

**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

RECEIVED  
2022 MAR 23 PM 1:28  
TOWN CLERK BOURNE

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 4<sup>th</sup> and will be fully operational by October 15<sup>th</sup>.

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](mailto:gslade@townofbourne.com) by email before Wednesday, October 13<sup>th</sup>, 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 29<sup>th</sup> 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.

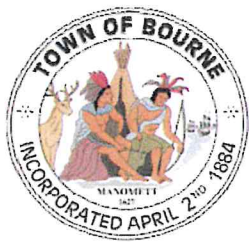
### **14. Adjourn**

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

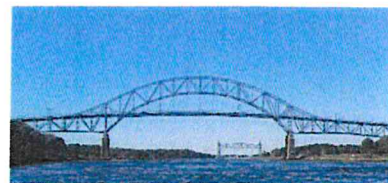
**Vote:** 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary



# Board of Selectmen Planning Board Joint Meeting AGENDA



Date  
September 21, 2021

Time  
6:45 P.M.

Location  
Bourne Veteran's Memorial Community Center  
239 Main Street, Buzzards Bay

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.

## 6:45 P.M. 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. 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 Member to the Planning Board – William Meier and Shaun D. Handy.
7. Planning Board Adjourn from Joint Meeting
8. Formal Recognition of Nancy Sundman
9. **Minutes:** June 15, July 6, 7 (exec), 12, 20, August 2, 9, 17, 24, 31
10. **Appointments and Licenses**
  - a. Alan Gardner appointment to Open Space Committee

RECEIVED  
2021 SEP 16 PM 3:59  
TOWN CLERK BOURNE

#### 11. 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, David 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. Update from Town Counsel relative to dog hearing process
- j. Discussion and possible vote to actively seek residents to serve on the Town Administrator's Search Committee

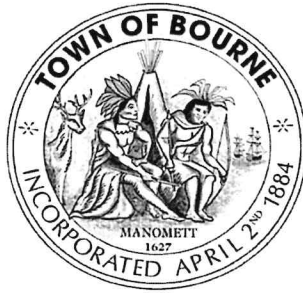
#### 12. Town Administrator

- a. Wastewater Treatment Facility Noise Study

#### 13. Correspondence

#### 14. Committee Reports

#### 15. Adjourn



# Town of Bourne

## OFFICE OF SELECTMEN

Bourne, MA September 21, 2021

**Alan Gardner, 274 Shore Road, Monument Beach, MA 02553**

The undersigned Board of Selectmen have this day appointed you

**Member – Open Space Committee**

This appointment is valid until June 30, 2019

Board of Selectmen

Sworn to before me

This .....day of

..... 2021

.....

Town Clerk

---

---

---

---

---



# 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: Alan Gardner DATE: 7/12/21  
 ADDRESS: 234 Shore Road PRECINCT: 4  
 OCCUPATION: ret. TELEPHONE # 508 274 5188 EMAIL: bigalgard@comcast.net  
 BACKGROUND: lifelong resident, retired business owner and  
and open space

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.
	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.
	ROADWAY TRAFFIC SAFETY COMMITTEE - This committee is a review and clearing house for all issues relating to the roadways and traffic or other related safety issues in the Town of Bourne.
	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 FEASIBILITY AND DESIGN BUILDING COMMITTEE - To serve as advisors to the Town Administrator and Bourne Board of Selectmen as it prepares the design, siting and feasibility of a new replacement fire/ems station on the south side of the 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.
	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 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)

BOURNE BD OF SELECTMEN  
RCVD 2021 AUG 23 PM 12:23

**Gildo Cubellis**  
241 Main Street  
Buzzards Bay, MA 02532  
(508)245-1896

2021 AUG 23 PM 1:35  
TOWN CLERK BOURNE

RECEIVED

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

August 18, 2021

I respectfully request permission for a memorial bench to be placed in memory of my late wife Shirley Jean Higgins-Cubellis, at Three Mile Look located off Perry Avenue in Buzzards Bay.

I understand the bench will be identical to the ones already in place at that location, and I will submit payment to the Town of Bourne for the bench upon approval.

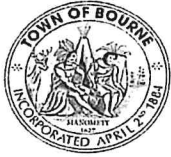
Below, please find the signatures of ten registered voter in the Town of Bourne that support my request.

Sincerely,

We certify that 9 above signatures  
checked are registered voters in the  
Town of Bourne.

Gildo Cubellis

Name	Address	Telephone
✓ Maria Cubellis	8 Speranza Ln	774-302-4803
✓ Johnny Cubellis	8 Speranza Ln	508-202-3626
✓ <del>Shirley</del>	<del>354 Old Plymouth Rd.</del>	<del>774-313-6696</del>
✓ <del>Mr. McJen</del>	<del>354 Old Plymouth Rd.</del>	<del>508-505-5432</del>
✓ <del>[Signature]</del>	251 Main St	508 2091905
BD ✓ <del>[Signature]</del>	255 Main St	774-271-0038
✓ <del>[Signature]</del>	7 Perry Ave	617-884-2511
✓ Kathleen Mack	40 B. Balsam Ct.	774-302-4737
✓ Louisa Chursley	31 Lincoln Gp	508-733-0045
✓ Michael A Cubellis	87 Lewis Pt Rd	508 2596729



**Barry H. Johnson**  
**Town Clerk**

*Town Clerk*  
*24 Perry Avenue*  
*Buzzards Bay, MA 02532*  
*(508) 759-0600 Ext 1505*



**Wendy J. Chapman**  
**Asst. Town Clerk**

August 23, 2021

To Whom It May Concern,

We received a petition for a memorial bench to be placed at the three mile overlook for a Shirley Jean Higgins-Cubellis by her husband Gildo Cubellis. I inadvertently disqualified a signature that, upon further research, was an active voter and that there were an appropriate amount of signatures.

Sincerely,

*Brian DeVries*

Brian DeVries  
Account Clerk II

## **Naming Town Owned Property and Placement of Memorial Objects**

### **Purpose**

The Bourne Board of Selectmen shall be responsible for the naming of town owned property – identified as being under the care, custody and control of the Town of Bourne – and shall handle all requests with serious and consistent consideration. Property includes, but is not limited to, public buildings, areas within public buildings, recreational areas, memorial objects, and town-owned land, all of which does not fall under another governing body or entity. In addition, there is a provision for placing memorial objects on town-owned property.

### **Policy**

The Board of Selectmen is responsible for the naming (or renaming) of any town owned properties as noted in the Policy Purpose and fall under the jurisdiction of the Board of Selectmen.

The Board of Selectmen shall implement and maintain a consistent process for evaluating naming proposals.

When naming requests are considered, the priority shall be with naming property after person(s) or organizations which:

- Have geographical, historical or cultural significance to the town or region.
- Have held leadership role (s) in the Town, such as through distinguished service in the military, law enforcement, safety, public office, or as a public servant.
- Have made significant financial and civic contributions to the Town, or that have made a direct financial grant to the Town for purposes of developing a particular public property.
- Have been deceased no less than five years

The request for placing memorial objects (artwork, signs or other fixtures, etc.) shall also be in writing and it must be supported by 10 or more registered voters of the Town as evidenced by validated signatures. Such memorial objects examples include, but are not limited to plaques, ornamental signs, sculptures, banners, benches, plantings, and detached structures.

For property under the care, custody and control of the Conservation Commission, the Trustees of the Veterans Memorials, or the Trustees of the Library, or any other such designation, such approval of a naming request shall be determined in a joint meeting of the Board of Selectmen and the respective Commission or Board.

School properties, by State Law, fall under the jurisdiction of the School Committee.

In the case of a written proposal by an applicant for memorialization of a Veteran, the Board of Selectmen shall forward a copy of the request to the Trustees of Veteran's Memorials for consideration and verification of necessary documentation. The Trustees shall make a recommendation to the Board of Selectmen as to the naming of Town property or memorial objects in honor of the Veteran.

This Policy may be amended or rescinded by the Board of Selectmen by majority vote.

### **Process for Naming Town Property**

A written request to name public property which includes, but is not limited to, public buildings, areas within public buildings, recreational area, memorial objects, town-owned land, must be submitted to the Board of Selectmen signed by 50, or 10 (for memorial objects), registered voters validated by the Town Clerk.

The written request must explain the following, as applicable:

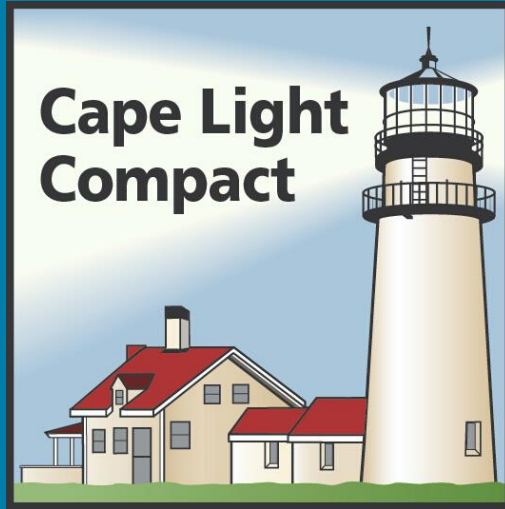
- How has this person(s) or organization had geographical, historical or cultural significance to the Town or region?
- What leadership role(s) in the Town, such as through distinguished service in the military, law enforcement, safety, or public office or as a public servant?
- What significant financial and civic contributions to the Town for the purposes of developing a particular public property?
- What is the proposed memorial (plaque, statue, sign, etc.)? What is the property location (building, part of building, recreational area, etc.)?
- Verification that person is deceased no less than 5 years prior to the request.

Following certification by the Town Clerk, the Board of Selectmen shall schedule a public hearing either as part of a Board meeting or as a separate public hearing to discuss the public property naming request. Decisions for placement of memorial objects shall be made during a regularly scheduled meeting of the Board of Selectmen.

The Town Clerk will verify that the property has not already been named and indicate any other properties named after this person(s) or organization.

Upon Board of Selectmen's initial approval of the naming, the next level of review and approval encompasses the design of artwork, signs or other fixtures on property under the jurisdiction of the Board must be reviewed and approved along with the cost of any signage and its ongoing maintenance, as well as who will be bearing the costs (petitioner, the Town, or another entity). In advance of final approval, the Board will seek advice of appropriate boards, committees, and/or departments.

Adopted: 12/19/2017



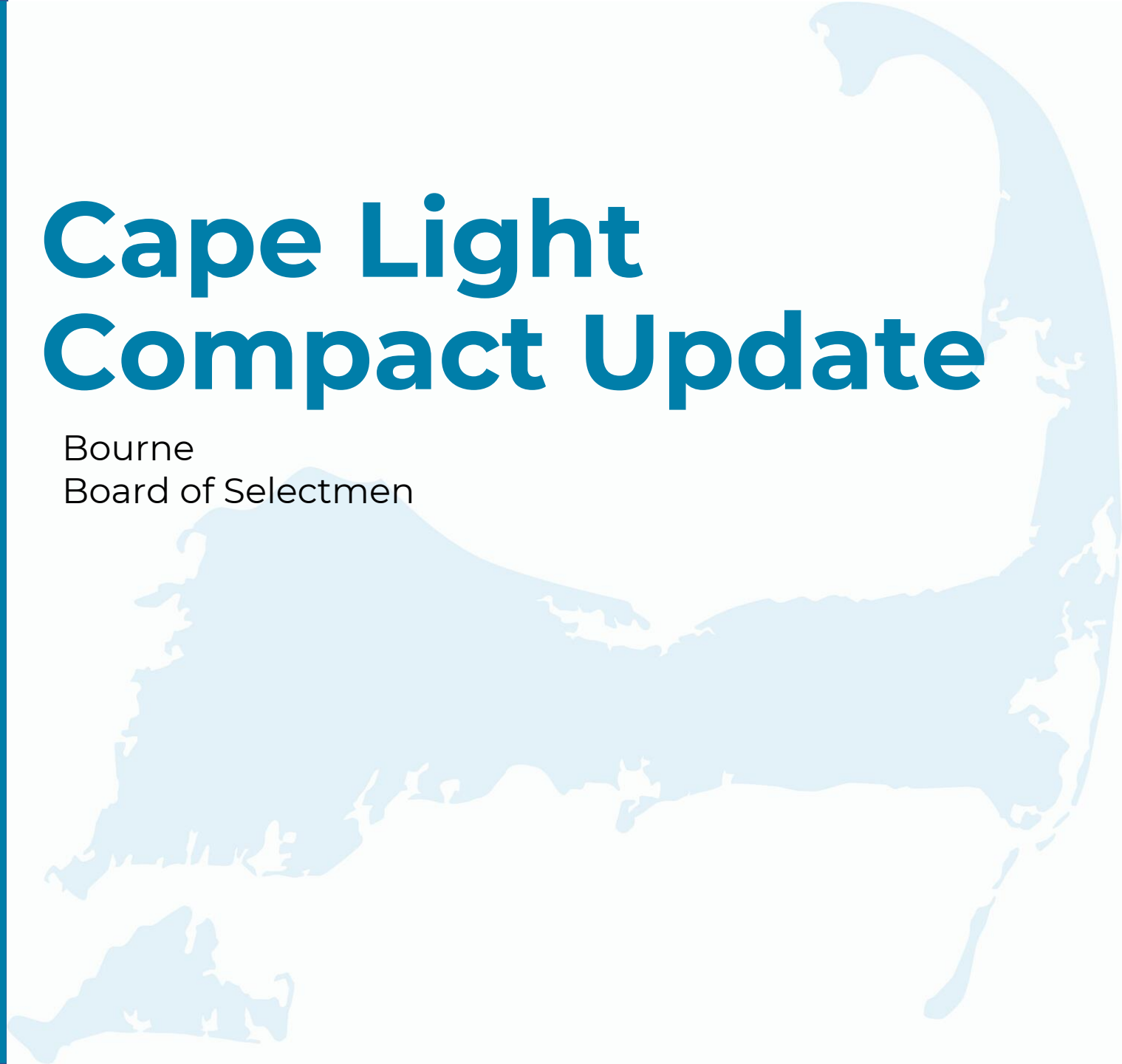
**Cape Light  
Compact**



*Your Trusted, Local Energy Resource*

# Cape Light Compact Update

Bourne  
Board of Selectmen



# Community Benefits since 2001\*

Reinvested  
\$350 Million



Saving 5.18  
Billion kWh



Total benefit  
of \$1.2 Billion



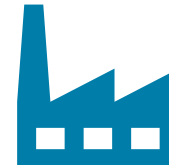
791,262 vehicles  
driven for a year



412,120,104 gallons of  
gas consumed



422,630 homes' energy  
use for one year



0.941 coal-fired power  
plants in one year

*\*data is through 2019 and includes all the CLC territory*





# 2018-2020 Town-Specific Data

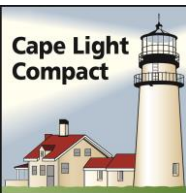
Year	Annual kWh Savings	Actual Expenditures	Participants
2018	5,144,842	\$2,027,841	14,871*
2019	6,131,696	\$2,991,888	1,868
2020	4,130,840	\$1,752,343	1,507
Total	15,407,378	\$6,772,072	18,246

\*Starting in 2019, participant counts no longer included individual participation in the retail lighting program, thus the change in participation rates from 2018-2019.



# Energy Efficiency Updates

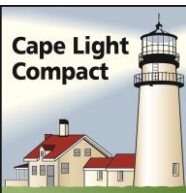
- Small Businesses through October 31, 2021- Up to 100% incentive on:
  - LED lamps and fixtures
  - HVAC and lighting controls
  - Water saving equipment
  - Pipe insulation
- Additional enhanced Business Incentives (Lighting, Kitchen Equipment) available at [www.capelightcompact.org/businessoffers](http://www.capelightcompact.org/businessoffers)



# Main Streets event for businesses

- Working with our Energy Efficiency vendors, RISE Engineering and NRM, we go door-to-door in a designated area or street to small businesses to install energy efficiency measures on-site.
- Additional energy-saving opportunities are available during follow up appointments.
- Businesses can receive up to 100% off eligible energy efficiency upgrades.

**Bourne event began Tuesday, August 24th and ran through Thursday, August 26th.**



# 2021 Residential Rebates

- **New rebates for residential customers**

- Ground Source Heat Pumps - \$2,000 per ton
- Air to Water Heat Pumps - \$1,250 per ton
- Heat Pump Water Heaters are now eligible for rebates when replacing oil or propane water heating systems

## Oil and Propane Heating

**Up to \$2,300 rebate\*** for oil & propane heating systems.

## Oil and Propane Hot Water

**\$400 rebate\*** for Oil or Propane Indirect Water Heater

**\$800 rebate\*** for Propane On-Demand Tankless Water Heater

\*Natural gas equipment related rebates are available at through National Grid

## Electric HVAC

**\$1250/ton** on Mini-Split or Central Heat Pumps, Displacing Oil, Propane, and Electric Resistance using integrated controls or fully replacing the system

**\$250/ton** for Central or Mini Split Heat Pumps not displacing oil, propane, or electric

**\$50/ton** for Central AC

## Electric Hot Water

**Up to \$600** on Heat Pump Water Heaters replacing electric, oil or propane hot water systems.

## ENERGY STAR® Appliances

**\$40 rebate** on Room Air Cleaners

**\$30 rebate** on Dehumidifiers

**\$50 rebate** on Elec. Clothes Dryers

## ENERGY STAR® Smart Thermostats

**\$100 rebate** on Smart Thermostats

## Fridge and Freezer Recycling

**\$75 rebate** for recycling your working fridge or freezer.

Call 1-877-889-4761 or visit the link above to schedule your pickup

Get instant rebates on energy efficient products and appliances at [www.masssave.com/store](http://www.masssave.com/store)



# Renter and Income Eligible Offer

- The Compact is committed to ensuring we are providing equitable service to our renters and income eligible customers.
  - **Renters and customers with income below 80% of the state median income(SMI)** are eligible for **100% off** recommended insulation and air-sealing upgrades.
  - **Customers making below 60% SMI** are eligible for the 100% offer and additional services including:
    - electric and gas discount rates
    - fuel assistance
    - appliance and heating system upgrades, depending on the efficiency of the existing equipment



# Cape and Vineyard Electrification Offering (CVEO)

- Objectives
  - **250** total non-gas heated participants, tiered services by income: Low-income (up to 60%), moderate income (61-80%)
    - **Enhanced incentives for all three measures for customers below 81% of SMI**
  - Convert oil, propane, electric resistance heat to cold climate heat pumps
  - Install PV systems to support electrification of heating system and reduce GHG emissions
  - Install battery storage for demand response
- Addresses the upfront cost barrier



# USDA Rural Utilities Service Rural Energy Savings Program Loan

- Compact application for a \$4,900,000 solar loan program submitted to USDA RUS in December 2020
- Would establish a solar loan program for residential and small businesses on Cape Cod and Martha's Vineyard
- Loan amount: up to \$50,000
- Term: 10 Years
- Interest Rate: 2.25%

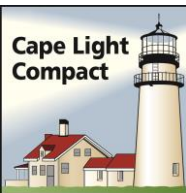




# Green Communities

The Compact continues to assist towns with receiving Green Communities Designation and Grant funds.

The Compact is currently assisting Bourne with the process of becoming a Green Community.





