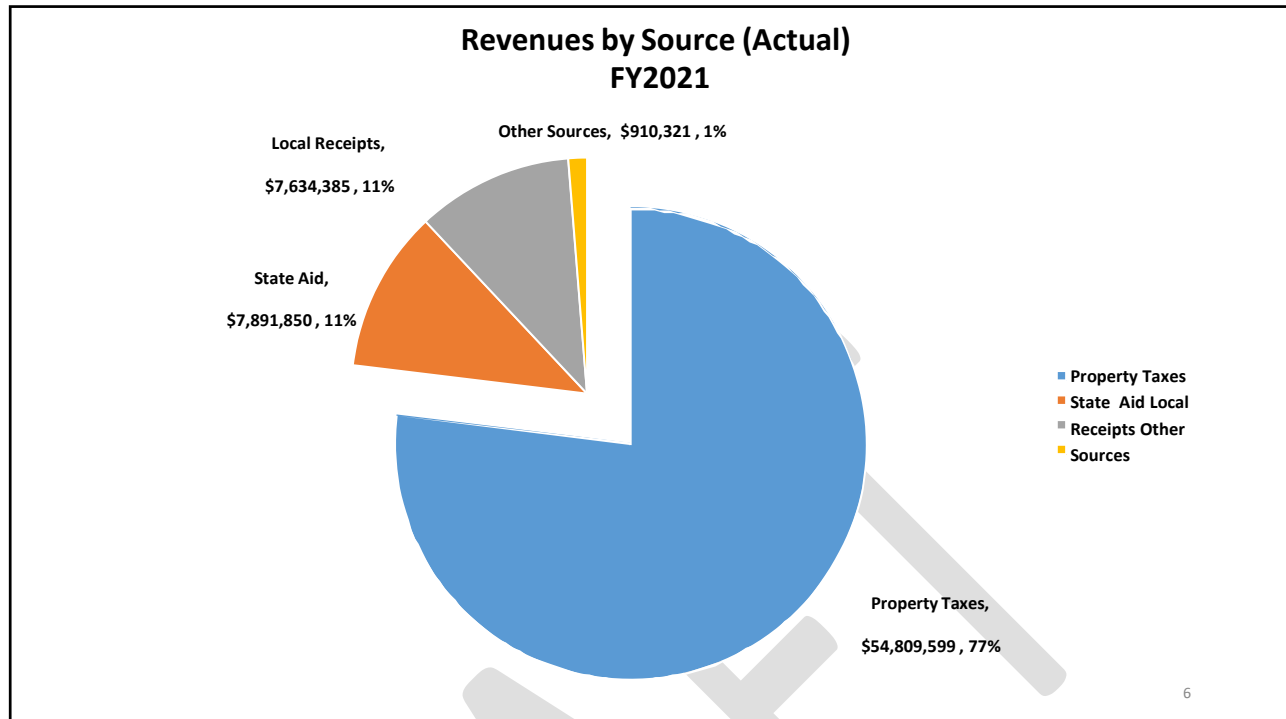
General Fund Revenue

Revenues

(All monies received from any source)

Major Revenue Sources:

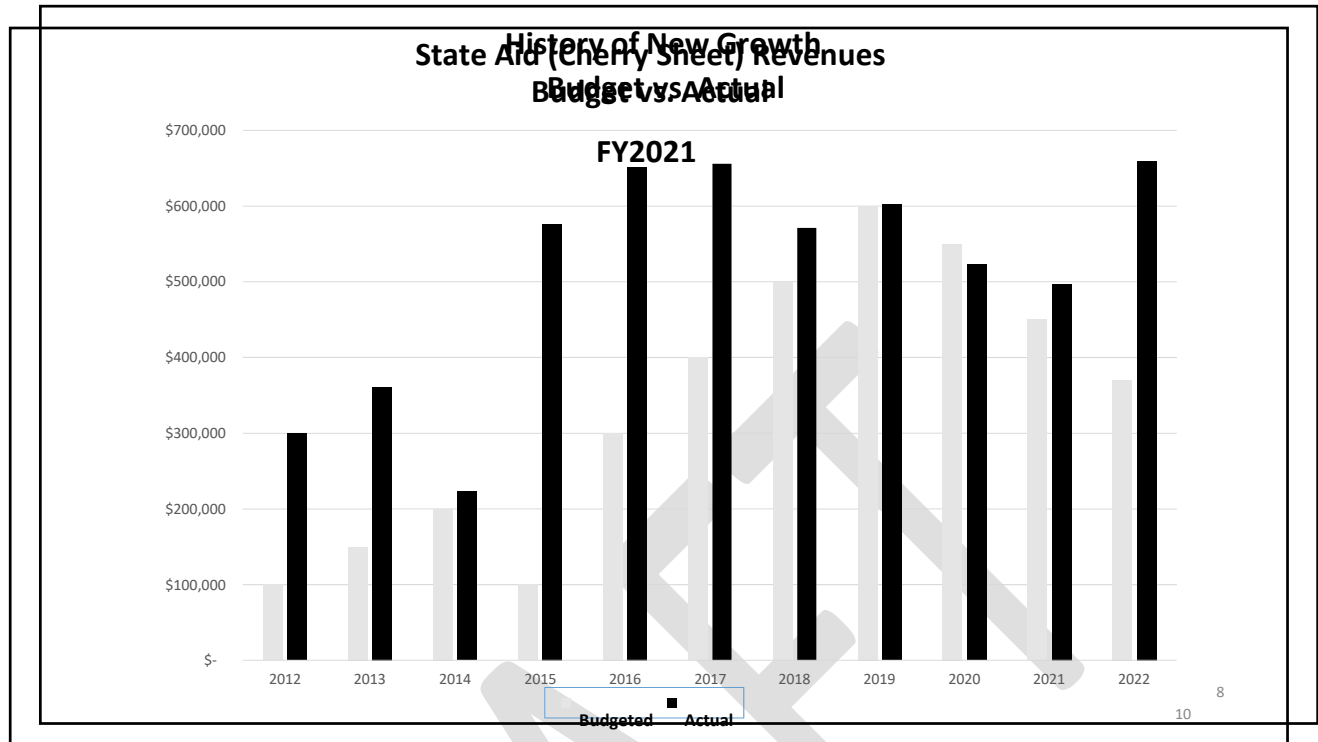
- **Property Taxes (77%)** - calculated annually on the Tax Rate Recapitulation; limited to 2.5% of the previous year's levy limit plus new growth, debt exclusion and other adjustments (Cape Cod Commission Tax)
- **State Aid (11%)** – Cherry Sheet Receipts (Chapter 70 Aid, Veteran's Benefits, Unrestricted General Gov't Aid, etc.)
- **Local Receipts (11%)** – various tax and departmental revenues (motor vehicle, hotel, boat and meal taxes, recreational, licenses, permits, fees, fines, energy credits and other charges for services)
- **Other (1%)** – Host Fee



**History of New Growth
Budget vs. Actual**

Fiscal Year	Budgeted New Growth	Actual New Growth	\$ Over (Under) Budget
2022	\$ 370,000	\$ 659,406	\$ 289,406
2021	\$ 450,000	\$ 496,943	\$ 46,943
2020	\$ 550,000	\$ 522,773	\$ (27,227)
2019	\$ 600,000	\$ 601,987	\$ 1,987
2018	\$ 500,000	\$ 571,102	\$ 71,102
2017	\$ 400,000	\$ 655,699	\$ 255,699
2016	\$ 300,000	\$ 651,484	\$ 351,484
2015	\$ 100,000	\$ 576,154	\$ 476,154
2014	\$ 200,000	\$ 222,805	\$ 22,805
2013	\$ 150,000	\$ 361,352	\$ 211,352
2012	\$ 100,000	\$ 299,625	\$ 199,625
2011	\$ 100,000	\$ 241,638	\$ 141,638
2010	\$ 300,000	\$ 312,541	\$ 12,541

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Debt Exclusion

Fiscal Year	Net Excluded Debt Service
FY2022	\$4,258,028
FY2021	\$4,456,287
FY2020	\$4,208,712
FY2019	\$3,153,154
FY2018	\$1,955,412
FY2017	\$1,523,207
FY2016	\$1,073,114
FY2015	\$1,094,894
FY2014	\$1,106,186

Historical State Aid Revenue

2021

Estimate

Receipt Type	Budget	Actual	Difference	Actual as a % of Budget	FY2017
Veteran's Benefits	\$ 112,204	\$ 137,923	\$ 25,719	122.92%	
Exemptions: Veterans, Blind, Surviving Spouse	110,456	21,106	(89,350)	19.11%	
State Owned Land	600,691	616,320	15,629	102.60%	
Unrestricted Gov't Aid	1,556,625	1,592,606	35,981	102.31%	
Chapter 70	5,215,213	5,242,233	27,020	100.52%	
Charter School Reimbursement	201,994	344,662	142,668	170.63%	
Subtotal General Fund	\$ 7,797,183	\$ 7,954,850	\$ 157,667	102.02%	
Public Library	22,785	27,615	4,830	121.20%	
School Choice Receiving Tuition	1,085,903	832,495	(253,408)	76.66%	
Subtotal Revenue Offsets	\$ 1,108,688	\$ 860,110	\$ (248,578)	77.58%	
Total State Revenue	\$ 8,905,871	\$ 8,814,960	\$ (90,911)	98.98%	

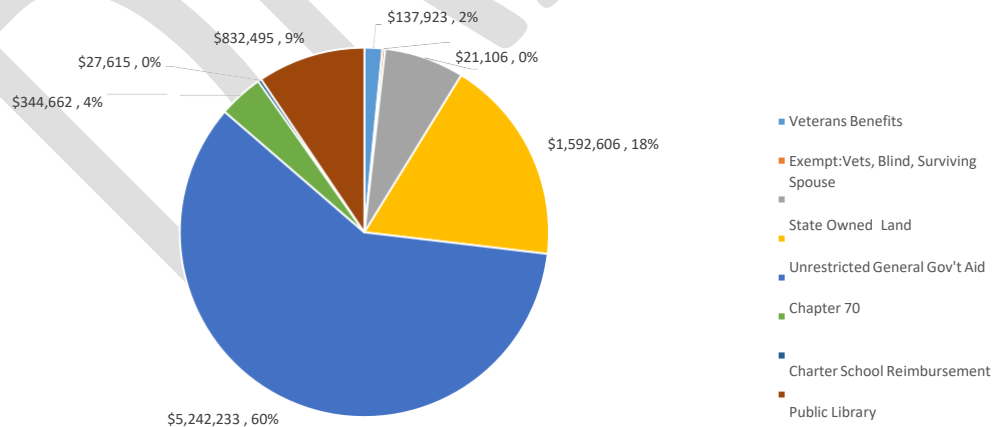
***Due to pandemic and delay in the State's Budget adoption, level funded from the prior year					

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State Aid by Type

(Actual Receipts)

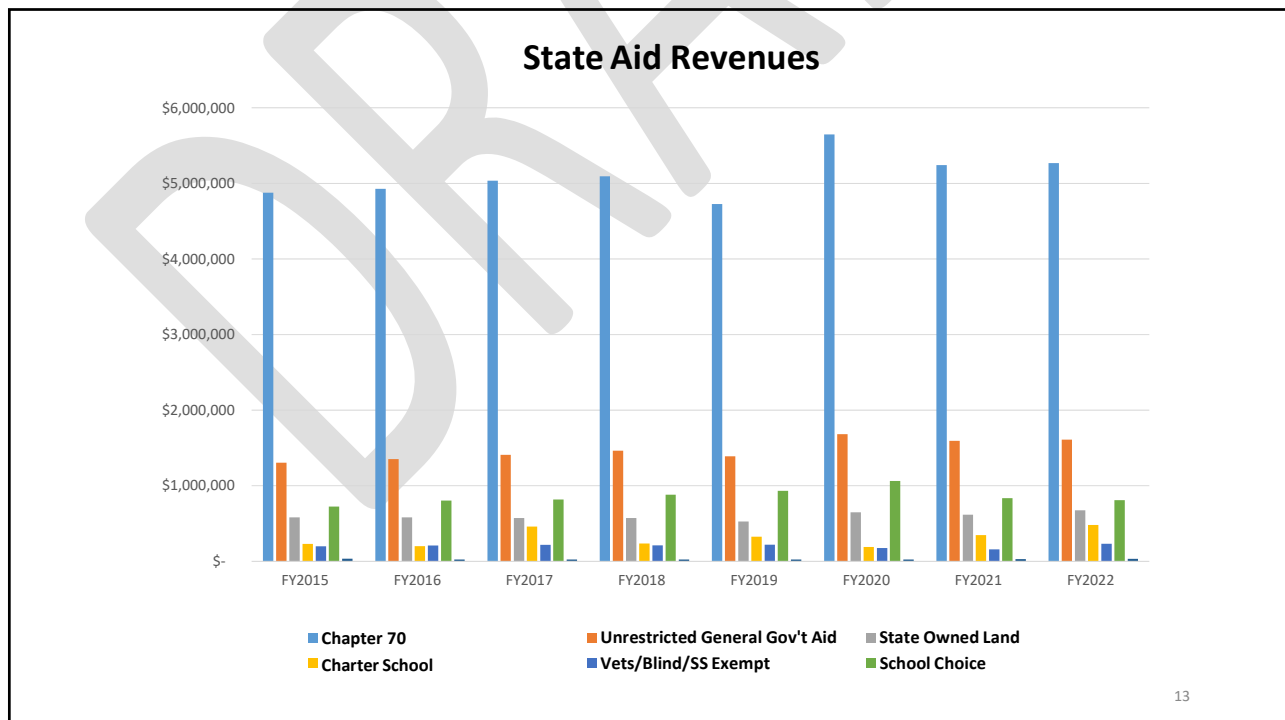
FY2021



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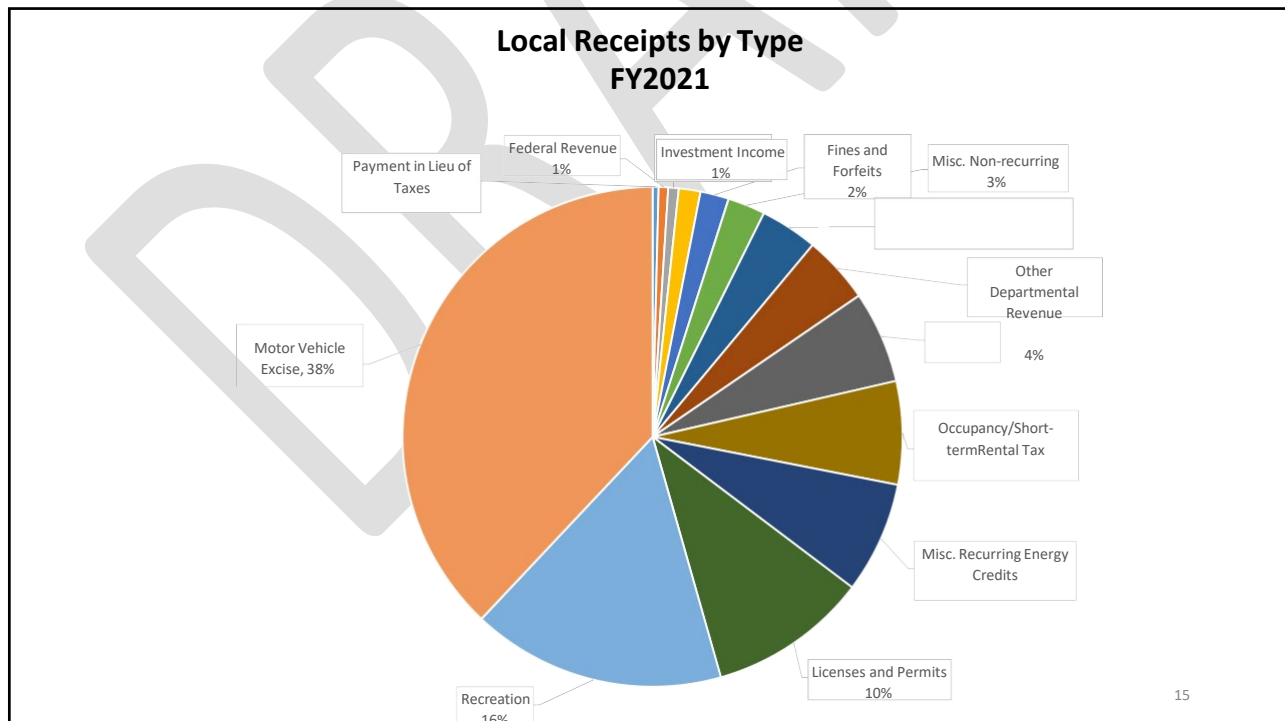
Revenue from Local Receipts Budget vs. Actual						
FY2021						
	FY2022	FY2021	FY2020	FY2019	FY2018	FY2017
Veteran's Benefits	\$ 138,937	\$ 137,923	\$ 149,396	\$ 110,972	\$ 104,984	\$ 110,281
Exemptions: Vets/Blind/Sur Sp	93,484	21,106	25,254	108,699	106,880	106,093
State Owned Land	673,586	616,320	648,481	525,602	573,392	573,938
Unrestricted General Gov't Aid	1,611,107	1,592,606	1,682,938	1,389,388	1,464,445	1,409,475
Chapter 70	5,268,883	5,242,233	5,648,129	4,726,655	5,094,043	5,034,613
Charter School Reimbursement	480,284	344,662	186,858	322,227	234,586	458,241
School Choice Receiving Tuition	808,724	832,495	1,062,378	931,352	880,129	816,628
Public Library	30,211	27,615	23,196	21,814	21,453	21,628
	<u>\$9,105,216</u>	<u>\$8,814,960</u>	<u>\$9,426,630</u>	<u>\$8,136,709</u>	<u>\$8,479,912</u>	<u>\$8,530,897</u>

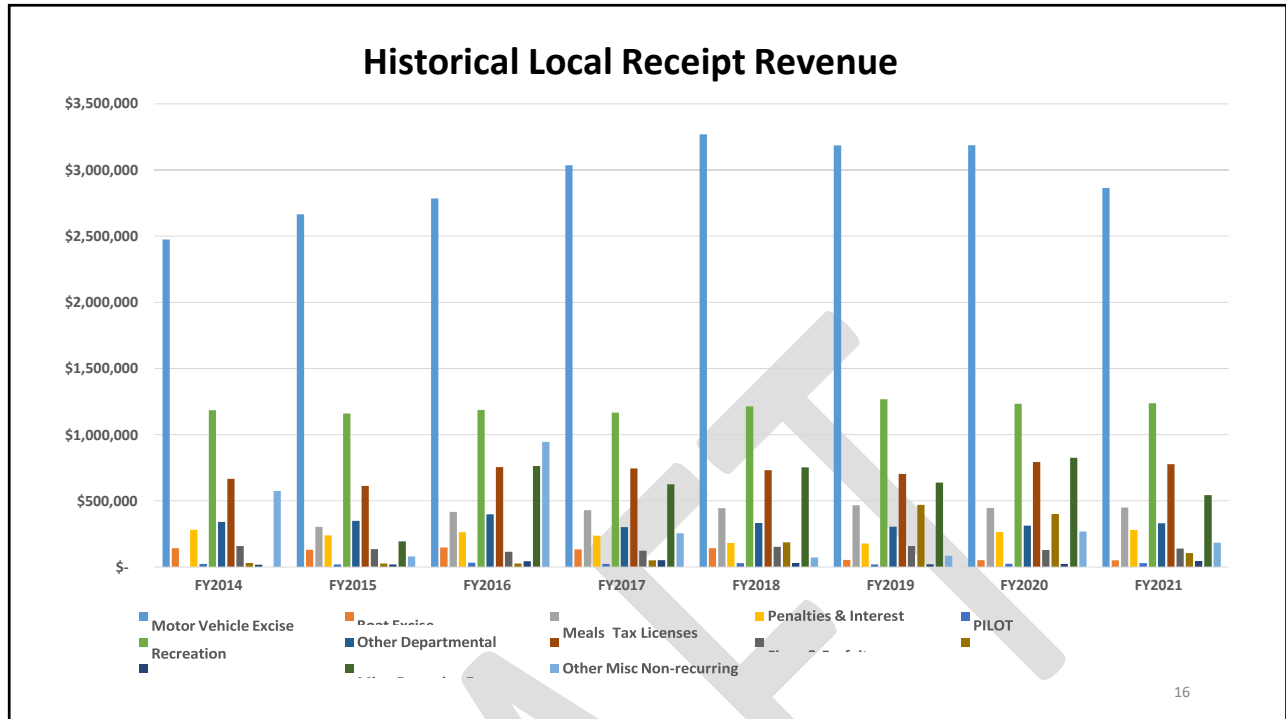
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	Budget	Actual	Difference	% Over (Under)
Motor Vehicle Excise	\$ 3,155,894	2,865,540	\$ (290,354)	(9.20%)
Other Excise - Boats	55,000	50,987	(4,013)	(7.30%)
Other Excise - Occupancy	100,000	503,804	403,804	403.80%
Other Excise - Meals Tax	375,000	449,129	74,129	19.77%
Penalties & Interest	175,000	279,966	104,966	59.98%
Payments in Lieu	20,000	25,985	5,985	29.93%
Recreation	1,160,000	1,237,340	77,340	6.67%
Other Dept. Revenue	275,000	330,785	55,785	20.29%
Licenses & Permits	700,000	777,638	77,638	11.09%
Fines & Forfeits	130,000	138,976	8,976	6.90%
Investment Income	100,000	106,376	6,376	6.38%
Medicaid	30,000	45,705	15,705	52.35%
Misc. Recurring Energy	700,000	726,346	26,346	3.76%
Misc. - Non recurring	116,560	95,808	(20,752)	(17.80%)
	<u>\$ 7,092,454</u>	<u>\$ 7,634,385</u>	<u>\$ 541,931</u>	7.64%





General Fund

Appropriations, Expenditures, and Assessments

Appropriations & Expenditures FY2021 Highlights

- The FY2021 budget of \$70,553,354 (excluding reserve fund and special education reserve fund transfers) increased \$1,873,449 or 2.73% from the prior year budget of \$68,679,905.
- Approximately \$2.7 million or 3.9% of the budget was turned back to fund balance at the close of FY2021; This year's turn backs were a direct result of unfilled positions and 4th quarter discretionary spend/hiring freeze.
- Shared costs yielded the highest percent of turn backs at \$805K or 29%. The majority of shared cost turn backs include Public Utilities (\$213K or 8%) and Group Insurance (\$544K or 20%); other departmental turn backs include Public Safety (\$769K or 28%), General Government (\$499K or 18%), Public Works (\$428K or 16%), Human Services (\$164K or 6%), Debt Service (\$40K or 1.5%), and Culture & Recreation (\$38K or 1.5%)
- Cherry Sheet Assessments continue to fluctuate from year to year. Significant changes relate directly to School Choice, Chart School Sending Tuition, and retired teacher health insurance.

General Fund Budget Appropriations & Expenditures FY2021

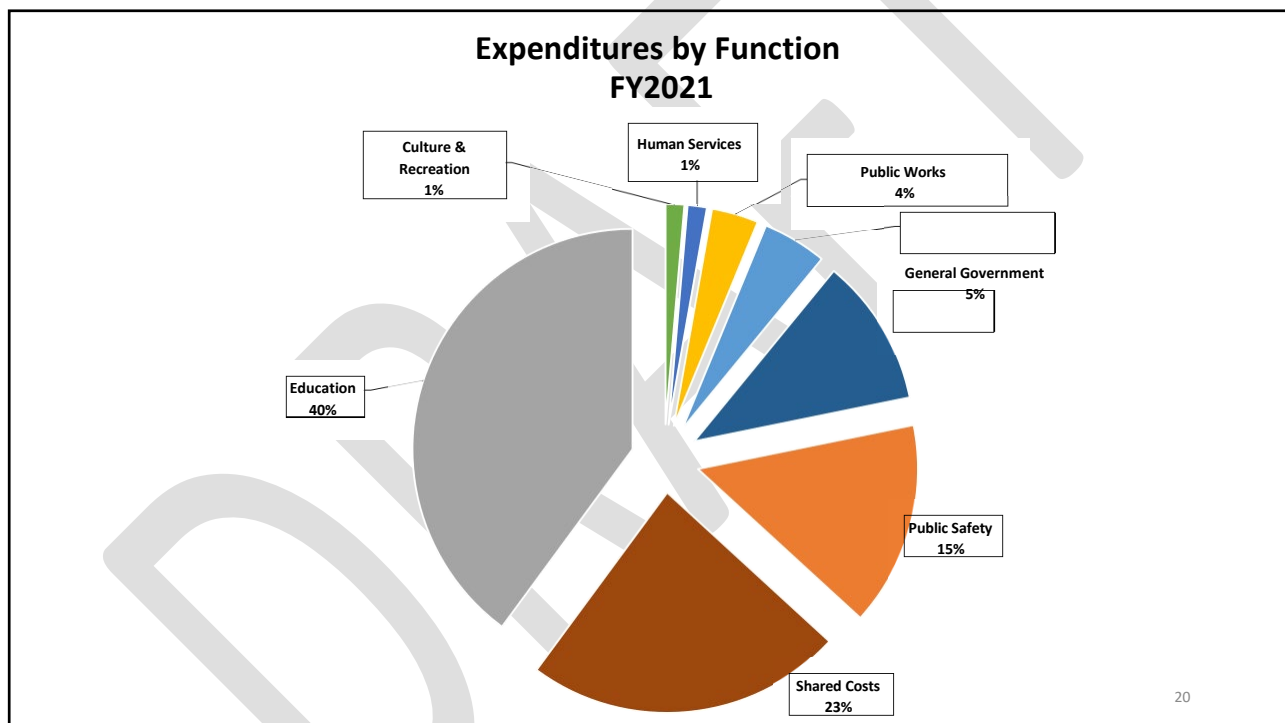
	Encumbe red 7/1/2020	Appropriations	Expended	Transfe rs & Budget Amendments	Closed to Fund Balance	Encumbe red 6/30/2021
General Government	\$ 16,820	\$ 3,681,191	\$ 3,176,515	\$ 17,000	\$ 498,865	\$ 39,631
Public Safety	4,838	10,916,470	10,114,429	-	769,208	37,671
Education	18,819	27,281,618	26,904,216	100,000	6,730	489,491
Public Works	7,109	2,750,738	2,317,888	-	428,070	11,889
Human Services	14,509	1,079,488	954,922	28,000	163,875	3,200
Culture & Recreation	3	968,528	929,014	-	38,160	1,357
Debt Services	-	7,366,413	7,326,525	-	39,888	-
Shared Costs	34,825	16,508,908	15,723,626	70,000	804,652	85,455
Total General Fund Budget	<u>\$ 96,923</u>	<u>\$ 70,553,354</u>	<u>\$ 67,447,135</u>	<u>\$ 215,000</u>	<u>\$ 2,749,448</u>	<u>\$ 668,694</u>

% of Budget Appropriations

95.60%

3.90%

0.95%



Recap of Revenues & Expenditure Turn Backs

<u>Fiscal Year</u>	State Revenue		Local Receipts		Expenditure
	Over (Under)	Budget	Over (Under)	Budget	Turn Backs
2021	\$	19,245	\$	541,931	\$ 2,749,448
2020	\$	520,759	\$	686,648	\$ 3,272,367
2019	\$	(557,695)	\$	925,707	\$ 1,866,223
2018	\$	(122,981)	\$	1,097,683	\$ 1,896,073
2017	\$	(66,207)	\$	1,414,243	\$ 1,677,121
2016	\$	(51,148)	\$	1,906,148	\$ 764,400
2015	\$	(14,540)	\$	741,468	\$ 1,192,707
2014	\$	38,893	\$	1,076,627	\$ 608,379
2013	\$	(217,165)	\$	1,353,923	\$ 831,020
2012	\$	8,146	\$	882,013	\$ 1,635,873