# Power Supply Updates

## Current Standard Pricing is

<b>Residential</b>	<b>10.743 cents/kWh</b>
<b>Commercial</b>	<b>9.999 cents/kWh</b>
<b>Industrial</b>	<b>12.440 cents/kWh</b>



## We offer three options for customers

- Standard = Matches 100% of usage with Renewable Energy
- CLC Local Green 50% = Matches 50% of usage with Local renewables\*
  - An additional 1.3 ¢/kWh
- CLC Local Green 100% = Matches 100% of usage with Local renewables\*
  - An additional 2.7 ¢/kWh

\*These are MA Class 1 Certified Renewable Energy Certificates



# Thank You!

[www.CapeLightCompact.org](http://www.CapeLightCompact.org)

Energy Efficiency: **1-800-797-6699**

Power Supply: **1-800-381-9192**



## TOWN OF BOURNE

### CODE OF CONDUCT & ETHICS FOR BOARDS, COMMITTEES AND COMMISSIONS

This Code of Ethics implies a basic understanding of it as it relates to the laws of the Commonwealth of Massachusetts, and the bylaws, policies, procedures, rules and regulations of the Town of Bourne.

The oath of office binds individual members to adherence to those state laws that apply to all areas of municipal government that comes under this jurisdiction.

This code of ethics delineates these areas of responsibility to all members of Boards, Committees and Commissions whether elected or appointed "Regular" or "Special Municipal Employees" as defined under Massachusetts General Laws, Chapter 268A (see definitions) at the end of this document.

1. Community Responsibility
2. Responsibility to Municipal Administration
3. Relationship to other Board, Committee or Commission Members, and employees
4. Prohibited Conduct

**1. COMMUNITY RESPONSIBILITY.** A member of any Board, Committee or Commission in relation to his/her community, shall:

- a) Realize that his/her basic function is to make policy, not administer it, unless otherwise empowered by the laws of the Commonwealth or the bylaws of the Town of Bourne.
- b) Realize that he/she is one of a team and should abide by, and carry out, all Board, Committee or Commission decisions once they are made.
- c) Be well informed concerning the duties of a Board, Committee or Commission member on both local and state levels.
- d) Remember that he/she represents the entire community at all times.
- e) Accept the appointment as a means of unselfish service, not benefit personally or politically from his/her Board, Committee or Commission activities.
- f) In making all decisions relative to individual appointments, he or she shall avoid political patronage by judging all candidates on merit, experience and qualifications only.
- g) Before any vote, he/she shall refuse to (shall not) vote on any matter involving an immediate family member (the employee, his/her spouse, parents, children, brothers and sisters) in which he/she has a financial interest.

**2. RESPONSIBILITY TO MUNICIPAL ADMINISTRATION.** A member of any Board, Committee or Commission, in his/her relations with administrative officers of the Town, shall:

- a. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of all people in the community.
- b. Recognize and support the administrative chain of command and refuse to act on complaints or take other actions as an individual outside the administration.
- c. Give the Town Administrator responsibility for discharging his/her duties pursuant to the Board of Selectmen/Town Administrator Act.

Therefore, all Boards, Commissions and Committees shall:

- a) Direct all problems or conflicts which cannot be solved in-house to the attention of the Town Administrator.
- b) Direct all legal questions or requests to Town Counsel through the Town Administrator or person designated by the Town Administrator.
- c) Direct all questions or concerns to the Town Administrator. Letters may also be addressed to the Board of Selectmen; however, an initial letter to the Town Administrator will expedite required actions and will deal most directly with an issue that needs attention. Please remember that the Town Administrator and Board of Selectmen do not have authority over other elected officials or committees/individuals appointed by the Moderator or Library Trustees.

**3. RELATIONSHIP TO OTHER BOARD, COMMISSION OR COMMITTEE MEMBERS, AND EMPLOYEES.** A member of any Board, Committee or Commission in his/her relations with fellow members, or with members of other Boards, Committees or Commissions, and employees shall:

- a. Recognize that action at official legal meeting is binding and that he/she alone cannot bind the Board, Committee or Commission outside of such meeting.
- b. Treat all members of the Board, Committee or Commission, and employees with respect, despite differences of opinion.
- c. Not make statements or promises of how he/she will vote on matters that come before the Board, Committee or Commission until he/she has had an opportunity to hear the pros and cons of the issue during an official meeting of the Board, Committee or Commission.
- d. Uphold the intent and purpose of Executive Session and respect the privileged communication that exists in Executive Session.
- e. Make decisions only after all facts on a question have been presented and discussed.
- f. Recognize the rights of all members of the Board, Committee or Commission to express opinions on matters before it.

**4. PROHIBITED CONDUCT.** A member of any Board, Committee or Commission, in accordance with Massachusetts General Law, Chapter 268A, shall:

- a. Not accept other employment which will impair his/her independence of judgment in the exercise of his/her official duties.
- b. Not accept employment or engage in any business or professional activity which will require him/her to disclose confidential information which he/she has gained by reason of his/her official position or authority.
- c. Not improperly disclose confidential information acquired by him/her in the course of his/her official duties, nor use such information to further his/her personal interests.
- d. Not use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself/herself or others.
- e. Not by his/her conduct give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in the performance of his/her official duties, or that he/she is unduly affected by the kinship, rank, position or influence of any party or person.

- f. Not pursue a course of conduct which will raise suspicion among the public that he/she is likely to be engaged in acts that are in violation of his/her trust.
- g. Not be influenced in his/her performance of any official act or any act within his/her official responsibility.
- h. Not be influenced to commit, or aid in committing or to collude in, or allow any fraud, or make opportunity for the commission of any fraud on the Commonwealth or on a state, county or municipal agency.
- i. Not be induced to do or omit to do any acts in violation of his/her official duty.

In addition, a member of any Board, Committee or Commission shall treat all residents, non-residents, petitioners, other board, committee and commission members and Town employees with respect while performing the duties of the Board, Committee or Commission.

**5. CODE OF CONDUCT - VIOLATIONS.** Complaints, whether written or oral, and whether anonymous or sourced, which allege a violation of the Code of Conduct & Ethics, will be thoroughly investigated by the Board or a designee of the Board. The conduct of the investigation shall be at the discretion of the Board. In the event the complaint is substantiated, either in whole or in part, the Board reserves the right to take appropriate remedial action to address the alleged violation, up to and including the immediate removal of the Board/Committee member from the Board(s) and/or Committee(s) on which they serve, following notice and an opportunity to be heard pursuant to G.L. c. 30A, sec. 21(a)(1).

#### ***Massachusetts General Laws Chapter 268, Section 1 - Definitions***

*“Municipal employee,” a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis, but excluding (1) elected members of a town meeting and (2) members of a charter commission established under Article LXXXIX of the Amendments to the Constitution.*

*“Special municipal employee”, a municipal employee who is not a mayor, a member of the board of aldermen, a member of the city council, or a selectman in a town with a population in excess of ten thousand persons and whose position has been expressly classified by the city council, or board of aldermen if there is no city council, or board of selectmen, as that of a special employee under the terms and provisions of this chapter; provided, however, that a selectman in a town with a population of ten thousand or fewer persons shall be a special municipal employee without being expressly so classified. All employees who hold equivalent offices, positions, employment or membership in the same municipal agency shall have the same classification; provided, however, no municipal employee shall be classified as a “special municipal employee” unless he occupies a position for which no compensation is provided or which, by its classification in the municipal agency involved or by the terms of the contract or conditions of employment, permits personal or private employment during normal working hours, or unless he in fact does not earn compensation as a municipal employee for an aggregate of more than eight hundred hours during the preceding three hundred and sixty-five days. For this purpose compensation by the day shall be considered as equivalent to compensation for seven hours per day. A special municipal employee shall be in such status on days for which he is not compensated as well as on days on which he earns compensation. All employees of any city or town wherein no such classification has been made shall be deemed to be “municipal employees” and shall be subject to all the provisions of this chapter with respect thereto without exception.*

Adopted by the Bourne Board of Selectmen: September 3,

2019 Amended: \_\_\_\_\_

See **“Acknowledgement of Receipt”**



## TOWN OF BOURNE

### CODE OF CONDUCT & ETHICS FOR BOARDS, COMMITTEES AND COMMISSIONS

#### Acknowledgement of Receipt

This CODE governing appropriate, respectful and professional conduct has been written to provide information and guidance for our board, committee and commissions. The Town reserves the right to change, add to or delete any part of this CODE, at any time, as it deems appropriate. The Town reserves the right to waive or vary any term of this CODE, as it deems appropriate at any time in order to achieve its desired goals, including mutual respect and zero tolerance for any form of inappropriate/unprofessional conduct by Town boards, committees and commissions.

If changes are made to this actual CODE by the Board of Selectmen, boards, committees and commissions will be notified as soon as possible. However, changes approved by the Board of Selectmen will be effective upon the date of approval.

This CODE does not, and may not be construed to, create a contract with any member of any public body.

With your signature below, you represent that you have read this acknowledgement, that you have received a copy of the Town of Bourne's CODE OF CONDUCT & ETHICS FOR BOARDS, COMMITTEES AND COMMISSIONS, and that you have read and understand this CODE.

I acknowledge that I have received and read the Town's CODE OF CONDUCT & ETHICS FOR BOARDS, COMMITTEES AND COMMISSIONS. I understand my responsibilities concerning the goals of the Town of Bourne to encourage civility in our local government and require respectful and professional behavior among all members of public bodies, employees, customers, vendors and visitors who interact with the Town.

Name of member [Print]: \_\_\_\_\_

Name of Board, Committee or Commission: \_\_\_\_\_

Signature of Member: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

#### ***FILE THIS ACKNOWLEDGEMENT WITH THE SELECTMEN'S OFFICE***

*Date Adopted by Board of Selectmen: 8/19/2019*

*Date Amended: \_\_\_\_\_*

# **Code of Conduct for Town Boards and Committees**

Adopted: \_\_\_\_\_ by the Bourne Board of Selectmen

---

## **I. PURPOSE**

The intent of this policy is to establish clear guidelines to serve as the standard for achieving and maintaining a high level of public confidence, trust and professional respect with regard to how the Town and its officials conduct business. This policy is intended to define and create a centralized policy with regard to standards of conduct.

The Board of Selectmen recognizes the importance of professional standards at all levels of the government, including those who volunteer their time and services on behalf of the Town. The Board encourages other boards and committees of the Town who are not appointed by the Selectmen to adopt this standard by reference, thereby creating a unified Code of Conduct for Town officials.

## **II. APPLICABILITY**

This policy and all its sections shall apply to the Board of Selectmen and to the boards, presiding officers, public officials, commissions and committees and other representatives of the Town appointed by the Board of Selectmen and those appointed by the Town Manager.

- The term “the Board” and “the Selectmen” shall apply to the Board of Selectmen.
- The term “member” shall apply to those appointed by the Board of Selectmen or the Town Manager.
- The term “official” shall apply to a Board of Selectman member or a member appointed by the Board of Selectmen or Town Manager.
- The term “appointing authority” shall apply to the Board of Selectmen.
- All commission members, committee members, board members, representatives appointed by the Board and other officials mentioned in this guideline are subject to this policy.

## **III. CODE OF CONDUCT**

These obligations and commitments shall be assumed by all members of the Board and other officials defined in the Applicability section:



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

- Be well informed concerning the local and state duties of a board/committee member.
- Remember that you represent the Town of Bourne at all times.
- Accept your position as a means of unselfish public service, not to benefit personally, professionally or financially from your board/committee position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Seek no favor and believe that personal aggrandizement or profit secured by holding these positions is dishonest and/or unlawful.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner as to give the clear impression that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted (e.g. Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law.
- Comply as fully as possible with all Town policies, including, without limitation, the following:
  - Anti-harassment and Discrimination Policy
  - Anti-fraud Policy
  - Information Technology Resources Use Policy.
- Comply as fully as possible with all applicable laws, including, without limitation, the following:
  - The Open Meeting Law
  - Procurement Laws
  - The Ethics/Conflict of Interest Statute (G.L. c.268A).

## **B. Conduct in Relation to Your Fellow Board/Commission/Committee Members**

- Treat all members of the board/commission/committee with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairman should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/commission/committee requires written notification to the Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/commission/committee outside of such meetings.

- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

### **C. Conduct in Relation to the Town Manager**

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Manager full responsibility for discharging his or her disposition and/or solutions.
- Refrain from giving orders or directions to the Town Manager for action as an individual Board member.
- Refrain from giving instructions to or requesting assistance from Town department heads, but rather channel all such activities through the full board/commission/committee and the Town Manager.
- Refrain from providing information to the Town Managers that you would not be willing to share with other Board members.

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

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Direct questions of Town staff and/or requests for additional background information through the Town Manager.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the Town Manager through private communication.
- Insure that all requests for staff support go through the Town Manager's office.

## **IV. DISTRIBUTION AND EDUCATION**

- The Town Clerk shall provide a copy of this policy to all members as defined in the Applicability section upon its issuance and upon the subsequent appointment or re-appointment of any member.
- The Town Clerk shall also maintain and distribute educational materials from the State Ethics Commission to members.
- The Town Clerk shall develop a schedule of training programs to educate the Board and members on the Conflict of Interest Law and ensure compliance with said Law.
- The Town Clerk shall educate the Board, members and officials on the Conflict of Interest Law and ensure compliance with annual state mandated on-line training.

- The Town Clerk shall have each member sign a statement that they have read this policy and will comply with all requirements set forth in this policy; this form shall be available for public view. In the event that any member declines to sign the form, that fact shall be noted by the Town Clerk on the form.

## **V. ENFORCEMENT**

This Code of conduct is intended to be self-enforcing, with members of committees being familiar with its provisions. Committee members themselves have primary responsibility to assure standards are met.

**GUIDE TO CITIZENS'  
PETITIONS  
FOR  
TOWN MEETINGS**

**PREPARED BY**

**JAMES B. LAMPKE, ESQ., TOWN COUNSEL**

**Updated February 2013**

## **“GUIDE TO CITIZENS’ PETITIONS FOR TOWN MEETINGS”**

This memo and the accompanying “Summary” are intended to present in layman’s terms the process for citizens to petition Town Meeting. They are not intended to answer all questions, but rather to provide enough general information to enable citizens to better understand the process and how to petition Town Meeting. This process has been around for some 200 years and is one of the hallmarks of our democratic process—your right to petition your government.

To better understand the process, it is necessary to first understand some of the features of a Town Meeting. Generally, Towns in Massachusetts must have at least an **Annual Town Meeting** where the budget and other matters are voted. Towns may also have one or more **Special Town Meetings** during the year. There is nothing wrong with a Special Town Meeting within an Annual Town Meeting. This is done many times because the Annual Town Meeting can run for several days and there may be matters which need to be addressed sooner, which can be able handled at a Special Town Meeting.

The Hull Board of Selectmen, in accordance with a local by-law, selects the date for the Annual Town Meeting. It begins on the first or second Monday in May.

A notice will usually appear during the winter that the **warrant** will close for the Annual Town Meeting by a certain date and that petitions for **articles** must be submitted by that date. The Selectmen may also call for a Special Town Meeting. A similar notice has to be published warning people of the deadline for submitting **articles** for the warrant of the Special Town Meeting. The notice to the public must be at least 10 days before the warrant closes. The warrant for either meeting must be posted in public places at least 30 days before the meeting.

By a petition with at least 10 signatures, citizens can petition for an article to be placed on the warrant for the Annual Town Meeting.

Citizens can also petition for a Special Town Meeting by petitioning the Board of Selectmen with a petition indicating an article for the meeting, the petition to have at least 200 signatures or 10% of the registered voters, whichever is less.

Citizens can petition to have articles placed on the warrant for a Special Town Meeting by a petition having at least 100 signatures. Remember, the petition for having (or calling for) the meeting needs 200 signatures or 10% of the voters (whichever is less) and must contain an article for the meeting. Once the meeting has been scheduled, others may petition for articles with petitions of at least 100 signatures. The petition must include the Signature, residence with street and house number, if any, to be valid.

By a similar petition, citizens can petition for an article to be placed on the warrant for the next special and/or annual town meeting.

The Board of Selectmen can on their own place an article on the warrant, either under the name of the Board of Selectmen or the name of people requesting the article. Also, by custom, Department Heads and other Town officials can file with the Selectmen’s Office an article to be

placed on the warrant. This memo addresses generally citizens placing articles on the warrant.

At the end of the memo is a handy guide to common Town Meeting procedural issues prepared by John M. Russell, Jr., Esq., former Town Moderator.

\*\*\*\*\*

**What is a warrant?** A warrant is the legal notice containing the articles to be considered at the Town Meeting. It is like an agenda for a meeting—telling people where and when the meeting will be held and what will be discussed. For a matter to be discussed at the meeting, it must be on the warrant in the form of an article.

**What is an article?** An article is like an agenda item— it tells people what is to be discussed and what is being sought. For any matter to be discussed at the meeting, it must come within the scope of the article. That is, someone reading the article must be able to tell what is going to be discussed. If something is then brought up which a person would not reasonably know was going to be discussed by reading that article, it cannot be discussed and will be considered as being beyond the scope of the article.

**What is a motion?** A motion is what is presented before the votes at the Town Meeting for action on a particular article. It should be within the scope of the article. That is, it should call for action which appears to be within what was requested in the article.

**How to draft a petition for calling a Town Meeting?** There is no exact wording which must be used, although it is helpful to be complete and use wording generally used. An example would be “We the undersigned petition the Board of Selectmen to call Special Town Meeting to act on the following article (s): (then state the article or articles)”. This type of petition, because you are asking that the Special Meeting be called, requires the 200 signatures or 10% of the voters. After you get enough signatures, you must present it to the Board of Selectmen. You can send it to their office—there is no need for a formal presentation at a meeting.

**How to draft an article?** There is also no required wording, but it is helpful to follow the traditional language used. An example would be “To see is the Town will.....[then state what you want] I.e. “amend the code of the Town by adding to Chapter 124 the following:- [then state what you want]”; “raise and appropriate or appropriate from available funds a sum of money to paint the flag poles”; “accept the provisions of G.L. c. XXX, which calls for such and such” [etc]. It is helpful, although not fatal if not done, to include at the end of the article the phrase “or take any other action relative thereto.” That phrase helps give notice to people that the exact action taken may not be exactly what was stated in the article, but would be relative to what was stated in the article.

Articles involving money should indicate where the money is going to come from (i.e. the tax levy, available funds, “free cash” (which is not really free!!) or certain accounts). Zoning articles must identify the location of Town where the zoning change is to be applicable. There are other rules depending on the nature of the article.

If the Board of Registrars approves of the signatures as being of voters, the article will go on the

warrant. Town Hall does not have the right to correct the article submitted on a citizens' petition, including spelling errors or other errors. The article, if printed in the warrant, will say at the end "Submitted at the request of John Smith and others", usually using the first name on the petition.

**How to draft a motion?** Local practice is to request all motions to be submitted before the meeting. Sometimes motions are not submitted until the day or moment of the meeting—sometimes because information still is not available or because the petitioner did not submit the motion before. You should try to submit the motion to the Town Clerk and Moderator beforehand. If you can't try to call to tell them.

No special language is required for the motion. Motions which involve spending money must state where the money is coming from. Customary language for a motion would be "Move that the Town amend the code of the Town by adding to Chapter 124 the following:- then state what you want."; "Move that the Town raise and appropriate..." or "Move that the Town appropriate from Account XX \$2,000.00 to paint the flag poles." "Move that the Town accept the provisions of G.L. c. XXX, which calls for such and such." etc. The motion should also be signed by whoever is making it. It need not be the first person who signed the petition. It can even be someone who did not sign the petition.

**Where can someone find sample articles and motions?** People have been petitioning Town Meetings for decades. You can see how citizen petitions look as well as articles and motions prepared by local officials by looking at the Annual Report of the Town for any year. The Town Clerk publishes in the report the warrant and motions of the various Town Meetings.