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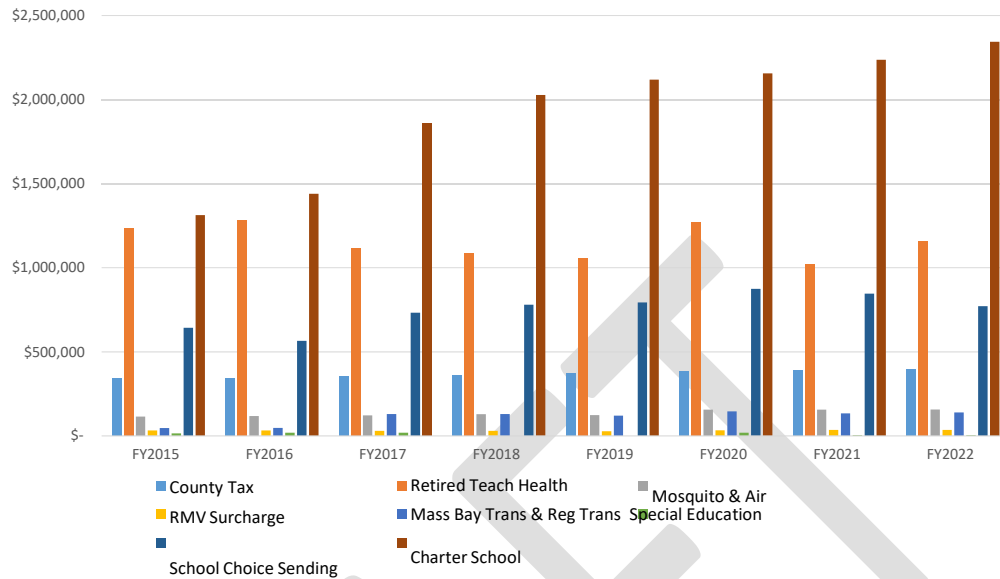
Historical Cherry Sheet Assessments

FY2022

	Budgeted	FY2021	FY2020	FY2019	FY2018	FY2017
County Tax	\$ 397,743	\$ 391,477	\$ 381,928	\$ 372,037	\$ 358,085	\$ 351,341
Retired Teachers Health Ins	1,156,069	1,017,451	1,272,109	1,057,452	1,085,039	1,115,455
Mosquito Control Project	148,637	147,926	147,240	116,226	121,618	113,645
Air Pollution Districts	8,060	8,127	8,605	7,238	7,730	7,948
RMV Non Ren Surcharge	35,420	35,420	32,063	27,137	29,600	29,600
Mass Bay Transportation	-	37,088	39,391	35,310	39,418	41,707
Regional Transit	140,051	97,611	106,241	85,173	90,640	88,429
Special Education	3,997	4,096	19,153	-	-	19,383
School Choice Send Tuition	771,682	845,972	875,117	793,956	780,825	732,879
Charter School Send Tuition	2,344,048	2,237,928	2,156,427	2,119,451	2,028,088	1,857,477
Total	<u>\$ 5,005,707</u>	<u>\$ 4,823,096</u>	<u>\$ 5,038,274</u>	<u>\$ 4,613,980</u>	<u>\$ 4,541,043</u>	<u>\$ 4,357,864</u>
Inc (dec) from PY	3.79%	-4.27%	9.20%	1.61%	4.20%	

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Cherry Sheet Assessments



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Upper Cape Cod Regional Technical School Assessment

Fiscal Year	Assessment	Increase (Decrease) from Prior Year	% Change from Prior Year	Student Foundation Enrollment
FY2021	\$ 3,337,063	\$ 528,343	18.81%	185
FY2020	\$ 2,808,720	\$ (174,549)	(5.85%)	157
FY2019	\$ 2,983,269	\$ (266,848)	(8.21%)	
FY2018	\$ 3,250,117	\$ (56,689)	(1.71%)	
FY2017	\$ 3,306,806	\$ 12,424	0.38%	
FY2016	\$ 3,294,382	\$ 382,565	13.14%	
FY2015	\$ 2,911,817	\$ 749,686	34.67%	
FY2014	\$ 2,162,131	\$ 373,020	20.85%	
FY2013	\$ 1,789,111	\$ 98,558	5.83%	
FY2012	\$ 1,690,553	\$ 69,646	4.30%	

***FY2022 Foundation Enrollment = 180

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Debt Service 2021

- Total Debt Service budget for FY2021- \$7,365,913 or 10% of the Total Budget
- Debt service consists of exempt (61%), non-exempt (29%) and funded debt (10%).
- Budgeted debt service costs increased \$170K from FY2020 – this includes a pay down of short-term notes in the amount of \$180,088 for street betterments that were mostly paid in advance
- No permanent financing during FY21
- Short-term notes will be renewed with the intent to permanently finance when school projects (including MSBA audits) are finalized – in the meantime, we will continue to pay down short-term notes as required.
- Financing strategy for future years utilizes off-budget revenue sources to finance capital items (Capital Stabilization Fund) – this will take some of the pressure from debt off the operating budget
- Total short-term debt (all funds) @ 6/30/2021 = \$9,958,272
- Total long-term debt (all funds) @ 6/30/2021 = \$51,508,251

Financial Policy Compliance & Other Funds

Financial Policy

Free Cash – to have certified Free Cash balance of at least 5% of the current Fiscal Year General Fund Operating Budget (GFOB) at the beginning and during the fiscal year; Certified Free Cash at July 1, 2021 was \$8,739,080 or 12.2% of the GFOB.

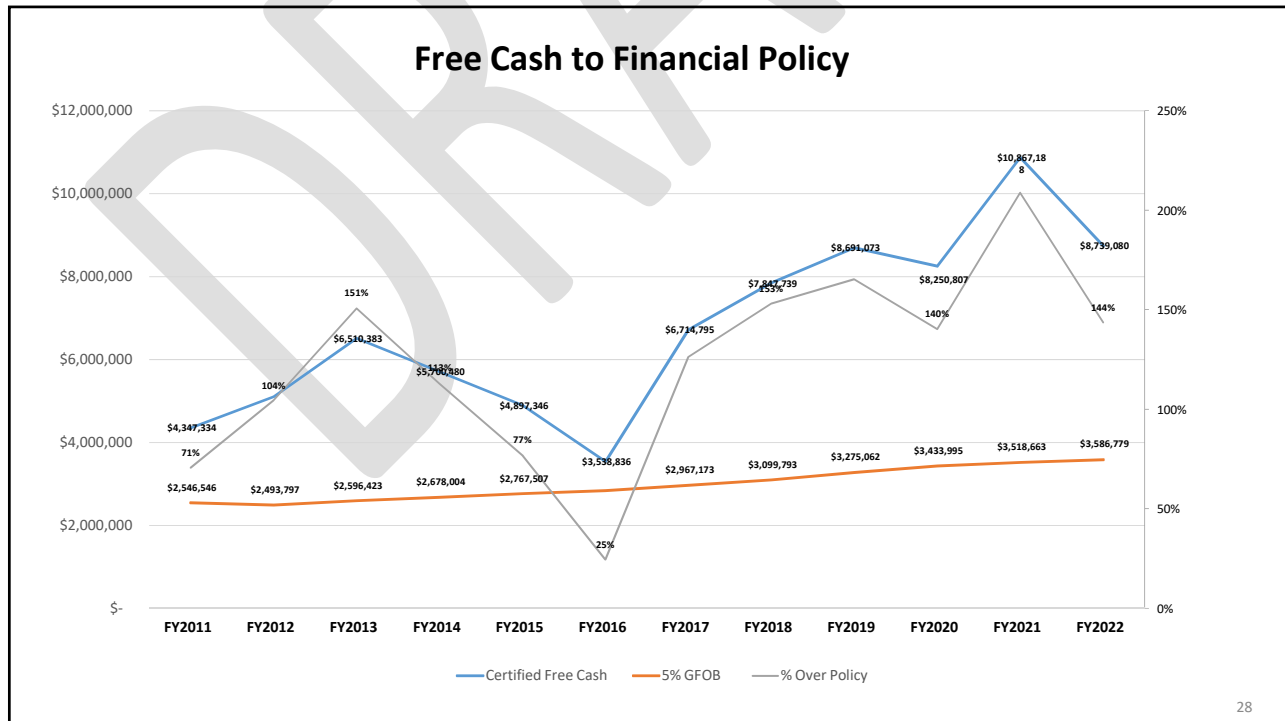
Stabilization Fund – to maintain a long term Stabilization Fund for unforeseen emergency expenses and capital projects in accordance with MGL C40 §5B and to maintain a balance of at least 6% of the GFOB; no transfers were needed during fiscal 2021 to meet policy. Stabilization Fund balance at July 1, 2021 was \$4,472,719 or 6.2% of GFOB. Funds are reported at Fair Market Value and adjusted monthly.

OPEB Trust Fund - To maintain an OPEB Trust fund to accumulate funds for Other Post Employment Benefits. The long term goal for the Trust Fund is to fully fund the OPEB Liability. Beginning in fiscal 2019, OPEB expense was incorporated into the budget. This is calculated as the amount previously budgeted plus 10% of the actual new growth for the current year. The budgeted expense in FY2021 was \$163,702. The town will also strive to contribute 10% of excess free cash over policy to the fund at fall town meetings. In addition to the \$163,702 budgeted, \$1,025,000 was transferred to the trust in fiscal 2021. Total trust balance at year end was \$5,629,144. The net OPEB liability as of 6/30/2020 (FY21 Actuarial Valuation not yet available) was \$133,704,909. The liability is 4.2% funded.

Free Cash History

Fiscal Year	Certified Free Cash	As of	Total Voted During Fiscal Year	Used for Following Fiscal Years Budget	Used for Current Fiscal Years Budget	Used for Capital	Transfer to Stabilization	Used for Articles
2022	\$ 8,739,080	7/1/2021	\$ 1,199,188	\$ -	\$ -	\$ -	\$ -	\$ 1,199,188
2021	\$ 10,867,188	7/1/2020	\$ 4,729,490	\$ -	\$ 180,088	\$ 813,270	\$ -	\$ 3,736,132
2020	\$ 8,250,807	7/1/2019	\$ 2,123,454	\$ 838,464	\$ 188,500	\$ 323,000	\$ 10,000	\$ 763,490
2019	\$ 8,691,073	7/1/2018	\$ 3,095,069	\$ 1,100,000	\$ 100,162	\$ 890,772	\$ 118,000	\$ 886,135
2018	\$ 7,847,739	7/1/2017	\$ 2,515,150	\$ 1,095,696	\$ 204,500	\$ 511,370	\$ 156,000	\$ 547,584
2017	\$ 6,714,795	7/1/2016	\$ 2,154,900	\$ 795,300	\$ 65,680	\$ 349,836	\$ 580,000	\$ 364,083
2016	\$ 3,538,836	7/1/2015	\$ 846,676	\$ 892,405	\$ (648,682)	\$ 249,758	\$ -	\$ 353,195
2015	\$ 4,897,346	7/1/2014	\$ 3,429,046	\$ 1,792,345	\$ 865,000	\$ 397,800	\$ -	\$ 373,901
2014	\$ 5,700,480	7/1/2013	\$ 2,422,060	\$ 2,004,000	\$ 107,800	\$ -	\$ -	\$ 310,260
2013	\$ 6,510,383	7/1/2012	\$ 3,216,256	\$ 1,400,000	\$ 464,500	\$ 594,391	\$ -	\$ 757,365
2012	\$ 5,099,679	7/1/2011	\$ 1,908,922	\$ 1,400,000	\$ 144,395	\$ 169,527	\$ -	\$ 195,000
2011	\$ 4,347,334	7/1/2010	\$ 1,340,687	\$ 800,000	\$ 429,375	\$ 8,000	\$ 88,312	\$ 15,000
2010	\$ 4,897,336	7/1/2009	\$ 1,854,907	\$ 1,780,737	\$ -	\$ -	\$ -	\$ 74,170
2009	\$ 5,252,603	7/1/2008	\$ 2,034,697	\$ 859,245	\$ 22,500	\$ 244,000	\$ 887,462	\$ 21,490
2008	\$ 4,262,471	7/1/2007	\$ 1,662,337	\$ 650,478	\$ -	\$ 181,981	\$ 700,000	\$ 129,879
2007	\$ 3,911,948	7/1/2006	\$ 1,459,657	\$ 553,850	\$ 30,750	\$ 205,270	\$ 587,685	\$ 82,102

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General Stabilization Fund History

Fiscal Year	Used for Budgets		Voted to Stabilization		Net Earnings
	Fund Balance, BOY	During Fiscal Year	During Fiscal Year		
2022	\$ 4,472,719				
2021	\$ 4,334,068	\$ -	\$ -	\$ 138,651	***
2020	\$ 4,145,971	\$ -	\$ 10,000	\$ 178,097	
2019	\$ 3,953,766	\$ -	\$ 118,000	\$ 74,205	
2018	\$ 3,756,385	\$ -	\$ 156,000	\$ 41,381	
2017	\$ 3,545,542	\$ -	\$ 180,000	\$ 30,843	
2016	\$ 3,530,881	\$ -	\$ -	\$ 14,661	
2015	\$ 3,517,265	\$ -	\$ -	\$ 13,616	
2014	\$ 2,547,001	\$ -	\$ 950,000	\$ 20,264	
2013	\$ 3,475,477	\$ (950,000)	\$ -	\$ 21,524	
2012	\$ 3,604,838	\$ (152,013)	\$ -	\$ 22,652	
2011	\$ 3,503,206	\$ -	\$ 88,312	\$ 13,320	
2010	\$ 3,551,848	\$ (88,312)	\$ -	\$ 39,670	
2009	\$ 2,612,538	\$ -	\$ 887,462	\$ 51,848	
2008	\$ 1,248,226	\$ -	\$ 1,287,684	\$ 76,628	
2007	\$ 1,665,563	\$ (769,898)	\$ 282,213	\$ 70,348	
2006	\$ 1,602,827	\$ (400,000)	\$ 400,000	\$ 62,736	
2005	\$ 1,583,200	\$ (200,000)	\$ 183,603	\$ 36,024	
2004	\$ 1,906,905	\$ (400,000)	\$ 50,000	\$ 26,295	

***FY2021 and future year balances reflect Fair Market Value

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Health Insurance Trust, OPEB & Stabilization Funds Summary of Fund Activity

Trust Fund Account	Balance July 1, 2020	Deposits/ Transfers	Amounts Expended	Net Earnings (Change in FMV)	Balance June 30, 2021
Self Insurance Claims Trust	\$ 5,088,933	8,496,868	8,179,655	549,621	\$ 5,955,767
Employees Insurance Withholding Trust	\$ 1,700,558	2,934,514	2,726,872	190,559	\$ 2,098,759
OPEB Trust Fund	\$ 3,652,699	1,188,702	-	787,743	\$ 5,629,144
Stabilization Fund	\$ 4,334,068	-	-	138,651	\$ 4,472,719
Stabilization Fund-Capital Projects	\$ 474,621	2,999,104	-	25,007	\$ 3,498,732
Future Solid Stabilization	\$ 529,020	-	-	4,333	\$ 533,353
Special Education Reserve Fund - MGL 40 § C. 13E	\$ 104,501	(50,000)	-	1,372	\$ 55,873

(Funds can be distributed after a majority vote of the school committee and board of selectman)

31

Receipts Reserved for Appropriation

Special Revenue Fund	Balance		Transfers		Balance	
	July 1, 2020	Revenues	In (Out)	Expended	June 30, 2021	
Municipal Waterways Fund Receipts Reserved	\$ 645,618	425,433	(341,970)	-	\$ 729,081	
Ambulance Maintenance Fund Receipts Reserved	\$ 1,473,191	1,595,696	(1,325,000)	(60,708)	\$ 1,683,179	
Conservation Fund Receipts Reserved	\$ 48,926	23,856	(30,000)	(538)	\$ 42,245	
			<u>\$ (1,696,970)</u>			
Transfers to General Fund Operating Budget	\$ 1,496,970					
Transfer to Capital Projects	<u>200,000</u>					
	<u>\$ 1,696,970</u>					

32

Bourne Received more than

\$6,000,000

in grant funding during fiscal year 2021

FY21 Grant Funding Received (Outside General Fund Budget)

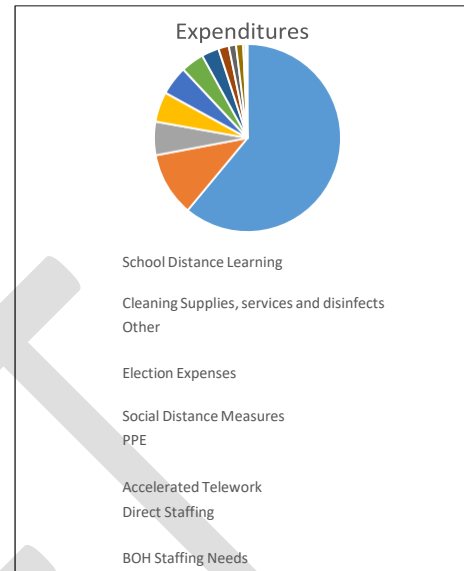
- CARES Act Coronavirus Relief Fund = \$911,511
- ARPA = \$1,034,230
- Council on Aging Formula Grant = \$61,992
- Bourne Rail Trail = \$256,356
- State 911 Support & Training = \$114,835
- Community Development Block Grant = \$50,988
- Pumpout Boat = \$20,000
- Briarwood Bridge = \$200,000
- Chapter 90, State Aid to Highways = \$409,527
- Special Education Cluster (94-142) = \$443,166
- Title I = \$303,430
- PL874 Grant (Federal Military Aid) = \$152,155
- Foundation Reserve (State Military Aid) = \$773,777
- CARES ESSER I = \$254,240
- CARES ESSER II = \$84,455
- CVFR School Reopening = \$404,279
- State Coronavirus Prevention = \$92,600

Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

Total Funds Available = 1,752,069

Covered expenses thru 10/29/2021

Total Funds Expended = \$1,642,214-
this includes \$104,751 of FEMA
Eligible Reimbursements



34

American Rescue Plan Act (ARPA)

- Signed into Law on March 11, 2021
- Bourne's share is \$2,068,460 (\$105/person)
- Program will be administrated at the federal level by the USDepartment of Treasury
- US Treasury released program guidance in the form of an "InterimFinal Rule" in May 2021
- Final Rule has yet to be adopted
- Funds have been committed in FY22 to address necessary investmentsin sewer infrastructure

Enterprise Funds

An enterprise fund, authorized by MGL Ch. 44§53F ½, is a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services.

Bourne operates two enterprise funds:

1. Trash Disposal - Integrated Solid Waste Management Department
2. Sewer - Sewer Department

*****Both funds are self supporting and do not require subsidies from the General Fund*****

Enterprise Funds ISWM & Sewer

- ISWM retained earnings decreased from \$12,964,428 to \$10,800,612 at year end – a decrease of \$2,163,816 or 16.69%. Total fund equities at year end equal \$23,616,715; this includes \$12,816,103 reserved for various purposes (ie capital articles, post closure, etc)
- Sewer retained earnings increased from \$804,288 to \$859,035 at year end – an increase of \$54,747 or 6.81%.

ISWM Revenues Budget vs. Actual FY2021

	Budget	Actual	Difference	%Over/Under Budget
User Charges	\$ 11,355,771	\$ 15,051,058	\$ 3,695,287	32.54%
Other Departmental Revenue	185,000	182,530	(2,470)	(1.34%)
Miscellaneous	15,000	96,024	81,024	540.16%
Investment Income	125,000	120,062	(4,938)	(3.95%)
Retained Earnings	<u>3,858,649</u>	<u>3,858,649</u>	<u>-</u>	0.00%
Total Revenues	<u>\$ 15,539,420</u>	<u>\$ 19,308,323</u>	<u>\$ 3,768,903</u>	24.25%

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ISWM Appropriations & Expenditures FY 2021

	Encumbered Balance 7/1/2020	Appropriation/ Borrowing	Expenditures	Transfers In (Out)	Closed to Fund Balance	Encumbered Balance 6/30/2021
Salaries	\$ -	\$ 2,287,580	\$ 1,945,319	\$ -	\$ 342,261	\$ -
Expenses	156,048	4,823,800	5,541,692	600,000	(215,555)	253,711
Debt Service	-	4,666,044	4,639,785	-	26,259	-
Reserve Fund	-	600,000	-	(600,000)	-	-
Host Community Fee	-	900,000	910,321	-	(10,321)	-
Subtotal	156,048	13,277,424	13,037,117	-	142,644	253,711
Indirect Costs	-	2,261,996	-	(2,261,996)	-	-
Total Expenses	<u>\$ 156,048</u>	<u>\$ 15,539,420</u>	<u>\$ 13,037,117</u>	<u>\$ (2,261,996)</u>	<u>\$ 142,644</u>	<u>\$ 253,711</u>

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Sewer Revenues

Budget vs. Actual

FY2021

				% Over (Under)
User Charges:	Budget	Actual	Difference	Budget
Sewer User Fees	\$ 1,127,355	\$ 1,093,834	\$ (33,521)	
Sewer User Charges Added to Taxe	-	45,648	45,648	
Subtotal User Charges	1,127,355	1,139,482	12,127	1.08%
Other Departmental revenue	25,000	31,405	6,405	25.62%
Investment Income	10,000	9,198	(802)	(8.02%)
Retained Earnings	185,000	185,000	-	0.00%
Total Revenues	\$ 1,347,355	\$ 1,365,085	\$ 17,730	1.32%

40

Sewer

Appropriations & Expenditures

FY2021

	Encumbered				Closed to	Encumbered
	Balance 7/1/2020	Appropriation/ Borrowing	Expenditures	Transfers In (Out)	Fund Balance	Balance 6/30/2021
Operating Budget:						
Salaries	\$ -	\$ 197,680	\$ 178,802	\$ -	\$ 18,878	\$ -
Expenses	592	238,253	86,829	-	134,753	17,263
Wareham - Operating Expense	-	410,000	410,000	-	-	-
Wareham - Capital Assessment	-	188,478	188,478	-	-	-
Debt Service	-	72,000	73,615	-	(1,615)	-
Reserve Fund	-	100,000	-	-	100,000	-
Subtotal	592	1,206,411	937,724	-	252,016	17,263
Indirect Costs	-	140,944	-	(140,944)	-	-
Total Expenses	\$ 592	\$ 1,347,355	\$ 937,724	\$ (140,944)	\$ 252,016	\$ 17,263

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Conclusion

- Overall, Town Finances are in good standing – compliant with Financial Policies and Industry Standards
- We have made positive changes in processes and procedures in recent years to maintain our healthy positions
- The Finance Team will continue to explore and implement strategies to strengthen our positions, including Bond Rating upgrade

Any Questions?

There was some discussion about OPEB. Chair Meier asked that once this financial presentation has been downloaded on Bourne TV that the link be sent out to the Finance Committee, so they would be able to ask any questions that they may have. Mr. Slade said that it was good to see the improvement with the bond rating. Ms. Mastrangelo said that the Town has come a long way since 2016 and the Finance Department, the Administration, the Finance Committee, and the Board of Selectmen have worked very hard together to get the Town to where it is today financially. There was some discussion on updating the Financial Policy.

7.e. Discussion and possible vote to affirm the Deed Conveyance taken by the Conservation Commission to accept the 6.5 acre “Flyover” parcel as acceptable open space mitigation for the potential Integrated Solid Waste Management (ISWM) facility expansion.

Dan Barrett, General Manager, ISWM, reminded all that the Town is in the middle of an intense permitting process. Mr. Barret said the 12 acres south of the landfill that the Town owns that ISWM wants to develop, is Easter Box Turtle habitat and they are a protected species. He read aloud what the Conservation Commission voted on and how they voted. The Conservation Commission voted unanimously to accept the parcel as open space under the protection noted. They also voted unanimously for acceptance of the deed conveyance land.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to affirm the vote of the Bourne Conservation Commission to accept a parcel of mitigation land for the proposed Integrated Solid Waste Management (ISWM) Facility based on the italicized deed conveyance language presented in the permanent habitat protection document, paragraph A.

Vote: 3-0-0.

Cannon, Glenn

From: Robert Troy <rst@troywallassociates.com>
Sent: Wednesday, November 3, 2021 6:16 PM
To: Bob Gray
Cc: Cannon, Glenn; Barrett, Daniel
Subject: FW: ISWM - Flyover Nominee Trust
Attachments: Article 97 Language.pdf

Bob,
ISWM wants to acquire additional land for expansion and it requires mitigation land. Mark Robinson of Compact of Cape Cod Conservation Trust has recommended that we utilize a certain format of Deed which we have sent to the Attorney for the Seller, Kathryn Bean. Additionally, Bernie Kilroy, a Land Court Examiner, is assisting us with the Closing and is writing Title Insurance and we have forwarded the documentation to him. Mark Robinson has recommended that the Conservation Commission agree to hold the Conservation Restriction on this property under GL Chapter 40, Section 8C and it would then become land subject to Article 97. This is the first vote that the Commission is requested to take. Additionally, Jessie Leddick from Wildlife and Fisheries has language that is included in the Attachment to this Email that the Commission is also requested to endorse (See document dated 12/15/20). This is the second vote that the Commission is requested to take. Please call me if you have any questions. My cell is 508-776-0921. Thank you for your assistance.
Bob

Permanent Habitat Protection: In order to provide a Net Benefit to the conservation of the Eastern Box Turtle, the Permit Holder has proposed to permanently protect the 6.5-acre Open Space by conveying it to the Town of Bourne, acting by and through its Conservation Commission, subject to M.G.L. Chapter 184. Conveyance shall comply with the following conditions, unless otherwise pre-approved in writing by the Division:

- a) The deed of conveyance for the Open Space shall be amended to include the following language, or other similar language pre-approved in writing by the Division:

"Dedicated to the public for the sole purpose of conservation of natural resources, including but not limited to, the conservation of species listed pursuant to G.L. c. 131A et. seq. which shall be considered the most important conservation purpose for which this land is to be protected in perpetuity and held under the care and custody of the Conservation Commission, pursuant to G.L. c. 408C. This parcel of land is being dedicated in order to meet a long-term Net Benefit pursuant to 321 CMR 10 .23 with the Massachusetts Division of Fisheries and Wildlife and the Town of Bourne as benefitted parties."

- b) The Conservation Commission shall take a vote, and record said vote in the final written meeting minutes, to accept the Open Space pursuant to the above-referenced language (or other language pre-approved in writing by the Division} read aloud at said meeting prior to the vote.
- c) The Board of Selectmen, or the nominated member(s) of said board, shall affirm the vote of the Conservation Commission with said affirmation recorded in the final meeting minutes.

Within six (6) months of the initiation of Work, the Permit Holder shall provide proof of Open Space conveyance to the Conservation Commission Proof of conveyance shall include proof of recordation with marginal reference to the land transfer language above, as well as the date of the Conservation Commission vote and the affirming vote of the Board of Selectmen. A copy of said recorded deed shall be submitted to the Division within five (5) business days of recordation. Work shall cease if said deed is not recorded and copies thereof received by the Division by this date provided, however, that the Division may extend this date from time to time if the failure to execute and record said deed results from circumstances beyond the control of the Permit Holder and so long as the Permit Holder continues in good faith to seek to execute and record said deed.

7.f. Discussion and possible vote to sign the deed for the 6.5 acre “Flyover” parcel. The “Flyover” parcel is required as open space mitigation for the potential Integrated Solid Waste Management (ISWM) facility expansion.

Mr. Cannon said that there has been an extension on the closing date so this item will be tabled.

Voted: George Slade moved, and Mary Jane Mastrangelo seconded to take item 9d. (Notification of Appointment – Conservation Agent.) out of order.

Vote: 3-0-0.

9.d. Notification of Appointment – Conservation Agent.