Certain types of requests for Town Meeting action require special wording. Sometimes there is a statute which requires that the article and motion be stated a certain way. Items involving money may require compliance with state municipal finance laws. In any situation where there is money involved, it is a good idea to meet with the Town Manager.

The Town's Advisory Board (formerly the Finance Committee) holds hearings on all articles which are on the warrant. The purpose of the meeting is so that they can get information on the subject matter and be able to advise the Town in a report they publish as to their recommendations on the article. While it is of course helpful to have their recommendation on your article, even if they recommend against it, it can still be presented at Town Meeting and the voters will decide. If there is a financial component to your article, try to estimate its cost and have backup on the cost and benefits.

The Advisory Board will ask you and others to come to a public meeting to discuss the article. These meetings are also attended by others, including the general public, who may advocate for or against the article.

On certain articles and motions involving appropriations of money related to the proposed Town budget, Town Meeting in the past has sometimes adopted a rule that the specific source of the money has to be identified. You should be prepared if possible to address this with the Advisory Board and Town Meeting. You may want to also discuss any article, particularly one involving money, with the Town Manager and other town officials/Department Heads.

At Town Meeting, the Moderator presides at the meeting. In Hull, the order by which articles are considered is usually determined by a bingo drum, with the Town Clerk drawing the number of the next article. There are certain articles which may be taken out of order. The Moderator would then read the motion and once it is seconded, the person who signed the motion can speak on it. Others may thereafter speak on it.

**Amendments and Substitute Motions**— Anyone can amend any motion and anyone can offer a substitute motion.

**Why can't the Town write citizen petition articles and motions?** While the Town in certain instances can give advice on matters, it is generally not considered appropriate for the Town to write citizen petition articles or motions. Citizen petition articles are the citizens right to petition government. Sometimes they may involve matters which the local government leadership does not support or feel are appropriate. Therefore, to have the Town involve itself too directly in such petitions by writing the article or motion would potentially cause too much intermingling of the government into the citizens' affairs. This is especially so if there was to be a challenge or dispute over the citizens' article or motion. In appropriate cases, suggestions can be made.

Town Meetings and the Town Meeting process are foundations for our democratic system. By the process, you– the public– can participate in community affairs and the operation of your local government.

*[Note: This Guide explains generally the procedure to call for a Town Meeting, to insert an article on the warrant and to present a motion at the meeting. Depending on the subject matter and other factors beyond the scope of this Guide, additional details may be involved, including the need for legal research, drafting and analysis. This summary and Guide is not intended to be legal advice applicable to all situations nor a substitute for legal research and analysis on a particular matter.]*



**SUMMARY FOR PETITIONING TOWN MEETING**  
**(followed by more detailed explanation)**

- I. Warrant—The document which contains the articles which are to be acted on at Town Meeting. It is like an agenda.
- II. Article—It is like an agenda item. It is the language in the warrant which describes the action being requested.
- III. Motion—It is the actual request for action under an article which is made at the Town Meeting.
- IV. To petition for calling a Meeting -
  - a. Annual Town is automatically held in May—no need to file a petition for it.
  - b. Special Town Meeting can be called by a petition of at least 200 registered voters or 10% of the registered voters, whichever is less.
  - c. The petition must include the signature, residence with street and house number, if any, to be valid.
- V. To Petition for Having an Article on the Warrant for the Meeting—
  - a. For the Annual Town Meeting, need a petition with at least 10 signatures of voters.
  - b. For Special Town Meeting, need a petition with at least 100 signatures.
  - c. The petition must include the signature, residence with street and house number, if any, to be valid.
- VI. To Draft an Article for Town Meeting—
  - a. No special language needed—helpful to follow the traditional language used. An example would be “To see if the Town will [then state what you want—i.e. “amend the code of the Town by adding to Chapter 124 and the following: - then state what you want”; “raise and appropriate or appropriate from available funds a sum of money to paint the flag poles”; “accept the provisions of G.L. c. XXX, which calls for such and such”, etc.] It is helpful, although not fatal if not done, to include at the end of the article the phrase “or take any other action relative thereto.”
  - b. Articles involving money should indicate where the money is going to come from [i.e. the tax levy, “free cash” (which is not really free!!) or certain accounts—typical general language is “raise and appropriate or appropriate from available funds”) Zoning articles must identify the location of Town where the zoning change is to be applicable. There are other rules depending on the nature of the article.

VII. To Submit a Motion for Action at Town Meeting—

- a. Usually the person who submitted the article submits the initial motion. Anyone can submit a motion on an article. The first motion is the main motion. Other motions are generally either substitute motions or amendments to the main motion. Motions are made by an individual—no need to have additional signatures or names on the motion.
- b. No special language is required for the motion. Customary language for a motion would be “Move that the Town raise and appropriate....” or “Move that the Town appropriate from Account XXX \$2,000.00 to paint the flag poles”, “Move that the Town accept the provisions of G.L. c. XXX, which calls for such and such”, etc. Motions which involve spending money must state where the money is coming from. The motion should also be signed by whoever is making it. It need not be the first person who signed the petition—it can be someone who did not sign the petition.

**[Prepared by  
James B. Lampke, Esq., Town Counsel]**

**TOWN OF HULL**  
**Frequently Used Procedural Rules**  
**Prepared by John M. Russell, Jr., Esq.**  
**Former Town Moderator**

**Quorum:** In 1987 we abolished quorum requirements. Therefore, meetings shall begin at the time designated by the Selectmen in the warrant (usually 7:30 PM).

**Order of Articles:** In 1980, we enacted a by-law providing that the order of considering articles, except for the general; budget articles shall be determined by lottery. The moderator has the power to declare that certain articles, due to legal requirements, must be considered before or after other articles or at a certain time.

**Motions:** After an article has been chosen by lottery, the moderator reads the motion pertaining to that article. The motion must be within the scope of the article as printed in the warrant and must be seconded. After a motion has been made, substitute motions and amendments may be before the meeting at any one time.

**Discussion of Articles:** Persons wishing to speak should stand and remain standing until recognized by the moderator. They should begin their remarks by stating their name and address.

**Point of Order:** Is used to raise a procedural questions only. It may be made at any time, requires no second and is not debatable.

**Call for the Question:** Is a motion to terminate debate. It requires a two-thirds vote and is not debatable.

**Voting by Secret Ballot:** Shall occur when the Advisory Board so recommends in writing, or when 15 voters so request, or when required by statute or town by-law.

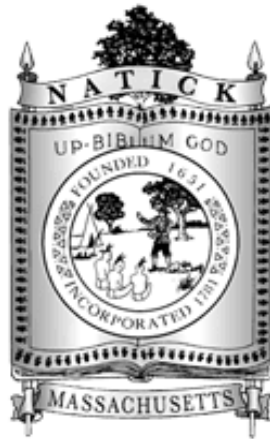
**Questioning the Vote:** When seven (7) voters question the moderator's calling of voice vote, a standing vote will be taken.

**Motion to Reconsider:** Must be made on the same night that vote to be reconsidered was taken; two-thirds required; a vote once reconsidered cannot be further reconsidered.

**Resolutions:** May be offered without prior notice; are non-binding and not debatable.

Other procedural rules governing our meetings are spelled out in the book "Town Meeting Time", Little Brown, 1962, 2nd Edition 1984.

# Guide For Citizen Petitions And Warrant Articles



---

Published by  
The Natick Finance Committee

February 1, 2017

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<b>DISCLAIMER.....</b>	<b>3</b>
<b>OVERVIEW.....</b>	<b>3</b>
<b>ACKNOWLEDGEMENTS .....</b>	<b>4</b>
<b>TOWN MEETING WARRANT .....</b>	<b>5</b>
<b>WARRANT ARTICLE .....</b>	<b>6</b>
<b>TIMING FOR SUBMITTING AN ARTICLE.....</b>	<b>6</b>
<b>HOW TO DRAFT AN ARTICLE .....</b>	<b>7</b>
<b>OTHER IMPORTANT CONSIDERATIONS .....</b>	<b>8</b>
<b>WARRANT ARTICLE MOTIONS .....</b>	<b>10</b>
<b>HOW AND WHEN AN ARTICLE BECOME A MOTION .....</b>	<b>10</b>
<b>CRAFTING A MOTION.....</b>	<b>10</b>
<b>SCOPE OF AN ARTICLE MOTION .....</b>	<b>11</b>
<b>BEGINNING TO END PROCESS OVERVIEW .....</b>	<b>13</b>
<b>GETTING AN ARTICLE ON THE WARRANT.....</b>	<b>13</b>
<b>PLANNING FOR THE FINANCE COMMITTEE HEARING.....</b>	<b>14</b>
<b>COMPLETING FINANCE COMMITTEE HEARING.....</b>	<b>15</b>
<b>AT TOWN MEETING .....</b>	<b>15</b>
<b>STEP BY STEP GUIDE TO MANAGING THE WARRANT ARTICLE PROCESS .....</b>	<b>17</b>
<b>WHAT IS A PETITION ARTICLE? .....</b>	<b>17</b>
<b>PUTTING A PETITION ARTICLE ON THE WARRANT.....</b>	<b>20</b>
<b>VALIDATING A PETITION ARTICLE FOR THE WARRANT.....</b>	<b>21</b>
<b>PREPARING FOR WARRANT ARTICLE HEARINGS .....</b>	<b>22</b>
<b>COMPLETING FINANCE COMMITTEE HEARINGS .....</b>	<b>25</b>
<b>AT TOWN MEETING .....</b>	<b>28</b>
<b>WHERE TO OBTAIN ADDITIONAL ASSISTANCE FOR CITIZENS' PETITIONS.....</b>	<b>33</b>
<b>BOARDS, COMMITTEES AND COMMISSIONS – POINTS OF CONTACT .....</b>	<b>34</b>
<b>APPENDICES .....</b>	<b>35</b>
<b>Sample Articles and Motions.....</b>	<b>35</b>
<b>Warrant Article Questionnaire .....</b>	<b>36</b>
<b>Section I - Instructions for completing this questionnaire .....</b>	<b>37</b>
<b>Section II - Questions and Additional Prompts .....</b>	<b>39</b>
<b>Section III – Questions with Response Boxes .....</b>	<b>42</b>
<b>Citizen Petition Form/Instructions .....</b>	<b>45</b>

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### DISCLAIMER

This Guide explains generally the procedure to call for a Town Meeting, to insert an article on the warrant and to present a motion at a Town Meeting. Depending on the subject matter and other factors beyond the scope of this Guide, additional details may be involved, including the need for legal research, drafting and analysis. This summary and Guide is not intended to be legal advice applicable to all situations nor a substitute for legal research and analysis on a particular matter.

### OVERVIEW

Action may be taken at Town Meeting only on items appearing in the Warrant for the meeting. Section 2-11 of the Natick Home Rule Charter provides the specifics for Town Meeting Warrants.

Citizens who want to bring an Article petition before Town Meeting are encouraged to speak with the Town Administrator, the Board of Selectmen or other Town Agency, Board, Committee or Commission that might have oversight on the matter, well in advance of Town Meeting or Special Town Meeting. Citizens are not required to have these discussions, but by doing so, the Petitioner may be able to reach an agreement for the Town to make changes to address the need without the need for a citizen petition for the warrant.

The citizen interested in filing a petition article should also recognize the need to schedule time with Finance Committee and possibly other Town Agencies that might have oversight during the Warrant Hearing period and to prepare additional documents, questionnaire and supporting materials for these hearings and meetings. The information in this Guide will provide some insight to timing and sequencing and includes information on:

- The Town Meeting
- Putting an Article on the Warrant
- Writing a Motion
- A Step By Step Review of the Process (Article Idea to Town Meeting Vote)
- Additional Support Resources

If a citizen is interested in using a pre-defined form for their citizen petition, the form provided in this guide (see Appendices) is available. Additional copies of the Citizens' Petition form may be obtained at any time of the year from the Office of the Town Administrator and Board of Selectmen.

The Finance Committee (Finance Committee) is a standing committee of Natick Town Meeting. It reviews the capital and operating budgets of the town departments and agencies. The Finance Committee, as is required by the Natick Home Rule Charter (the Charter) and Town By-Laws, also evaluates and makes recommendations on all articles on the warrant whether or not those articles affect the finances of the Town and would therefore include all citizen petitions.

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

To assist Natick voters interested in petitioning the Selectmen to place an article on the warrant for Town Meeting, please consider the information available in this Guide for helpful explanations and procedures. It's hoped this Guide is of benefit to the citizen petitioner and all others involved to help Town Meeting be in the best position to act on the petition.

### ACKNOWLEDGEMENTS

Materials and content contained in this Guide have been gathered from a variety of sources. It should be noted that the Natick Home Rule Charter and By-Laws, and the Town Meeting Handbook (all available on the town web site) are definitive reference documents for this Guide. As well, material was used from other Towns and Communities including Amherst, Hull, Littleton, Needham, Reading, Wareham and Weston. To the best of our knowledge those materials and content were not copyrighted or otherwise protected and we gratefully acknowledge their public posting of materials relevant to our need.

Natick's Finance Committee is making this document available to any others that would like to use portions of, or all of the contents contained in this document. In order to continue building on the value of this Guide and to maximize best practices the users of this document can:

- **Share** — copy and redistribute the material in any medium or format
- **Adapt** — remix, transform, and build upon the material
- Under the following terms:



**Attribution** — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.



**NonCommercial** — You may not use the material for commercial purposes.



**ShareAlike** — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.

## TOWN MEETING WARRANT

The Town of Natick operates as a Representative Town Meeting-Selectmen-Town Administrator form of government with Town Meeting as the legislative branch of Natick's government – the body with the power of the purse and the power to make laws. Natick convenes two (2) annual Town Meetings - once in the spring and once in the fall.

The spring session is held on the second Tuesday following the Annual Town Election; the Fall Annual Town Meeting session on the third Tuesday in October. [Charter Section 2-12(a); By-Laws, Article 1, Section 1] By the Town Charter, the Spring Annual Town Meeting session is primarily concerned with the determination of matters involving the expenditure and commitment of town funds, including but not limited to the adoption of an annual operating budget for all town agencies for the following fiscal year (July 1- June 30). [Charter Section 2-12(a)] The fall session usually focuses on zoning or other non-budgetary matters, but this is not required; budgetary matters may be discussed at that session, as well.

Special Town Meetings may be called in the sole discretion of the Board of Selectmen, for example, when matters arise that cannot wait for the spring or fall town meeting. It is also possible for citizens to petition the Selectmen, with the minimum number of signatures of registered voters, to call a Special Town Meeting.

Each Annual Town Meeting or Special Town meeting, every town meeting is called by a warrant issued by the Board of Selectmen stating the time and place of the Town Meeting and, by separate articles, the subjects, which are to be acted upon. [Charter Section 2-11(a)]

The warrant is sometimes called a “warning;” no action at a Town Meeting is valid unless the subject matter is contained in the warrant. “This requirement does not mean that the warrant must contain verbatim the language of the votes to be taken, but the warrant must contain a sufficient description of what is proposed so as to constitute an adequate warning to all the inhabitants of the town. [Town Meeting Time, Chapter 1, Section 4]

Readers can also reference Massachusetts General Laws, Chapter 39, Section 10 for supportive language on Warrants; Issuance, Contents (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter39/Section10>)



### WARRANT ARTICLE

An article is like an agenda item— it tells people what is to be discussed and what is being sought. For any matter to be discussed at Town Meeting, it must fall within the scope of the article. That is, someone reading the article must be able to tell what is going to be discussed. If something is then brought up which a person would not reasonably know was going to be discussed by reading that article, it cannot be discussed and will be considered, by the moderator, as being beyond the scope of the article.

A warrant article sets the general bounds or “scope” of the action you want town meeting to take. Depending on the purpose of the article, the amount of detail that is necessary varies. For example, if you want to purchase a piece of office equipment all that you may need to say is: “To see if the Town will purchase four (4) fire-proof file cabinets”.

On the other hand if your warrant article seeks to amend a zoning by-law or the zoning map you must provide sufficient information to inform the public of the by-law provision, the proposed changes to it, or the location of the area of the map which you seek to change, and possibly provide a map.

How much you include in a warrant article determines the latitude with which Town Meeting may amend your request either in the main motion-recommendation that is brought to the floor or in an amendment to the main motion.

### TIMING FOR SUBMITTING AN ARTICLE

The Board of Selectmen officially opens the Warrant to receive petitions for the Spring Annual Town Meeting and for the Fall Annual Town Meeting for a specified time period as designated in the Natick Home Rule Charter, Section 2-11.

The Charter essentially says that the warrant is opened sixty (60) days in advance of the date of Town Meeting, each spring and fall. The Town’s Charter and By-Laws determine those dates. If the Selectmen call for a Special Town Meeting, the notice of the Special Town Meeting must be published in the local newspaper, such as the MetroWest Daily News, and then the warrant is open for two (2) days following the publication of the notice. In all cases the warrant closes at 5:00 PM on the last day and all requests or petitions for articles must be received by the Selectmen’s office by that date and time.

There is a Citizen Petition form with instructions included in this guide. However, citizens are free to use any form or format they desire to submit their citizen petition provided it meets the standard set forth in the Charter Section 2-11 (b):

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### **Natick Home Rule Charter, Section 2-11 (b)**

**Initiation of Articles** - The board of selectmen shall receive all petitions, which are addressed to it and which request the submission of particular subject matter to the representative town meeting and which are filed by: (1) any elected town officer, (2) any multiple member body, acting by a majority of its members, (3) any ten voters, (4) such other persons or agencies as may be authorized by law, or by by-law. All such requests for submission of matters shall be in writing, but they shall not be required to conform to any particular style or form. The board of selectmen shall within fourteen days of receipt of a proposed zoning by-law amendment submit the same to the planning board for review.

### HOW TO DRAFT AN ARTICLE

There is no required wording, but it may be helpful to follow the traditional language used. An example would be “To see if the Town will.....[then state what you want] I.e. “amend the General By-Laws of the Town by adding to Chapter 124 the following:- [then state what you want]”; “raise and appropriate or appropriate from available funds a sum of money to paint the flag poles”; “accept the provisions of G.L. c. XXX, which calls for such and such”.

It is helpful, although not fatal if not done, to include at the end of the article the phrase “or take any other action relative thereto.” That phrase helps give notice to people that the exact action taken may not be exactly what was stated in the article, but would be relative to what was stated in the article.

Zoning articles must identify the location of Town where the zoning change is to be applicable. There are other rules depending on the nature of the article.

People have been petitioning Town Meetings for decades. You can see how citizen petitions look as well as articles and motions prepared by local officials by looking at the Annual Report of the Town for any year. The Town Clerk publishes in the report the warrant and motions of the various Town Meetings. Certain types of requests for Town Meeting action require special wording. Sometimes there is a statute which requires that the article and motion be stated a certain way. Items involving money require compliance with state municipal finance laws. In any situation where there is money involved, it is a good idea to meet with the Town Administrator to determine what might be a source of funding and to gain support for the funding request.

While the Town in certain instances can give advice on matters, it is generally not considered appropriate for the Town to write citizen petition articles or motions. Citizen petition articles are the citizens’ right to petition government. Sometimes they may involve matters that the local government leadership does not support or feel are appropriate. Therefore, to have the

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

Town involve itself too directly in such petitions by writing the article or motion would potentially cause too much intermingling of the government into the citizens' affairs. This is especially so if there was to be a challenge or dispute over the citizens' article or motion. In appropriate cases, suggestions can be made.

Town Meetings and the Town Meeting process are foundations for our democratic system. Through the process, you—the public—can participate in community affairs and the operation of your local government.

### Anatomy of a Warrant Article

Every warrant article has to provide substantive information to allow it to work its way through the legislative process, to receive funding, and approval, if required, from any one or more of Bond Counsel, the Dept. of Revenue and/or the Attorney General.

**The Identifier:** Article #\_\_\_\_\_ (this is assigned by the Selectmen once the warrant closes on the last day)

**Title:** File Cabinets for Town Collector (It can be mentioned here that the title is not a legally binding reference to the article and therefore, the wording can be a little looser than the article itself, provided the title acts as an indicator of the purpose of the article.)

**The Preface Clause:** "To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money ...

**The Proposition Clause:** "to purchase four (4) fire-proof file cabinets for the Town Treasurer's office" ....

**Authorization to Modify Proposition:** "or otherwise act thereon".

### OTHER IMPORTANT CONSIDERATIONS

The citizen petition must satisfy the requirement of collecting signatures of at least ten (10) registered voters to sponsor the petition. It's recommended that the citizen collect sufficient extra signatures to overcome any nullified during the certification process. The certification takes place only AFTER the petition has been turned in and AFTER the Warrant has closed. If the petition fails to meet the ten (10) registered voter minimum the Town Clerk will de-certify it and the Article will NOT be included in the warrant. Once the citizen petition is certified by the Town Clerk as having ten (10) registered voters of the Town of Natick, the petition will become an article for inclusion in an Annual or Special Town Meeting warrant.

Citizen petitioners should also understand:

- The article will appear on the Town Meeting Warrant EXACTLY as submitted, including spelling and punctuation.

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

- It is the Primary Sponsor's responsibility to make sure article wording is in the proper form to be considered by Town Meeting.
  - Town Counsel is not available to the public for this purpose.
- Sponsors of a petition articles are encouraged to secure more signatures than necessary, in the event some signatures are disqualified for any reason (i.e. non-registered voter, illegible signature, etc.)
- The article is required by Natick Home Rule Charter and By-Laws to be considered by the Finance Committee in a Public Hearing.
  - Once the Article is certified, the Finance Committee Chairman will contact the Primary Sponsor to schedule the Public Hearing date and provide further documents for the sponsor to complete in advance of the Public Hearing date
- An article seeking a change to Zoning By-laws also requires a Public Hearing with the Planning Board.
  - Article requests for zoning amendments should be closely coordinated with the Planning Board prior to submission to assure compliance with MGL Chapter 40A Section 5.
  - Sponsors should contact the Director of Economic & Community Development
- Town Counsel may be asked by Town Officials to review submitted petition articles and opine as to their legal effect, but this is done at the Town's discretion and no Town resources are available for the citizen petitioner.
- The sponsors of the article will be required to prepare the MOTON for consideration by Town Meeting.
- The primary sponsor is expected to be the spokesperson/presenter at the Finance Committee hearings and at Town Meeting. If the sponsor is not prepared for that role they should be ready to designate someone else.

As a reminder, interested citizens can find a recommended (***but not required***) Citizen Petition Form and accompanying instructions in the Appendices of this Guide. This form may be helpful to a citizen petitioner in meeting the minimum requirements of the Natick Charter 2-11 (b) requirements, as well as provide additional benefit to both the citizen petitioner and the Town Agencies involved in managing the Town Warrant processes.

If a citizen petitioner chooses to use their own form(s) and format to file a petition there is no requirement by our Charter and By-Laws to provide contact information. However, to help facilitate the outreach from Finance Committee to schedule the required hearing and provide the necessary information, which is covered in this Guide, it is very helpful if the citizen petitioner provide contact information (home phone, mobile phone, email address) so Finance Committee can reach out.

## **WARRANT ARTICLE MOTIONS**

### **HOW AND WHEN AN ARTICLE BECOME A MOTION**

In Natick, it is customary and expected that the primary sponsor of the article (the citizen petitioner) will draft the motion for his or her article. Prior to a Finance Committee hearing on the article, the petitioner, based on the scope of the article and consistent with the goal for the article, must draft their motion and submit it to the Finance Committee. The Sponsor writing the motion is not an optional step, but a clear requirement on the path to Town Meeting.

Following the public hearing on the article, the Finance Committee will vote a recommendation to Town Meeting on the article. The recommendation is a vote on the merits of the article, but the vote really is on the motion itself. Upon conclusion of the vote Finance Committee will provide a recommendation on all articles to Town Meeting in the Finance Committee Recommendation Book. In the Finance Committee Recommendation Book the Finance Committee may also make comments, give an explanation or report on how it made its decision. If Finance Committee voted to recommend favorable action, usually and by custom, the Motion printed in the Finance Committee Recommendation Book will become the main motion for the article. On the floor of Town Meeting the main motion, once moved and seconded, is what is debated and voted.

### **CRAFTING A MOTION**

No special language is required for the motion, but motions which involve spending money must also state where the money is coming from and under whose authority or direction the monies may be expended.

Care in writing the motion is very important because, as was stated above, the motion is a declarative statement that states what Town Meeting will or won't do. The wording of the motion does not necessarily have to be the same wording as the warrant article. If the motion does not change the wording in the article, the motion could request that the article be adopted as printed in the warrant. The Finance Committee suggests the sponsor become familiar with motions submitted for articles at prior Town Meetings to assist the sponsor in drafting an accompanying motion to a warrant article.

Sponsors may also arrange consultation with their legal counsel, if they chose to have one, as early as possible before the due date of the motion for the public hearing in order to mitigate any issues on the part of the sponsor in writing the motion. Again, this is not a requirement but often is a good idea for more complex motions.

### **Anatomy of a Motion:**

Here is how the article would progress to a motion:

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

The **Preface clause** from the warrant article becomes the **Authorization Clause** in the motion by stating the limit of the appropriation: “Move that the Town raise and appropriate the sum of \$24,000....”

The **Proposition clause** from the warrant article becomes the **Directive clause** in the motion, setting the limits for which the money can be spent: “for the purchase of three (3) five-drawer Class AA fire-proof, locking legal file cabinets for the Treasurer’s office...”

The **Funding clause** grants the manner in which the funds are secured and where the funding is going to come from: “and further to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of \$24,000 under the provisions of Chapter 44, Sec. [...] and Section [...] or any other enabling authority.”

Please note the above is just an example. The citizen petitioner should determine the correct format and content for their particular petition. There are specific requirements for articles that involve zoning changes and borrowing, to cite just two examples requiring specific language.

Article requests for zoning amendments should be closely coordinated with the Planning Board prior to submission to assure compliance with MGL Chapter 40A Section 5. Readers can also reference Massachusetts General Law, Chapter 39, Section 10 for supportive language on Warrants; Issuance, Contents (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter39/Section10>)

### SCOPE OF AN ARTICLE MOTION

At the Town Meeting, the Moderator will examine whether a main motion is within the scope of the article. The motion must spell out the details enough to be unambiguous as to the intent of the warrant article. There is a limit to how liberally a Moderator can interpret a motion. Does the motion propose an action, which can reasonably be inferred from the warrant article?

#### Back To The File Cabinet Example

Generally, as in the illustrative example of the file cabinets used earlier, it is always prudent to not stretch the motion to include more than what was asked for. In the example of the file cabinets, because the dollar amount was not included in the text of the article, the motion can be specific about the amount requested.

If the warrant article had sought to appropriate the sum of \$15,000, or stated that the cost “shall not exceed \$15,000”, then it would be outside of the scope of the article if the motion included “to raise and appropriate \$24,000 to purchase four file cabinets” and the Moderator could rule the motion out of order.

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

The number of file cabinets requested in the article was four (4), so it does not give license to consider five (5) cabinets. Five (5) cabinets would have been outside the scope of the warrant article. However, because the three (3) file cabinets contained in the motion is more restrictive than the four (4) file cabinets included in the article, this motion is within the scope of the article in the example.

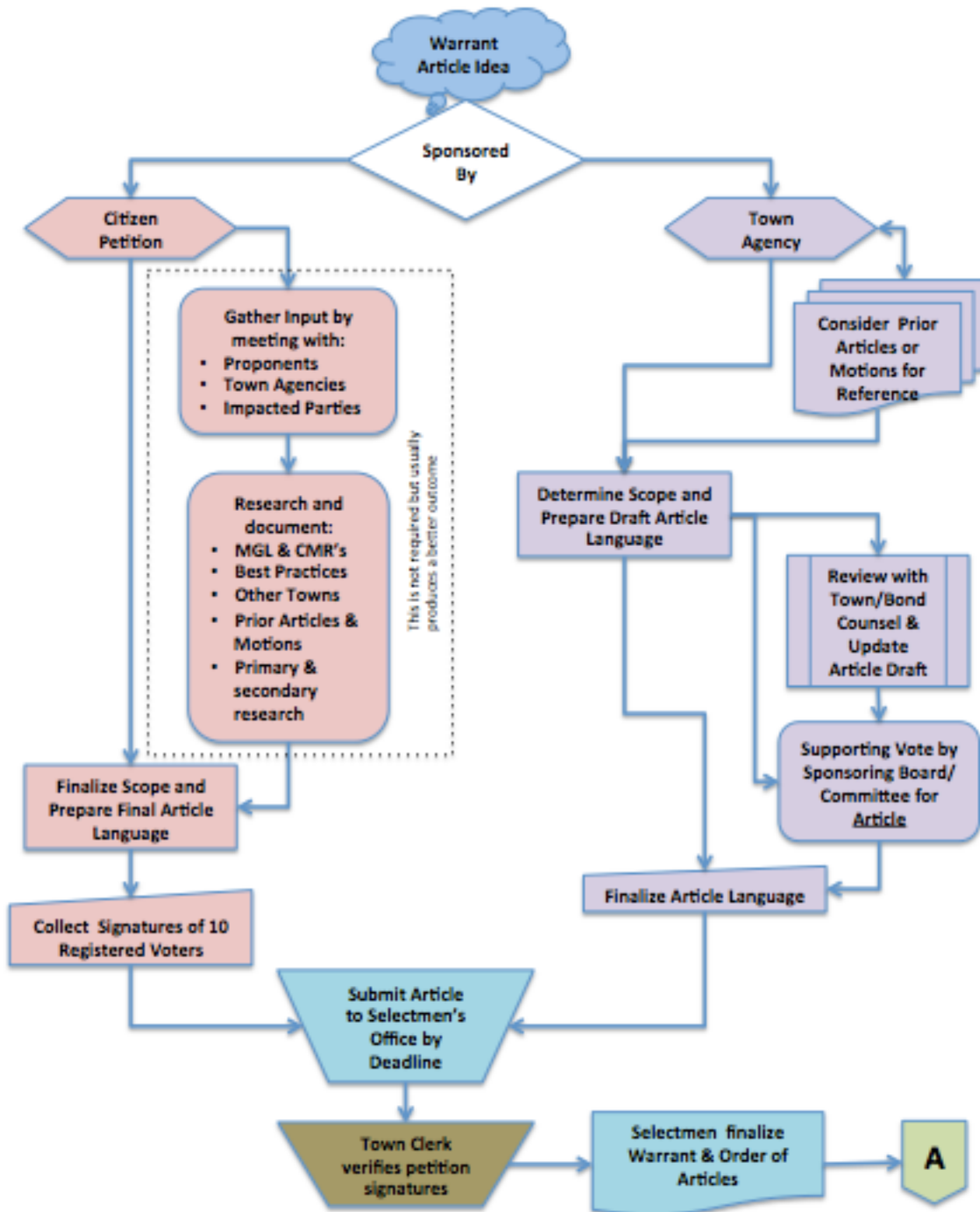
Had not borrowing been requested in the “Preface clause” of the warrant article, bond counsel would have refused to allow borrowing for two basic reasons: 1.) Borrowing encumbers the use of future town funds and (2.) the voters had not been adequately warned that they would be asked to obligate the Town to borrow.

Zoning articles and by-law changes are reviewed by the Attorney General’s office and they include a review of any procedural steps that were/should have been taken by the Town. For example a Zoning By-Law change requires a Public Hearing with the Planning Board as a procedural step. The Planning Board must place a legal notice in the Metro West Daily News with at least fourteen (14) days in advance of any Hearing. It must also contact all abutters. So, in this example there are procedural steps to confirm.

## BEGINNING TO END PROCESS OVERVIEW

In the following charts “FinCom” refers to the Finance Committee, “MGL” refers to the Massachusetts General Laws, and “CMR” refers to the Code of Massachusetts Regulations.

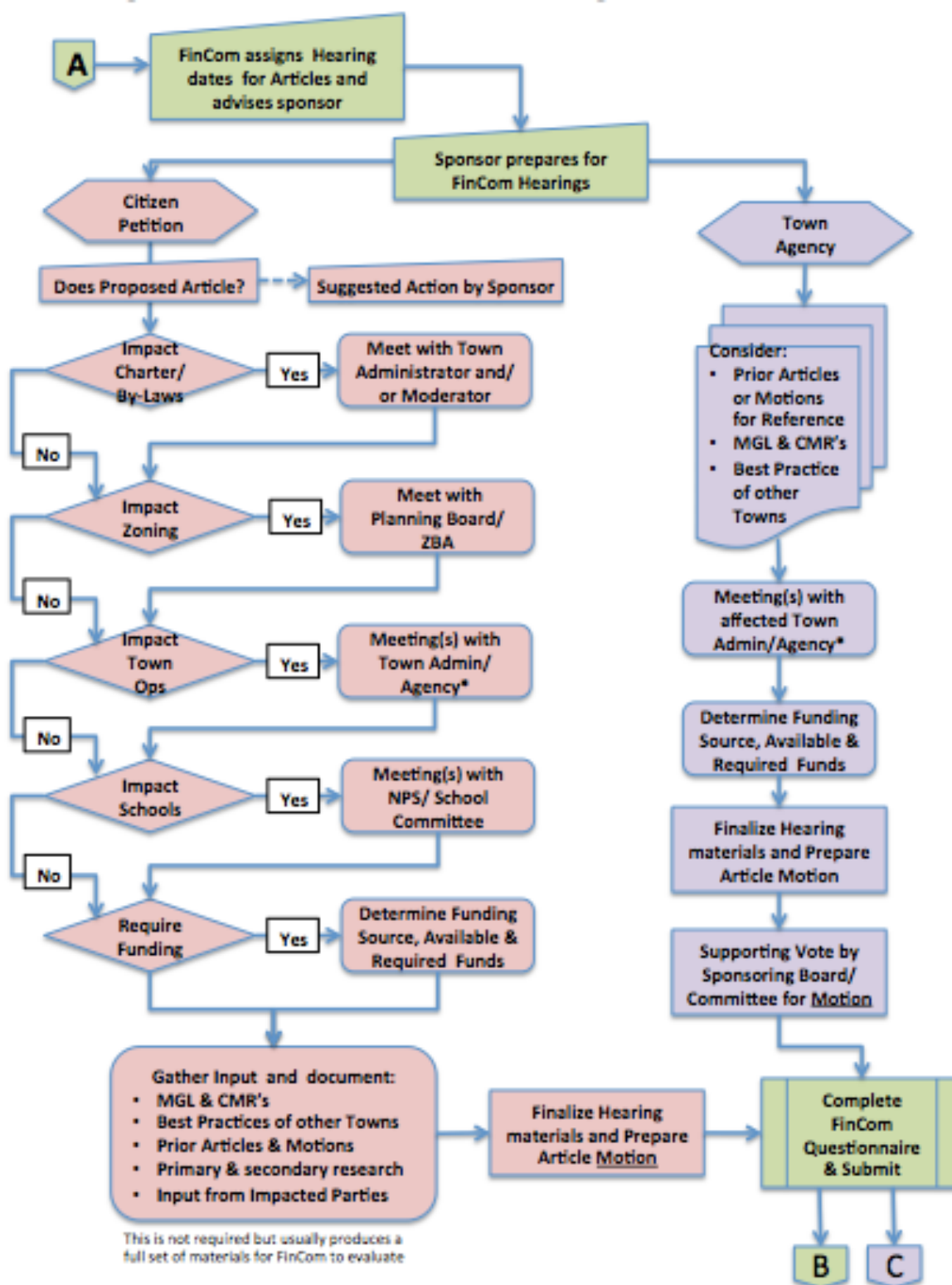
### GETTING AN ARTICLE ON THE WARRANT





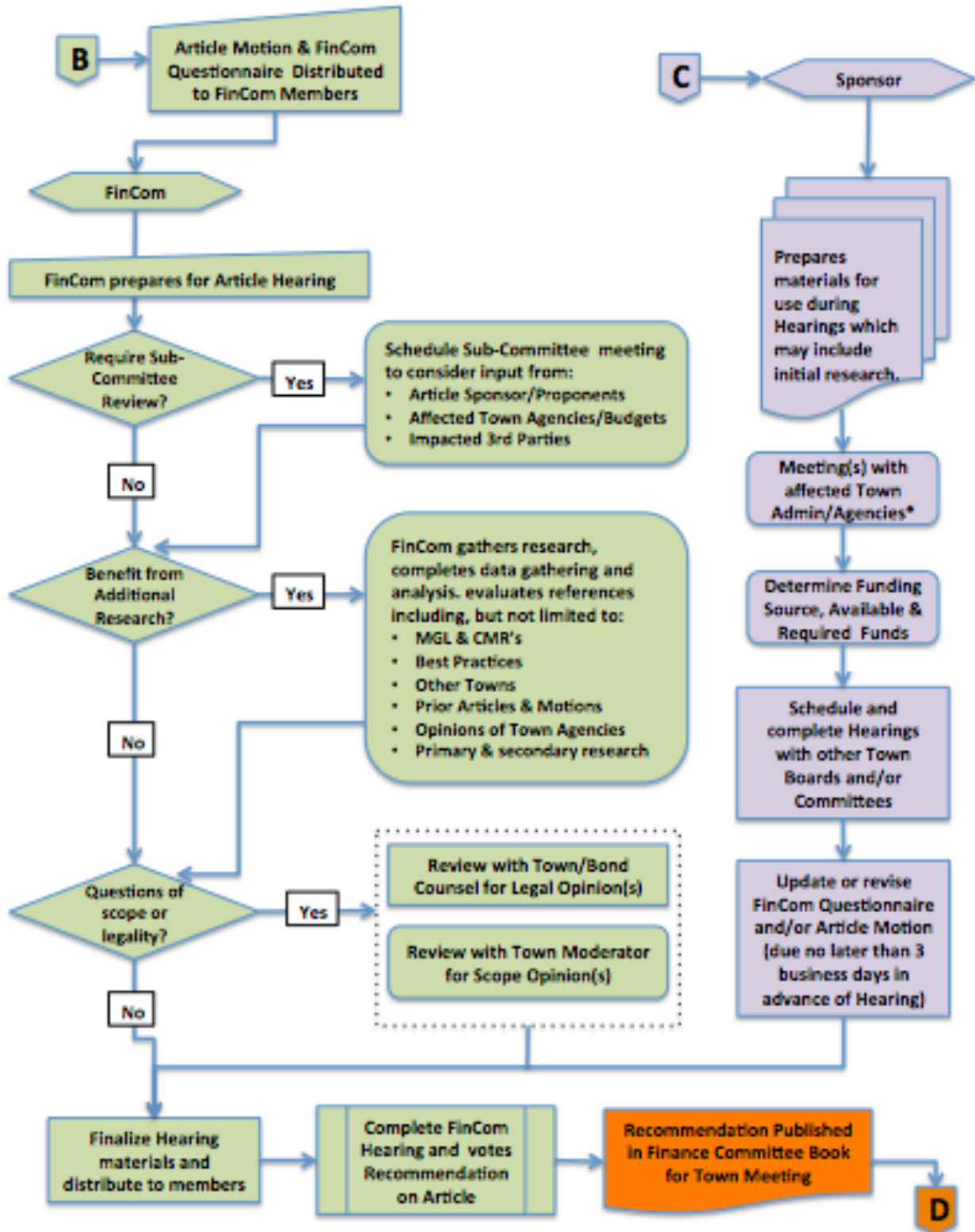
# GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