Tim King introduced Stephanie Fitch, who is currently a Health Inspector in the Health Department in Bourne. He said that there was a screening committee that went through all the applications for the Conservation Agent position, and four candidates were interviewed. It was a unanimous decision to recommend Ms. Fitch to the position, and Mr. King has appointed her to the position of Conservation Agent, although it does not become effective for 14 days, unless the Board is willing to waive the 14-day requirement for appointment. Chair Meier said that waiver of 14 days is not on the agenda, so her appointment will start on Tuesday, December 14, 2021.

Mary Jane Mastrangelo asked for a plan on December 14, about what will be done with the Health Department about staffing and budget plans for FY 2023. Chair Meier said that it is already in the process.

8) Appointments and Licenses

- a. Discussion and possible vote to approve various Year-Round Liquor and Companion Food, Entertainment and Coin-Operated Amusement Devices Licenses, as shown in Appendix A.**
- b. Discussion and possible vote to authorize the use of the Selectmen's stamps on approved Year-Round Liquor and Companion Food, Entertainment and Coin-Operated Amusement Devices Licenses and all approved Committee Appointment letters by Administration staff.**
- c. Discussion and possible vote to confirm our seasonal population.**

8.a. Discussion and possible vote to approve various Year-Round Liquor and Companion Food, Entertainment and Coin-Operated Amusement Devices Licenses, as shown in Appendix A.

Voted: George Slade moved, and Mary Jane Mastrangelo seconded to approve Year-Round All Alcoholic Club Licenses for calendar year 2022 as follows:

- Aptuxet Post #5988, V.F.W. Building Association, Inc.
- Buzzards Bay Aerie #3741, Fraternal Order of Eagles, Inc. d/b/a Buzzards Bay Eagles

- Club Italiano Guglielmo Marconi, d/b/a Marconi Club
- Monument Beach Sportsman's Club, Inc.
- Pocasset Golf Club, Inc.
- Weary Travelers Club, Inc.

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the Year-Round Farmers Series Pouring Permit 19H, Malt 19C (n) and Winery 19B (n) on Premise License for calendar year 2022 for Buzzards Bay Brewing of Bourne, LLC:

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the Year-Round Wine & Malt General on Premise License for calendar year 2022 for Ryan Family Amusement, Inc.

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the Year-Round all Alcoholic Innholder's License for calendar year 2022 for the Bourne Hotel, Inc., d/b/a Hampton Inn Cape Cod Canal

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the Year Round All Alcoholic Package Goods Store License for calendar year 2022 as follows:

- Beecy, Inc., d/b/a Bourne Bridge Liquors
- RFS Market, Inc., d/b/a Grey Gables Market
- Rymco, Inc., d/b/a Liberty Warehouse Liquors
- Norman B. White, Jr., Inc., d/b/a The Liquor Barn
- Sadiq Corporation, d/b/a One Stop Convenience Store
- Portside Liquors, Inc.
- Barlows Liquor Corp, d/b/a Seaside Wine and Spirit
- ZASA Spirits, Inc., d/b/a Spirits 'N More
- Paradigm, Inc., d/b/a Ye Olde Spirit Shoppe

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve Year-Round All Alcoholic Common Victualer Licenses for calendar year 2022 as follows:

- Cranberry's LLC, d/b/a The Bog Tavern
- Il Sfocato Uno, Inc., d/b/a Bridge View Grill
- Millerco Corporation, d/b/a Courtyard Restaurant
- Leo's Seafood Restaurant, Inc.
- Lobster Trap Fish Market, Inc.,
- Freedom City, Inc., d/b/a Lost Dog Canal Cafe

- Mahoney's on Main LLC
- Mezza Luna Restaurant, Inc.
- Batman Corp., d/b/a The Parrot Bar & Grille
- BBay149LLC d/b/a Rod & Rail
- KKP, LLC, d/b/a The Sagamore Inn
- Bopha Angkor's Stir Crazy, LLC, d/b/a Stir Crazy Restaurant
- Stomping Grounds, Inc.
- Buzzards Bay Bars, LLC, d/b/a TJ's Grill and Bar
- Trading Post Lounge, Inc.
- Wayho, Inc.
- Whaleback Restaurant, Inc.

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve Year-Round Wine & Malt Common Victualer's Licenses for calendar year 2022 as follows:

- BBHP Inc., d/b/a Buzzards Bay House of Pizza
- Buzzards Bay Marina Corp., d/b/a East Wind Lobster & Grille
- Chen Restaurant, Inc., d/b/a Golden Place Restaurant
- Graziella's Pizza
- P & G Pizza, Inc., d/b/a Pizza by Evan
- PWB Enterprises, Inc., d/b/a Tuk Tuk Thai Food

Vote: 3-0-0.

8.b. Discussion and possible vote to authorize the use of the Selectmen's stamps on approved Year-Round Liquor and Companion Food, Entertainment and Coin-Operated Amusement Devices Licenses and all approved Committee Appointment letters by Administration staff.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to authorize the use of the Selectmen's stamp on Liquor and Companion License (Common Victualer, weekday Amusement, Sunday Amusement and Coin Operated Amusement Devices) Renewals.

Vote: 3-0-0.

RETAIL LIQUOR LICENSE RENEWAL APPLICATION GUIDELINES

Without exception, all annual alcoholic beverages licensees are required to renew their alcoholic beverages license by **November 30th** of each year.

All retail license renewal applications must be signed by an authorized corporate officer, individual or partner and filed with the Local Licensing Authority between November 1st and November 30th. Licensees who are in the process of transferring their licenses are required to file the renewal application until the transfer has occurred and they are no longer the licensee of record.

Licensees are responsible for correcting any differences between their files and the ABCC license file on the renewal application in red ink. An LLA Certification Form / Form 43 verifying these changes have been ABCC approved must be attached to the license renewal application in order to change the official ABCC license file. Please mail those corrections along with the renewal packet to the ABCC.

All on-premises M.G.L. c. 138, §12 licensees must provide proof of the required liquor liability insurance and a copy of the required Fire Safety Inspection Certificate to the Local Licensing Authorities. Please do not forward the Fire Safety Certificates, Insurance Certificates, or License Certificates to the ABCC. You should keep these forms for your records.

Please mail the completed below form, all completed renewal certificate forms, and any corrective forms to the ABCC no later than January 17th, 2022 with no staples included.

ABCC
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

Any renewal application not signed and filed by November 30th will be treated as a New License.

If renewal application becomes a new license for failure to meet the November 30th signing deadline, it will be subject to all the procedures set forth under Chapter 138, §15A.

ANY QUESTIONS REGARDING THE ABOVE GUIDELINES SHOULD BE DIRECTED TO HURSHEL LANGHAM AT EXT. 719 or SABRINA LUC AT EXT. 721

Ralph Sacramone, Executive Director

RENEWAL CERTIFICATION 2022CITY/TOWN: **A. LICENSEES WHO FAILED TO RENEW FOR 2022:****LICENSE #:****LICENSEE CORPORATE NAME AND ADDRESS:**

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

B. LICENSEES DISAPPROVED BY THE CITY/TOWN FOR 2022:**LICENSE #:****LICENSEE CORPORATE NAME AND ADDRESS:**

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

We hereby certify that the premises described in the 2022 renewal applications for the above mentioned municipality are now occupied, used or controlled by the licensee and will be on January 1, 2022. The 2021 Renewal Applications have been approved by the Local Licensing Authorities and forwarded to the ABCC.

The Local Licensing Authorities

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

A. LICENSEES WHO FAILED TO RENEW FOR 2022:

LICENSE #:	LICENSEE CORPORATE NAME AND ADDRESS:

B. LICENSEES DISAPPROVED BY THE CITY/TOWN FOR 2022:

LICENSE #:	LICENSEE CORPORATE NAME AND ADDRESS:

COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL
COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

2022 Seasonal Population Increase Estimation Form

City / Town:

Date:

Alcoholic Beverages Control Commission
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

Date of Meeting

, estimated that the temporary increased resident population

of

City / Town Name

, as of July 10, 2022 will be

Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,
Local Licensing Authorities

This certificate must be signed by a majority of the members of the local licensing authority.

8.c. Discussion and possible vote to confirm our seasonal population.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to estimate the seasonal residential population of Bourne at 40,000 as of July 10, 2022.

Vote: 3-0-0.

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to authorize the use of the Selectmen's stamp on the Alcoholic Beverages Control Commission *2022 Seasonal Population Increase Estimation Form*.

Vote: 3-0-0.

9) Town Administrator

- a. **Bylaw Committee meeting update – Town staff will update the Board of Selectmen relative to a recent Bylaw Committee meeting.**
- b. **MassDOT Canal Area Transportation program meeting summary.**
- c. **Complete Streets update and notification of the December 5, 2021, Complete Streets projects list public information meeting.**
- d. **Notification of Appointment – Conservation Agent.**

9.a. Bylaw Committee meeting update – Town staff will update the Board of Selectmen relative to a recent Bylaw Committee meeting.

Glenn Cannon said that they met with the Bylaw Committee to see if they would be willing to take a comprehensive look at the Bylaws and they thought it was a good idea. He said that different ideas were discussed at the meeting. Some of these include a curb bylaw, budget timing, and something that may be done with excessive vehicles, registered, or not registered, in a resident's yard. There was some discussion about acceptance of roads and who needs to be involved for the bylaws.

DRAFT FOR REVIEW

BOURNE BYLAW COMMITTEE

NOTICE OF MEETING

Wednesday, December 8, 2021 at 4:00 p.m.

Bourne Police Department Training Room
35 Armory Road
Buzzards Bay, MA 02532

Meeting will be in person and Zoom will be available.

MEETING AGENDA

1. Review Minutes of Board Meeting held Wednesday November 10, 2021;
2. Review and discuss potential changes to Bylaw, Section 1.3.1 as to the members of the Finance Committee not holding any other Town Office.
 - A. Review Section 3.1.1 of the Bylaws concerning the possible addition of Driveway Permit/Opening/Curb Cut Permit and Location of driveways.
 - B. Review matter of unregistered and registered automobiles being allowed on residential property. Need to consider Bylaw that would prevent the number of cars on residential property even if registered.
 - C. Review Section 1.27 time for filing of budgets review problems with the schedule as it presently exists. Possible modification as to budget time constraints.
 - D. Review potential Bylaw that would allow Board of Selectmen to delegate some authority to grant permits or applications for use that are presently subject to the Board of Selectmen granting them in the Bylaw but allowing the Board to delegate it. Permits such as rubbish, digging in public property, junk collection, junk sales, yard, garage or barn sales, etc.
 - E. Consider potential Bylaw for how to handle Town authorized repair work on "private ways".
 - F. Potential Bylaw allowing Police Department to use fingerprinting techniques for background checks for certain licenses or permits.
3. New Business (for discussion at next meeting, if any);

Submitted by,

David T. Gay, Esquire
Chairman Bourne Bylaw Committee

9.b. MassDOT Canal Area Transportation program meeting summary.

Glenn Cannon reported that the MassDOT Canal Area Transportation meetings on 11/16/21 and 11/18/21 were well attended. He said he wants the residents to know that the Town wants this project, and they are looking for funding right now.

9.c. Complete Streets update and notification of the December 5, 2021, Complete Streets projects list public information meeting.

Glenn Cannon said they have scheduled a public informational meeting for complete streets, which is the notion that a street should accommodate everybody, whether you are walking, driving, or biking. He said this could mean anything from a paved shoulder, to crosswalks, sidewalks, or street lighting. He said it is most likely going to be a Zoom meeting, and they really would like residents to attend and give their input.

9.d. Notification of Appointment – Conservation Agent. – Previously discussed.

10) Correspondence - George Slade listed the correspondence and said that it is available on the Town's website:

- Announcement for the Air Force Civil Engineer Center regarding the closure of 2 groundwater plumes at Joint Base Cape Cod.
- A 3rd quarter report from the Town of Barnstable Weights & Measures Program.

A.

**CLOSURE ACHIEVED FOR TWO GROUNDWATER PLUMES AT
JOINT BASE CAPE COD (JBCC)**

The Air Force Civil Engineer Center (AFCEC) manages the Installation Restoration Program (IRP) at JBCC. The IRP is tasked with conducting investigations and cleanup of soil and groundwater contamination caused by past military practices, mostly in the southern portion of JBCC. Two recent success stories include former Chemical Spill-20 (CS-20) and CS-23 groundwater plumes, located off base in the Town of Falmouth. A plume is an area of groundwater containing one or more contaminants above regulatory drinking water standards.

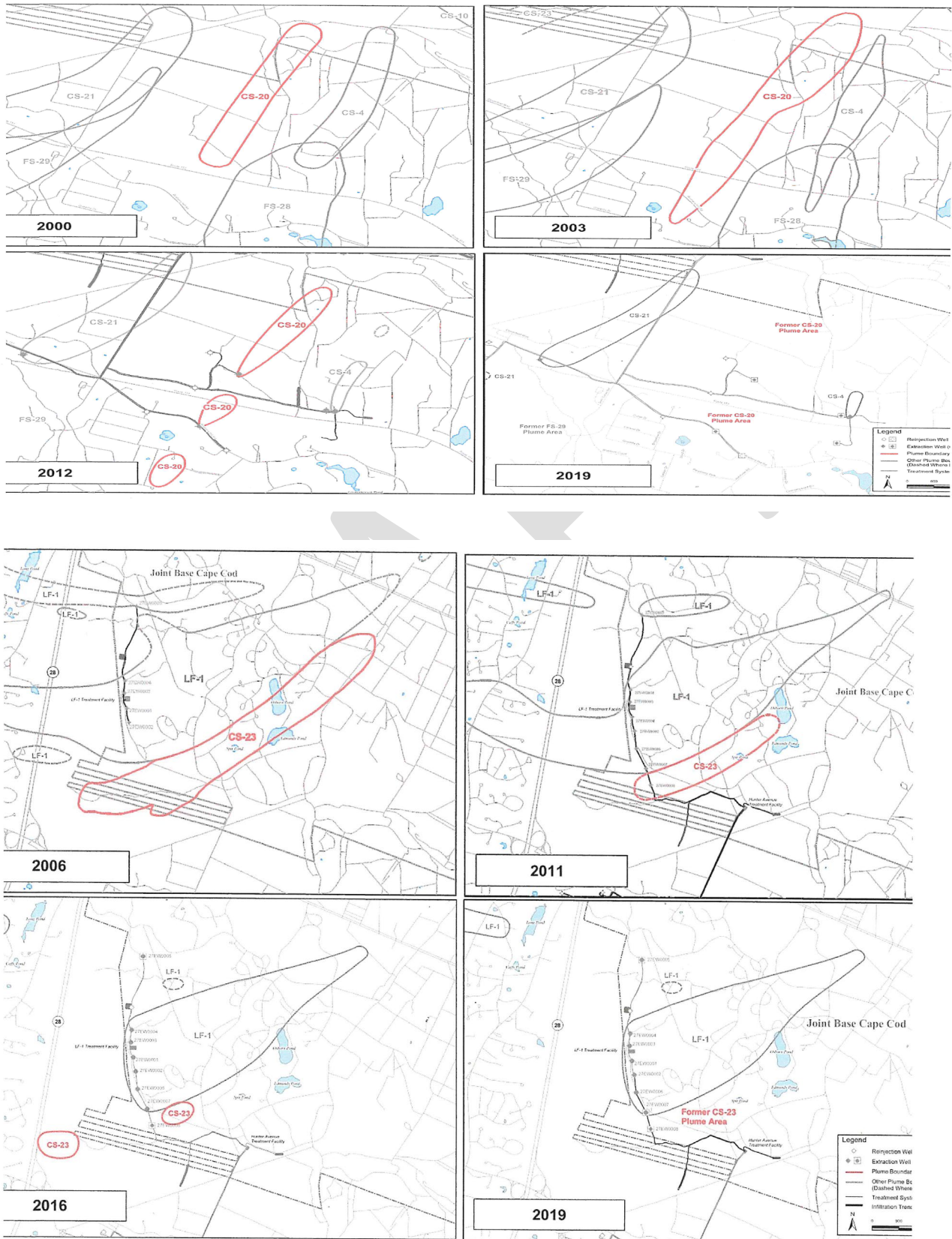
The CS-20 and CS-23 plumes were detached from unknown sources located on JBCC. CS-20 once contained the contaminant tetrachloroethene (PCE) and CS-23 once contained trichloroethene (TCE) and carbon tetrachloride (CCl₄) above federal drinking water cleanup standards. The concentrations of these contaminants are now below those standards as a result of active remediation and natural attenuation.

Past decisions for CS-20 and CS-23 required that groundwater extraction wells be installed to remediate these plumes. Contaminated groundwater was captured by extraction wells, treated with carbon, and returned to the aquifer. In addition to active treatment, monitored natural attenuation (MNA) was added to the decision which accepted natural processes (dilution, dispersion and degradation) for addressing the plume outside of the capture zone of the extraction wells. Land use controls (LUCs) were also added, such as private well use verification and response actions.

AFCEC will be notifying the Falmouth Board of Health and area residents in the former LUC areas for CS-20 and CS-23 that water from private wells in this area can once again be used safely as TCE, PCE and CCl₄ are not no longer above federal drinking water standards.

Site closures for CS-20 and CS-23 were achieved in October 2021 with the issuance of the CS-20 and CS-23 Remedial Action Completion Reports (RACR), which received concurrence from the U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection. A similar RACR was issued in 2020 for the Fuel Spill 29 plume. These RACRs can be found in AFCEC's administrative record. For more information on the IRP please visit/contact:

- Webpage: <https://www.massnationalguard.org/JBCC/afcec.html>
- Online administrative record (search under Joint Base Cape Cod): <https://ar.afcec-cloud.af.mil/>
- Call/text/email Doug Karson, AFCEC Community Involvement Lead, (508) 524-9206; douglas.karson@us.af.mil





TOWN OF BARNSTABLE
Inspectional Services Department
Brian Florence-Director of Inspectional Services
Jane Zulkiewicz-Town Sealer
Weights and Measures Program

367 Main Street
Hyannis, MA 02601
Office: 508-862-4671

B.
BOURNE BD OF SELECTMEN
RCVD 2021 NOV 16 AM 11:53

11/9/2021

Glenn D. Cannon
Assistant Town Administrator
Bourne Town Hall
24 Perry Ave.
Buzzards Bay, MA 02532

Dear Mr. Cannon,

Since the last quarter the Barnstable Weights and Measures staff lost an inspector due to other employment. During the interim of advertising, interviewing and finally hiring a new inspector as of November 5, 2021, we have done our best to accomplish the weights and measures duties in Bourne this quarter. The new inspector will require many months of training but we are confident he will learn the standards that Barnstable Weights and Measures have prided ourselves for many years.

Enclosed is the 3rd quarter report from July 1 to September 30, 2021, detailing all Weights & Measures activity within the Town of Bourne.

- 97 devices were tested and sealed. Major grocery store scales, market scales, pharmacy and the Town's Solid Waste scales were certified for 2021.
- 54 retail motor fuel meters tested and sealed at gas stations, and those requesting testing after meters were replaced or repaired along with normal annual marina fuel meter inspections.
- Six Grocery and convenience retail locations were inspected for Item Price compliance. The stores keeping up with price changes continue to be an issue.
- Four price verification scanner accuracy inspection was conducted which passed with the required 98%, one pricing error noted on this random inspection.

We had to move our operation from the office we have worked for over 20 years in May 2021, currently we have limited space and are doing the best we can to support our program. We purchased tablets for the staff to enhance remote tasks and move to a paperless initiative for emailing invoices to businesses. We were moved to Inspectional Services Department from the Licensing Department July 1, 2021.

On behalf of the staff at Barnstable Weights and Measures we look forward to continuous service of weights and measures duties in Bourne and we thank you for your support in the mission for providing equity in the marketplace.

Please feel free to contact me directly at (508) 726-2118, or e-mail, jane.zulkiewicz@town.barnstable.ma.us with any questions.

Sincerely,



Jane Zulkiewicz
Town of Barnstable
Weights and Measures Program Manager/Town Sealer
367 Main Street, Hyannis, MA 02601

367 Main Street
Hyannis, MA 02601
www.town.barnstable.ma.us

Town of Barnstable Weights and Measures Program
From 7/1/2021 to 9/30/2021

Office: 508-862-4671
Fax: 508-778-2412
11/9/2021 2:16:17 PM

Bourne

		Adj	Seal	Not Sealed	Cond	Sealing Fees	Reimp Fees	Device Fines	PV Fines	IP Fines	PK,CH. Fines	VFH Safety	C.C. Fines
Scales	A Cap Over 10,000 lbs	1	2			550							
	B 5,000 - 10,000 lbs												
	C 100 - 5,000 lbs		4	2		360							
	D Under 100 lbs	4	25	4		1380							
	E Under 10 lbs	2	4	1		240							
	Balances												
Weights	Avordupois												
	Metric												
	Troy												
	Apothecary												
Automatic Liquid Measuring	Meters, Inlet 1" or less												
	Gasoline		54			3000		375					
	Oil, Grease												
	Vehicle Tank Meters												
	Bulk Storage												
	Meters												
Other Automatic Measuring	Taximeters												
	Leather Measuring												
	Wire/Cordage		3			95							
	Cloth Measuring												
	Reverse Vending		1			20							
Linear Measures	Yardsticks												
	Tapes												
Scan	Scan - Above 98%		4			465			200	2700			
	Scan - Below 98%												
Complaints													
Pkg. Check													
UPC													
IP not Fined		3											
Totals		7	97	7		6110		375	200	2700			

Fees: \$6,110.00

Fines: \$3,275.00

Total: \$9,385.00

Categories for Barnstable Quarterly Reports top row	
Adj	Any adjustments/ calibrations to bring device in tolerance
Seal	Device has been sealed for that calendar year
Not Sealed	Device has not met compliance at time of insp; may need repair
Cond	Condemned device-does not meet standards for compliance
Sealing Fees	Dollars brought in for specific category of devices
Reinp Fees	Charges if device once sealed; needed repair and re-sealing
Device Fines	Charges if device has been found to be in use unsealed & not tested
PV Fines	Price Verification (Scanners) Violations
IP Fines	Item Price Violations mainly pricing at grocery/food stores
PK. CH Fines	Package Checking (Net Weight inspections) Violations
VFH Safety	Vehicle For Hire Safety inspections fees
C.C. Fines	Customer Complaint violations –this option has been disabled
Side Column categories	
Complaints	How many complaint weights and measures has investigated
Pkg. Check	How many individual packages were inspected for net weight
UPC	Unit Price Code inspections per item
IP not fine	Pricing inspection conducted resulting in compliance

11) Committee Reports

George Slade said the Assembly of Delegates is considering a Police Academy session number 4.

12) Adjourn

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to adjourn.

Vote: 3-0-0.

Non Binding Public Advisory Question for the 2022 Spring Town Ballot
Calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay.

WHEREAS, Cape Cod Bay is a federal and state protected area and habitat for the endangered Right Whale; and

WHEREAS, Cape Cod Bay provides a vital livelihood for fishermen and the tourist industry; and

WHEREAS, The National Academies of Science has determined there is no safe dose of ionizing radiation,

WHEREAS, One radioactive element in Holtec Pilgrim water is Tritium, which concentrates up the food chain from sediment to sea grasses to the fish we eat; and

WHEREAS, Holtec Pilgrim can discharge radioactive water anytime without approval of the Nuclear Regulatory Commission [NRC]; and

WHEREAS, The Attorney General of New Mexico has filed a lawsuit against the NRC for unlawful proceedings and illegal activities involving Holtec; and

WHEREAS, The Commonwealth has the authority to stop the dumping;

Therefore, shall the people of the Town of Bourne, MA direct the local government to communicate with Governor Charlie Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay?

24
PRINT NAME

SIGNATURE

RESIDENTIAL STREET ADDRESS

✓ JOANNE ANDERSON

✓ Carol Ellis

✓ Joan Zak

✓ Barbara Fellows

No Signature
✓ Nicole Pritchard

✓ Tim Roche

✓ Bethany M. Wm

✓ Douglas Swift

✓ DAVID FLEMING

✓ Ilona J. Corsa no

Non Binding Public Advisory Question for the 2022 Spring Town Ballot
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WHEREAS, The Commonwealth has the authority to stop the dumping;

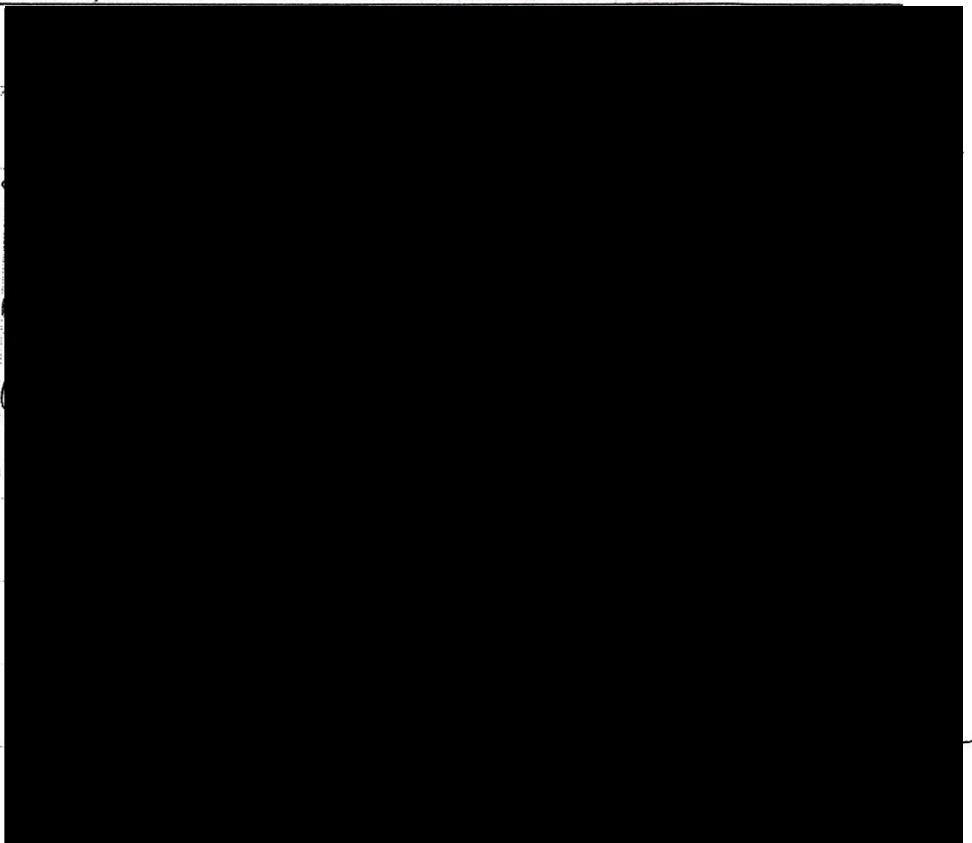
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PRINT NAME

SIGNATURE

RESIDENTIAL STREET ADDRESS

✓ Leona Bombaci
✓ Laura Akerblom
✓ Merry James
No Signature
CHRIS POWERS
✓ Wendy Walsh
✓ JAMES FITZGERALD
✓ Leslie Milsted
✓ J William Henry
✓ Terry Rodrigues
✓ Linda Perry



Non Binding Public Advisory Question for the 2022 Spring Town Ballot
Calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay.

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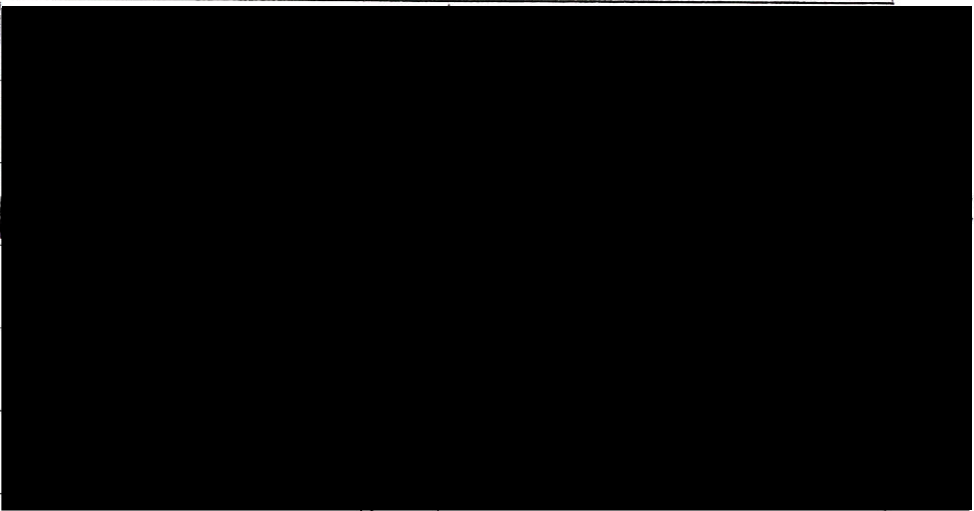
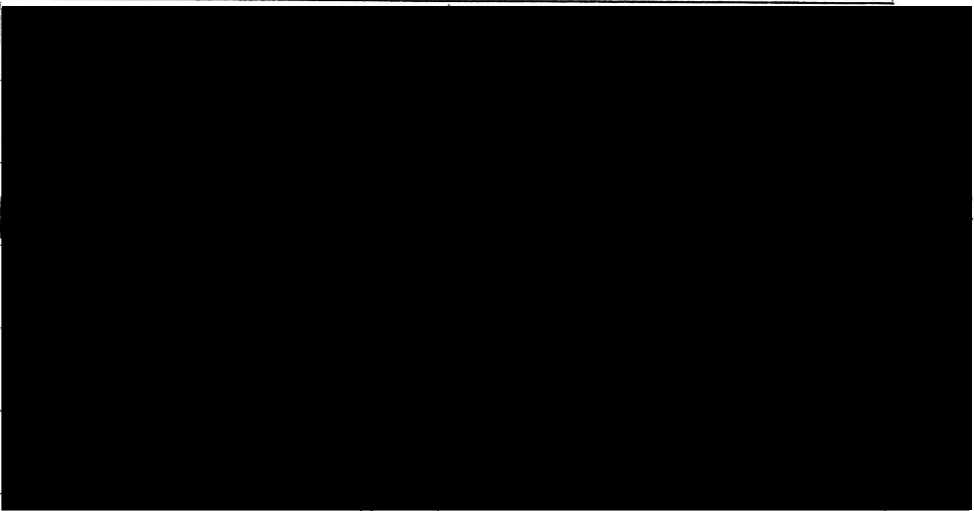
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Therefore, shall the people of the Town of Bourne direct the local government to communicate with Governor Charlie Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay?

PRINT NAME	SIGNATURE	RESIDENTIAL STREET ADDRESS
✓ Mary Whitaker		
✓ Philip Waters		
✓ CAREY Abbott		
✓ David H Mason		
✓ Carol L. Lynch		
✓ Daniel Warner Jr		

LEONA BOMBACI

March 7, 2022

BOURNE BD OF SELECTMEN
RCUD 2022 MAR 7 AM 10:58

Town of Bourne
Board of Selectmen ATTN: Peter J. Meier, Chairman
24 Perry Ave.
Buzzards Bay, MA 02532

To the Town of Bourne, Board of Selectman

RE: Request to the Bourne Board of Selectmen to Vote upon and approve the attached
Non-Binding Public Advisory Question for the 2022 Spring Town Ballot

As a voting citizen of the town of Bourne I have gather citizen signatures for the enclosed
Non-Binding Public Advisory question to be approved for the 2022 Spring Town Ballot. I
understand that submitted signatures need to be verified or certified before addressed to the
Board.

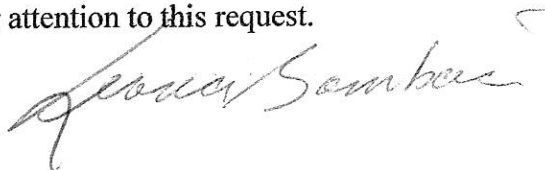
Several Cape Cod towns are pursuing this process organized by the Coalition to Mobilize to Halt
Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec
Decommissioning International, LLC, plans to discharge any radioactive water into Cape Cod
Bay.

As a non-binding public advisory question on the 2022 Spring town of Bourne ballot, this allows
town citizens voting opportunity, and hopefully affirms public opinion to halt Holtec from any
plans to discharge any radioactive water from Holtec into Cape Cod Bay.

It is my understanding the Bourne Board of Selectman has to approve this public advisory
question so as to be approved to be placed for vote in the 2022 Spring May town ballot.
Given the time frame for such procedure, kindly address this matter, and place on your next
meeting agenda. Please confirm that you will place on your agenda and when. If my attendance
is required, please let me know both by phone, 508-563-6647 and e mail.
I look forward to your approval so that this requested matter can move forward to the spring
2022 town ballot. Feel free to contact me if necessary to successfully pursue this request.

I appreciate your attention to this request.

Leona Bombaci





JC ENGINEERING, Inc.
Civil & Environmental Engineering
2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377 – Fax 508-273-0367

March 4, 2022

Town of Bourne Administrator
Attn: Marlene McCollem
24 Perry Avenue
Buzzards Bay, MA 02532

Re: Vehicular Access over 280 Standish Road, Assessor's Map 4.0, Parcel 14 (Sagamore Beach)

Dear Ms. McCollem:

On behalf of the applicant and property owner, 39 Phillips Road, LLC, please accept this letter as a request for vehicular access to cross a parcel of land shown as Parcel 14 on Bourne Assessor's Map 4.0. This lot is also known as 280 Standish Road according to the Assessor's records. Vehicular access is being requested to allow the property owner of 39 Phillips Road (Lot 49 on Assessor's Map 4.4) to transport beach compatible sand to the locus property to repair an existing eroding Coastal Dune. The property owner will be utilizing PSC Group, Inc. of Sagamore Beach to complete the dune restoration. The requested access point to Parcel 14 will be from the existing ramp on Standish Road located approximately 580 feet northerly of Lot 49. This ramp was utilized in 2014 by the same contractor to perform similar coastal dune restoration at the locus property.

On March 3, 2022, the Town of Bourne Conservation Commission granted an Order of Conditions to allow the property owner to repair the coastal dune erosion that has occurred since it was last repaired in 2014. This permit is subjected to the owner obtaining approval from the Town of Bourne Selectmen to allow vehicular access over Parcel 14 as this parcel is owned by the Town of Bourne. A copy of the Notice of Intent and Beach Access Narrative that was presented to the Conservation Commission is attached at the end of this letter.

Due to the tight time frames as specified in the attached Natural Heritage & Endangered Species Program letter, dated February 18, 2022, we respectfully request that we are placed on the agenda for the next scheduled meeting of the Selectmen on March 15, 2022. Thank you for your assistance on this project.

Sincerely,

Bradley M. Bertolo, E.I.T, C.S.E

Cc: Town of Bourne Conservation Commission
39 Phillips Road, LLC
PSC Group, Inc.

NOTICE OF INTENT

TOWN OF BOURNE CONSERVATION COMMISSION

39 PHILLIPS ROAD
SAGAMORE BEACH, MA
(BOURNE)

JANUARY 26, 2022

PREPARED FOR:

39 PHILLIPS ROAD, LLC
1413 WHIPPORWILL WAY
MOUNTAINSIDE, NJ 07092

PREPARED BY:



JC ENGINEERING, Inc.
Civil & Environmental Engineering
2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377—Fax 508-273-0367



JC ENGINEERING, Inc.

Civil & Environmental Engineering

2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377 – Fax 508-273-0367

January 26, 2022

Town of Bourne
Conservation Commission
24 Perry Avenue
Buzzards Bay, MA 02532

Re: Notice of Intent at 39 Phillips Road, Sagamore (Bourne), MA

Dear Gentlemen & Madams:

On behalf of the applicant, 39 Phillips Road, LLC, please find enclosed a Notice of Intent (NOI) of the Wetlands Protection Act, accompanied by supporting design drawing entitled “Proposed Coastal Dune Restoration” (Plan) located at 39 Phillips Road, Bourne, MA dated January 26, 2022 for your review and approval.

Project Narrative

This project involves the placement of sand nourishment on a sand and cobble Coastal Beach, and within Land Subject to Coastal Storm Flowage, Zone VE (el. 16.) for the purpose of replenishing a coastal dune. This project is also mapped within Estimated and Priority Habitat, but is not within an ACEC. The sand nourishment will be limited to the boundaries of the locus property and will not extend offsite into the coastal beach area currently owned by the Town of Bourne. This property was previously issued an Order of Conditions on July 29, 2013 for coastal dune restoration under DEP File No. SE7-1856 which included the placement of sand envelopes and well as sand nourishment for this property. At that time in 2013, this area of Sagamore Beach was also mapped within Estimated and Priority Habitat, therefore a determination letter from The Division of Fisheries and Wildlife was previously issued, dated October 17, 2013, and is attached at the end of this letter. The project completed under the former permit was completed and issued a Certificate of Compliance on November 7, 2019.

Since the completion of the past project, recent storm events during the past couple years has caused the coastal dune to erode back to its approximate location in 2013. As can be seen on the Plan, the profiles depict the surface elevation of the dune and beach as surveying in 2019, as well as the current surface of the dune and beach as of November 2021. This current application proposes the placement of sand to reestablish the dune to the location as shown on the asbuilt plan in 2019, which is approximately the maximum footprint allowed given the restraints of the property lines. Also, an existing set of timber steps and platform are to be reconstructed in the same footprint to allow for continued pedestrian access over the dune. Lastly, a sand fence previously existing on the property is to be repaired, as portions of the fencing have been damage. Only the very top of the sand fencing was visible in 2019, but is now mostly exposed.

The anticipated Dune Nourishment will be adjacent to or located within Land Subject to Coastal Storm Flowage, on a Coastal Dune, and on a Coastal Beach. These resource areas are further defined below:

Land Subject to Coastal Storm Flowage (LSCSF)

This resource area is defined in 310 CMR 10.04 as land subject to any inundation caused by coastal storms up to and including that cause by the 100-year storm, surge of record or storm of record, whichever is greater. As shown on the current Flood Insurance Rate Map, this portion of the coastal dune is situated within the FEMA Flood Zone VE(el. 16). The installation of the sand nourishment will be placed adjacent to the existing dune and on a coastal beach.

Although there are no performance standards within the Wetlands Protection Act, 310 CMR 10.00 (WPA), the sand nourishment has been designed to be in conformance with the Performance Standards of the Town of Bourne Wetlands Regulations (Local Regs). The installation of dune nourishment is intended to provide temporary flood protection while continuing to provide sediment to the adjacent coastal beach during storm events.

Coastal Dune

As defined in 310 CMR 10.28, coastal dunes are natural hills, mounds or ridges of sediment landward of a coastal beach. Dunes can also be sediment deposited by artificial means and serving the purpose of storm damage prevention or flood control.

The reconstructed dune will provide a temporary buffer to storm waters as well as provide sediment when it is eroded during coastal storm events. Upon the completion of the placement of sand, beach grass will be planted to help with stabilization of the dune and create additional nesting habitat. To satisfy the performance standards of the WPA, the proposed activities on the dune shall not have an adverse effect to the functions of the dune. This is being accomplished by limiting the dune restoration with beach compatible sand and planting with salt water tolerant native species. Also, the reconstructed stairway will continue to be elevated above the face of the dune to eliminate the erosion from foot traffic.

Coastal Beach

As defined by 310 CMR 10.27, a coastal beach means unconsolidated sediment subject to wave, tidal and coastal storm action which forms the gently sloping shore of a body of salt water and includes land flats. Any project on a coastal beach shall not have an adverse effect by increasing erosion, decreasing volume or changing the form of any such coastal beach of an adjacent or downdrift coastal beach. The coastal beach adjacent to the locus property consists mainly of sand and cobbles. No changes are proposed for the size, slope, and elevation of the existing stone and cobble beach. The placement of the sand for the dune restoration will be located on the coastal beach, but within the footprint of the previously restored coastal dune. The sediment contained within the coastal dune restoration will re-nourish the coastal beach during storm events that reach the base of the dune.



Taken 10/22/19



Taken 11/2/2021

January 26, 2022

Proposed Dune Restoration

The reconstructed dune would be approximately 150 linear feet long and constructed with an approximate slope of 1.5:1. The sand used for the dune will be compatible with the grain sizes of the existing beach material as it will be anticipated this dune will eventually supply sediment to the adjacent beach. The intent is to reconstruct the dune to the maximum extent practicable on the property without encroaching onto abutting lots or damaging any existing vegetation. The reconstructed dune will provide temporary flood protection during storm events and will help to minimize the erosion from extending closer to the dwelling. The dune as shown will require approximately 300 cubic yards of sand to be transported to the property. At the base of the clean sand fill, 2 rows of coir logs will be placed and anchored in place. The purpose of the coir logs is to provide temporary support of the toe before the vegetation is established. Beach grass is proposed to be planted in staggered rows along all faces of the dune after the placement of the sand. Due to existing vegetation landward of the top of dune and limited access from the street, all site work will take place from the beach. No construction vehicles are proposed to transport material from the upland side of the dune. As with the previous project, the construction will be limited to a time of year restriction that will be specified by NHESP.

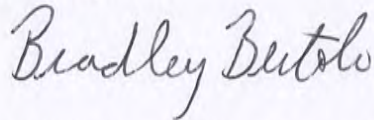
Access

Access to construct the dune restoration will be from an existing ramp located at the Standish Road Beach Parking Area. This ramp is situated about 580 feet northwest of the locus property. Construction equipment will traverse from the ramp and continue over the sand and cobble beach to gain access to the locus property. All equipment will be removed during any anticipated storm events. The access between the ramp and the revetment is to be restored upon completion of the construction.

In conclusion, we respectfully request a favorable vote for the proposed activities. We feel that the proposed construction and limit of work is consistent with the interests of the Plymouth Wetlands Protection Bylaw.

Thank you for your assistance on this project.

Sincerely,



Bradley M. Bertolo, E.I.T., C.S.E

Cc: DEP Lakeville
39 Phillips Road, LLC

Attachments



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

October 17, 2013

Bourne Conservation Commission
24 Perry Ave
Bourne, MA 02532

David Butler
14 Pendell Circle
Boylston, MA 01505

RE: Applicants: David Butler, Charles & Nancy Sweetman, Timothy Traub, Michelle Viotty, and Gerald Goveia & Brenda Bagnell

Project Location: 11 Phillips Road, (Assessors Map 4.4, Parcel 45;
Barnstable County Registry of Deeds, Book 26899, Page 202)
21 Phillips Road, (Assessors Map 4.4, Parcel 46;
Barnstable County Registry of Deeds, Book 21689, Page 33)
25 Phillips Road, (Assessors Map 4.4, Parcel 47;
Barnstable County Registry of Deeds, Book 25583, Page 45)
39 Phillips Road, (Assessors Map 4.4, Parcel 49;
Barnstable County Registry of Deeds, Book 25529, Page 92)
45 Phillips Road, Bourne (Assessors Map 4.4, Parcel 50;
Barnstable County Registry of Deeds, Book 26772, Page 308)

Project Description: Coastal Bank Stabilization using Coir Envelopes & Stone Revetment
DEP Wetlands File No.: 007-1855, 007-1856, 007-1857, 007-1859 & 007-1861
NHESP Tracking No.: 13-32395

Dear Commissioners & Applicants:

The applicants listed above submitted five (5) *Notices of Intent*, site plans (dated July 9, 2013) and other required materials to the Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife, in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37). Additional materials were submitted for review pursuant to the Massachusetts Endangered Species Act (MESA; M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00) (MESA).

The installation of the proposed coir envelope system and stone revetment along 675 linear feet of coastal bank/coastal dune will affect the available nesting habitat by reducing the amount of sediment within the system (down-drift beaches and dunes) available to nesting Least Terns (*Sternula antillarum*) and Piping Plovers (*Charadrius melodius*). These species are listed as "Special Concern" and "Threatened", respectively, in accordance with the MESA. The Piping Plover is also federally protected as a "Threatened" species pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11).

www.mass.gov

Division of Fisheries and Wildlife

Temporary Correspondence: 100 Hartwell Street, Suite 230, West Boylston, MA 01583

Permanent: Field Headquarters, North Drive, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

An Agency of the Department of Fish and Game

Based on a review of the information provided and the information contained in our database, the NHESP has determined that this project, as currently proposed, must be conditioned in order to avoid adverse effects to the Resource Area Habitats of state-listed wildlife species (310 CMR 10.37), and to avoid a prohibited "take" of state-listed species (321 CMR 10.18(2)(a)). The following conditions must be met:

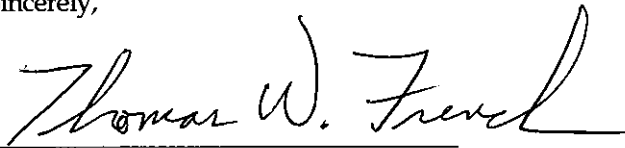
1. Prior to the start of Work, the Applicant shall record this letter in the Barnstable County Registry of Deeds so as to become a record part of the chain of title for each Property. Prior to the start of Work, the Applicant shall provide the NHESP with proof of said recordation within five (5) business days of recording.
2. No work may occur during April 1 - August 31 of any year.
3. Upon installation, the proposed coir envelopes shall be covered with sand as proposed. On an annual basis thereafter, the coir envelopes shall be monitored each Spring to determine the level of exposure and the volume of sand necessary to cover the envelopes shall be calculated. Said volume of sand shall be deposited on the coir envelopes outside of the bird nesting season (April 1 - August 31).
4. Upon completion of construction of the proposed stone revetment, 111 cubic yards of clean medium sand shall be placed as a 5-foot wide, 2.5-foot high foredune along the base of the revetment outside of the bird nesting season (April 1 - August 31).
5. Any proposed plantings of the foredune with beach grass (*Ammophila brevifolius*) must be done outside of the bird nesting season (April 1 - August 31).
6. Three years after the construction of the stone revetment, an assessment shall be conducted in the Spring to determine the dune/beach elevation at the base of the revetment. If at that time, the dune/beach elevation at the base of the revetment is at 5.4 NAVD or less (the "Trigger"), an additional nourishment of 111 cubic yards of sand will be necessary. Said sand must be placed either at the base of the revetment or at the town ramp approximately 200 feet to the north, outside of the bird nesting season (April 1 - August 31). Thereafter, the monitoring of the dune/beach elevation shall be conducted on an annual basis. For each year that the Trigger is met, 37 cubic yards of nourishment shall be required; however, the placement of the entire volume of sand need only occur on a three-year interval at either location described above.
7. At the end of each calendar year, a report documenting the nourishment assessment of both the coir envelopes and the stone revetment, and proof of deposition of required nourishment (e.g. photographs, invoices, etc.) shall be submitted to the NHESP.

Provided these conditions are included in any final approving Orders of Conditions and there are no changes to the project plans, this project will not result in an adverse impact to the Resource Area Habitats of state-listed wildlife species and will not result in a prohibited "take" of state-listed species. We ask that the Conservation Commission send a copy of the final Order of Conditions, approving or denying the project, to the NHESP simultaneous with the applicant. Upon filing for renewal, extension, or amendment of the Orders of Conditions, the applicant shall contact the NHESP for written response regarding impacts to Resource Area habitat of state-listed wildlife.

Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the NHESP pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18.

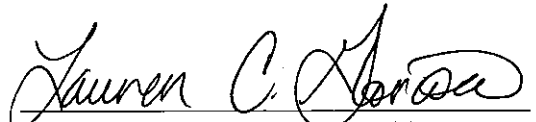
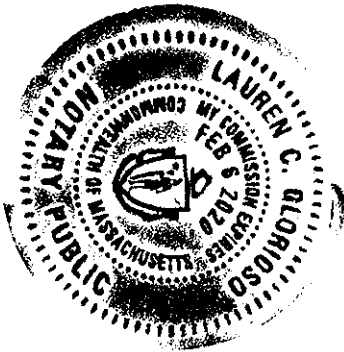
Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Eve Schlüter, Senior Endangered Species Review Biologist, at (508) 389-6346 or eve.schluter@state.ma.us.

Sincerely,

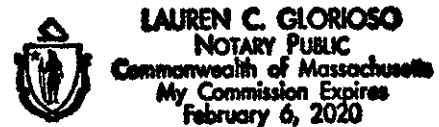


Thomas French, Ph.D.
Assistant Director
Massachusetts Division of Fisheries & Wildlife

On this 17th day of October, 2013, before me, the undersigned notary public, personally appeared Thomas W. French, Assistant Director, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.



Lauren C. Glorioso, Notary Public
My Commission expires: February 6, 2020



cc: Stanley Humphries
MA DEP SERO

Charles & Nancy Sweetman
11 Phillips Road
Bourne, MA 02562

Timothy Traub
PO Box 1187
Orleans, MA 02653

Michelle Viotty
467 W. 22nd Street, Apt. B
New York, NY 10011

Gerald Goveia & Brenda Bagnell
22 Flyaway Pond Drive
North Easton, MA 02356

39 PHILLIPS ROAD, BOURNE, MA (11/2/21)









Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

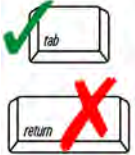
Document Transaction Number

Bourne

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

39 Phillips Road

a. Street Address

Sagamore Beach (Bourne)

b. City/Town

02562

c. Zip Code

Latitude and Longitude:

41.79654 N

d. Latitude

70.52456 W

e. Longitude

4.4

f. Assessors Map/Plat Number

49

g. Parcel /Lot Number

2. Applicant:

a. First Name

39 Phillips Road, LLC

c. Organization

1413 Whipporwill Way

d. Street Address

Mountainside

e. City/Town

NJ

f. State

07092

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Bradley M.

a. First Name

Bertolo, EIT, CSE

b. Last Name

JC Engineering, Inc.

c. Company

2854 Cranberry Highway

d. Street Address

E. Wareham

e.

MA

f. State

02538

g. Zip Code

508-273-0377

h. Phone Number

508-273-0367

i. Fax Number

bbertolo@jceng.org

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500.00

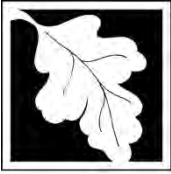
a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50 + local fee

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Bourne

City/Town

A. General Information (continued)

6. General Project Description:

Coastal Dune restoration

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Barnstable

a. County

32418

c. Book

b. Certificate # (if registered land)

182

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

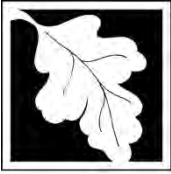
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☒ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Bourne

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input checked="" type="checkbox"/> Coastal Dunes	3,000 1. square feet	300 2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	3,000 1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement		
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.		
a. square feet of BVW	b. square feet of Salt Marsh	
5. <input type="checkbox"/> Project Involves Stream Crossings		
a. number of new stream crossings	b. number of replacement stream crossings	



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. ☒ Yes ☐ No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

online

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☒ Percentage/acreage of property to be altered:

(a) within wetland Resource Area	13.2% / 3000 s.f.
	percentage/acreage
(b) outside Resource Area	_____
	percentage/acreage
2. ☒ Assessor's Map or right-of-way plan of site
2. ☒ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (a) ☒ Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) ☒ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Bourne

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☒ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☒ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?

- d. ☐ Yes ☒ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Bourne

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 - a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 - b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 - a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 - a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
 - b. ☒ No. Check why the project is exempt:
 1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Bourne

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Coastal Dune Restoration at 39 Phillips Road

a. Plan Title

JC Engineering, Inc.

John L. Churchill, Jr., PE, PLS

b. Prepared By

c. Signed and Stamped by

January 26, 2022

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☒ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

9081

1/25/22

2. Municipal Check Number

3. Check date

9080

1/25/22

4. State Check Number

5. Check date

JC Engineering, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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Bourne

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Mark Simnett

1. Signature of Applicant

1/25/22

2. Date

3. Signature of Property Owner (if different)

Brendley DeLoe

5. Signature of Representative (if any)

4. Date

1/26/22

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

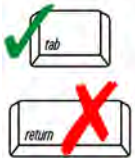
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

39 Phillips Road

a. Street Address

9080

c. Check number

Sagamore Beach (Bourne)

b. City/Town

\$237.50

d. Fee amount

2. Applicant Mailing Address:

a. First Name

39 Phillips Road, LLC

c. Organization

1413 Whipporwill Way

d. Mailing Address

Mountainside

e. City/Town

NJ

f. State

07092

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Beach Nourishment	1	\$500.00	\$500.00

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:	\$500.00
	a. Total Fee from Step 5
State share of filing Fee:	\$237.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	\$262.50 + local fee
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Town of Bourne CONSERVATION COMMISSION Filing Fee Submittal Form

On January 6, 1993 the Conservation Commission adopted the following fee schedule for projects reviewed under the Town of Bourne Wetland and Natural Resource Protection Bylaw Article 3.7. The fee schedule was reviewed again on November 6, 2003 and revisions were implemented on July 1, 2004 and again on January 1, 2007 with the approval of the Bourne Conservation Commission and the Board of Selectmen.

All categories refer to G.L. Ch. 131 s. 40 filing fee schedule. **4/12/06**

CATEGORY 1. _____ X \$110.00 = _____
No. Category 1 Activities Total Category 1 Fee

CATEGORY 2. One (1) X \$500.00 = \$500.00
No. Category 2 Activities Total Category 2 Fee

CATEGORY 3. _____ X \$1,050.00 = _____
No. Category 3 Activities Total Category 3 Fee

CATEGORY 4. _____ X \$1,450.00 = _____
No. Category 4 Activities Total Category 4 Fee

CATEGORY 5. \$4.00 per linear foot with a \$100.00 minimum fee and a \$2000.00 maximum fee. **(DOCKS)**

_____ X \$4.00 = _____
Total Linear Feet Total Category 5 Fee

**FOR NOTICES OF INTENT THERE IS A MINIMUM CHARGE OF \$125.00. ANY
CALCULATION LESS THAN \$125.00 MUST PAY \$125.00, ANY CALCULATION PRODUCING
A FIGURE GREATER THAN \$125.00 MUST PAY THE CALCULATED RATE.**

CATEGORY 6 (ANRAD) \$2.00/LIN.FT. UP TO \$200 FOR SFH, NO MORE THAN \$2000 (ALL OTHER ACTIVITIES)

_____ X \$2.00 = _____

TOTAL LINEAR FEET

TOTAL CATEGORY 6 FEE

CATEGORY 7. \$50.00 per activity listed below.
Request for Emergency Certification - \$50.00

_____ X \$50.00 = _____
No. Category 7 Activities Total Category 7 Fee

CATEGORY 8. \$75.00 per activity listed below.
Request for Determination - \$75.00
Request for Certificate of Compliance - \$75.00
Request for Extension Permit - \$75.00
Request for Amended Order of Conditions - \$75.00

_____ X \$75.00 = _____
No. Category 8 Activities Total Category 8 Fee

TOTAL FILING FEE SUBMITTED = \$500.00

Name Bradley M. Bertolo, EIT, CSE

Address 2854 Cranberry Highway, E. Wareham, MA 02538

Tel. 508-273-0377

Signature Bradley Bertolo

Date 1/26/22

Fees may be waived at the discretion of the Conservation Commission for non-profit or educational organizations or for those projects considered by the Commission to be an environmental improvement project. Extenuating circumstances or hardship the applicant may be experiencing may also be considered for reason to waive the filing fee.



Town of Bourne
CONSERVATION COMMISSION

24 Perry Avenue
Buzzards Bay, Massachusetts 02532

NOTICE OF INTENT FILING INFORMATION WORKSHEET

In order to expedite the processing of your Notice of Intent filing with the Bourne Conservation Commission, please complete this information sheet and submit it with your application.