## PLANNING FOR THE FINANCE COMMITTEE HEARING



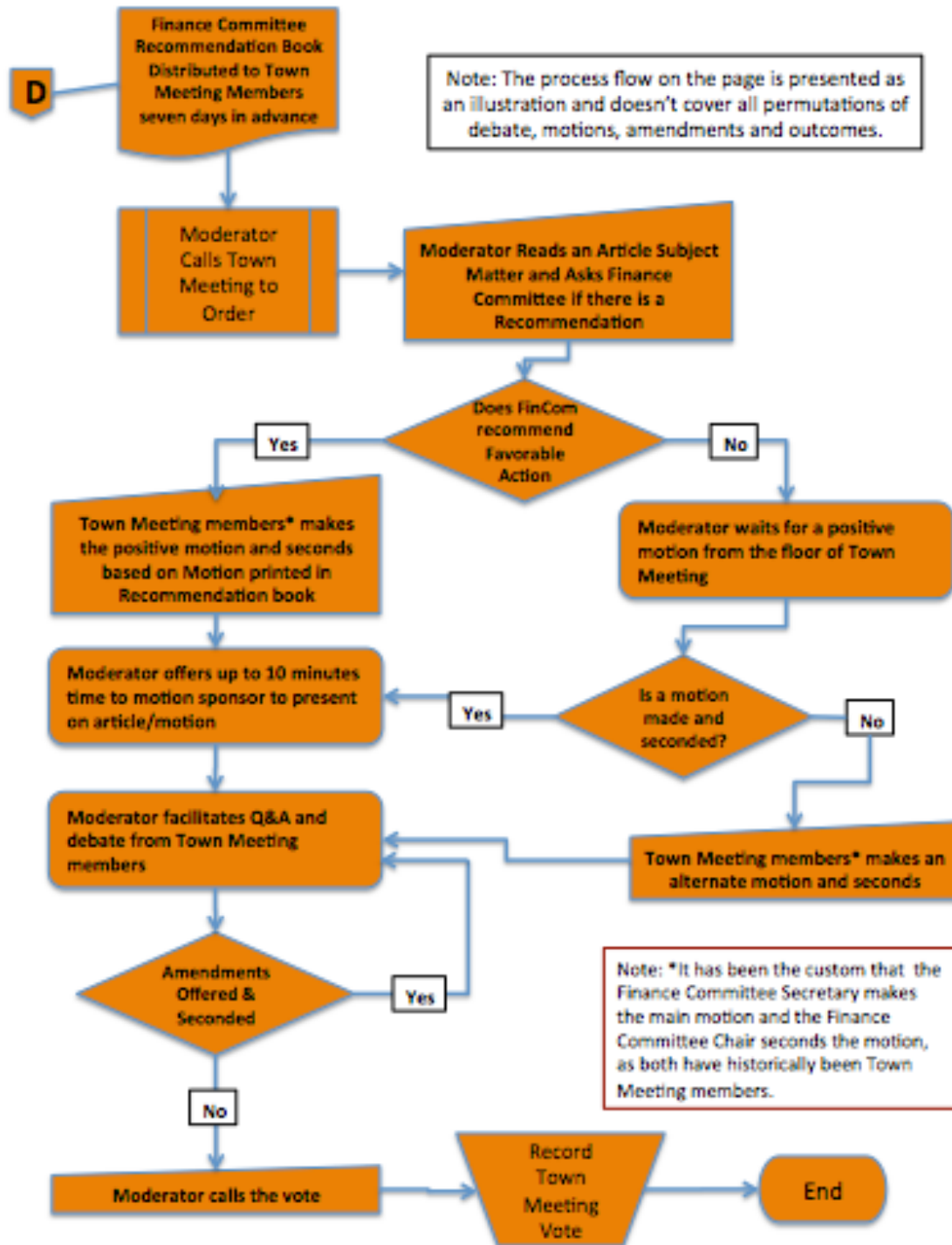
# GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

## COMPLETING FINANCE COMMITTEE HEARING



## AT TOWN MEETING

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES



## STEP BY STEP GUIDE TO MANAGING THE WARRANT ARTICLE PROCESS

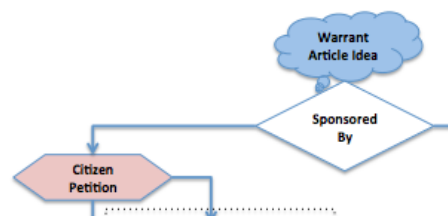
### WHAT IS A PETITION ARTICLE?

A petition article is an article brought to Town Meeting for discussion and possible action by a citizen (rather than by a Board or Committee of the Town). The Natick Home Rule Charter allows for a citizen petition article provided the petition is signed by at least ten (10) registered voters. Any person or group can bring a petition article on any topic that is relevant to action by Natick Town government.

In the past there have been petition articles dealing with zoning, specific department operations, purchases of land for open space, establishing study committees, and banning plastic bags, as some examples. It is important to note that a warrant article is different than a resolution, which doesn't appear on the warrant and is a non-binding vote, typically on a social justice matter or more often to recognize a person for exemplary commitment and/or performance of duties.

The following questions may be useful for a resident to consider before placing an article on the warrant and while preparing a case for its adoption, as these questions generally come up during Finance Committee hearings.

- Has the problem been carefully defined and analyzed? Have alternative solutions been considered? Is more study required?
- How does the proposed action fit into the framework of other local efforts currently underway (i.e. Natick Master Plan, Sustainability Initiatives, etc.)? Is state action pending?
- Can a Town committee or Town Official handle the matter more effectively?
- Have the Board of Selectmen, Town Administrator, School Committee and Superintendent, Planning Board or other Town Agency had an opportunity to address the issue before bringing it to Town Meeting?



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

- Is a vote of Town Meeting as effective as citizens' letters, telephone calls, or petitions in the case of addressing local issues?

Though not required, having early discussion with the Town Agencies or Boards allows town officials to give a citizen's suggestion careful consideration and, if they are favorably disposed, to incorporate it into their own proposals.

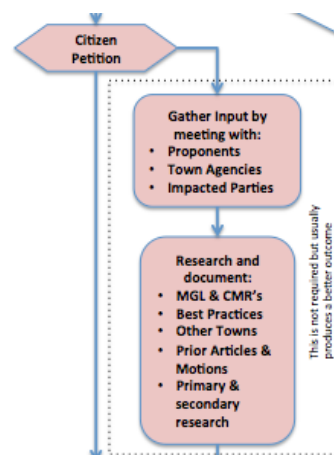
If after such consultation, those proposing action decide to sponsor a warrant article, the next step is drafting the article. Care in this step is critical; if an article is poorly worded, it may be impossible to draft a motion that will achieve the intended purpose.

The sponsor is not required to complete any research, gather documents or input prior to submitting a citizen petition.

However, best practices and experience show that citizen petitions that have been developed with input from various parties, such as Town Administration, other Town Agencies, proponents of the petition and even of particular importance, the impacted parties, are well prepared for the Public Hearing process.

Many sponsors use all available resources to prepare their thinking and the formulation of the scope and language of the article petition. The process flow step shown to the right lists some examples.

Submitting a petition at the last minute is usually not a good idea if the material has not been discussed with those having jurisdiction over the subject matter or if the petitioner has not had time to write and refine the language. Enough time should be allowed to adequately research the topic and to assess the effect of the proposed change on existing laws and regulations.



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

Developing the final language for the article is a critical step in the citizen petition process. The scope of the article should be general and broad enough to provide the sponsors flexibility, if necessary, when they finally write their formal motion. But the article language must be specific enough to provide the “four walls” of the intent of the article.

An **article** is essentially an agenda item– it tells people what is to be discussed and what is being sought. For any matter to be discussed at the meeting, it must come within the scope of the article. In other words, someone reading the article must be able to tell what is going to be addressed. If a subject is then brought up which a person would not reasonably believe was going to be discussed by reading that article, the Moderator would probably rule that the subject cannot be discussed and that it is beyond the scope of the article.

A **motion** is a formal proposal that is presented before the voters at the Town Meeting for action on a particular article. It must be within the scope of the article.

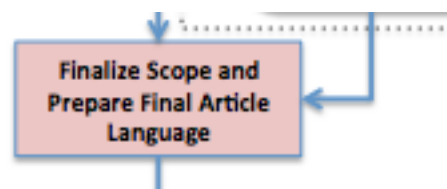
Though there will be time later to write the motion for Town Meeting vote, some sponsors have actually worked at writing their intended motion first- at least in a draft format- so as to have a better appreciation for what the scope of the article language might need to be.

Keep in mind that the article will appear on the Town Meeting Warrant EXACTLY as submitted, including spelling and punctuation.

- It is the Primary Sponsor’s responsibility to make sure article wording is in the proper form to be considered by Town Meeting.
- Town Counsel is not available to the public for this purpose.

Sponsors are encouraged to consider a few of the example articles that are provided in this Guide, beginning in the Appendix section.

Care in the writing and the timing of articles is very



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

important. Petitioners should ensure that the action the article proposes conforms to State law, Town of Natick Home Rule Charter and By-Laws, and is within the purview of Town Meeting. An article should be phrased to accurately accomplish its intended purpose.

Depending on the subject matter of the article, it may require further review by the Selectmen, the School Committee, and/or the Planning Board. In all cases it will come before the Finance Committee.

### PUTTING A PETITION ARTICLE ON THE WARRANT

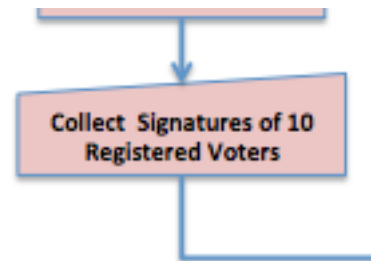
Petition articles can be written on any type of paper and constructed in any manner the petitioner wishes provided it meets the requirements of Section 2-11 of the Natick Home Rule Charter. But, petitions must be submitted on “hard copy” as a written or typed document and submitted to the Selectmen’s office by the due date and time. So, no emails or faxes.

Citizens are welcome to use the form available from the Town Administrator’s Office, a copy of which is included in this guide, which facilitates the process and format for submitting a petition article for insertion into a warrant for the Spring or Fall Annual Town Meeting or a Special Town Meeting.

*Use of the provided form is not legally required; use of this form is preferred and may make the overall process more effective.*

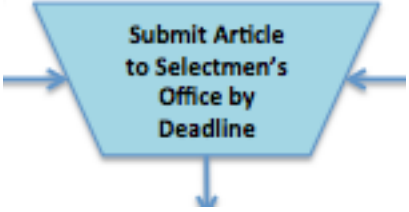
On the form, print or type your proposed article in the space provided on the page. Use as many subsequent page forms as you need. If you intend to ask others to help you collect signatures be sure each person has a full text copy of the proposed article language. The primary sponsor should be the same name on all pages submitted.

To be valid, a signature must be from a registered Natick voter. When collecting signatures, first ask if the person is registered to vote in Natick.

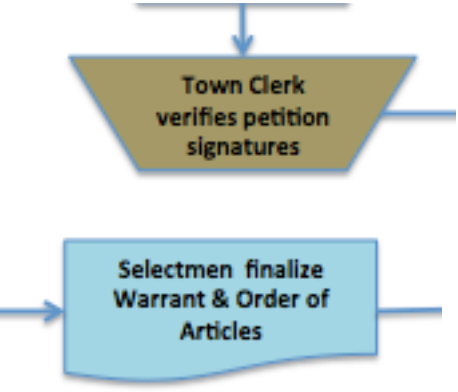




## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

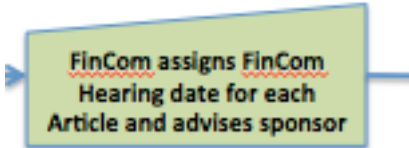
<p>Sometimes people will mistakenly say that they are registered to vote in Natick. For this reason, always collect more signatures than are actually needed. Collecting signatures is also a good way of educating the public about your proposed article.</p>	
<p>Once you collect the required number of signatures, petitions should be turned into the Selectmen's Office. The primary sponsor is responsible for being the petition's point of contact for future activity and action with the petition.</p> <p>CONGRATULATIONS! You have completed the first major step to having your petition placed on the Warrant.</p> <p>But your work is not done so after you hand in your petition form, you should begin preparing for the next series of events.</p>	 <pre> graph TD     A[Submit Article to Selectmen's Office by Deadline]     B[ ] --&gt; A     C[ ] --&gt; A     A --&gt; D[ ]             </pre>

## VALIDATING A PETITION ARTICLE FOR THE WARRANT

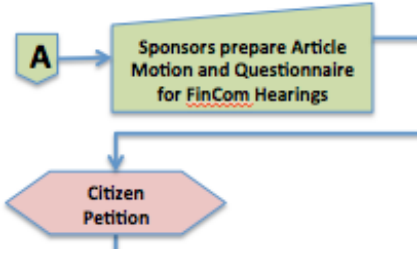
<p>After you deliver the citizen petition to the Selectmen's office by the due date and the Warrant closes there are a few steps taken to validate the petitions and prepare the Warrant for approval and publication.</p> <p>First, for all citizen petitions, the signatures of the petitioners and sponsor are cross-referenced to the current registered voter roles by the Town Clerk to ensure each is a valid signature.</p> <p>Second, the Town Clerk confirms there are at least ten (10) registered voters on the petition. If the petition lacks the required signatures it is not included in the Warrant.</p> <p>Third, the petition is numbered and placed in the Warrant document as an Article</p> <p>Fourth the Warrant is presented to the Selectmen for review, acceptance and requires a positive vote for</p>	 <pre> graph TD     A[ ] --&gt; B[Town Clerk verifies petition signatures]     B --&gt; C[ ]     C --&gt; D[Selectmen finalize Warrant &amp; Order of Articles]             </pre>
--	--



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<p>publication. That typically happens on the Monday evening following the close of the Warrant. At that time, the petition is now formally an article on the Warrant and ready to move onward.</p>	
<p>Once the Selectmen have finalized the Warrant and validated it for publication, the Finance Committee takes on the primary role of managing the Warrant process up to Town Meeting. The Finance Committee schedules a Public Hearing for all warrant articles, which typically run for 5-8 evenings.</p> <p>You will likely be called or emailed by the Chair of the Finance Committee within a day or two of the warrant being finalized and published. The Chair will work with the primary sponsor to schedule a hearing date and to set out specific guidelines for the hearing process.</p>	 <pre> graph LR     A[ ] --&gt; B[FinCom assigns FinCom Hearing date for each Article and advises sponsor]     B --&gt; C[ ]             </pre>

### PREPARING FOR WARRANT ARTICLE HEARINGS

<p>The Finance Committee Warrant Public Hearing is a series of meetings where articles are presented to the committee and the primary sponsor engages in questions and answers with Finance Committee members. This is where the sponsor presents their case and may be the first place where the sponsor can advocate for the article and develop public awareness and build support for a positive outcome.</p> <p>Since it is a Public Hearing, this is the time and place for all interested parties to come and learn about the article subject matter and for citizens to speak to the merits of the article.</p> <p>In preparation, the sponsor might want to reference the required Finance Committee Warrant Article Questionnaire well in advance. It is provided in this Guide and is also available on the Finance Committee page on the Town web site.</p>	 <pre> graph TD     A[A] --&gt; B[Sponsors prepare Article Motion and Questionnaire for FinCom Hearings]     B --&gt; C{{Citizen Petition}}             </pre>
---	---

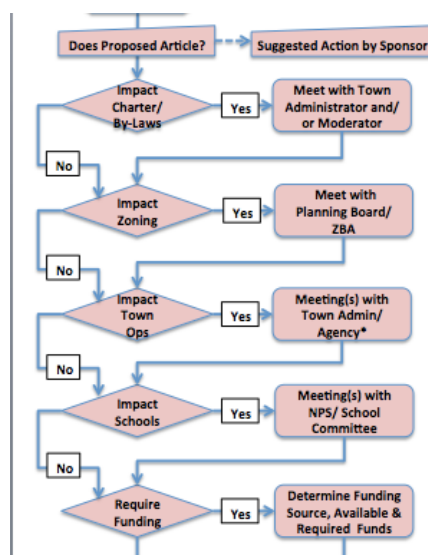
## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

Depending on the subject matter of the article, and how it may impact Town Agencies, Budget, By-Laws, etc., the sponsor might need to coordinate multiple meetings and/or public hearings.

As you can see from the process flow in the adjacent box, if the article impacts any one or more of the different entities listed, it may require further review by the Selectmen, the School Committee, and/or the Planning Board.

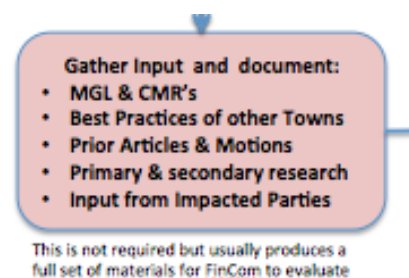
Following this process provides greater assurance that interested or impacted parties were notified in a timely way and had a chance to participate in the process, required public hearings or meetings were held and all appropriate Town Boards were consulted.

It is always the sponsor's responsibility to schedule the meetings with Town Agencies or Boards and Committees, ensure time lines are understood and managed and due dates are met.