1. Applicant Name: 39 Phillips Road, LLC
2. Applicant Address: 1413 Whipporwill Way, Mountainside, NJ 07092
3. Property Owner Name: Same
4. Property Owner Address: Same
5. Representative Name: JC Engineering, Inc.
6. Representative Address: 2854 Cranberry Highway, E. Wareham, MA 02538
7. Project Address: 39 Phillips Road
8. Project Map and Parcel Number: Map 4.4 Parcel 49
9. Book and Page # County Barnstable Book 32418 Page 182
10. Project Description: Coastal Dune Restoration

- | | | | | |
|---|-------------------------------------|--------------------------|----|-------------------------------------|
| 11. Is this project in an AE flood zone? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 12. Is this project in a V flood zone? | <input checked="" type="checkbox"/> | Yes | No | <input type="checkbox"/> |
| 13. Is this project within 100 feet of a wetland resource area? | <input checked="" type="checkbox"/> | Yes | No | <input type="checkbox"/> |
| 14. Is this project within 200 feet of a riverfront? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

15. Plan Title and Date: Proposed Coastal Dune Restoration
16. Plan signed and stamped by: John L. Churchill Jr., P.E., P.L.S.
17. Total Fee: (From Appendix B: Wetlands Fee Transmittal Form) \$ 262.50 + \$500.00 (local fee)

Town of Bourne
CONSERVATION COMMISSION

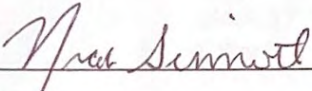
24 Perry Avenue
Buzzards Bay, Massachusetts 02532

Site Inspection Authorization

This form must be signed and dated by the property owner:

As the owner of the property which is the subject of this permit application, I grant to members and agents of the Bourne Conservation Commission the right to enter, inspect and sample the premises for the following:

1. To evaluate site conditions and verify information contained in the application prior to and during the hearing process.
2. To monitor the site during construction.
3. To verify compliance with the permit after the project's completion.


Signature

1/25/22
Date

39 Phillips Road, Bourne, MA (Map 4.4, Parcel 49)

Address of Proposed Work (*include map and parcel*)

Commission Member Waiver Request

Bourne Conservation Commission
Town of Bourne
24 Perry Ave.
Buzzards Bay, MA 02532

Dear Commissioners:

The applicants and/or owners of the below referenced property hereby waive the right to require the same Commission members to be present at any and all continued hearings on this matter.

This is necessary for the Commission to allow a continuance to be granted to the project and is in conformance with the opinion of Town Counsel. Should a continuance be necessary the only alternatives are for the applicant to request a continuance to a future meeting when the same Commission members are present or to withdraw and re-file at a future time.

Nick Sennett

Applicant's or owner's signature

1/25/22
Date

Applicant's name: 39 Phillips Road, LLC (print)

Address: 1413 Whipporwill Way, Mountainside, NJ 07092

Telephone: 908.612.5692

Project Location: 39 Phillips Road

Town Map 4.4 Parcel 49 Lot

Project description: Coastal Dune Restoration

Notice of Intent Authorization Form

Please print in black or blue ink

I, Nicole Sinnott, the property owner of a parcel of land located
at 39 Phillips Road, town assessor's map 4.4, parcel 49
am filing a Notice of Intent with the Bourne Conservation Commission.

I have authorized the following person(s) or firm(s) to act on my behalf and to represent me
before the Commission during the public hearing review.

John L. Churchill Jr., PE, PLS

Bradley M. Bertolo, E.I.T.

Michael C. Pimentel, E.I.T.

I also certify to the Commission that I am in full compliance with Town of Bourne Bylaw section
3.11.2 "Right to Revoke or Suspend Licenses or Permits for Non-Payment of Taxes or Assessments",
in that any "taxes, fees, assessments, betterments or any other municipal charges, including amounts
assessed under the provisions of section twenty-one D" have been paid.

Through my signature I attest that this instrument and its statements have been prepared honestly.

Signature Nicole Sinnott

Date 1/25/22

PrintName Nicole Sinnott

Signature of Notary Public _____

Date _____

Print Name of Notary Public _____

Affix Notary Public Stamp here>>>>>>>>

Notification of Abutter Massachusetts Wetlands Protection Act

**In accordance with the second paragraph of Massachusetts General Laws Chapter 131,
Section 40, you are hereby notified of the following:**

- A. The name of the applicant is 39 PHILLIPS ROAD, LLC
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Bourne seeking permission to remove, fill, dredge or alter an Area subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40). **THIS PROJECT INVOLVES THE RESTORATION OF A COASTAL DUNE.**
- C. The address of the lot where the Activity is proposed is **39 PHILLIPS ROAD, SAGAMORE BEACH, MA (ASSESSOR'S MAP 4.4, PARCEL 49).**
- D. Copies of the Notice of Intent may be examined at the: Bourne Conservation Office, 24 Perry Ave., Buzzards Bay, MA 02532 between the hours of 8:30 am and 4:30 pm on the following days of the week: Monday through Friday.
For more information, call: (508) 759- 0600.
- Check one: This is the applicant ☐ , representative ☐ , or other ☒ (specify):
Town of Bourne Conservation Office.
- E. Copies of the Notice of Intent may be obtained from either (check one)
the applicant ☐, or the applicant's representative ☒, by calling this telephone
number (508) 273-0377 between the hours of 8:00 a.m. and 5:00 pm on the following days of
the week: Monday through Friday.
- F. Information regarding the date, time, and place of the public hearing may be obtained from
Bourne Conservation Office, (Information same as above)

Note: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Bourne Courier.

Note: Notice of the public hearing, including its date, time, and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: 508- 792- 7650

Northeast Region: 617- 935- 2160

Southeast Region: 508- 946- 2800

Western Region: 413- 784- 1100

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent)

I, Bradley Bertolo, hereby certify under the pains and penalties of perjury that

on January 26, 2022, I gave notification to abutters in compliance with the second

paragraph of Massachusetts General Laws Chapter 131, Section 40, and the **DEP Guide**

to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by

39 Phillips Road, LLC with the Town of Bourne Conservation Commission on

January 26, 2022 for property located at 39 Phillips Road, Sagamore Beach.

The Notification of Abutter form and a list of the abutters to whom it was given and their

addresses, are attached to this Affidavit of service.

Bradley Bertolo
Name

1/26/22
Date

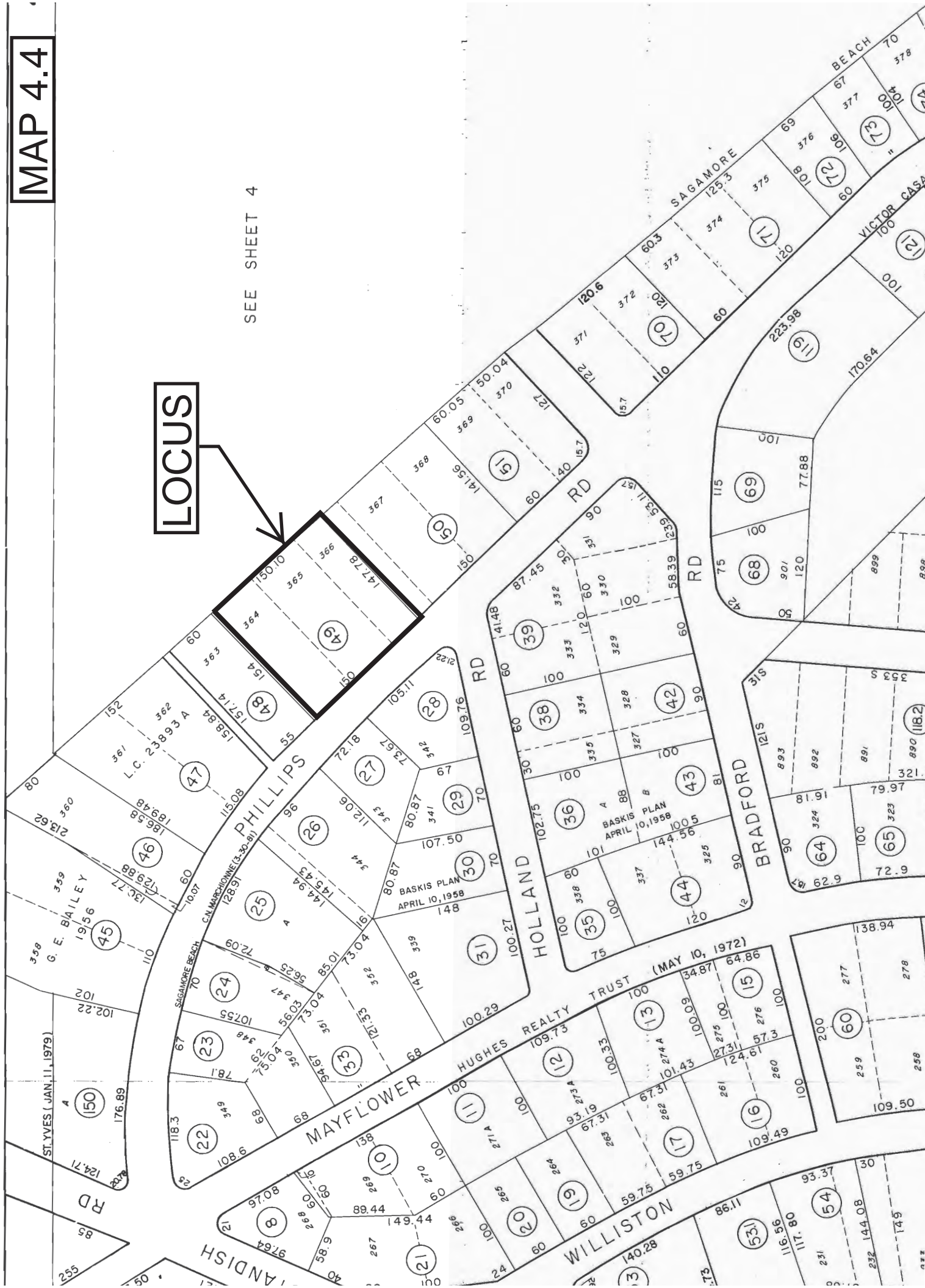
NOI ABUTTERS LIST
39 PHILLIPS ROAD, SAGAMORE BEACH
ALL ABUTTERS WITHIN 100'

MAP	PARCEL (S)	OWNER'S NAME & MAILING ADDRESS
4.0	14	Town of Bourne 24 Perry Avenue Buzzards Bay, MA 02532
4.4	26	Joseph J. Previte, Jr. Deborah Previte [REDACTED]
4.4	27	Carol S. Mier, Life Estate [REDACTED]
4.4	28	James A. Hession Catherine Hession [REDACTED]
4.4	39	Mary Jane Martis Christine M. Sysko [REDACTED]
4.4	47	Timothy T. Traub & Janet L. McGregor, Trs. [REDACTED]
4.4	48	Pearl J. Dalton ET ALS, Trs. [REDACTED]
4.4	50	Gerald L. Goveia & Brenda M. Bagnell, Trs. [REDACTED]

MAP 4.4

SEE SHEET 4

LOCUS



39 Phillips Road, Bourne



NHESP Priority Habitats of Rare Species



Areas of Critical Environmental Concern
ACECs



NHESP Estimated Habitats of Rare
Wildlife

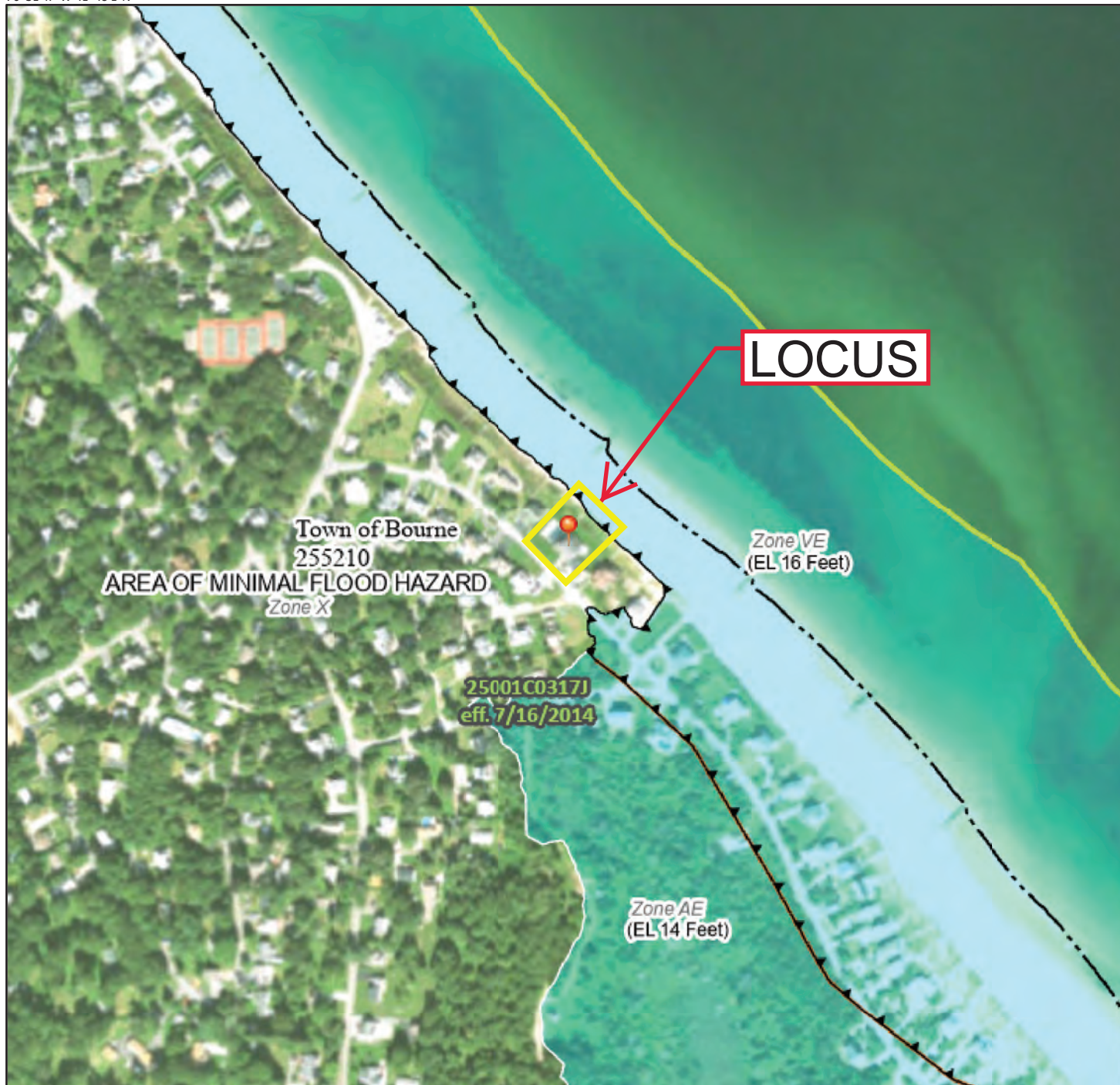


Property Tax Parcels

National Flood Hazard Layer FIRMMette



70°31'47"W 41°48'1"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

70°31'10"W 41°47'34"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

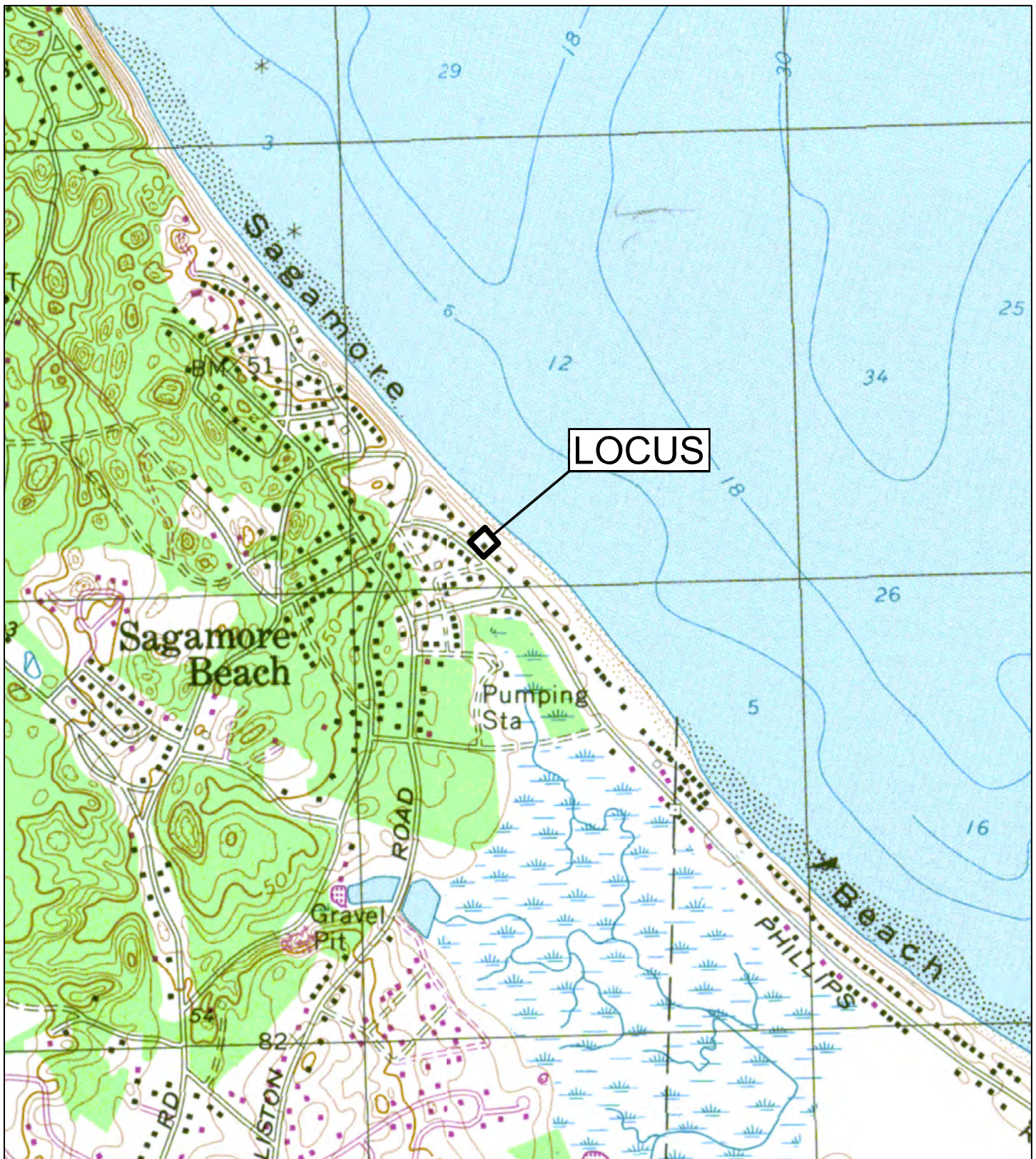


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/21/2022 at 2:30 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



LOCUS MAP

39 PHILLIPS ROAD
SAGAMORE BEACH, MA 02532

SCALE: 1" = 1000'

PREPARED BY:

JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538
(508) 273-0377

1. OWNER/APPLICANT IS RESPONSIBLE FOR OBTAINING PERMISSION TO CROSS OVER PRIVATE AND/OR PUBLIC PROPERTY WITH EQUIPMENT & MATERIALS, INCLUDING ACCESS ALONG THE EXISTING RAMP.
2. PRIOR TO ANY CONSTRUCTION ACTIVITIES, STRAWBALES (IF NECESSARY) SHALL BE PLACED IN THE LOCATIONS AS DIRECTED BY THE CONSERVATION COMMISSION. STRAWBALES ARE TO REMAIN IN PLACE UNTIL DISTURBED AREAS ARE STABILIZED.
3. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION THROUGH DIG-SAFE AT LEAST 72 HOURS PRIOR TO COMMENCING WORK ON SITE AT 1-888-DIG-SAFE AND ANY OTHER APPLICABLE AGENCIES. REPORT ANY DISCREPANCIES TO THE DESIGN ENGINEER.
4. CONTRACTOR SHALL NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES FOUND IN SITE CONDITIONS FROM THOSE SHOWN PRIOR TO COMMENCEMENT OF WORK.
5. VEHICULAR ACCESS TO THE PROPERTY SHALL BE FROM THE RAMP AT THE STANDISH ROAD BEACH PARKING AREA. LOCATED APPROXIMATELY 590 FEET NORTHWEST OF THE LOCUS PROPERTY. UPON COMPLETION OF THE DUNE NOURISHMENT, THE CONTRACTOR SHALL RESTORE THE BEACH ACCESS FROM THE PROJECT LOCATION TO THE RAMP.
6. CONSTRUCTION SHALL BE IN CONFORMANCE WITH DETERMINATION LETTER TO BE ISSUED BY NHESP. NO WORK SHALL TAKE PLACE ON THE BEACH OR DUNE BETWEEN APRIL 1ST AND AUGUST 31ST OF ANY YEAR.
7. CONTRACTOR TO ENSURE THAT RECONSTRUCTED SAND FENCE MAINTAINS A 50:50 RATIO OF OPEN SPACE TO VERTICAL MEMBER WIDTH. PROPOSED FENCE MATERIAL TO MATCH EXISTING FENCING MATERIAL (2x3 VERTICAL AND 2x4 HORIZONTAL MEMBERS).

1. THE ACTIVE EROSION ALONG THE COASTAL DUNE TO BE FILLED WITH CLEAN SAND. SAND USED FOR THE NOURISHMENT SHALL BE SIMILAR TO THE GRAIN SIZE ANALYSIS OF THE NATIVE BEACH SAND. CONTRACTOR TO SUBMIT GRAIN SIZE ANALYSIS OF SAND TO BE USED FOR COBBLE BERM TO THE ENGINEER AND CONSERVATION AGENT PRIOR TO PLACEMENT.
2. UPON COMPLETION OF FILLING AND GRADING ALONG THE DUNE, THE SAND NOURISHMENT SHALL BE STABILIZED WITH COIR LOGS, AND VARIOUS GRASSES AND SHRUBS.
3. THE PROPOSED NOURISHMENT TO BE CONSTRUCTED AS SHOWN ON THE DETAIL PROVIDED ON THIS SHEET.
4. SUITABLE GRASSES AND SHRUBBERY TO BE PLANTED ALONG THE FACE AND TOP OF DUNE WITHIN THE ACTIVE EROSION AREAS SHALL INCLUDE, BUT IS NOT LIMITED TO, BEARBERRY, NORTHERN BAYBERRY, BEACH PLUM, COMMON JUNIPER, SWITCHGRASS, AND AMERICAN BEACH GRASS. SHRUBBERY TO BE PLANTED AT 5 FEET O.C. IN STAGGERED ROWS. BEACH GRASSES SHALL BE PLANTED WITH 2-3 CULMS PER HOLE, SPACED 12" - 18" APART. CONTRACTOR TO CONTACT TOWN OF BOURNE CONSERVATION DEPARTMENT IF OTHER VARIETIES OF SHRUBS ARE TO BE USED.



7. CONTRACTOR TO ENSURE THAT RECONSTRUCTED SAND FENCE MAINTAINS A 50:50 RATIO OF OPEN SPACE TO VERTICAL MEMBER WIDTH. PROPOSED FENCE MATERIAL TO MATCH EXISTING FENCING MATERIAL (2x3 VERTICAL AND 2x4 HORIZONTAL MEMBERS).

7. CONTRACTOR TO ENSURE THAT RECONSTRUCTED SAND FENCE MAINTAINS A 50:50 RATIO OF OPEN SPACE TO VERTICAL MEMBER WIDTH. PROPOSED FENCE MATERIAL TO MATCH EXISTING FENCING MATERIAL (2x3 VERTICAL AND 2x4 HORIZONTAL MEMBERS).

MAP 4.4
LOT 48
N/F
PEARL J. DALTON
QUALIFIED
PERSONAL
RESIDENCE TRUST

MAP 4.4
LOT 49
22,600 S.F. ±

PHILLIPS ROAD
(40' WIDE PUBLIC)

150.0' ±

147.8' ±

EXISTING STONE
REVELMENT

EXISTING
CONCRETE
WALKWAY

EX. BEACH GRASS

EX. VEGETATED
AREA

FACE OF
EXISTING
DUNE

EX. METAL FENCE

#39
EXISTING
DWELLING

DOOR
SILL =
25.79

EX. PATIO

EX. VEGETATED AREA

EX. COBBLES

EX. VISIBLE
WOOD POST (TYP.)

EX. SAND FENCING TO BE
RECONSTRUCTED
(POSTS TO REMAIN,
SECTIONS BETWEEN TO
BE REBUILT)-SEE
CONSTRUCTION NOTE 7.

CROSS-SECTION 6

CROSS-SECTION 7

CAPE COD BAY

MAP 4.0
LOT 14
N/F
TOWN OF
BOURNE

COASTAL BEACH

MEAN HIGH WATER = 4.6

ESTIMATED HABITAT PRIORITY HABITAT (THIS SIDE)

ESTIMATED HABITAT PRIORITY HABITAT (THIS SIDE)


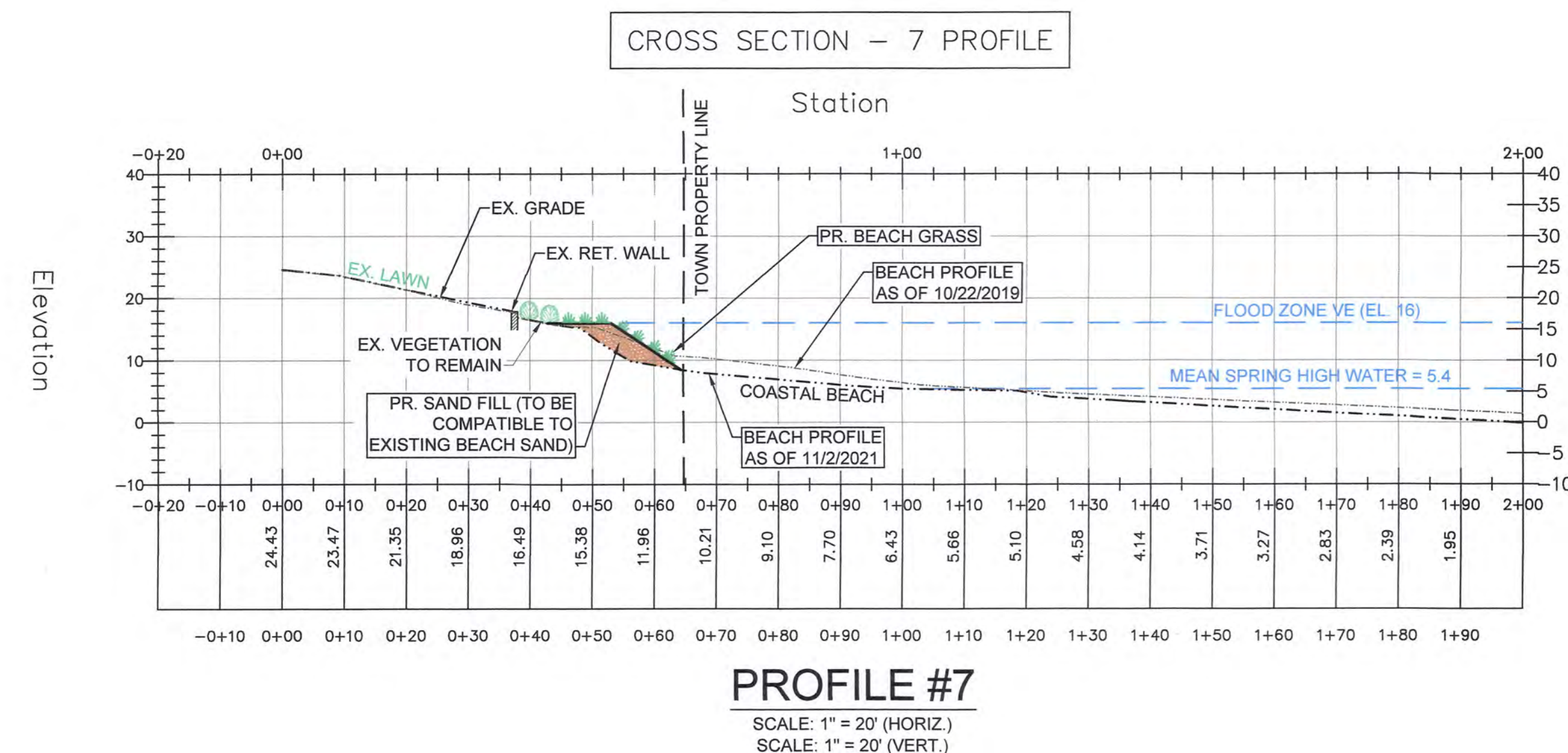
MAP 4.4
LOT 50
N/F
45 PHILLIPS ROAD
REALTY TRUST

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)

1 inch = 20 ft.



JOHN L. CHURCHILL JR.
CIVIL
NO. 41807
REGISTERED

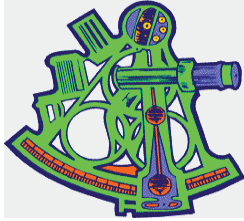
J. Churchill
1/26/22

PROPOSED COASTAL
DUNE RESTORATION
AT
39 PHILLIPS ROAD
BOURNE, MA

PREPARED FOR:
39 PHILLIPS ROAD, LLC

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538

SCALE: 1" = 20' JANUARY 26, 2022



JC ENGINEERING, Inc.

Civil & Environmental Engineering

2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377 – Fax 508-273-0367

February 28, 2022

Re: Notice of Intent at 39 Phillips Road, Sagamore (Bourne), MA
Beach Access Narrative

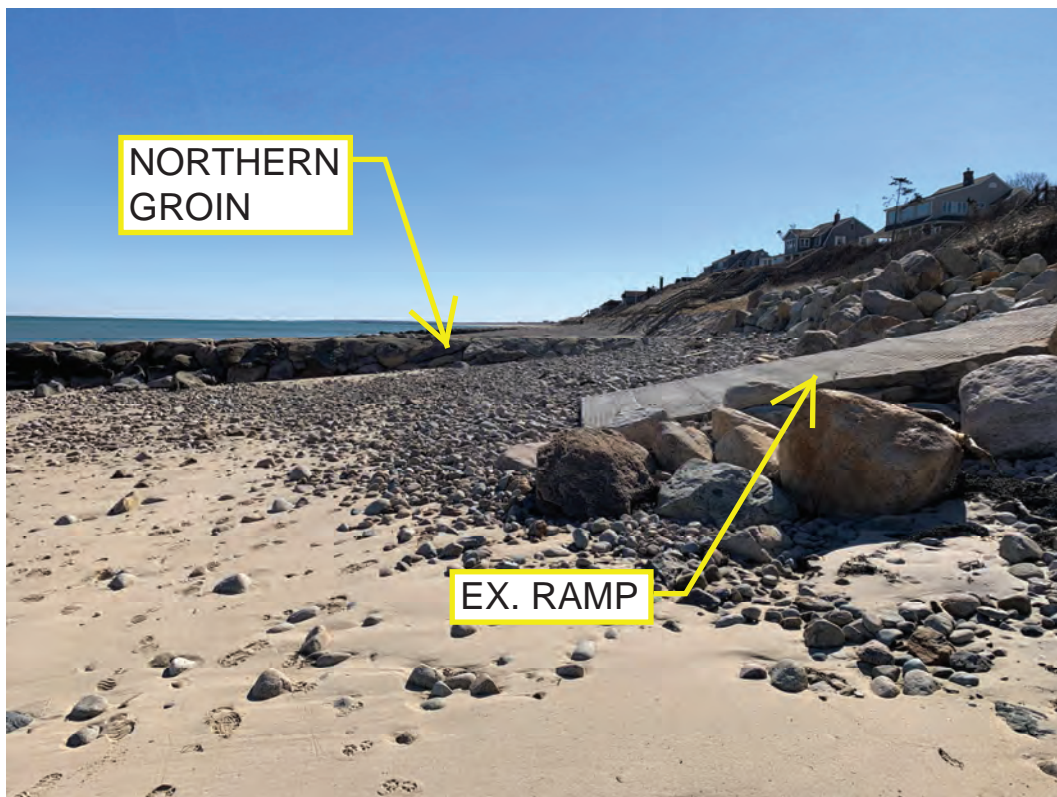
Access

Access to construct the dune restoration will be from an existing ramp located at the Standish Road Beach Parking Area. This ramp is situated about 580 feet northwest of the locus property. Construction equipment will traverse from the ramp and continue over the sand and cobble beach to gain access to the locus property. This access route will be over land owned by the Town of Bourne, so the appropriate approvals from the Selectman will be obtained before the access ramp and beach are used for construction equipment. All equipment will be removed during any anticipated storm events.

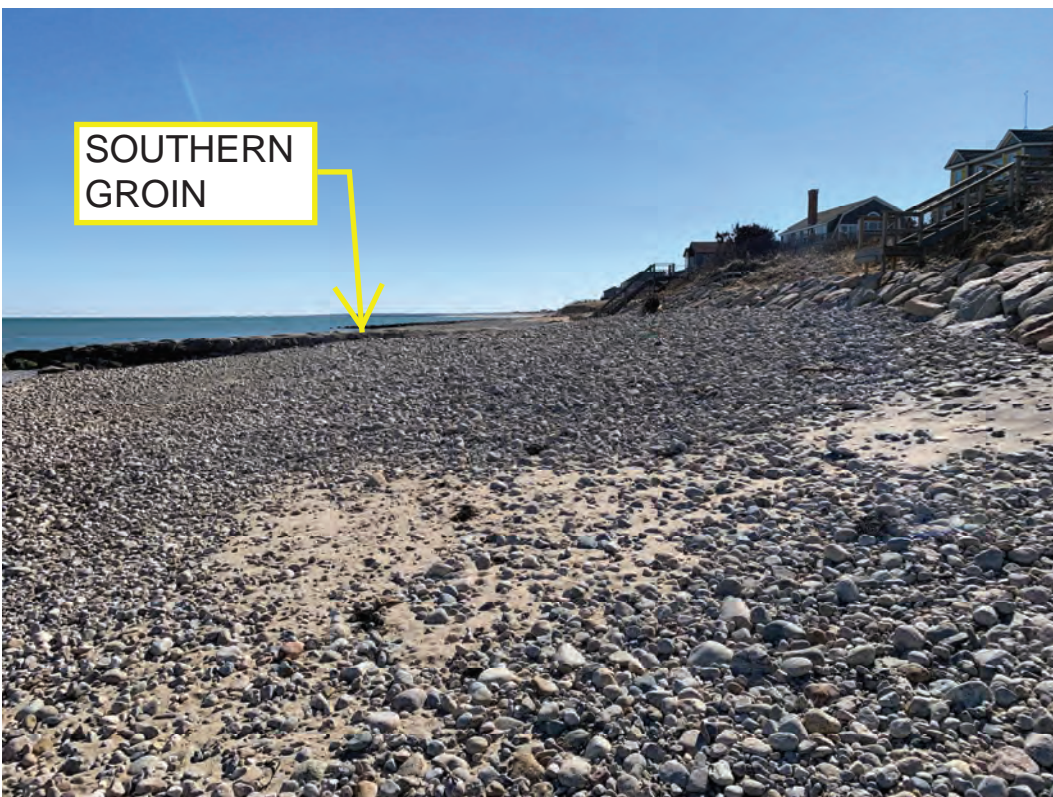
The anticipated construction equipment needed to transport and construct the dune nourishment will include a rubber tired rock truck and an excavator. The rock truck will transport the sand while the excavator will place and shape the dune nourishment to the elevations shown on the Proposed Site Plan. Both of these construction vehicles are suited to drive over the cobble beach, as they both have either wide tires or tracks that can easily travel over the approximately 10" diameter and smaller cobbles.

The access route will required travel over two stone groins. The location of the ramp and groins in relationship to #39 Phillips Road can be seen on the attached Aerial Map. The level of the cobble beach on the north side of both groins are approximately level with the top of the groins closest to the adjacent stone revetments. The level of the beach on the south side of the groins varies between 2 and 4 feet below the top of the groin, therefore imported sand compatible with the existing beach sand will be dumped in these locations to provide for a smooth transition over the groins. Matting will also be placed over the top of the groins to ensure the groins are not damaged. The attached soil analysis shows the gradation of the existing beach sediments that will be used by the contractor to prepare sand for the dune nourishment. The access between the ramp and the revetment is to be restored upon completion of the construction. As the material needed to be placed in the area of the groins will be compatible with the existing beach sediments, the sand fill can remain and will eventually supply sediment to the beach.

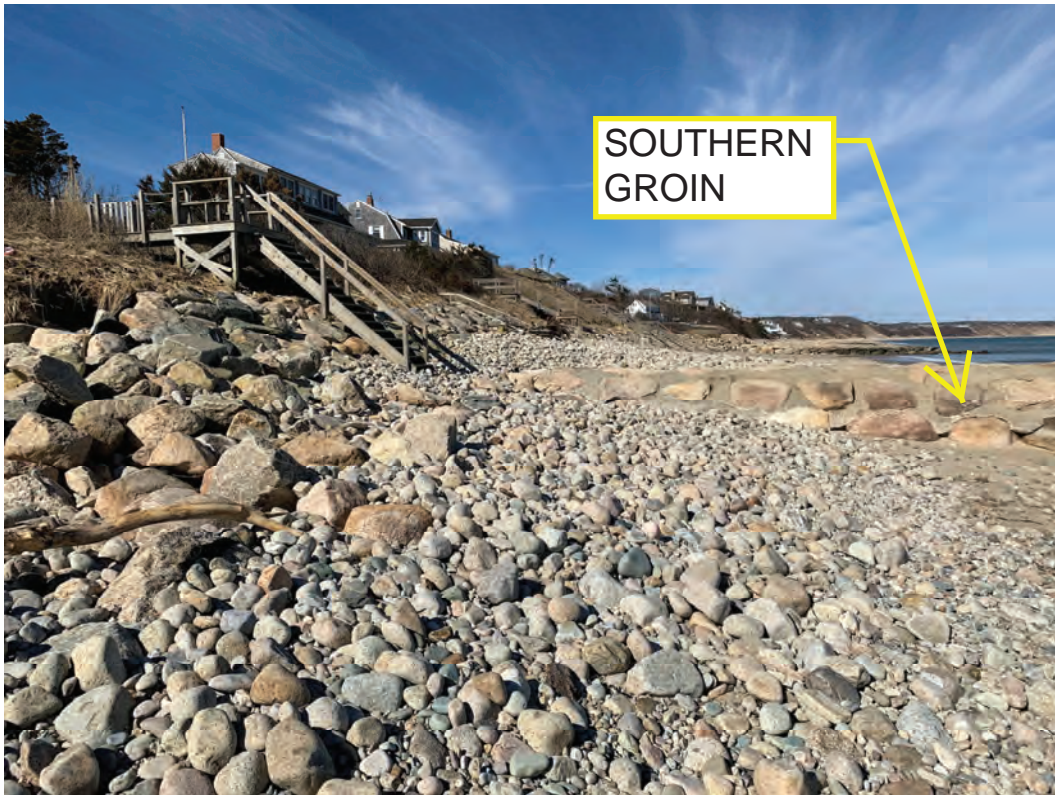
The following pictures show the condition of the beach access as of February 19, 2022.







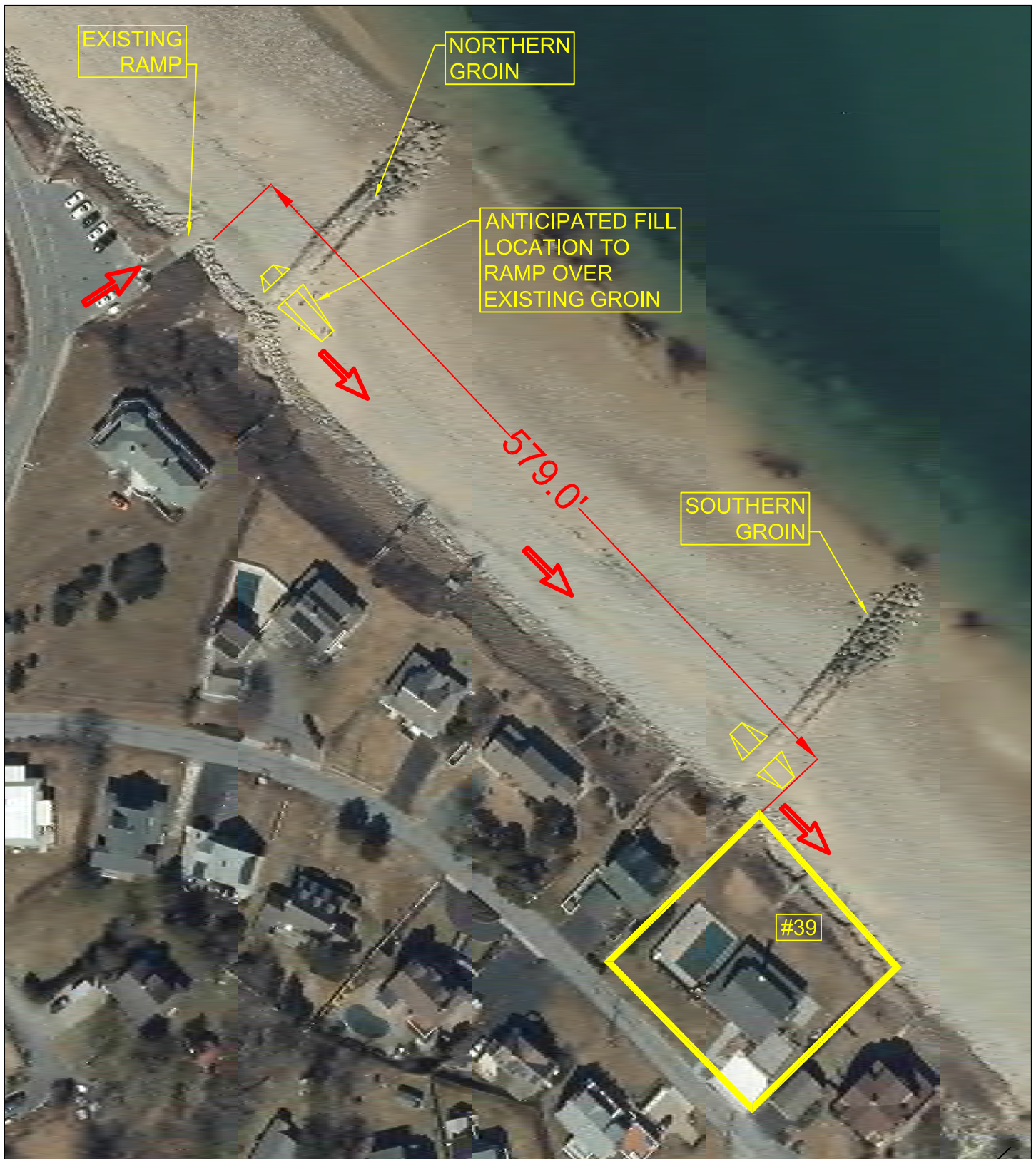




Southern Groin – facing north – fill required on southern side



Northern Groin – facing north – fill required on southern side



AERIAL MAP

39 PHILLIPS ROAD
SAGAMORE BEACH, MA

SOURCE: 2021 MASSGIS AERIAL

SCALE: 1" = 100'

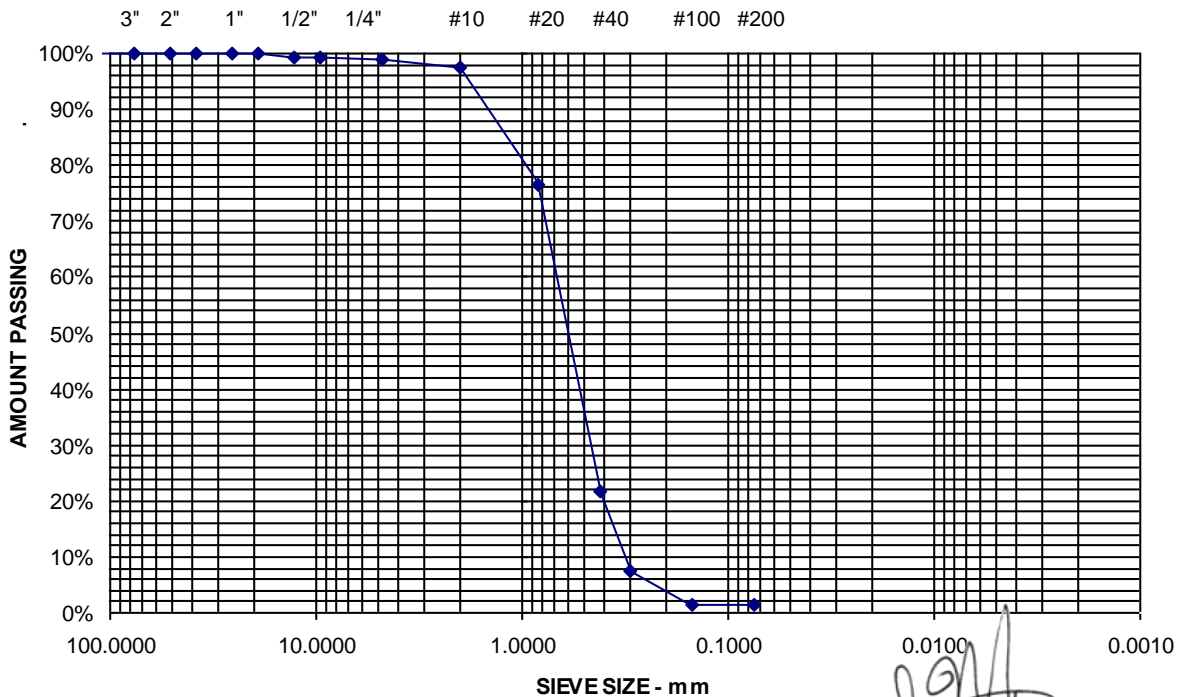
PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538
(508) 273-0377

DATE: 2/28/22

Project Name EAST WAREHAM MA - 2022 LABORATORY TESTING SERVICES
 Client J.C. ENGINEERING, INC.
 Material Type SAND
 Material Source 39 PHILLIPS RD, BOURNE

Project Number 22-0192
 Lab ID 4785T
 Date Received 2/21/2022
 Date Completed 2/23/2022
 Tested By RYAN HANSEN-BROWN

<u>STANDARD</u> <u>DESIGNATION (mm/μm)</u>	<u>SIEVE SIZE</u>	<u>AMOUNT PASSING (%)</u>	<u>SPECIFICATIONS (%)</u>
150 mm	6"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	
19.0 mm	3/4"	100	
12.5 mm	1/2"	99	
9.5 mm	3/8"	99	
4.75 mm	No. 4	99	
2.00 mm	No. 10	97	
850 μm	No. 20	77	
425 μm	No. 40	22	
300 μm	No. 50	8	
150 μm	No. 100	1	
75 μm	No. 200	1.3	



Comments

Derek Mello



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581

p: (508) 389-6300 | f: (508) 389-7890

MASS.GOV/MASSWILDLIFE

February 18, 2022

Bourne Conservation Commission
Town Hall
24 Perry Ave
Bourne MA 02532

39 Phillips Road, LLC
1413 Whipporwill Way
Mountainside NJ 07092

RE: Applicant: 39 Phillips Road, LLC
 Project Location: 39 Phillips Road
 Project Description: Restore Coastal Dune: Dune Nourishment, Planting, and Repair Existing
 Sand Fence and Reconstruct Beach Stair
 DEP Wetlands File No.: 007-2189
 NHESP File No.: **13-32395**

Dear Commissioners & Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent with site plans (dated January 26, 2022) in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

Based on the Massachusetts Natural Heritage Atlas, 15th Edition, portions of this property are delineated as *Priority Habitat* and *Estimated Habitat* for state-listed species. The proposed project will occur within the **actual** habitat of the Piping Plover (*Charadrius melodus*) and Least Tern (*Sternula antillarum*), species state-listed as Threatened and Special Concern, respectively. These species and their habitats are protected in accordance with the rare species provisions of the WPA and the MESA. The Piping Plover is federally protected as "Threatened" pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11). Fact sheets for state-listed species can be found at www.mass.gov/nhesp. In Massachusetts, generally, these coastal birds can be found from April – September. Piping Plovers and Least Terns are ground-nesting shorebirds that will establish nests on sparsely vegetated, sandy areas of coastal beaches and dunes. Their nests are comprised of shallow depressions in the sand that may be lined with shell fragments or pebbles. Piping Plovers, terns and their nests are particularly vulnerable to predators, unleashed pets, and inadvertent human disturbance. After hatching, Piping Plover and Least Tern chicks are not capable of flight for up to 30 days.

The purpose of the Division's review of the proposed project under the WPA regulations is to determine whether the project will have any adverse effects on the Resource Areas Habitats of state-listed species.

MASSWILDLIFE

The purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project.

WETLANDS PROTECTION ACT (WPA) & MASSACHUSETTS ENDANGERED SPECIES ACT (MESA)

Based on the information provided and the information contained in our database, it is the opinion of the Division that this project, as currently proposed, **must be conditioned in order to avoid adverse effects** to the Resource Area Habitats of state-listed wildlife species (310 CMR 10.37, 10.58(4)(b), 10.59) and **must be conditioned in order to avoid a prohibited Take** of state-listed species (321 CMR 10.18(2)(a)). To avoid adverse effects to the Resource Area Habitats of state-listed species and to avoid a prohibited Take the following conditions must be implemented:

1. **Time of Year Restriction:** Dune nourishment, repair of the existing sand fence, installation of plants and beach access stairs shall not occur during the shorebird breeding period **April 1 – August 31.**
2. **State-listed Species Protection.** The property owner has the responsibility of protecting breeding Piping Plovers and state-listed species of terns that may be on this section of beach. Therefore, the property owner must allow regular monitoring for the presence of Piping Plovers and terns by a qualified shorebird monitor, as determined by the Division, during the period April 1 – August 31 and shall allow any nests, scrapes, or unfledged chicks to be protected with symbolic fencing (warning signs and twine fencing).
3. **Authorization Duration.** This authorization is valid for 5 years from the date of issuance. Work may be completed at any time during this 5-year period in compliance with the conditions herein. Thereafter, the applicant shall re-file under the MESA.
4. **Notice.** Upon filing for renewal, extension, or amendment of the Orders of Conditions, the applicant shall contact the Division for written response regarding impacts to Resource Area habitat of state-listed wildlife.

Provided these conditions are included in any approving Orders of Conditions issued by the Conservation Commission, and the applicant complies with all the above noted conditions, the project **will not result in an adverse impact to the resource area habitats of state-listed wildlife species pursuant to the WPA and will not result in a prohibited Take pursuant to the MESA.** A copy of the final Order of Conditions shall be sent to the NHESP simultaneously with the applicant as stated in the Procedures section of the WPA (310 CMR 10.05(6)(e)).

This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this determination please contact Amy Hoenig, Endangered Species Review Biologist, at Amy.Hoenig@mass.gov or (508) 389-6364.

Sincerely,

A handwritten signature in black ink, reading "Everose Schlüter". The signature is fluid and cursive, with the first name "Everose" and last name "Schlüter" clearly distinguishable.

Everose Schlüter, Ph.D.
Assistant Director

cc: Bradly Bertolo, JC Engineering, Inc.
 MA DEP Southeast Region

Bourne Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532
508-759-0600 EXT 1344

**Town of Bourne
Conservation Department**

Memo

To: Select Board Members
From: Stephanie Fitch, Conservation Agent
Date: March 11, 2022
Re: White Oak Saplings

In celebration of Arbor Day 2022, the Town of Bourne has been offered a gift of 100 white oak saplings from the Falmouth Unitarian Universalist Church in partnership with several other environmental organizations across Cape Cod. The Conservation Department would like to accept these trees on behalf of the Town. The Conservation Department will work with the Department of Public Works, the Engineering Department, the Department of Natural Resources, and local volunteers to plant the trees in appropriate locations throughout the Town.

These new white oak trees will be a benefit to the Town for their aesthetic value, as well as their ability to combat soil erosion, increase rainwater absorption and groundwater storage, and reduce urban heat island effect.

Please feel free to call the Conservation Department with any questions.

Sincerely,

Stephanie Fitch

Stephanie M. Fitch, MPH
Conservation Agent
Town of Bourne || Conservation Department
(508) 759-0600 ext. 1344

Thut, Kathleen

From: Irja Finn <ifinn@bournelibrary.org>
Sent: Tuesday, March 8, 2022 10:01
To: Thut, Kathleen
Subject: \$300 cash donation

Hi Kathleen!

We just received a \$300 cash donation from [REDACTED]

Please add to BoS, so they can accept.

Thanks!
Irja

--

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

**EXECUTIVE ORDER
AMENDED**

2012 NOV 14 AM 11 33

NO. 2012-03

November 13, 2012

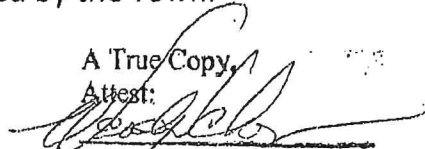
TOWN CLERK'S OFFICE
BOURNE, MASS

TRANSPORTATION ADVISORY COMMITTEE

1. There is hereby created a committee, to be known as the Transportation Advisory Committee to consist of nine (9) members appointed by the Board of Selectmen to serve without compensation.
2. The membership of the Committee shall consist of Chief of Police or his designee, Department of Public Works Director, representative of the Cape Cod Commission or the MPO, Planning Board, Bicyclist/Pedestrian Representative and four (4) members appointed by the Selectmen. The members shall serve for terms of one year commencing on July 1 of each year and ending on June 30th. In the case of a vacancy in any year, the Selectmen may appoint to fill the vacancy through June 30th.
3. The Committee is authorized to call upon department heads and town employees to provide information and materials, as the Committee deems necessary or appropriate to carry out its function.
4. The Transportation Advisory Committee shall have the following responsibilities on transportation-related projects proposed by the town and others and shall include, but not limited to, highways and other roadways, rail services, bus services, shuttle services and transportation facilities.
 - To study and develop transportation improvement proposals to be presented to the federal, state and/or county agencies on behalf of the Town of Bourne.
 - To solicit input from town officials, department heads, Regional Transit Authority, Joint Regional Transportation Committee, state and county officials, Cape Cod Commission staff, and citizens on transportation proposals to be sponsored by the Town.

A True Copy,

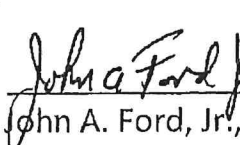
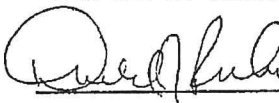
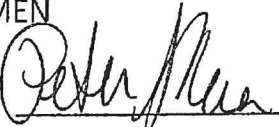
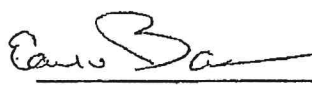
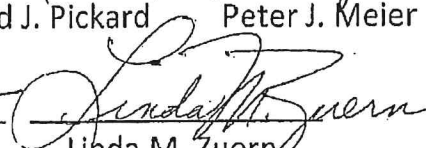
Attest:


Town Clerk

- To recommend to the Board of Selectmen transportation proposals to be sponsored by the Town, and to advocate those positions if so authorized by the Board of Selectmen.
 - To study and evaluate major transportation proposals of the United States Government, Massachusetts Executive Office of Transportation & Construction, Massachusetts Highway Department, developers and other parties that directly or indirectly impact transportation in and through the Town of Bourne.
 - To solicit input from town officials, department heads, Regional Transit Authority, Joint Regional Transit Committee, state and county officials, Cape Cod Commission staff, and citizens on such major transportation proposals.
 - To recommend to the Board of Selectmen the position to be taken by the Town with respect to major transportation proposals under consideration and to advocate those positions if so authorized by the Board of Selectmen.
5. This Amended Executive Order shall take effect on November 13, 2012 and shall continue in effect until suspended, modified or revoked.