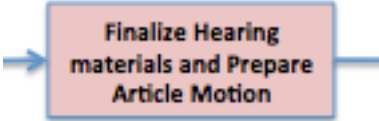


Sponsors of articles should be prepared to present the merits of their proposals. While the article and the petitioner's intent may be a good idea, or even a great idea, the Finance Committee and Town Meeting is seeking to understand:

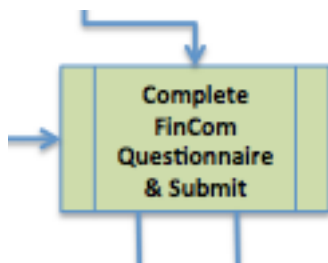
- Does the sponsor have an understanding of the problem to be solved – is it clearly defined?
- A sense of whether the proposed solution is workable and effective
- An enumeration of the pros and cons of the proposal, including both long-and short-term benefits, overlaps or gaps with other Town projects or services, and benchmark comparisons with other Towns where appropriate
- Who benefits and who might be negatively impacted
- What are the financial impacts on the town and the residents
- All cost implications, both operating and capital, in the immediate and long-term future
- An assessment of the impact on the Town's



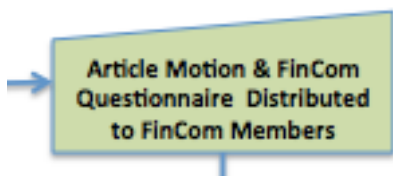
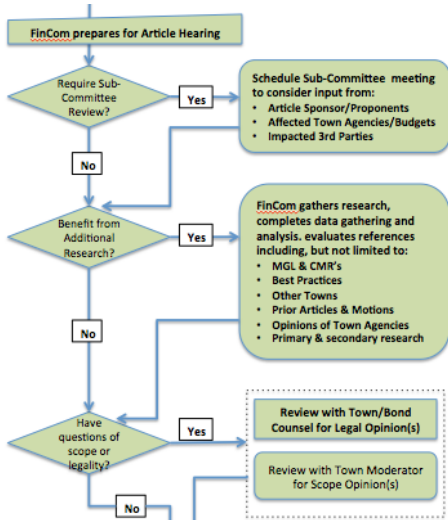
## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<p>infrastructure (traffic, parking, etc.)</p> <ul style="list-style-type: none"> <li>• An assessment of the impact on the neighbors (noise, traffic, etc.)</li> <li>• An assessment of the impact on the environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.)</li> <li>• Consideration of how the proposal fits with the relevant Town By-laws, financial and capital plan, comprehensive plan, and values as well as relevant state laws and regulations</li> <li>• Identification of issues that weren't considered in the development of the proposal. (I.e. unintended consequences)</li> </ul>	
<p>As was discussed earlier, a <b><u>motion</u></b> is a formal proposal that is presented before the voters at Town Meeting for action on a particular article. It must be within the scope of the article.</p> <p>Care in writing the motion is also important. The wording of the motion does not necessarily have to be the same wording as the warrant article. If the motion does not change the wording in the article, the motion could request that the article be adopted as printed in the warrant.</p> <p>In the absence of a prepared motion by the petitioner, submitted with the Finance Committee Warrant Questionnaire in advance of the hearing date, your hearing WILL be rescheduled to a later date. This may mean that Finance Committee runs out of time to hear your article before the Finance Committee Recommendation Book closes for print and distribution and therefore there may not be a recommendation for Town Meeting to act on. That said, Finance Committee would make every effort to hold the public hearing on the article up to and including the period of Town Meeting.</p> <p>Finance Committee suggests the sponsor become familiar with motions submitted for articles at prior Town Meeting to assist in the drafting of an appropriate motion to the sponsor's warrant article. If the sponsor requires legal advice they should obtain it but the sponsor is responsible for any expense involved</p>	 <pre> graph LR     A[ ] --&gt; B[Finalize Hearing materials and Prepare Article Motion]     B --&gt; C[ ]     style A fill:none,stroke:none     style C fill:none,stroke:none     style B fill:#f9d5d5,stroke:#333,stroke-width:1px   </pre>

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<p>Sponsors may want to consider consulting with their legal counsel as early as possible before the due date of the motion for the public hearing in order to mitigate any issues on the part of the sponsor in writing the motion.</p>	
<p>The sponsor is required to complete the Warrant Article Questionnaire, in full, and submit the document to the Finance Committee by the due date. Along with the Questionnaire the sponsor is encouraged to provide other supporting information, material, research and data that is directly related to the article scope and the motion. Whenever possible, the sponsor should use primary and secondary research and data sources rather than anecdotal information and general opinion.</p>	

### COMPLETING FINANCE COMMITTEE HEARINGS

<p>After receiving the completed questionnaire from the sponsor, the Finance Committee chair will distribute all the materials to the committee members. Members will have up to five days to review the materials in advance of the scheduled hearing date.</p>	
<p>Depending on the scope of the article, the responses contained in the Questionnaire and any supporting materials, Finance Committee members will complete their own independent analysis, research and data gathering. Members may build a dossier of information that is then shared amongst the whole committee or is just used for their own purposes. Finance Committee, as a Town Agency, has the benefit of seeking input from Town Administration, School Committee, Selectmen, Planning Board and other Boards and Committees. Throughout the due diligence process Finance Committee members will be asking their individual set of questions and testing the efficacy of the answers provided by the proponent.</p> <p>If the article subject matter is such that the Finance</p>	 <pre> graph TD     Start([FinCom prepares for Article Hearing]) --&gt; D1{Require Sub-Committee Review?}     D1 -- Yes --&gt; B1[Schedule Sub-Committee meeting to consider input from: • Article Sponsor/Proponents • Affected Town Agencies/Budgets • Impacted 3rd Parties]     D1 -- No --&gt; D2{Benefit from Additional Research?}     D2 -- Yes --&gt; B2[FinCom gathers research, completes data gathering and analysis, evaluates references including, but not limited to: • MGL &amp; CMR's • Best Practices • Other Towns • Prior Articles &amp; Motions • Opinions of Town Agencies • Primary &amp; secondary research]     D2 -- No --&gt; D3{Have questions of scope or legality?}     D3 -- Yes --&gt; B3[Review with Town/Bond Counsel for Legal Opinion(s)]     D3 -- No --&gt; B4[Review with Town Moderator for Scope Opinion(s)]     </pre>

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

Committee chair determines it is best to hold a sub-committee hearing, the article will be assigned to one of the five standing sub-committees. The impact to the sponsor is that they may be asked to accelerate their completion and submission of the Questionnaire and supporting materials and to participate in the sub-committee hearing.

A sub-committee hearing allows a subset of members to conduct a deep dive into the subject matter and then provide feedback and guidance to the full committee on the efficacy, benefits, pros and cons of the article. This may reduce the amount of time spent at a hearing with the full committee, but not always.

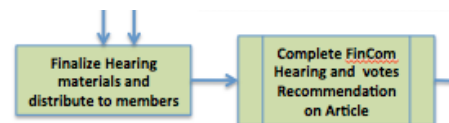
Members will continue to complete due diligence on the article up until the day of the hearing. The chair and/or sub-committee chair will distribute any additional materials and information received from third-parties such as proponents and opponents.

It may be the case that Finance Committee questions are provided to the sponsor in advance of the hearing to allow the sponsor time to prepare answers.

At the appointed time the Finance Committee will conduct a detailed hearing on the article using all of the information in its possession to support the questioning, investigation and assessment of the article, the intent of the action and the motion.

During the hearing, the sponsor will be given time to make the initial presentation. Finance Committee reserves the right to set time-limits of initial presentations (for example, ten (10) minutes to be consistent with Town Meeting rules). The sponsor will have access to the room audio-visual system for attaching their computing device. The sponsor can also have co-presenters participate. Best practice is to limit the number of presenters to three maximum.

The sponsor should not present or seek to distribute any new material or information that has not been submitted to the Finance Committee in advance. Doing so will possibly delay a final vote on the subject matter



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

to a different day and time, to allow members time to reflect on the new materials. If a sponsor believes there is compelling new information that missed the submission deadline they are welcome to discuss the facts with the Finance Committee Chair, in advance of the meeting.

Following the initial presentation, the Finance Committee enters into the Q&A period with members asking questions of the sponsor. The chair may also direct questions to Town Administration, other Town Agencies, Board or Committee representatives attending the meeting.

At the conclusion of the Q&A period the chair opens the floor to members of the public in attendance. Citizens - both proponent and opponents - are allowed to speak, ask questions, state an opinion and even provide data or information to support their position. All questions are directed to the chair and the public does not address the sponsor or co-presenters directly. The Finance Committee Chair will make every effort to have the questions of the citizens answered during the public comments portion of the hearing.

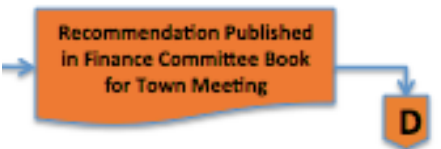
Following the public speak period Finance Committee will have the opportunity to make and vote motions on the subject matter of the article. Once the first motion is made, the Q&A/discussion period is closed and the neither the sponsor, nor members of the public, town and board representatives are allowed to speak.

A motion can also include making amendments to the sponsor's proposed motion.

The possible options for Finance Committee advisory recommendations mirrors Town Meeting votes and they include:


- Favorable Action
- Referral (usually to the sponsor and sometimes a Town Agency or other party)
- No Action (can be construed as a no vote)
- Indefinite Postponement (usually construed as a negative action)
- No Recommendation (no majority vote achieved)

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<p>It should be noted that Finance Committee only provides advisory recommendations to Town Meeting and Town Meeting is not bound by any Finance Committee vote.</p> <p>Finance Committee will consider all the motions in front of them through a structured debate process in which each member who so desires has the time to state their position, their reasoning and rationale and why the advocate for a certain outcome. Once all members seeking to speak have done so, the debate is closed and votes are taken. For any motion to carry it requires a majority of the then-currently appointed members of the Finance Committee, not the majority in the meeting at the time.</p>	
<p>At the conclusion of the Public Hearing on the article Finance Committee will have taken a vote on the proposed motion in order to provide a recommendation to Town Meeting.</p> <p>For all Town Meetings, the Finance Committee Report includes the warrant and the committee's recommendations and motions on all articles on the warrant.</p> <p>It should be noted that other boards and committees might hold hearings or public meetings on some or all of the articles in the Warrant and prepare written reports, or recommendations to Town Meeting depending on the committee and the nature of the article.</p>	 <pre> graph LR     A[Recommendation Published in Finance Committee Book for Town Meeting] --&gt; B[D]     </pre>

### AT TOWN MEETING

The process flow below is presented as an illustration of Town Meeting activities and doesn't cover all permutations of debate, motions, amendments and outcomes. Further detail can be found in Natick' Town Meeting Handbook available on the Town web site on the Town Clerk's pages.

<p>The Finance Committee's report contains recommendations (and, sometimes, minority views) on each warrant article, financial and non-financial.</p> <p>The report sets forth, in digested form, the arguments</p>	 <pre> graph TD     A[Finance Committee Recommendation Book Distributed to Town Meeting Members seven days in advance]     </pre>
---	--

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

heard by the Finance Committee during its hearings and the process by which the committee came to its recommendations. It thus often anticipates and answers the questions Town Meeting may have about articles, saving the meeting considerable time and duplicative work. The recommendations expressed in the Finance Committee's report are advisory only.

Before Town Meeting, each Town Meeting member receives by mail a copy of the warrant, a copy of any Planning Board report, and a copy of the Finance Committee's report and recommendations. The Home Rule Charter mandates that the Finance Committee "file a report containing its recommendations for actions on the proposed budget which shall be available at least seven days prior to the date on which the town meeting acts on the proposed budget." [Charter Section 5-6(c)]

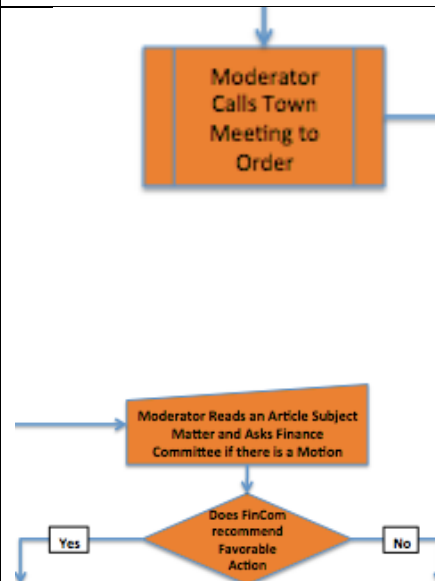
The By-Laws require the Finance Committee to distribute its report to each of the Town Meeting members at least seven (7) days in advance of a Town Meeting. [Charter, Section 5-6c; By-Laws, Article 23, Section 4]

When a quorum of 91 members is present [Charter Section 2-12(c)], Town Meeting is called to order and opened by the Moderator. The Moderator then completes any administrative business and offers procedural points.

### Motions in General

While any Town Meeting member, and only a Town Meeting member, may make or second a Motion, it has been the practice of recent Town Meetings for the Moderator to read the article title and wait for Town Meeting members to make and second a positive main motion for an article.

It has been the custom of Town Meeting that the Secretary of the Finance Committee has moved the motion, as a member of Town Meeting and the Chair of the Finance Committee, also a Town Meeting member, seconds the motion. Both Finance Committee members are sitting on the stage of the auditorium. In the process flows this is noted with a (\*)

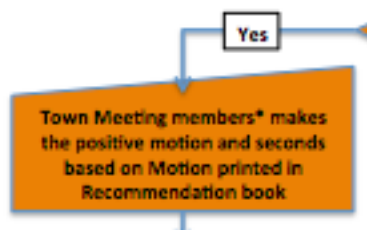




## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

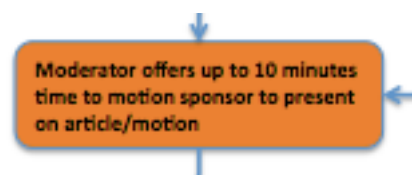
Motions must, in the opinion of the Moderator, be within the scope of the warrant article under consideration. The Moderator may request a written version of any motion. [By-Laws, Article 3, Section 2]

Motions may be made only when no other business is pending and must be seconded before debate can begin. It should be noted that Town Meeting does not vote directly on the articles, but on motions for action on the articles; the article is only notice of the general subject matter that will be discussed.



### Debate In General

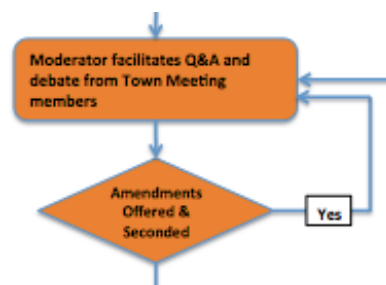
After a motion has been made and seconded, debate begins. The Moderator usually calls first on the principal proponent of the article, in the case of the citizen petitioner this is typically the primary sponsor who has supported the process to date, but it is not required to be that person.



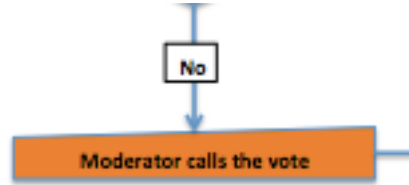


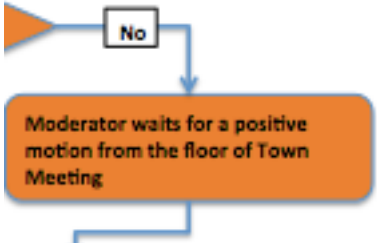
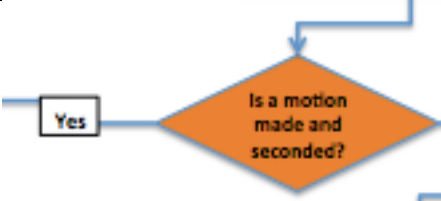
During debate the Moderator, as the title suggests manages the debate from Town Meeting members, and other citizens of Natick until all points of view are heard. No one is allowed to speak on a question more than once when anyone else is waiting to be heard. Without the permission of Town Meeting, no one may speak more than twice on the same question or, on most motions, for more than ten (10) minutes at one time.

Amendments, which are offered and seconded in the same manner as main motions, may insert, strike out, or substitute words or dollar amounts in the main motion. By practice, any amendment that increases funding names the proposed source of the additional funds. A motion to amend may itself be amended, but these sub-amendments must be done one at a time.

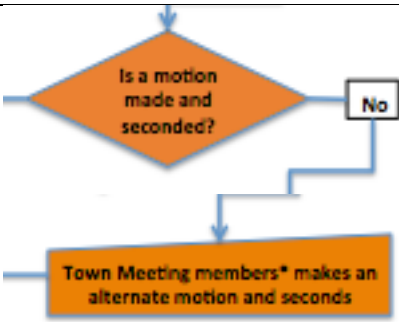
Passing an amendment requires only a majority vote, even when the main motion to be amended requires a greater quantum of vote. Amendments are acted upon before the main motion is voted, and approval of an amendment is followed by a vote on the main motion as amended



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<p><u>The Vote</u></p> <p>Once the main motion – or any motion – is before Town Meeting, the motion can be approved, substituted for, amended, referred to committee, postponed to a future time or meeting, or defeated.</p> <p>After all who wish to be heard on the question have spoken, or if a motion for the previous question has been passed by Town Meeting, the Moderator repeats the question and calls for the vote. Only Town Meeting members may vote. [Charter Section 2-1; By-Laws, Article 3, Section 4]</p> <p>The vote is tallied by electronic voting devices or, at the discretion of the Moderator, by a show of hands unless, before the vote is taken, a secret ballot or a roll call is moved, seconded, and voted. [By-Laws Article 3, Sections 4 and 6]</p>	 <pre> graph TD     A[No] --&gt; B[Moderator calls the vote]     </pre>
<p>All votes are by a majority, except as otherwise specified by the By-Laws or other law; all references to the size of the vote mean of those present and voting. [By-Laws, Article 3, Section 7]</p> <p>Votes are recorded by the Town Clerk and made part of the Town Meeting record.</p>	 <pre> graph LR     A[ ] --&gt; B[/Record Town Meeting Vote/]     C[ ] --&gt; B     </pre>
<p>On occasion there is a negative main motion or a report of “no action” from the Finance Committee as their recommendation.</p>	 <pre> graph LR     A{Does FinCom recommend Favorable Action?} -- Yes --&gt; B[ ]     A -- No --&gt; C[ ]     </pre>
<p>If a recommendation of a negative main motion or a report of “no action is offered by the Finance Committee, a proponent of the article, or any Town Meeting member may make a motion for affirmative action.</p>	 <pre> graph TD     A[No] --&gt; B[Moderator waits for a positive motion from the floor of Town Meeting]     </pre>
<p>Once the main motion – or any motion – is before Town Meeting, debate can begin on the motion and the process as described above in the step <u>Debate In General</u>, would play out.</p>	 <pre> graph LR     A{Is a motion made and seconded?} -- Yes --&gt; B[ ]     </pre>

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<p>If no motion is forthcoming from a proponent of the article, or any Town Meeting member, the Secretary of the Finance Committee will usually make a negative motion such as Referral to a specific entity or “no action”. The Chair will typically second the motion to place the question before town meeting for debate and vote. (*) But only if they are both Town Meeting members.</p>	 <pre> graph TD     Start(( )) --&gt; Decision{Is a motion made and seconded?}     Decision -- No --&gt; Action[Town Meeting members* makes an alternate motion and seconds]     </pre>
<p>At this point the process as described above in the step <u>Debate In General</u> again takes over.</p>	

## **WHERE TO OBTAIN ADDITIONAL ASSISTANCE FOR CITIZENS' PETITIONS**

Natick town officials are ready to listen and, where feasible, to give assistance. People who may be helpful to those preparing articles, motions, or presentations for Town Meeting include the Moderator, Board of Selectmen members, Natick School Committee members, Town Administrator, Superintendent of Schools, and Town Clerk. Citizens are not allowed to seek the assistance of Town Counsel. On the rare occurrence the Moderator or Town Administration determines Town Counsel should opine on the legality of an article it will work directly with Town Counsel and may inform or consult with the primary sponsor as a courtesy.

If you have any questions please contact Patrick Hayes, Finance Committee Chairman, at [phayes.fincom@natickma.org](mailto:phayes.fincom@natickma.org).

**BOARDS, COMMITTEES AND COMMISSIONS – POINTS OF CONTACT**

The following list of Boards, Committees and Commissions is believed to be accurate as of the date of this publication, but the Finance Committee makes no warranties that the list is accurate at all times. For the most up to date information the user of this Guide is encouraged to visit the Town of Natick web site or contact the Town Clerk's office.

<b><u>Board/Committee/Commission</u></b>	<b><u>First</u></b>	<b><u>Last</u></b>
<b>Affordable Housing Trust Board</b>	<b>Randy</b>	<b>Johnson</b>
<b>Audit Advisory Committee</b>	<b>Jonathan</b>	<b>Freedman</b>
<b>Bacon Free Library Maintenance Committee</b>	<b>Michael</b>	<b>Collins</b>
<b>Board of Assessors</b>	<b>Janice</b>	<b>Dangelo</b>
<b>Board of Health</b>	<b>Peter</b>	<b>Delli Colli</b>
<b>Board of Selectmen</b>	<b>Richard</b>	<b>Jennett, Jr.</b>
<b>Cable Advisory Board</b>	<b>Hank</b>	<b>Szretter</b>
<b>Cochituate Rail Trail Advisory Committee</b>	<b>Joshua</b>	<b>Ostroff</b>
<b>Commission on Disability</b>	<b>Lori</b>	<b>Zalt</b>
<b>Conservation Commission</b>	<b>Matthew</b>	<b>Gardner</b>
<b>Contributory Retirement Board</b>	<b>Robert</b>	<b>Drew</b>
<b>Council on Aging</b>	<b>Harriet</b>	<b>Merkowitz</b>
<b>Cultural Council</b>	<b>Katherine</b>	<b>Williams</b>
<b>Design Review Board</b>		
<b>Economic Development Committee</b>	<b>Maeghan</b>	<b>Silverberg</b>
<b>Elderly &amp; Disabled Taxation Fund Committee</b>	<b>Janice</b>	<b>Dangelo</b>
<b>Finance Committee</b>	<b>Patrick</b>	<b>Hayes</b>
<b>Financial Planning Committee</b>	<b>Rick</b>	<b>Jennett, Jr.</b>
<b>Golf Course Oversight Committee</b>	<b>Robert</b>	<b>Healy</b>
<b>Historic District Commission</b>	<b>Michael</b>	<b>Collins</b>
<b>Historical Commission</b>	<b>Steve</b>	<b>Evers</b>
<b>Natick Housing Authority</b>	<b>David</b>	<b>Parish</b>
<b>Information System Advisory Board</b>	<b>Hank</b>	<b>Szretter</b>
<b>Local Emergency Planning Committee</b>	<b>Dan</b>	<b>Dow</b>
<b>Lookout Farm Advisory Committee</b>		
<b>Master Plan Advisory Committee</b>	<b>Jeff</b>	<b>Richards</b>
<b>Open Space Advisory Committee</b>	<b>Martin</b>	<b>Kessel</b>
<b>Parking Advisory Committee</b>	<b>Rick</b>	<b>Jennett, Jr.</b>
<b>Personnel Board</b>	<b>Steve</b>	<b>Levinsky</b>
<b>Planning Board</b>	<b>Julian</b>	<b>Munnich</b>
<b>Recreation and Parks Commission</b>	<b>Jessica</b>	<b>Ordway</b>
<b>Rink Oversight Committee</b>	<b>Bill</b>	<b>Chenard</b>
<b>Safety Committee</b>	<b>Lt. Brian</b>	<b>Lauzon</b>
<b>School Committee</b>	<b>Amy</b>	<b>Mistrot</b>
<b>Sustainability Committee</b>	<b>Matthew</b>	<b>Gardner</b>
<b>Town Forest Committee</b>	<b>Peter</b>	<b>Frykman</b>
<b>Trails Maintenance Committee</b>	<b>Pat</b>	<b>Conaway</b>
<b>Transportation Advisory Committee</b>	<b>Joshua</b>	<b>Ostroff</b>
<b>Zoning Board of Appeals</b>	<b>Scott</b>	<b>Landgren</b>

## APPENDICES

## Sample Articles and Motions

Article	Motion
<p>Appropriate Funds to Acquire Electronic Voting Technology for Town Meeting (Electronic Voting Study Committee)</p> <p>To see what sum of money the Town will vote to appropriate for the purpose of acquiring electronic voting technology and/or services for use by Town Meeting; to determine how said appropriation shall be raised, whether by transfer from available funds, borrowing, or otherwise; or otherwise act thereon.</p>	<p>Move that the Town appropriate from Free Cash the sum of \$15,000, to be expended under the direction of the Board of Selectmen for the purpose of acquiring by purchase, lease, or otherwise, electronic voting technology and/or services for use at Town Meeting</p>
<p>Acquire Property Located at 22 Pleasant Street for Open, Park and Recreation Purposes (John Ciccariello et al)</p> <p>To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide to acquire the property known as 22 Pleasant Street and all property interests and any expenses related thereto, said property being shown as Parcel 44 on Town of Natick Assessors' Map No. 64 containing 4.1 acres adjacent to the Hunnewell Baseball Fields; and to determine any and all conditions under which the property is to be acquired, and if it is to be acquired by the Town, only when free from contamination, and to authorize the Selectmen or other Town committee to contract now for the purchase of the property and all property interests after such conditions are met. Also, to see what actions the Town or Town Meeting will take to dedicate the use of the property for recreation, open space, other Town purposes, e.g., relocation of the Memorial School ball fields, or a strategic combination with the adjacent Hunnewell Baseball Fields and other recreation land across Pleasant Street to the west, or to reactivate the canal for canoeing or boating purposes, or any and all uses the Town or Town Meeting may deem appropriate, or take any other action relative thereto.</p>	<p>Move that the Town vote to authorize the Board of Selectmen to negotiate with the Owner of the 22 Pleasant Street Property to purchase and acquire the property for use as open park and recreation purposes. Said property is to be acquired free and cleaned of all contamination.</p>

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### Warrant Article Questionnaire

See the Warrant Article Questionnaire on the following four (4) pages. To receive the required electronic version of the document which is to be used for submission prior to the Finance Committee public hearing, please contact Patrick Hayes, Finance Committee Chair at [phayes.fincom@natickma.org](mailto:phayes.fincom@natickma.org).

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### Section I - Instructions for completing this questionnaire

1. FinCom encourages article sponsors to provide complete and comprehensive answers to the questions. Your materials will be distributed to members well in advance of the Public Hearing date. The more specific and relevant information provided on the motion and the action you seek from Town Meeting the more prepared FinCom will be for the actual hearing with you.
  - a. Incomplete questionnaires, questionnaires not submitted on time or submitted in the absence of a prepared motion by the petitioner, WILL cause your hearing to be rescheduled to a later date.
  - b. This may mean that FinCom runs out of time to hear your article before the Finance Committee Recommendation Book closes for print and distribution and therefore there may not be a recommendation for Town Meeting to act on.
2. When ever references are cited (relevant passages from the Natick Charter or By-laws, Massachusetts General Law (M.G.L.), Code of Municipal Regulations or other legislation, survey results, maps, news articles, etc.), or documentation about what other communities have done (known or projected), include them in their entirety with this questionnaire as follows:
  - a. For short citations you may include the content verbatim in the available response space. Please limit this to 500 words or less
  - b. For longer citations or source documents please include them as attachments to the submission. For additional files use a file naming includes your Article number, the sponsor last name and a short description name for the attachment/file (i.e. Article 27 \_Doe\_MGL Chapter 61A)
  - c. Whenever possible consider using URL links to the original source document in the response or as part of a list of attributions and sources that you provide. FinCom members can link to your provided materials easily and we all save paper and minimize the possibility of misplaced file attachments, etc.
3. An article seeking a change to Zoning By-laws, Town Charter or By-Laws requires:
  - a. Zoning articles must identify the location in Town where the zoning change is to be applicable.
  - b. For FinCom and Town Meeting the Motion you submit for the hearing requires:
    - i. A complete copy of the current Zoning By-Law, Charter or Town By-Law language
    - ii. A complete copy of the proposed final language in the finished form
    - iii. A complete copy of a “red-lined” version of the language showing all changes, mark-ups, etc.
    - iv. All of the above must be provided electronically in advance of the hearing by the due date identified by the FinCom Chair
  - c. A Public Hearing with the Planning Board.
    - i. It is expected that the Planning Board public hearing take place before the FinCom public hearing.
    - ii. Sponsors should contact the Director of Community & Economic Development or the Planning Board Chair to schedule the required hearing.



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

4. The primary sponsor is expected to be the spokesperson/presenter at the FinCom hearings and at Town Meeting. If the sponsor is not prepared for that role they should be ready to designate someone else
5. Sponsors should review the questions and the prompts in Section II (the next section) in order to prepare their written responses and to understand the information FinCom seeks for the hearing
6. The actual question response template is in Section III.
  - a. Be sure to complete the top section for article #, Title, Sponsor name and email contact information
  - b. Responses should be typed directly in the response field, below the question field.
  - c. The response field will expand as you type.
  - d. Please use 11 or 12 point type
  - e. Use bold, italics and underlines to help focus the reader's attention to key content.
  - f. Avoid unnecessary formatting and font use
7. Once the Questionnaire is complete the sponsor can:
  - a. Delete Sections I and II entirely and save on Section III. Or, save the entire file and return to Finance Committee to the contact below
  - b. Save the file either as an MSWord document or as an Adobe PDF without any security passwords or restrictions. The preference is to save in MSWord format.
8. When saving the final version use the following file naming convention: 2017 SATM Response Article (insert your article # without parentheses) Sponsor Name (insert your last name without parentheses) Date Submitted using two digit month, two digit day and four digit year with no spaces, or other punctuation marks.
  - a. Example: 2017 SATM Response Article 28 Hayes 02172017
  - b. This file naming convention makes it easier for the Finance Committee to manage the files from all article sponsors and determine which is the most recent submission from each.

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### Section II - Questions and Additional Prompts

Question	Question	Additional Prompts
1	Provide the article motion exactly as it is intended to be voted on by Town Meeting.	<i>If the motion is long (more than one page) or involves a Zoning By-Law, Natick Home Rule Charter or Natick By-Law change please use additional sheets for the motion and carefully follow the instruction on motions of these types.</i>
2	At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the required Motion?	(Solving a problem through some action, providing new and currently unrealized benefits, extending some tangible existing value to a great level)
3	What does the sponsor gain from a positive action by Town Meeting on the motion?	Does the sponsor, have now or may have in the future, an equity interest; may realize a direct or indirect benefit now or in the future?  What are those interests and/or benefits?
4	Describe with some specificity how the sponsor envisions how: <ul style="list-style-type: none"> <li>• The benefits will be realized</li> <li>• The problem will be solved</li> <li>• The community at large will gain value in the outcome through the accompanied motion</li> </ul>	Why does the sponsor believe the proposed solution is workable and effective?  What is your understanding of who benefits and who pays?  What do you perceive to be the pros and cons of the proposed motion both long-term and short-term?  Has the sponsor done any primary or secondary research on this topic that can be shared?  Are there analogs or benchmarks that can be drawn from other communities or private sector to support the desired outcome?

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

5	<p>How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations?</p>	<p>What is your understanding of the cost implications, both operating and capital, both immediate and long-term to the town?</p> <p>Would this benefit cover gaps or overlap in any way with other Town projects or services?</p>
6	<p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> <li>• Town infrastructure (traffic, parking, etc.)</li> <li>• Neighbors (noise, traffic, etc.)</li> <li>• Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);</li> </ul>	<p>How does the proposed action fit into the framework of other local efforts currently underway (i.e. Natick Master Plan, Sustainability Initiatives, etc.)? Is state action pending?</p>
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>	<p>Can a Town Committee or Town Official handle the matter more effectively?</p> <p>Is a vote of Town Meeting as effective as citizens' letters, telephone calls, or petitions in the case of addressing local issues?</p>
8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> <li>• Interested parties were notified in a timely way and had a chance to participate in the process</li> <li>• Appropriate Town Boards &amp; Committees were consulted</li> <li>• Required public hearings were held</li> </ul>	<p>Have the Board of Selectmen, Town Administrator, School Committee and Superintendent, Planning Board or other Town Agency had an opportunity to address the issue before bringing it to Town Meeting?</p> <p>Please provide the details as to which Boards, Committees or Commissions have held hearings, on what dates, how much time was spent by each in the hearing/meeting period, what was the outcome (vote, deferred,</p>

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

		continued, etc.)
9	Why is it required for the Town of Natick AND for the sponsor(s)?	<p>Why now versus at some later date?</p> <p>Has the problem been carefully defined and analyzed? Have alternative solutions been considered? Is more study required?</p>
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?	What are those issues and how do they effect the efficacy of the proposed article
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish?	
12	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences?	

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### Section III – Questions with Response Boxes

Please contact Patrick Hayes, Finance Committee Chair at [phayes.fincom@natickma.org](mailto:phayes.fincom@natickma.org) for an electronic version of this file, which will allow the user to submit their document back to the Finance Committee in electronic format.

Article #	Date Form Completed:
Article Title:	
Sponsor Name:	Email:

Question	Question
1	Provide the article motion exactly as it is intended to be voted on by the Finance Committee.
Response	(Note: Boxes will expand as you enter text)
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	
3	What does the sponsor gain from a positive action by Town Meeting on the motion?
Response	
4	Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion?
Response	
5	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations
Response	
6	Have you considered and assessed, qualified and quantified the various impacts to

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

	<p>the community such as:</p> <ul style="list-style-type: none"> <li>• Town infrastructure (traffic, parking, etc.)</li> <li>• Neighbors (noise, traffic, etc.)</li> <li>• Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);</li> </ul>
Response	
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>
Response	
8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> <li>• Interested parties were notified in a timely way and had a chance to participate in the process, that</li> <li>• Appropriate town Boards &amp; Committees were consulted</li> <li>• Required public hearings were held</li> </ul>
Response	
9	Why is it required for the Town of Natick AND for the sponsor(s)?
Response	
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish
Response	

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

<b>12</b>	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences.
Response	

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### Citizen Petition Form/Instructions

See the Citizen Petition Form on the following four (4) pages. If you would like to receive an electronic version of the document please contact Donna Donovan, Executive Assitant to the Town Administrator at [ddonovan@natickma.org](mailto:ddonovan@natickma.org) or Patrick Hayes, Finance Committee Chair at [phayes.fincom@natickma.org](mailto:phayes.fincom@natickma.org).



## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

### **Instructions/Forms for Submission of Petitioned Articles for Town Meeting Warrant**

The attached forms are intended support the proper process and format for submitting a petition article for insertion into a warrant for the Sprint or Fall Annual Town Meeting or a Special Town Meeting. *While use of this form may not legally be required, use of this format is preferred and will facilitate processing of an article on the warrant.*

Under Massachusetts General Laws Chapter 39, Section 10, Ten (10) registered voters of the Town may submit a petition article for inclusion for any Annual or Special Town Meeting warrant.

- Proponents of a petition article are encouraged to secure more signatures than necessary, in the event the signatures are disqualified for any reason (i.e. non-registered voter, ineligible signature, etc.)
- The article will appear on the Town Meeting Warrant EXACTLY as submitted, including spelling and punctuation.
  - It is the Primary Sponsor's responsibility to make sure article wording is in the proper form to be considered by Town Meeting.
  - Town Counsel is not available to the public for this purpose.
- The article is required by Natick Home Rule Charter and By-Laws to be considered by the Finance Committee in a Public Hearing.
  - Once the Article is certified the Finance Committee will contact the Primary Sponsor to schedule the Public hearing Date and provide further documents for the sponsor to complete in advance of the Public Hearing date
- Articles seeking a change to Zoning By-laws requires a Public Hearing with the Planning Board.
  - Article requests for zoning amendments should be closely coordinated with the Planning Board prior to submission to assure compliance with MGL Chapter 40A Section 5.
  - Sponsors should contact the Director of Community & Economic Development
- Town Counsel may review submitted petition articles and opine as to their legal effect.
- The primary sponsor of the article or another party under the direction of the primary sponsor will be required to prepare the MOTON for consideration by Town Meeting.
- The Primary Sponsor will be designated as the primary speaker in support of the Article at all Public Hearings and Town Meeting unless the Primary Sponsor informs the Finance Committee Chair, Planning Board Chair and Town Moderator prior to the Hearing or Town Meeting that another designee will be the primary speaker in support of the Article at the Finance Committee Hearing, Planning Board Hearing and Town Meeting.
- You may copy the petition page as needed to secure enough signatures.
- In addition to submitting the forms to the Board of Selectmen by the deadline for any Town Meeting, it's requested that the Article wording be providing electronically in a format that can be converted to MSWord and the file should be e-mailed to: [ddonovan@natickma.org](mailto:ddonovan@natickma.org).

For questions and assistance, contact the Town Administrator's office at 506-647-6500 or e-mail [ddonovan@natickma.org](mailto:ddonovan@natickma.org)

Please return the Citizen Petition form to the Board of Selectmen's Office no later than 5:00 PM on the last day for which the Warrant is open.

I certify that I am a registered voter in the Town of Natick, MA:

Signature of Primary Sponsor: \_\_\_\_\_

To see if the Town will vote to

---

---

---

---

---

---

---

---

or otherwise act thereon.

**PETITIONERS:**  
We, the undersigned registered voters of the Town of Natick, hereby petition the Board of Selectmen pursuant to MGL chapter 39 Section 10 and Section 2.11 of the Natick Home Rule Charter, to include the following Article in the Warrant for the Spring/Fall/Special (circle applicable one) Town Meeting to be held on \_\_\_\_\_.

Row	Printed Name	Signature	Address	Precinct
1				
2				
3				
4				

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

Name of Primary Sponsor: \_\_\_\_\_

**Warrant Article Title:** \_\_\_\_\_

(Warrant article language must be repeated at the top of all signature pages submitted.)

To see if the Town will vote to

or otherwise act thereon.

(Write legibly or type the specific language of the article. If you require more room write on back)

**PETITIONERS:**

We, the undersigned registered voters of the Town of Natick, hereby petition the Board of Selectmen pursuant to MGL chapter 39 Section 10 and Section 2.11 of the Natick Home Rule Charter, to include the following Article in the Warrant for the Spring/Fall/Special (circle applicable one) Town Meeting to be held on \_\_\_\_\_.

Row	Printed Name	Signature	Address	Precinct
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

Name of Primary Sponsor: \_\_\_\_\_

(Warrant article language must be repeated at the top of all signature pages submitted.)

or otherwise act thereon.

**PETITIONERS:**

We, the undersigned registered voters of the Town of Natick, hereby petition the Board of Selectmen pursuant to MGL chapter 39 Section 10 and Section 2.11 of the Natick Home Rule Charter, to include the following Article in the Warrant for the Spring/Fall/Special (circle applicable one) Town Meeting to be held on \_\_\_\_\_.

Row	Printed Name	Signature	Address	Precinct
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				

## GUIDE FOR CITIZEN PETITIONS AND WARRANT ARTICLES

Name of Primary Sponsor: \_\_\_\_\_

**Warrant Article Title:** \_\_\_\_\_

(Use this page and more pages if necessary for additional space for the Warrant Article content)

## Guide to Citizens' Petitions for Town Meetings

### Weston, Massachusetts

**1. A petition article** is an article brought to Town Meeting for discussion and possible action by a citizen (rather than by a Board or Committee of the Town). Any voter may bring a petition article on any topic that is relevant to action by the Weston voters at open town meeting, the town's legislative body. In the past there have been petition articles on numerous subjects. Articles from the past several years may be found on the Weston Town website.

**2. Before beginning the petition process**, it is strongly recommended that petitioners meet with the board or committee that has jurisdiction over the subject matter in order to seek feedback, advice, and support. The board or committee may agree that the issue needs to be addressed and may decide to undertake the process of proposing and supporting it. This outcome will make a petition unnecessary. If the board will not propose the idea itself, submitting a petition is an option still available. However, it is important that this process be started early enough to leave sufficient time for review and modifications before the article is submitted. Submitting a petition at the last minute is usually not a good idea if the material has not been discussed with those having jurisdiction over the subject matter or if the petitioner has not had time to write and refine the language. Enough time should be allowed to adequately research the topic and to assess the effect of the proposed change on existing laws and regulations. In any event, **Town boards and committees with jurisdiction** will be encouraged to comment on petition articles including the timing of the receipt the articles, i.e. whether or not the board or committee was consulted by the petitioner prior to filing. The respective board or committee may submit a short factual summary of its recommendation for submission in the Warrant book.

**3. An article** is essentially an agenda item— it tells people what is to be discussed and what is being sought. For any matter to be discussed at the meeting, it must come within the scope of the article. In other words, someone reading the article must be able to tell what is going to be addressed. If a subject is then brought up which a person would not reasonably know was going to be discussed by reading that article, it cannot be discussed and will be considered as being beyond the scope of the article.

**4. A motion** is a formal proposal that is presented before the voters at the Town Meeting for action on a particular article. It must be within the scope of the article.