Given this 13th day of November 2012.

BOARD OF SELECTMEN

 John A. Ford, Jr., Chm.	 Donald J. Pickard	 Peter J. Meier
 Earl V. Baldwin	 Linda M. Zuern	

*Amended on September 16, 2003 by adding the words "nominated" in number 2 by the Planning Board and by the Local Comprehensive Plan Advisory Committee

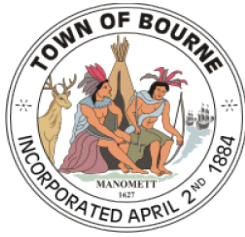
*Amended on January 23, 2007 by changing the makeup of the Committee.

*Amended on October 18, 2011 – reactivating, addressed by Town Administrator, but not voted or adopted at meeting.

*Amended on August 14, 2012 – change in membership of committee makeup.

*Amended on August 21, 2012 – change in membership of committee makeup.

*Amended on November 13, 2012 – change regarding term of office



Selectmen's Correspondence

March 22, 2022

- A. T. Dering talent bank form
- B. DEP letter fuel spoil
- C. Upper Cape Tech Meeting Minutes 02.10.22
- D. Buzzards Bay Action Committee invoice
- E. State letter re search for lease space
- F. Upper Cape Tech budget information

March 1, 2022

To whom it may concern,

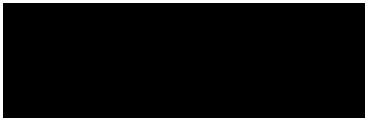
I have attached a summary of my interest and background in application for an opening on the Bourne Historical commission. Please let me know if you require further information.

I appreciate your consideration and look forward to hearing from you.

Thank you

A handwritten signature in cursive script, appearing to read "Toni Dering".

Toni Dering



BOURNE BD OF SELECTMEN
RCVD 2022 MAR 4 AM 9:57

My name is Toni Dering and I am the fourth generation of my family to reside in the town of Bourne. I am interested in the Historical Commission because I am interested in documenting and preserving local history. I am currently on the Board of the Bourne Society for Historic Preservation and am active in many of the programs we perform throughout the year.

My great grandparents, Alan and Rachel MacLeod, came to Bourne in the early 1920s with my then 3 year old grandfather. Having this long connection to Bourne holds my interest in local history as I curiously drive through town identifying properties of my ancestors. My mother, Mary (MacLeod) Ziemba was involved in various projects with the Historical Society and Archives. As a young woman, this piqued my interest in town history as I typed up recorded interviews she had done with long-time town residents. Having lived most of my adult years outside of town, I have a renewed interest in preserving and documenting local history after retuning and seeing so much change and feeling a strong connection to my childhood home.

My background is primarily in technology and art. I spent years working in computer related fields, mostly database maintenance and management. I then moved on to working as a docent at an art museum and managing an art gallery.

My years living abroad, mostly Europe and Scandinavia, give me a perspective on preserving the past both in architecture and lifestyle. While living in Brussels, I watched as architects and builders kept the façade of a hotel in tact during the process of renovating and updating the structure. It was absolutely stunning when completed. I visited many Historic places and was witness to continued rituals including markets in old town squares, festivals and holiday traditions.

I hope that my interest in town history and preservation partnered with my eagerness to learn make me a good candidate for this commission. As I am retired, I am interested in getting involved in local activities.

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. Indicate your preference and return the form to:

TOWN GOVERNMENT TALENT BANK

c/o Town Administrator,
24 Perry Avenue
Buzzards Bay, MA 02532

NAME: Toni Derin DATE: 3.11.22
ADDRESS: [REDACTED] PRECINCT: 6
OCCUPATION: retired TELEPHONE # [REDACTED]
BACKGROUND: computers/art

Check	AREAS OF INTEREST (LIST ORDER OF PREFERENCE)
	AFFORDABLE HOUSING TRUST - provides the Town with many tools to create and preserve affordable housing, including the ability to option, lease, purchase, renovate, and lease out or sell real estate.
	ZONING BOARD OF APPEALS - The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws, and by this Bylaw, those powers being to hear and decide applications for Special Permits upon which the Board is empowered to act under this Bylaw; to hear and decide petitions for variances, excluding variances for use; to hear and decide other appeals from any aggrieved person, officer, or board, or the Cape Cod Planning and Economic Development Commission, to issue comprehensive permits as provided by Sections 20-23, Ch.40B, G.L., and in special cases to issue withheld building permits, as provided by Section 81Y, Ch.41, G.L.
	BOARD OF ASSESSORS
	BARNSTABLE COUNTY COASTAL RESOURCES - is the County's coastal advisory committee, serves as a liaison between towns and the County on coastal issues and is the local governance committee for the Cape Cod region of the Massachusetts Bays Program.
	BARNSTABLE COUNTY HOME CONSORTIUM - is comprised of 15 communities on Cape Cod. Jurisdiction to receive and disburse HOME funds.
	BARNSTABLE COUNTY HUMAN RIGHTS COMMISSION - To promote and protect the basic human rights of all persons in Barnstable County
	BUZZARDS BAY ACTION - The mission of the Buzzards Bay Action Committee is to improve collaboration among watershed municipalities.
	BY-LAW COMMITTEE - Reviews and also recommends updates or changes to the Town By-laws
	CABLE ADVISORY COMMITTEE- performs research/makes recommendations for cable license renewal
	CAPE & VINEYARD ELECTRIC COOPERATIVE - was organized on September 12, 2007. Provides for the establishment of energy cooperatives.
	CAPE COD COMMISSION - is an agency within Barnstable County regional government, but with its own separate and unique funding source, the Cape Cod Environmental Protection Fund.
	CAPE COD WATER PROTECTION COLLABORATIVE - to help Cape Cod and Islands towns pay for necessary wastewater infrastructure and water quality remediation projects.

	CAPE LIGHT COMPACT - mission is to serve our 205,000 customers through the delivery of proven energy efficiency programs, effective consumer advocacy, and renewable competitive electricity supply.
	CAPITAL OUTLAY COMMITTEE – Reviews requests and makes recommendations to the Town Administrator on large equipment or building projects
	CHARTER COMPLIANCE COMMITTEE – Hears and adjudicates complaints filed alleging Charter Violations
	CHARTER REVIEW COMMITTEE –Reviews Charter every five years
	COMMISSION ON DISABILITIES - cause the integration and participation of people with disabilities; assists municipal officials in ensuring compliance with the ADA and other state/federal laws
	COMMUNITY ACTION COMMITTEE OF CAPE COD & ISLANDS, INC. - is a private, non-profit organization that provides a variety of services to low-income individuals and families to help them improve the quality of their lives and achieve self-sufficiency.
	COMMUNITY ENGAGEMENTS - mission is to sponsor and encourage community events, projects, activities, services, programs, and public improvements which are of mutual interest to the visitors and residents of the Town of Bourne, and, which strengthen the Town by fostering community involvement and spirit. The Committee shall create an application for funding and invite organizations or individuals to submit on events or activities that will benefit the Town of Bourne and its citizens. In no event may a Member present a project before the Committee. The committee shall provide quarterly reporting to the Board of Selectmen and Town Administrator.
	COMMUNITY PRESERVATION COMMITTEE will give preference to proposals Are eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation; specifically, The acquisition, creation, and preservation of open space. The acquisition, preservation, rehabilitation, and restoration of historic resources. The acquisition, creation, and preservation of land for recreational use. The creation, preservation, and support of community housing (including items such as annual payments to the housing authority to preserve or expand the affordable housing supply). The rehabilitation and restoration of open space, land for recreational use, and community housing that is acquired or created using monies from the fund.
	CONSERVATION COMMISSION- administers the Wetlands Protection Act, Local Wetlands bylaws
	COUNCIL ON AGING- coordinates programs designed for the needs of aging in coordination with the MA Executive Office of Elder Affairs
	CULTURAL COUNCIL - reviews applications for local arts and cultural events and awards grant funds received from the MA Cultural Council.
	DESIGN REVIEW BOARD (DRB)- reviews alterations, including demolitions of properties located within the demarked areas, adopts design guidelines, rules/regulations
	EDUCATION/SCHOLARSHIP
	FINANCE COMMITTEE- reports to town meeting on the proposed budget of town manager and any warrant articles having a fiscal impact on the Town.
✓	HISTORICAL COMMISSION - caretakers of the Town history.
	HOUSING PARTNERSHIP - addresses local housing needs through a collaborative effort between local govt., community organizations, banks and the private sector.
	HUMAN SERVICES - 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.
	LANDFILL BUSINESS PROJECT MODEL WORKING GROUP-Make recommendations on long term viability of the Integrated Solid Waste Management Department to the Town Administrator and Selectmen
	LOCAL EMERGENCY PLANNING COMMITTEE - mission is to provide residents with an emergency response program for hazardous materials incidents, extreme weather, and other high impact events.

	OPEN SPACE COMMITTEE - 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.
	TASK FORCE ON LOCAL POLLUTION/PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT PROGRAM - membership shall consist of seven (7) members of the general public, at least two of whom, if possible, shall have a professional background in science, law or engineering.
	PRIVATE ROADS ACCEPTANCE - On an annual basis we will have to establish a prioritization process to see what roads will be brought before the town for consideration.
	RECREATION COMMITTEE – Works with the Director of Recreation on long term planning for the recreational needs of the Town
	RECYCLING - 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.
	REGISTRAR OF VOTERS - 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.
	SELECTMEN'S ENERGY ADVISORY COMMITTEE - assist the Board of Selectmen on the investigation, research and consideration of siting and utilizing alternative forms of energy for municipal purposes.
	SOUTH SIDE FIRE STATION BUILDING COMMITTEE - To make recommendations regarding the feasibility, design, siting and construction of new, replacement Fire/EMS station on south side of Cape Cod Canal.
	SHORE AND HARBOR COMMITTEE – Works on plans, future development and recommends regulatory change and enforcement
	SPECIAL WORKS OPPORTUNITY PROGRAM - 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.
	STREET AND TRAFFIC – Look into the current street lighting.
	TOWN ADMINISTRATORS ADVISORY COMMITTEE ON PEDESTRIAN BICYCLE PATHWAY - 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
	TRANSPORTATION ADVISORY COMMITTEE - shall have the following responsibilities on transportation-related projects proposed by the town and others and shall include, but not limited to, highways and other roadways, rail services, bus services, shuttle services and transportation facilities.
	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.
	WASTEWATER FACILITY DESIGN AND BUILDING - To serve as advisors to the Town Administrator and Bourne Board of Sewer Commissioners as it prepares the final design, siting and construction of a 100,000 gpd facility within Buzzards Bay.
	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
	OTHER (please list)



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

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

March 17, 2022

Air Force Civil Engineer Center/JBCC
Attn: Ms. 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 Fuel Spill-1 Remedial Action
Completion Report RCL, Comments

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has received the responses to comments letter (the RCL) dated February 17, 2022 issued for the document **"Draft Fuel Spill-1 (FS-1) Remedial Action Completion Report (RACR)"** dated September 2021 (the RACR). The RCL was prepared by the Air Force Civil Engineer Center (AFCEC) Installation Restoration Program (IRP) at Joint Base Cape Cod (JBCC). The RACR documents the completion of the remedial action for the Fuel Spill-1 (FS-1) groundwater contamination in accordance with the *Final Record of Decision Area of Contamination Fuel Spill-1 (ROD)* dated April 2000 and the *Final Explanation of Significant Differences for the Installation Restoration Program Groundwater Plumes at the Massachusetts Military Reservation (ESD)* dated September 2011. MassDEP offers the following comments on the RCL.

MassDEP Page-specific comment #4, Page 3-4, Section 3.3.1, FS-1 Historical Data Summary:

The AFCEC states, **"The only site-related compounds detected since the RI are EDB, toluene, ethylbenzene, xylenes, metals and PCE. The PFAS recently detected in this area will be further evaluated as part of a future Flight Line Area Operable Unit RI (AFCEC 2021b)."** MassDEP notes that PFAS6 compounds above the MMCL have been detected extensively throughout the FS-1 monitoring well network and that the PFAS compounds are likely site-related. The source of the FS-1 EDB groundwater plume was historical surficial releases of aviation fuel at the Eastern and Western Aircraft Turnaround Areas within the Flight Line Area. The site was used from 1955 to 1970 to test fuel dump valves on EC-121 Super Constellation aircraft. As part of the tests, aviation fuel was released directly onto the ground surface. It is very likely that aqueous film forming foam (AFFF), a fire suppressant used to extinguish flammable liquid or used as a vapor suppressant to prevent flammable liquid from igniting, had been used during the testing of fuel dump valves, as AFFF was very likely in inventory at Otis AFB during the later years of this practice. As such, the presence of PFAS6 above the MMCL within the area of former FS-1

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

EDB groundwater plume constitutes the discovery of significant levels of new chemicals within the FS-1 area of contamination.

The occurrence of PFAS6 within the same location and elevation in the aquifer as the former FS-1 EDB groundwater plume strongly suggests that the source area for the PFAS6 contamination is located at or near the FS-1 EDB groundwater plume source area. The FS-1 source area particle track provided on Figure 3-2 of the *Final Expanded Site Inspection Report for Per- and Polyfluoroalkyl Substances at the Flight Line Area Sites Joint Base Cape Cod, MA* (Flight Line SI) dated August 2021 indicates that the PFAS contamination likely originated from or near the FS-1 source area. Therefore, please revise the text to make clear that PFAS detected in the FS-1 area is likely site-related, but that for purposes of efficiency, the AFCEC is investigating all PFAS presence at JBCC as separate operable units.

AFCEC Response to MassDEP Page-specific Comment #4:

AFCEC agrees that PFAS have been detected in groundwater in the general area where the FS-1 EDB plume was located but disagrees that the PFAS are site related (i.e., were the result of AFFF use during the fuel valve testing operations that created the FS-1 EDB plume). Although the EC-121 Super Constellation aircraft maintenance operations at Otis Air Force Base (now JBCC) were discontinued in 1970, as reported in the SI and RI, the fuel valve testing at the Eastern and Western Aircraft Turnaround Areas ended in 1969 (E.C. Jordan 1989).

By the mid-1960's, the Navy began studies on the use of AFFF, but it was not authorized for purchase by Air Force leadership until 1970 (Coats, G.Y. 1977). Therefore, it is highly unlikely that AFFF was used at the fuel valve testing site or Otis Air Force Base as a whole prior to 1970 and the PFAS detected in the FS-1 area are not associated with the fuel valve testing releases. The PFAS detected in the area of the FS-1 EDB plume must have been released in the 1970's or later. The source of those PFAS releases are appropriately being investigated under the ongoing Flight Line Area Operable Unit RI since they are unrelated to the FS-1 releases.

Therefore, the existing text in the RACR explaining that the PFAS detected in the area of the former FS-1 EDB plume are being investigated under the Flight Line Area Operable Unit RI does not require revision.

MassDEP Additional Comment/Response:

MassDEP disagrees with the AFCEC response. MassDEP notes that the AFCEC Response to MassDEP Page-specific Comment #4 characterizing the timing of the release of PFAS in the FS-1 groundwater area varies significantly from the characterization made by the AFCEC in the Flight Line SI. On Page 4-7 of the Flight Line SI, the AFCEC states, **"The FS-1 site is in the area of a former ethylene dibromide (EDB) groundwater plume that resulted from surficial releases of aviation gasoline at the Eastern and Western Aircraft Turnaround areas within the northeastern portion of the Flight Line Area (AFCEC 2012). The FS-1 source area (Eastern and Western Aircraft Turnaround areas) for legacy contaminants is bordered by undeveloped vegetated areas to the north, east, and west, and a paved additional aircraft turnaround area to the south (Figure 4-2a). The geographic coordinates of the area are 41°39'05.67" N Latitude and 70°30'38.22" W Longitude. Historical water level information from the site and former EDB plume monitoring indicate that the groundwater in this area flows in a south to southeasterly direction, toward the Quashnet River and bogs (AFCEC 2012).**

The Eastern and Western Aircraft Turnaround areas were used from 1955 to 1970 to test fuel dump valves on EC-121 Super Constellation aircraft. As part of the tests, fuel was intentionally released directly onto the ground (AFCEC 2012). Although there are no known uses or documented releases of

AFFF in this area while being used for testing fuel dump valves, the timeframe the site was used is close to the start of AFFF use for suppressing aircraft and vehicle fires as well as vapor suppression on fuel releases (approximately 1970). The Eastern and Western Aircraft Turnaround areas were identified in the PA (AFCEC 2015b) and the Focused SI confirmed the presence of PFOS+PFOA with concentrations of up to 0.086 µg/L in a groundwater sample collected near the Aircraft Turnaround areas (AFCEC 2017)."

On October 2, 2020, MassDEP published final regulations establishing a Massachusetts Maximum Contaminant Level (MMCL) for drinking water, for the sum of six per- and polyfluoroalkyl substances (PFAS6). The MMCL is 20 nanograms per liter (ng/L, or parts per trillion (ppt)) for what the regulations call PFAS6, or the sum of six PFAS compounds: perfluorooctanesulfonic acid (PFOS), perfluorooctanoic acid (PFOA), perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), perfluoroheptanoic acid (PFHpA), and perfluorodecanoic acid (PFDA).

MassDEP notes that Figure 4 of the *Draft Remedial Investigation Work Plan for Per- and Polyfluoroalkyl Substances at the Flight Line Operable Unit* dated January 2022 (Flight Line RI Work Plan) identifies the Eastern and Western Aircraft Turnaround areas as the approximate FS-1 site boundary identified in the *Final Preliminary Assessment Report for Perfluorinated Compounds at Joint Base Cape Cod, Massachusetts* dated June 2015. PFAS6 concentrations above the MMCL were identified in nearly all the monitoring wells (5 of 6) and in one drive point installed within or near the FS-1 site boundary identified on Figure 4 of the Flight Line RI Work Plan. These wells are screened either at the groundwater table or at shallow depths in the aquifer, and the presence of PFAS6 in these wells indicates that the source of the PFAS6 contamination in these wells is at or very near the Eastern and Western Aircraft Turnaround areas.

PFAS6 has been detected at concentrations above the MMCL of 20 ng/L in 5 drive points and 11 monitoring wells within the FS-1 groundwater area of contamination. PFAS6 was also detected above the MMCL in FS-1 extraction well 36EW0011 and in numerous surface water samples from the Quashnet River and bog complex. PFAS6 is widespread in the aquifer throughout the FS-1 groundwater area of contamination, extending from the FS-1 source area to the Quashnet River, the likely discharge point for the PFAS6 contamination. PFAS6 concentrations above the MMCL have been observed over a 100-foot vertical span in the aquifer at drive point 36DP0306 where a maximum PFAS6 detection of 3,705 ng/L was detected. The groundwater model particle track provided on Figure 2 of the Flight Line RI Work Plan indicates that the groundwater from the Eastern and Western Aircraft Turnaround areas flows in a southerly direction and eventually discharges to the Quashnet Bogs.

Given the uncertainty and lack of documentation concerning the potential use of AFFF in the FS-1 groundwater area of contamination, the AFCEC focus should be on the PFAS data results from investigations performed by the AFCEC in the FS-1 groundwater area of contamination rather than speculation on the possible timing of the use of AFFF in the FS-1 groundwater area of contamination. MassDEP notes that there is ample and compelling evidence that the Eastern and Western Aircraft Turnaround areas, which are the source areas for the legacy fuel-related FS-1 contamination, are also the source of much, if not all, of the PFAS groundwater contamination identified within the former footprint of the FS-1 ethylene dibromide (EDB) groundwater plume. MassDEP notes that experience gained from other releases of AFFF at JBCC (i.e., Tanker Truck Rollover Sites) indicates that just a limited application of AFFF is sufficient to contaminate a large area of groundwater with PFAS6 concentrations above the MMCL.

The occurrence of PFAS6 within the same location and elevation in the aquifer as the former FS-1 EDB groundwater plume strongly suggests that the source area for the PFAS6 contamination is located at or near the FS-1 EDB groundwater plume source area. Therefore, please revise the text to make clear that

PFAS detected in the FS-1 area is likely site-related, but that for purposes of efficiency, the AFCEC is investigating all PFAS presence at JBCC as separate operable units.

Please incorporate this letter into the Administrative Record for the FS-1 groundwater area of contamination. If you have any questions regarding this matter, please contact me at (508) 946-2871 or Elliott Jacobs at (508) 946-2786.

Sincerely,

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

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

P/ej

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

UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE
FEBRUARY 10, 2022 MEETING HELD AT THE SCHOOL
220 SANDWICH ROAD, BOURNE, MA 02532

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

ABSENT: Michael Degan.

The meeting was called to order at 6:18 p.m. followed by the Pledge of Allegiance to the Flag. Mr. Fichtenmayer announced that the meeting was being recorded via an audio device.

STUDENT ADVISORY REPRESENTATIVE: Madison Jones, a junior in Information Technology from Bourne, updated the committee on school activities including an update on the winter athletic teams and initiatives of the extra-curricular clubs. She informed the committee that the spring sports season will begin in mid-April and discussed upcoming events such as the Winter Fire and Ice formal dance and a movie night for students where they will see the film "Grown-Ups." Also, Madison shared that the American Culinary Federation recently held their local meeting at Upper Cape Tech with the Culinary Arts staff and students serving dinner to 65 area chefs.

STUDENT SPOTLIGHT / CURRICULUM UPDATE: No report.

PUBLIC PARTICIPATION: None.

APPROVAL OF MINUTES: A motion was made by Ms. Smith, seconded by Mr. Corriveau, for approval of the minutes of the January 13, 2022 regular meeting. Motion passed unanimously.

COMMUNICATIONS: The Superintendent read a thank you note from the Cape Cod Times Needy Fund acknowledging a recent donation of money raised from a staff "jeans day." He also read letters from Children's Cove and the Family Food Pantry thanking the school for similar donations.

REPORT OF COMMITTEES:

Budget – Mr. Forget reported that the Budget Sub-Committee met on February 2nd to review the proposed FY23 budget.

Negotiations – Ms. Crook reported that negotiations with Unit A are moving along and they are making great progress.

Policy – Ms. Crook reported that the Policy Sub-Committee met on February 2nd and has two policies that will be presented for a first reading.

Evaluation Sub-Committee – Ms. Crook reported that the Evaluation Sub-Committee met with Ms. Brito recently to discuss her goals and her evaluation process as she will be evaluated by the School Committee in the coming months.

TREASURER'S REPORT: Mr. Forget distributed the Treasurer's Report for warrants #28 and #30 highlighting the larger expenditures on the warrants including utilities, cafeteria food, student bussing and health insurance costs. He also discussed revenue received from the wind turbine with ConEd and net metering credits from the solar canopies.

SUPERINTENDENT'S REPORT: Mr. Forget informed the committee that the school is participating in a voluntary COVID-19 at-home antigen testing program. The test kits are provided at no charge to those staff and students that have chosen to opt-in to the program and the tests are administered at home on a weekly basis. The Commissioner of Education has recently announced that the mask mandate will be lifted in schools as of February 28th. The federal mandate that requires mask-wearing on busses will, however, remain in effect. The Superintendent stated that he has spoken to each of the five member towns to give them a general idea of what they can expect in regard to the FY23 proposed budget which will be presented to the committee later in the meeting.

PRINCIPAL'S REPORT: Mr. Greeley, Acting Principal, began his report by sharing the accomplishments of the winter sports teams. The boys' varsity basketball team won the Mayflower Athletic Conference championship for the first time in 15 years. They clinched the title at home and the gymnasium was overflowing with alumni. The girls' varsity basketball team is competing for the championship tomorrow night at home. The Sandwich/UCT wrestling team was crowned as the Cape & Islands champions. Finally, boys' varsity soccer coach Michael Cabral was named as the Mayflower Athletic Conference Coach of the Year for soccer. Mr. Greeley next updated the committee on the MCAS re-tests, stating that all of the students passed the re-tests in both Mathematics and in ELA. We are awaiting the results of the Biology re-tests for 26 students. The robotics team placed 4th out of 31 teams competing in the VEX Robotics Competition recently held at Mashpee Middle High School. All of the seniors in Automotive Collision Repair passed all four of the entry-level NATEF certifications. The SkillsUSA district competition will be held virtually on March 4th and 26 Horticulture students will be competing in the Future Farmers of America state convention from March 16th through 18th. Finally, Mr. Greeley reported that admissions interviews are ongoing with just under 90 students accepted for fall admission at this point. There are currently just over 300 students that have applied for admission in the fall.

NEW BUSINESS:

FY23 Budget Presentation – Mr. Forget presented an overview of the proposed FY2023 budget comparing the FY2022 approved amounts by line item to the proposed line item amounts for FY2023. He compared the per pupil cost for a town to send a student to UCT as opposed to the DESE profile per pupil costs. Mr. Forget also reviewed the student enrollment by town. There is a 2.939% increase in the proposed FY23 budget over the FY22 approved budget. The proposed net foundation budget for FY2023 is \$12,379,971.00. Finally, the Superintendent showed the percentages of the different areas of the foundation budget with instruction being the largest percentage at 61.24%. He listed some of the costs that have a significant impact on the proposed budget including contractual obligations, health insurance increases, increases in the cost of supplies due to the pandemic, and addressing the social emotional health of students which has also been affected by the pandemic. As part of the presentation, Mr. Forget compared the co-op employment rates of our students to other vocational schools, showing that UCT has the third highest employment rate of 23 schools. He also discussed the different certifications that students earn in many of the technical programs. Finally, he highlighted some of the municipal projects the students have worked on to assist the district towns citing examples from Horticulture, Carpentry, Environmental Technology, Electrical, Marine, and Veterinary Tech.

Purchase and Installation of Garaventa Stairlift – Mr. Forget explained that the existing stairlift is 26 years old and is no longer working properly. In order to be in ADA compliance, the stairlift must be replaced as soon as possible. Ms. Crook made a motion, seconded by Ms. Smith, to follow the recommendation of the Budget Sub-Committee and approve the purchase of a Garaventa Inclined Platform Wheelchair Lift in the amount of \$65,684.00 to be taken out of Extraordinary Maintenance (50-4300-0600-00). Motion passed unanimously.

Purchase of 2022 Chevrolet Silverado 2500 – Although the Budget Sub-Committee approved the purchase of this vehicle at their last meeting, the Superintendent recommended that the committee table this agenda item until he can secure an actual delivery date for the vehicle. He would like to do some research on the purchase of other vehicle types such as mini-busses. Ms. Crook made a motion, seconded by Mr. Corriveau, to table the purchase of a 2022 Chevrolet Silverado 2500. Mr. Cammarano asked Mr. Forget when the money in the transportation stabilization fund has to be spent by to which Mr. Forget responded June 30th. Motion passed unanimously.

Substitute Purchase of a 2022 Ford F-150 Lariat – Ms. Crook made a motion, seconded by Mr. Corriveau, to table the substitute purchase of a 2022 Ford F-150 Lariat. Motion passed unanimously.

First Reading – Policy DJE, Procurement Requirements, and Policy IKF, Graduation Requirements, were presented for a first reading. Ms. Crook explained that Policy DJE has been amended to include federal guidelines and Policy IKF has been amended to be consistent with the credit requirements as outlined in the Program of Studies.

Mr. Corriveau made a motion, seconded by Ms. Marcolini, to adjourn the regular meeting at 7:23 P.M. Motion passed unanimously.

A True Copy Attest

Date: 3-10-2022
(Seal)


Sharon R. Brito, Secretary

Documents reviewed / referred to:

- 02/10/2022 School Committee Packet
- Thank You Note from Cape Cod Times Needy Fund
- Thank You Letter Dated January 2022 from the Family Food Pantry – Damien's Place
- Thank You Letter Dated 02/04/2022 from Children's Cove
- Treasurer's Notes Dated 02/10/2022
- FY23 Proposed Budget Presentation
- FY23 Proposed Budget & Assessments



The Buzzards Bay Action Committee

Communities United To Preserve & Protect Buzzards Bay

Acushnet Bourne Dartmouth Fairhaven Falmouth Gosnold Marion Mattapoisett New Bedford Rochester Wareham Westport

2 Spring Street, Marion, MA 02738

774-930-8806

buzzardsbayaction.org

BOURNE BOARD OF SELECTMEN
RCVD 2022 MAR 12 PM 1010

March 11, 2022

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

Dear Selectboard Members,

Despite the pandemic it's been another busy and dynamic year for the Buzzards Bay Action Committee (BBAC). The BBAC has been assisting member communities since January 1991, when the Buzzards Bay Action Compact was signed by the original member municipalities in support of the Comprehensive Conservation and management Plan for Buzzards Bay.

This year we continued our partnership with the BBNEP and Mass Maritime in a stormwater collaborative to assist Buzzards Bay towns in meeting EPA's MS4 stormwater regulations in a cost-effective manner. By working together with the other municipalities this collaborative should help each town meet its requirements in a more economically practical manner.

One of the important functions of the BBAC is our position on the Buzzards Bay National Estuary Program steering committee. The BBAC has the lead voice in prioritizing where federal and state grant dollars have been allocated over the years. Additionally, once a month the BBAC municipal delegates meet with representatives from the U.S. Environmental Protection Agency and MA Coastal Zone Management, during which grant opportunities from each organization are brought forth and discussed. Each community has benefitted from their involvement with the BBAC, as may be seen on the enclosed list of grants awarded to each community through their association with BBAC.

We thank you for your continuing participation. Payment will be due after July 1, 2022.

PLEASE NOTE THE CHANGE OF ADDRESS ABOVE, THANK YOU!

FY22 Annual Assessment

\$2,166.48

Sincerely,

Elizabeth Leidhold
Executive Director, BBAC

Cc: Stephanie Fitch, Bourne BBAC Delegate

Buzzards Bay



National Estuary
Program

MEMORANDUM

To: Elizabeth Leidhold, Executive Director, Buzzards Bay Action Committee

From: Joseph E Costa, Executive Director

Date: March 8, 2022

Re: Buzzards Bay NEP grants awarded to municipalities and others since 2011

As requested, attached is a summary of grants awarded by the Buzzards Bay National Estuary Program between 2011 and 2021. Included are SNEP grants we awarded, including those to non-municipal entities. Please keep in mind that the number and dollar amounts awarded depend on whether towns apply for funds, the quality of the proposals received, and the priority areas funded. Also, note that grants awarded to a particular town may have been undertaken with another town, and some SNEP grants to the Buzzards Bay Coalition were to assist or were in partnership with one or more towns. This table includes grants awarded before December 31, 2021.

Grantee	Title	Workplan	Total
		Fed FY	
Acushnet	Acushnet River Green Belt (Jaros-Milos property)	2017	\$35,000
	LaPalme Riverside Land Protection	2011	\$18,653
	Tripps Mill Brook Land Protection and	2017	\$35,000
	Restoration (Machado)		
	Tripps Mill Brook Headwaters II Conservation Project	2020	\$15,000
Acushnet Total			\$103,653
Bourne	Buttermilk Way Stormwater Remediation	2011	\$20,000
Bourne Total			\$20,000
Buzzards Bay Coalition	Red Brook Harbor (Bourne) Restoration Public Private Partnership	2014	\$50,000
	Reducing Nutrient Losses from Cranberry Bogs	2014	\$165,213
	Salt Marsh Loss Study	2018	\$30,000
	Multi-Community Partnership to Reduce Nitrogen in Buzzards Bay	2016	\$200,000
	Buzzards Bay Coastal Monitoring & Evaluation (BayWatchers)	2017	\$40,000
	Buzzards Bay Water Quality Monitoring & CCMP	2020	\$50,000
	Climate Vulnerability Assessment Support		
Buzzards Bay Coalition Total			\$535,213
Carver	Cranberry Bog Groundwater Nutrient Loss	2012	\$27,000



	Creating a TDR Program to Preserve Priority Protection Areas	2020	\$8,500
	Griffith Forest Conservation Project	2020	\$20,946
	Great South Meadow Cedar Swamp Conservation Project	2021	\$45,000
Carver Total			\$101,446
City of New Bedford Health Lab	Stormwater Bacteria Testing for Enterococci - Rate Contract for Lab Work	2017	\$4,000
	Buzzards Bay Watershed Stormwater Testing - Lab Contract	2019	\$3,500
	Buzzards Bay Stormwater Testing - Lab Contract	2020	\$1,800
City of New Bedford Health Lab Total			\$9,300
Dartmouth	Paskamansett Beagle Club Conservation Initiative	2016	\$10,000
	Rogers Street Stormwater Wetland Demonstration	2016	\$106,260
	Tidal Flushing Feasibility Study Salt Pond/Salt Marsh	2012	\$17,000
	Dike Creek Conservation Project	2019	\$35,000
	Cow Yards Salt Marsh Restoration - Phase II	2018	\$35,000
Dartmouth Total			\$203,260
Fairhaven	Nasketucket Bay Land Protection	2013	\$21,730
	Nasketucket Fields Land Protection	2011	\$35,000
	Nitrogen Reduction Study at Fairhaven WPCF	2014	\$90,000
	Sconticut Neck Stormwater Design for Pathogen and Nutrient Removal	2016	\$58,350
	East Fairhaven Farms Conservation Project (Carvalho)	2017	\$35,000
Fairhaven Total			\$240,080
Falmouth	West Falmouth Harbor Oyster Reef	2016	\$53,950
	West Falmouth Harbor Shoreline Septic Remediation	2014	\$250,000
Falmouth Total			\$303,950
Gosnold	Cuttyhunk Vessel Pumpout Station	2017	\$13,920
	Cuttyhunk Island Land Conservation Project	2019	\$20,418
Gosnold Total			\$34,338
Marine Biological Laboratory	Wareham Water Pollution Facility Permeable Reactive Barriers Test Facility, Phase II	2020	\$27,375
	Nitrogen Removal Alternative Septic Systems in West Falmouth	2016	\$175,918
	Evaluation of PRB Technology for remediation of residual nitrate in treated wastewater in Wareham	2018	\$60,531
Marine Biological Laboratory Total			\$263,824
Marion	Aucoot Cove Partnership to Reduce Nitrogen	2016	\$200,000
	Grassi Bog Fish Passage	2017	\$10,924
	IDDE Sampling	2011	\$18,653
	Hoff Property CR Acquisition	2020	\$50,000
Marion Total			\$279,577

Mass. Maritime Academy	Stormwater Monitoring Collaboration	2018	\$160,000
Mass. Maritime Academy Total			\$160,000
Mattapoisett	Branch Brook Land Protection Project	2017	\$35,000
	Mattapoisett River Riverfront Land Protection	2016	\$5,000
	Mattapoisett River Valley Land Protection	2012	\$35,000
	Mattapoisett Riverfront Land Protection	2011	\$35,000
	Nasketucket Bay Land Protection	2013	\$21,730
	Tinkham Bog Woods Acquisition	2016	\$45,000
	Tinkham Riverfront Land Protection	2015	\$40,000
	Old Hammond Quarry	2017	\$35,000
	Buzzards Bay Water Quality Monitoring	2019	\$30,000
	Conservation of Alves Riverfront Parcel	2021	\$45,000
Mattapoisett Total			\$326,730
Rochester	Branch Brook Land Preservation Project	2017	\$35,000
	Digitize Wetland Boundaries Level 3 Update	2011	\$15,000
	Haskell Woods Land Protection	2016	\$42,000
	Lower River Bend Land Preservation Project	2017	\$25,000
	Dexter Mill Brook Land Preservation (Land Survey)	2013	\$20,000
	Walnut Plain Cedar Swamp (White Cedar Preserve) Conservation Project	2017	\$35,000
	Gifford's Mill Pond Land Preservation Project	2019	\$45,000
	Stuart Bog Cedar Swamp Land Preservation Project	2020	\$20,946
	Doggett Brook Buffer Conservation Project	2021	\$41,586
Rochester Total			\$279,532
UMass Amherst Cranberry Station	Gypsum as a Phosphorus and Sediment Control Agent In Cranberry Bogs	2014	\$98,346
UMass Amherst Cranberry Station Total			\$98,346
Wareham	Besse Park Stormwater Design	2013	\$20,000
	Fearing Hill West Land Acquisition	2016	\$45,000
	Myers/Weweantic River Conservation Project	2017	\$35,000
	Process Monitoring for Optimal Nitrogen Treatment	2014	\$75,000
	Wareham Village Stormwater	2012	\$19,990
	Weweantic Land Protection	2012	\$3,000
	Weweantic River Corridor Land Protection	2011	\$18,653
Wareham Total			\$216,643
Westport	Drift Road Stormwater Designs	2012	\$20,000
	River Road Stormwater Remediation	2011	\$20,000
	Participation in BCDHE Online Reporting for I/A Septic Systems	2020	\$10,214
Westport Total			\$50,214
Woodwell Climate Research Center	Determining Nitrogen Inputs to Buzzards Bay from Coastal Rivers	2020	\$56,945
Woodwell Climate Research Center Total			\$56,945
Grand Total			\$3,283,051

FY2022 Coastal Resilience Grant Awards

Recipient	Project Title and Description	Grant Award
Braintree	<p><i>Construction of Watson Park Shoreline Erosion Mitigation and Coastal Resiliency Improvement Project</i></p> <p>The Town of Braintree will construct a nature-based shoreline restoration project to mitigate erosion and flooding at Watson Park, including fringing salt marsh restoration, natural coastal bank stabilization, an earthen berm and additional stormwater management measures.</p>	\$772,580
Chatham	<p><i>Use of Temporary Flow Training Structures and Beach Nourishment to Mitigate Coastal Erosion</i></p> <p>The Town of Chatham will evaluate the use of temporary tidal flow re-direction structures combined with beach nourishment along the Stage Harbor barrier beach and inlet system. This approach was previously identified as the preferred alternative to mitigate erosion and shoaling over the next 10-20 years. Through this year's project, the design for the preferred alternative will be created, and feedback on the design will be obtained from environmental regulatory agencies.</p>	\$107,844
Chatham, on behalf of the Pleasant Bay Alliance	<p><i>Pleasant Bay Living Shorelines: Jackknife Beach Salt Marsh Restoration</i></p> <p>The Town of Chatham, on behalf of the Pleasant Bay Alliance, will complete permitting and prepare construction documents for a fringing salt marsh enhancement project to protect the popular Jackknife Beach recreational area.</p>	\$141,675
Dartmouth	<p><i>Assessment, Design and Permitting to Improve the Coastal Resiliency and Function of Apponagansett Park/Arthur Dias Town Landing</i></p> <p>The Town of Dartmouth will assess alternatives and develop resilient nature-based and structural design strategies for addressing the failing seawall around the perimeter of Apponagansett Park and Arthur Dias Town Landing, which regularly experience flooding during spring tides and coastal storms.</p>	\$107,255
Edgartown	<p><i>South Beach Bathhouse Relocation and Dune Restoration Project</i></p> <p>The Town of Edgartown and The Trustees of Reservations will relocate the South Beach bathhouse 50 feet landward, remove an asphalt surface and restore the primary coastal dune on South Beach and adjacent Norton Point Beach with compatible dredge material and native plants. The project will also move the current over-sand-vehicle trail more landward, which currently runs through the dune overwash area.</p>	\$240,674

Falmouth	<p><i>Feasibility Assessment for Addressing Increased Erosion along the Eel River Inlet Shoreline Due to Barrier Beach Migration</i></p> <p>The Town of Falmouth will assess a full range of management alternatives for providing protection for the shoreline along the western side of the Eel River entrance channel over the next 30-50 years. The evaluation of alternatives will also consider protection of infrastructure landward of the barrier beach system, navigation safety and estuarine water quality.</p>	\$64,170
Gosnold	<p><i>Gosnold Fuel Resilience Project</i></p> <p>The Town of Gosnold will evaluate, design, permit and install a preferred alternative for an above-ground fuel storage facility on Cuttyhunk Island. The project will incorporate coastal storm and sea level rise considerations when replacing the recently removed underground tanks.</p>	\$212,000
Hingham	<p><i>Climate Resilience Redesign of Hingham's Broad Cove Pump Station and Force Main</i></p> <p>The Town of Hingham will analyze site conditions and develop design options for the replacement of the deteriorating and vulnerable Broad Cove Pump Station sewer force main as well as protective measures for the station, which services 95% of the town's north sewer district flow.</p>	\$165,000
Hull	<p><i>Restoring a Continuous Primary Dune along Beach Avenue - North Nantasket Beach</i></p> <p>The Town of Hull will design and permit the restoration of the primary frontal dune at two remaining large openings in the North Nantasket Beach primary dune system, as well as conduct stakeholder engagement activities to enhance storm damage protection to buildings, critical roadways, utilities and recreational infrastructure.</p>	\$70,055
Ipswich	<p><i>Building Climate Resilience through Adaptation at the Crane Estate: Development of Single Environmental Impact Report (SEIR) and Notice of Intent Application (NOI) for Argilla Road Adaptation</i></p> <p>The Town of Ipswich and The Trustees of Reservations will complete the SEIR, prepare and submit the NOI and renew the Order of Resource Area Delineation for the Argilla Road Adaptation project, which aims to elevate Argilla Road and build resilience using innovative nature-based designs to provide a storm-resilient transition to the adjacent wetlands and restore upland wetlands to full function through increased tidal exchange.</p>	\$75,642

Marblehead	<p><i>Marblehead Municipal Light Department and Adjoining Public Lands Coastal Resilience Implementation and Expanded Analysis and Design</i></p> <p>The Town of Marblehead will conduct a detailed vulnerability assessment of the Municipal Light Department, Hammond Park and adjoining public infrastructure and develop alternatives to mitigate flooding and sea level rise impacts. The project will advance the implementation of near-term floodproofing measures, while also working to identify long-term adaptation strategies with stakeholder input.</p>	\$131,705
Marion	<p><i>Front Street Pump Station Resiliency Improvements and Force Main Evaluation</i></p> <p>The Town of Marion will conduct preliminary design work of additional flood protection measures as the Front Street Pump Station, evaluate the sewer force main pipe that carries flow from the pump station to the Marion Water Pollution Control Facility, and design, bid and construct a bypass connection in the event of a pump station failure.</p>	\$148,500
Mattapoisett	<p><i>Reopening Old Slough Road for Vehicle Travel in Emergencies</i></p> <p>The Town of Mattapoisett and the Mattapoisett Land Trust will complete engineering design and survey work to reopen Old Slough Road as an emergency access route for vehicles traveling to and from the Point Connett and Angelica Point communities, which are currently accessed by a low-lying roadway that is vulnerable to coastal storm and sea level rise impacts.</p>	\$29,400
Mattapoisett	<p><i>Eel Pond Sewer Force Main Replacement - Permitting and Final Design</i></p> <p>The Town of Mattapoisett will complete final design and permitting necessary to implement the Eel Pond Sewer Force Main Replacement Project along the barrier beach and under the West Channel. The preferred approach for the new force main route is to use horizontal directional drilling to install the force main deeper and farther from the ocean than the existing force main to protect the main from flooding, erosion and beach migration over the design life.</p>	\$158,765
Orleans	<p><i>Nauset Beach Parking Lot Phased Retreat Construction Project</i></p> <p>The Town of Orleans will complete bid documents and construct a parking lot, septic system leaching field and other associated infrastructure improvements at Nauset Beach landward of the existing parking lot and flood zones. The phased retreat plan includes reducing the size of the existing vulnerable parking lot in the future and allowing landward migration of the dune.</p>	\$1,000,000

Salem	<p><i>Climate Change Deep Dive Model, Alternatives Analysis and Targeted Outreach and Engagement Project</i></p> <p>The City of Salem will conduct a detailed vulnerability assessment of the Palmer Cove area of the Point neighborhood, which is at risk to severe flooding and climate change impacts. The project will develop a model of the area's current and future climate risks, provide an alternatives analysis and adaptation measures and conduct an intensive multi-lingual outreach and engagement campaign in the community.</p>	\$168,750
Tisbury	<p><i>Public Outreach, Design Assessment and Permit Level Plan Preparation for Coastal Storm Protection along the Vineyard Haven Harbor Shoreline</i></p> <p>The Town of Tisbury will continue to increase public involvement and outreach, refine conceptual designs and initiate permitting activities for flood protection for downtown Vineyard Haven, including beach and dune nourishment, roadway elevation and construction of a berm.</p>	\$169,272
Wareham	<p><i>Elevated Generator Platform at Salt Works Road Pump Station</i></p> <p>The Town of Wareham will construct an elevated platform that incorporates coastal storm and sea level rise projections to protect an emergency generator at the Salt Works Road Pump Station. The pump station is located 100 feet from the shoreline and is part of a critical infrastructure system that protects public health and the environment.</p>	\$127,000
Woods Hole Oceanographic Institution	<p><i>Resilient Woods Hole: Private-Public Investment to Ensure the Future of a Seaside Community and Blue Economy Village</i></p> <p>The Woods Hole Oceanographic Institution, in partnership with the Town of Falmouth, National Oceanic and Atmospheric Administration, and Marine Biological Laboratory, will identify flood pathways and vulnerabilities to public and nonprofit institutions, local businesses, natural resources and residents in the village. The project will include proactive engagement with the community, schools, businesses and visitors to build support for the implementation of long-term strategies.</p>	\$199,841



The Commonwealth of Massachusetts

*Executive Office for Administration and Finance
Division of Capital Asset Management and Maintenance
One Ashburton Place
Boston, Massachusetts 02108*

CHARLES D. BAKER
GOVERNOR

Tel: (617) 727-4050
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KARYN E. POLITO
LIEUTENANT GOVERNOR

MICHAEL J. HEFFERNAN
SECRETARY
ADMINISTRATION & FINANCE

CAROL W. GLADSTONE
COMMISSIONER

March 11, 2022

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

RE: Commonwealth's Search for Lease Space

Dear Sir or Madam:

We wish to notify you that the Division of Capital Asset Management and Maintenance has issued a Request for Proposals (RFP) seeking to lease space in your community as summarized below:

Location:	CAPE COD, within a 20-mile radius of the Bourne or Sagamore bridges
Type of Space:	Office; Classroom & Flex Space for physical training
Amount of Space:	Approximately 21,400 square feet of Usable Area
For Use By:	Municipal Police Training Committee
Project Number:	202204000.1

The deadline for submission of proposals is April 7, 2022 at 2:00 p.m. The RFP can be viewed and downloaded from COMMBUYS using the link at <http://www.mass.gov/dcamm/leasing>. You may also email gcleasenotices.dcamm@mass.gov to request a copy of the RFP, referencing the agency name and project number in your request.

Sincerely,

Dan Cordeau
Director, Office of Leasing and State Office Planning

cc: John Prudente, DCAMM

Upper Cape Cod Regional Technical School

220 SANDWICH ROAD, BOURNE, MASSACHUSETTS 02532

www.uppercapetech.com

Roger D. Forget
Superintendent

Telephone: 508-759-7711
FAX: 508-759-7208

March 11, 2022

BOURNE - FALMOUTH - MARION - SANDWICH - WAREHAM
BOARD OF SELECTMEN
MARCH 14 AND 15, 2022

Ms. Maïlene McCollem
Town Administrator
Bourne Town Hall
24 Perry Ave.
Buzzards Bay, MA 02532

Dear Ms. McCollem:

In accordance with Section V(C) of the Regional District Agreement among the towns with respect to the establishment of the Upper Cape Cod Regional Vocational-Technical School District, please be advised that the School Committee has established an Operating Budget of \$18,193,579 and a Capital Budget of \$305,000 for the fiscal year ending June 30, 2023. The impact of this budget on the individual towns is reduced by State Aid, tuition and other receipts in the amount of \$5,530,000 Total Net Operating Costs assessed to the communities, therefore, becomes \$12,968,579 in accordance with budget detail attached. In accordance with the Education Reform Act and the Regional District Agreement formula, the assessment for the Town of Bourne is as follows:

Operating	\$3,217,219.00
Capital	<u>45,606.00</u>
Total Assessment	<u>\$3,262,825.00</u>

We are available to meet with the Finance Committee and other concerned town officials to discuss this budget and to share with you the school's accomplishments, and the challenges associated with providing our students with quality educational opportunities in today's fiscal environment. If you have any questions, please feel free to contact me.

Very truly yours,

Roger D. Forget
Superintendent

Michael Degan
Treasurer, School Committee

cc: Town Clerk
Town Treasurer
Finance Committee
Board of Selectmen



BOURNE - FALMOUTH - MARION - SANDWICH - WAREHAM

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL
APPROVED FY23**

BUDGET FUNCTION	Approved FY23
<u>1000 Administration</u>	
<u>1100 School Committee</u>	
50.1110.0200.0 District Clerk Salary	3,524
50.1110.0500.0 Supplies	6,000
50.1110.0600.0 Other	20,000
Subtotal	29,524
<u>1200 Superintendent's Office</u>	
50.1210.0100.0 Salaries	267,040
50.1210.0500.0 Postage & Supplies	5,000
50.1210.0600.0 Travel	2,000
50.1210.0600.0 Dues & Subscriptions	3,500
50.1210.0600.0 Professional Development	5,000
50.1210.0600.0 Advertising	3,000
Subtotal	285,540
<u>1400 Business & Finance</u>	
50.1410.0200.0 Salaries	446,545
50.1430.0400.0 Legal Services	17,000
50.1430.0400.0 Legal - Auditing	45,000
Subtotal	508,545
ADMINISTRATION FUNCTION TOTAL	823,609
<u>2000 Instruction</u>	
<u>2210 School Leadership</u>	
50.2210.0100.0 Salaries	412,300
50.2210.0500.0 Principal Supplies	5,100
50.2210.0600.0 Principal Travel	2,000
50.2210.0600.0 Principal Printing	5,000
50.2210.0600.0 Principal Dues	9,000
50.2210.0600.0 Curriculum Development	7,500
Subtotal	440,900
<u>2220 Curriculum/Department Leaders</u>	
50.2220.0100.0 Salaries & Contractual	438,869
Subtotal	438,869
<u>2300 Teaching Services</u>	
50.2305.0100.0 Teacher Salaries	6,648,060
50.2325.0300.0 Substitutes	40,000
50.2330.0300.0 Instructional Assistants	633,160
Subtotal	7,321,220
<u>2350 Professional Development</u>	
50.2357.0600.0 Professional Development	150,152
Subtotal	150,152

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL
APPROVED FY23**

BUDGET FUNCTION	Approved FY23
<u>2400 Instruction Materials & Equipment</u>	
50.2410.0500.0 Textbooks	40,000
50.2430.0500.0 Supplies	628,900
Subtotal	668,900
<u>2450 Instructional Technology</u>	
50.2451.0400.0 Technology Contractual	84,193
50.2451.0500.0 Instructional Tech. Supplies	100,000
50.2451.0600.0 Instructional Tech.-Other	20,400
Subtotal	204,593
<u>2700 Guidance, Counseling</u>	
50.2710.0100.0 Salaries	718,768
50.2710.0500.0 Guidance Supplies	11,800
50.2710.0600.0 Guidance Other	15,000
50.2710.0600.0 Guidance Recruitment	20,000
Subtotal	765,568
<u>2800 Psychological Services</u>	
50.2800.0400.0 Psychological Salaries	85,840
50.2800.0400.0 Psychological Services	-
50.2800.0400.0 Contractual Services	24,110
Subtotal	109,950
INSTRUCTION FUNCTION TOTAL	10,100,152
<u>3000 Student Services</u>	
<u>3200 Medical/Health Service</u>	
50.3200.0100.0 Salaries	81,464
50.3200.0500.0 Health Supplies	4,080
Subtotal	85,544
<u>3510 Athletic</u>	
50.3510.0300.0 Coaching	194,199
50.3510.0400.0 Officials & Fees	50,000
50.3510.0500.0 Athletic Supplies	89,880
Subtotal	334,079
<u>3520 Student Body Activities</u>	
50.3520.0100.0 Student Activities Advisors	83,822
50.3520.0600.0 Student Activities Others	70,000
Subtotal	153,822
<u>3600 School Security</u>	
50.3600.0100.0 Salaries	54,921
50.3600.0500.0 School Security-Supplies	30,000
Subtotal	84,921
STUDENT SERVICES FUNCTION TOTAL	658,366

**UPPER CAPE COD REGIONAL TECHNICAL SCHOOL
APPROVED FY23**

BUDGET FUNCTION	Approved FY23
<u>4000 Operations & Maintenance</u>	
<u>4110 Custodial Service</u>	
50.4110.0300.0 Salaries	512,209
50.4110.0400.0 Custodial Contractual	5,300
50.4110.0500.0 Custodial Supplies	43,760
Subtotal	561,269
<u>4120-4130 Heating & Utilities</u>	
50.4120.0500.0 Heating Fuel	200,000
50.4130.0500.0 Utility Services	340,000
Subtotal	540,000
<u>4210 Maintenance of Grounds</u>	
50.4210.0300.0 Salaries	106,972
50.4210.0500.0 Grounds Supplies	50,000
50.4210.0600.0 Grounds Equipment & Snow	10,500
Subtotal	167,472
<u>4220 Maintenance of Buildings</u>	
50.4220.0100.0 Salaries	194,018
50.4220.0400.0 Building Contractual	50,000
50.4220.0500.0 Building Maintenance	58,000
50.4220.0600.0 Extraordinary Maintenance	30,000
Subtotal	332,018
<u>4230 Maintenance of Equipment</u>	
50.4230.0500.0 Equip. Repair Supt.Office	16,500
50.4230.0500.0 Equip. Repair Principal Office	15,000
50.4230.0500.0 Equipment Repair	64,000
50.4300.0600.0 Extraordinary & Unanticipated	70,000
Subtotal	165,500
OPERATION & MAINT. FUNCTION TOTAL	1,766,259
<u>5000 Fixed Charges</u>	
<u>5100 Employee Benefits</u>	
50.5100.0600.0 Health & Life Insurance	2,621,433
50.5100.0600.0 Unemployment Compensation	20,000
50.5100.0600.0 Workers Compensation	75,000
50.5100.0600.0 FICA	190,000
Subtotal	2,906,433
<u>5200 Insurance Program</u>	
50.5200.0600.0 Building & Liability Insurance	185,000
50.5200.0600.0 Treasurers Bonds	3,000
50.5200.0600.0 Student Insurance	10,500
Subtotal	198,500

UPPER CAPE COD REGIONAL TECHNICAL SCHOOL

APPROVED FY23

<u>9000 Programs with Other School Districts</u>		
50.9100.0500.0 School Choice		39,000
Subtotal		39,000
FIXED CHARGES FUNCTION TOTAL		3,143,933
TOTAL FOUNDATION BUDGET		16,492,319
BUDGET FUNCTION		Approved FY23
TOTAL FOUNDATION BUDGET		16,492,319
<u>Reductions to Foundation Budget:</u>		
FY21 Anticipated Chapter 70 Aid		3,912,348
FY21 Anticipated Interest Revenues		20,000
FY21 Anticipated Tuition Revenues		-
FY21 Anticipated Mun. Medicaid		10,000
E&D Applied		170,000
Subtotal		4,112,348
Net Foundation Budget		12,379,971
<u>Transportation</u>		
50.3300.0100 Provided by District		326,791
50.3300.0400 Contract Transportation		801,713
Total Transportation		1,128,504
Anticipated Transportation Ai		844,652
Net Transportation		283,852
<u>LPN Program</u>		
50.2305.0100.0 LPN Salaries		550,756
50.2420.0500 LPN Supplies		20,000
50.2410.0500 LPN Textbooks		2,000
Total LPN Program		572,756
Anticipated LPN Tuitions		573,000
Net LPN Program		(244)
Combined Net Transportation and LPN		283,608
<u>Capital</u>		
50.7300.0050 Capital Budget		130,000
50.5450.0500 Bond Issue - Principal		-
50.5450.0600 Stabilization Fund		175,000
50.5450.0600 Bond Issue - Interest		-
		305,000