**5. To submit a warrant article** for consideration by the Annual Town Meeting, fifty (50) registered voters of the Town must sign the petition in accordance with Massachusetts General Laws. Signatures of one-hundred (100) registered voters are required to insert an article into a Special Town Meeting warrant. (Two-hundred (200) signatures are required to call a Special Town Meeting.) Proponents of an article are encouraged to secure a few more signatures than those required in the event of illegible signatures or signers not qualified as registered voters. Articles must be submitted by the deadline established by the Board of Selectmen.

**6. Appropriate subjects for Town Meeting** action under a warrant article include: (1) adopting, repealing, or amending Town bylaws; (2) authorizing the filing of home-rule legislation; (3) accepting or revoking the acceptance of local-option legislation; (4) making and amending budgetary appropriations; (5) authorizing the acquisition or disposition of interests in land; and (6) making resolutions.

**7. Care in the writing and the timing of articles** is very important. Petitioners should ensure that the action the article proposes conforms to State law, Town of Weston by-law, and is within the purview of Town Meeting. An article should be phrased to accurately accomplish its intended purpose. Depending on the subject matter of the article, it may require further review by the Selectmen, the Finance Committee, the Community Preservation Committee, and/or the Planning Board. In some instances a public hearing may be required. Articles must be initiated early enough to allow all legal and procedural requirements to be met before it can be included on the Town Meeting Warrant. Petitioners should consult with the Town Manager early in the process to establish a reasonable time line for the article's inclusion.

**8. Care in writing the accompanying motion** is also important. The wording of the motion does not necessarily have to be the same wording as the warrant article. If the motion does not change the wording in the article, the motion could request that the article be adopted as printed in the warrant. Paper copies must also be available at Town Meeting. At the very least, the Town Clerk and Moderator must have them in writing. In the absence of a prepared motion by the petitioner, the Town Manager shall prepare the motion.

**9. Assistance in the writing of articles and motions** is available from Town officials. The Town Manager, Town Moderator and other staff are available to discuss and, if necessary, to assist a petitioner in the drafting of a warrant article and its accompanying motion. Town officials should be consulted as early as possible before the closing of the warrant to resolve any misunderstandings on the part of the petitioners. At the Town Manager's discretion, Town Counsel may be available to a petitioner at Town Hall at a scheduled time or times before the deadline for submission of articles. Those dates and times will be published in advance by the Town Manager's office through various information sources, for example, Facebook, Twitter, and the Town's website ([www.weston.org](http://www.weston.org)) News Flash.

**10. Submission of petition articles** shall be made to the Office of the Town Manager and Board of Selectmen no later than the deadline established by the Board of Selectmen. The submission should include a short factual summary of the Article. **Improperly written articles submitted too late for necessary modifications must still be printed on the Town Meeting warrant, but may be "passed over" at Town Meeting.**

**11.** Once it is submitted, **the article and summary will appear on the Town Meeting Warrant** exactly as submitted including spelling and punctuation. The Board of Selectmen is responsible for determining the order of the articles on the warrant.

**12. At Town Meeting**, the petitioner should approach the microphone when the article number is announced by the Moderator and move that the article be adopted. No discussion will occur on the article until a motion is offered and seconded. If the petitioner wishes to amend the printed language in the warrant, the new language needs to be read aloud in the motion. Petitioners are generally given up 10 minutes for their presentation.

**13. Audio-visual materials** are often useful at Town Meeting to expedite the presentation and explanation of the article and motion.

- All presentations for Town Meeting must be sent to the Town Manager via email at [townmanager@westonmass.org](mailto:townmanager@westonmass.org), delivered physically to the Town Manager's office at Town Hall on a USB drive, or submitted through a web-based file sharing site, such as Dropbox or Google Drive. Please note there is a 10 megabyte limit on email size. Presentation files must be smaller than that to be successfully delivered (if a PowerPoint presentation is larger than 10 mb, try compressing images for screen resolution). Microsoft PowerPoint, Open Document, and Google Docs presentation files are supported. Please size the slides to fit "On-screen Show (4:3)"
- Petitioners are encouraged to print copies of presentation materials and place them on the table outside the auditorium at Town Meeting.
- All materials submitted to the Town must include contact information for the petitioner responsible for the presentation in the body of the email or as a separate sheet of paper if submitted on USB drive. The Article title and number should be indicated at the top of each page of the presentation. Also, the first and last slide of the presentation should be the motion itself.
- Presentation materials must be submitted no later than Thursday at 4:30 p.m. prior to the town meeting at which it may be used. This will allow for review by the Town Moderator and resolution of any technical issues that may arise during installation on the Town's PC. Late materials or subsequent edited materials may be rejected. Materials not relevant to the article will also be rejected. **No individual personal laptops may be connected or used for Town Meeting presentations.** Please review the Town Meeting presentation guidelines that will be sent in advance of Town Meeting.
- Once the Town Manager's office receives the information, it will be installed on the laptop that will be used during Town Meeting. It will be tested to ensure it opens properly. The laptop will be placed in the auditorium by 6:30 each day Town Meeting is in session. There, the petitioner may perform a walkthrough of his/her final presentation between 6:30 and 7:00 p.m. **For Town Meeting efficiency, a walkthrough or revision of a presentation in the last 15 minutes before the Meeting is prohibited.**

The petitioner will be able to advance his/her own slides at Town Meeting by using the laptop keyboard or a remote, if available. At the discretion of the Moderator, slides may be run by Town personnel.

September 2018



## Voter Petitioned Article - Contact Information Sheet

*This form must be submitted with each petitioned article.*

Date: \_\_\_\_\_

Title/Subject Matter of Petitioned Article:

\_\_\_\_\_

Contact information for the lead petitioner:

Name: \_\_\_\_\_

Street Address \_\_\_\_\_

Day Tel. # \_\_\_\_\_

Evening Tel. # \_\_\_\_\_

Email Address: \_\_\_\_\_

Brief summary/explanation of the petitioned article (to appear in the printed warrant)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

=====

### **For Board of Selectmen Use Only – Do Not Write In This Area**

Date petition article submitted: \_\_\_\_\_

Date signatures verified by Town Clerk: \_\_\_\_\_

The following Board/Committee(s) will comment on this article:

\_\_\_\_ Board of Selectmen \_\_\_\_ Planning Board \_\_\_\_ Finance Committee \_\_\_\_ Community Preservation Committee  
\_\_\_\_ Other \_\_\_\_\_

## VOTER PETITIONED ARTICLE FOR TOWN MEETING

*To the Board of Selectmen:*

*We, the undersigned registered voters of the Town of Weston, hereby petition the Board of Selectmen pursuant to MGL Ch. 39, S. 10 to insert the following article into the Warrant for the \_\_ Annual \_\_ Special Town Meeting to be held on \_\_\_\_\_, 20\_\_:*

To see if the Town will vote to

or to take any other action in relation thereto.

**Printed Name**

**Street Address**

**Signature**

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

September 8, 2021

### Unaccepted Roads Advisory Committee Charge

- Review the status of all roads in the Town to determine the status as accepted or unaccepted and to make a recommendation to the Board of Selectmen regarding the status of all roads to enable the Town to publish the status of roads as accepted or unaccepted on the Town website.
- Review and make recommendations to the Board of Selectmen on bylaws, policies and procedures related to the repair and acceptance of unaccepted roads.
- Review and make recommendations to the Board of Selectmen on repairs to unaccepted roads in accordance with Town bylaws, policies and procedures.
- Review and make recommendations to the Board of Selectmen on the acceptance of unaccepted roads in accordance with Town bylaws, policies and procedures.

## Sundman, Nancy

---

**From:** Cody, David  
**Sent:** Tuesday, September 14, 2021 2:14 PM  
**To:** Flemming, Erica  
**Cc:** Sundman, Nancy  
**Subject:** Donation Account Request

Hi Erica,

I would like to bring to the next available Selectmen's meeting a request to spend \$3500 from our donation account. This will be used to purchase public educational supplies such as handouts, fire prevention activity books for students in our elementary schools and senior home safety flyers, etc. National Fire Prevention Week occurs during the month of October and this is when we visit the schools and senior complexes. Supplies for this have not been purchased in several years and this will be used to directly support our community risk reduction efforts. Please let me know if you need anything further. Thank you.

Dave

**Sundman, Nancy**

---

**From:** Thut, Kathleen  
**Sent:** Tuesday, September 14, 2021 4:41 PM  
**To:** Sundman, Nancy  
**Subject:** FW: \$300 Gift Acceptance

**From:** Irja Finn [mailto:ifinn@bournelibrary.org]  
**Sent:** Tuesday, September 14, 2021 10:38  
**To:** Thut, Kathleen <kthut@townofbourne.com>  
**Subject:** Re: \$300 Gift Acceptance

Great, thanks!

On Tue, Sep 14, 2021 at 10:03 AM Thut, Kathleen <[kthut@townofbourne.com](mailto:kthut@townofbourne.com)> wrote:

Hello Irja:

Yes, the gift will have to go before the Selectmen for acceptance. I've given a copy of your email to Nancy Sundman and she will put the item on the 9/21 BoS agenda. If she has questions she will reach out directly.

Nice patron!

Kathleen

# **Bourne Town Administrator Screening Committee**

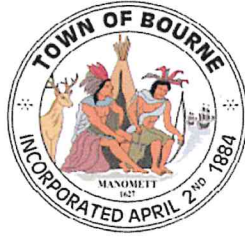
## **Committee Charge**

The Town Administrator Screening Committee is responsible for presenting the names of 3-5 individuals, who shall be considered finalists, to the Board of Selectmen for consideration as appointment as the Town Administrator of Westwood. The Screening Committee members shall use their best judgment and understanding of the criteria for selection of the Town Administrator that is outlined in the Position Profile that has been prepared by the Town's recruitment consultant with the input and information of the Board of Selectmen and other town officials and community members; and that will be utilized in conducting outreach to solicit candidates for the position. The Screening Committee shall work collaboratively with the Town's recruitment consultant and HR Director in executing their responsibilities.

The Screening Committee's work shall include:

1. Meet to choose a committee Chairperson and Clerk
2. Meet with the Town's Recruitment Consultant to discuss questions regarding the Position Profile, review process of interviews, discuss questions as prepared by recruitment consultant and possible additional questions, and set interview dates.
3. Receive and review resumes of Semi-finalists as presented by the recruitment consultant.
4. Conduct interviews of selected candidates utilizing established questions.
5. Compare the experience, qualifications and interview performance of candidates to identify up to 5 finalists for reference and background check by the recruitment consultant.
6. Meet with the recruitment consultant to review the outcome of the reference and background checks and take a vote to present an unranked list of the chosen candidates to the Board of Selectmen.
7. Chairperson meets with the Board of Selectmen to present names and resumes of the Finalists.

It is anticipated that the work of the Screening Committee will be completed within 4-8 weeks. The Committee shall function as a governmental body of the Town as defined in the Massachusetts Open Meeting Law, and utilize the provisions of said law pertaining to Executive Session in order to act in the best interests of the Town. To the extent permitted by law, the Screening Committee shall maintain the names and any information about the candidates in strict confidence until it votes its recommendations. Names and information pertaining to candidates not chosen as Finalists shall be retained as confidential.



## Selectmen's Correspondence

September 21, 2021

- A. Email from Molly Krammerer, Megansett Squeteague Association on dredging of Megansett and Squeteague Harbors
- B. Talent Bank Form received from Merry James requesting appointment to the Human Services Committee

## Sundman, Nancy

---

**From:** Cannon, Glenn  
**Sent:** Tuesday, September 14, 2021 6:11 PM  
**To:** Sundman, Nancy  
**Cc:** Thut, Kathleen  
**Subject:** Fwd: [Bourne MA] Dredging of Megansett and Squeteague Harbors (Sent by Molly Kammerer, mollykammerer@gmail.com)  
**Attachments:** 2021.09.14.letter\_to\_neighbors\_bbc.final\_.pdf;  
2021.06.16.letterfromlindatobourne.final\_.pdf

Hi Nancy,

Please add this letter into the BOS correspondence.

Glenn

Sent from my iPhone

Begin forwarded message:

**From:** Contact form at Bourne MA <cmsmailer@civicplus.com>  
**Date:** September 14, 2021 at 2:42:37 PM AST  
**To:** "Cannon, Glenn" <gcannon@townofbourne.com>  
**Subject:** [Bourne MA] Dredging of Megansett and Squeteague Harbors (Sent by Molly Kammerer, mollykammerer@gmail.com)  
**Reply-To:** mollykammerer@gmail.com

Hello gcannon,

Molly Kammerer (mollykammerer@gmail.com) has sent you a message via your contact form (<https://www.townofbourne.com/user/2713/contact>) at Bourne MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofbourne.com/user/2713/edit>.

Message:

This morning we shared the attached with the Harbormasters of Bourne and Falmouth as well as several neighbors so that we might commence the fundraising to provide surveying and permitting with the intent to dredge Megansett Approach, Mooring Basin, Dinghy Dock and Squeteague Access (Current River) and Harbor, but we also wanted to be sure the selectmen knew of our proceedings. I have also included a letter from a member of your town, Linda Carpenter, who sent the letter as a follow up to her request at the Bourne Waterways Meeting in June.

I did convey to the Harbormasters that I would be sharing the same with their selectmen.

Could you confirm receipt, and forward to your selectmen, and please touch base if you would like to have further details.



Thank you,  
Molly Kammerer  
Megansett Squeteague Association, Acting Administrator  
603-799-1185

# Megansett and Squeteague Association - Dredging

---

We are happy to announce that the Megansett Squeteague Dredging Fund, "The Dredge Fund" will now be operating under the auspices of the Buzzards Bay Coalition (BBC).

The Dredge Fund is looking to underwrite the engineering and permitting work necessary for the dredging of the Megansett Mooring Basin, the Megansett dock and dinghy dock, the channel connecting Megansett to Squeteague and the Squeteague Mooring basin. This work will help improve the navigation, safety, recreational use, and health of our waterways. The surveying and permitting will create shovel-ready projects for the towns of Falmouth and Bourne as well as any necessary State entities. Our expectation is that this will allow for more timely consideration of these dredging projects.

We have received and reviewed multiple proposals from engineering firms for this work. We are looking to raise \$200,000 this fall to cover the total cost of this work. Please help us with this goal.



Contributions can be sent directly to the Buzzards Bay Coalition either electronically or by mail. Preferred payment is through their website at: [www.SaveBuzzardsBay.org](http://www.SaveBuzzardsBay.org) by selecting Donate and then clicking the arrow and scrolling down to find the Megansett Squeteague Dredging Fund or go direct at:

[www.DredgeFund.com](http://www.DredgeFund.com).

Alternatively, checks can be made out and sent directly to The Buzzards Bay Coalition, 114 Front Street, New Bedford, MA. 02740.

Please indicate "Megansett

Squeteague Dredge Fund" or "MS Dredge Fund" in the note section of the check. All contributions are tax deductible.

Thank you so much for your support.

The Megansett Squeteague Association - Dredging Committee - [MegansettSqueteagueAssoc@gmail.com](mailto:MegansettSqueteagueAssoc@gmail.com)

Linda Carpenter

Ted and Tracy Donley

Alison and Giaff Ferrante

Molly and Carl Kammerer

Michele and Stephen Scaife

Rick and Sandra Wedge

# Megansett and Squeteague Association - Dredging

---

With support from:

Sarah Adams  
Martha M. Asendorf  
Steve Ballentine  
Christine and Matt Botica  
Sheila Brady  
Sean C. Brady  
Webster Collins  
Bourne Conservation Trust  
Meredith and Marcel Comtois  
Gene and Gaye Crowley  
Brian and Jane Crowley  
Chris and Betsy Crowley  
Patti Dibella  
Jim and Betsy Donley  
Brendan and Tina Dowling  
Bruce Eldridge  
Chris and Steve Gegg  
Karen and Chris Godino  
Peter and Kristine Fisher  
Zachary and Catherine Faase  
Rick and Rosemary Fahey  
Laurie Higgins

Kevin and Kate Hurley  
Meredith Hurley  
Mark and Carla Hutker  
John and Joan Holden  
Paul and Lisa Keating  
Cindy and Herb Landsman  
Virginia McArdle  
David Maclean  
Jim and Marycatherine Mamary  
The Mastria Family  
Evan and Rosemary Mortimer  
Maryann Ouellette and Mike Lipchak  
Patricia O'Shea  
John Powers  
William A. And Crystal A Ribich  
Philip and Kathy Riley  
Francesca and Jon Rovello  
Dennis and Elissa Sargent  
John and Carolyn Stimpson  
Jon and Emily Weintraub  
Ande Williams

June 16, 2021

**To:**

**Bourne Shore & Harbor Committee:**

Richard Libin, Chair; David Wiggan, Vice Chair; B. Paul Bushueff, Clerk; David Crane, Member;  
Irving C. Salley, Member; Patrick Ross, Member; Andrew G. Campbell, Member, Squeteague Harbor  
Cove Master

**Bourne Department of Natural Resources:**

Christopher Southwood, Director; Jennifer Chisser, Administrative Assistant

**From: Linda Carpenter, Cataumet**

**RE: Follow-up to Shore & Harbor Committee Meeting, June 10, 2021, Squeteague Harbor Dredging**

As promised, I would like to follow up on the discussion the other night of the long overdue dredging of Squeteague Harbor. As all agree, the most efficient and cost effective way to accomplish this is in cooperation with Megansett Harbor, Falmouth, also in dire need of dredging. These two towns share waters on the Megansett side of Lawrence Island; the only entrance to Squeteague Harbor is through Megansett waters.

As background, a group of concerned residents of both Megansett Harbor and Squeteague Harbor have formed a committee to work together and alongside of, and in conjunction with, both towns on the maintenance dredging of both harbors, Megansett first, followed by Squeteague. This committee has located the engineering plans for previous dredging of both harbors, thus assuring that the proposed action plan would qualify as maintenance dredging. The committee is now soliciting engineering surveys from three different firms for the project. The survey, to be privately funded, is to develop a plan that will make this project shovel ready for:

1. Megansett Approach
2. Megansett Harbor Basin
3. Current River (or Squeteague Channel)
4. Squeteague Harbor Basin

After reviewing the bids, the committee will share the results and recommendations with the two towns. Once a firm is selected, the committee will authorize the survey and start to develop an implementation plan, including safety protocols, with the support and cooperation of both towns.

We would like a member of the Shore & Harbor Committee (perhaps Andy Campbell, our Cove Master), to be named as a liaison between the residents' committee, the Shore and Harbor Committee of Bourne and the Falmouth Waterways Committee. Hopefully this person can voice to Falmouth Bourne's commitment to this project and help develop a collaborative working arrangement between both towns going forward. We understand there will be public and private financing involved, based on a fair and equitable cost-sharing arrangement. (At this early stage, Falmouth has authorized some preliminary funding for the Megansett approach.)

This could be an exciting time here in Cataumet and in Megansett. It's about 100 years since the last go-round for us. We love this harbor and the Current River that leads into it, and can tell you in the summer there is a steady stream of boats in and out, dawn to dusk...the silting in just makes it tougher and to be honest, impossible at times for many boats; sailing in and out, forget that. We cannot let it turn to sludge. (As a note, we recently had a fire on a boat in our harbor. Sea Tow had trouble getting to the boat as the channel was so shallow.)

Thank you for your time. We'll keep you posted on the engineering firm that we think will best meet serve the needs of both towns, and give you an opportunity to review the proposals and have input on the final selection.

## **BOURNE HUMAN SERVICES COMMITTEE**

### **APPOINTED BY SELECTMEN**

### **ONE YEAR TERM**

There shall be a standing Committee of nine members established by the Board of Selectmen entitled The Bourne Human Services Committee. The Board of Selectmen shall initially appoint members for two, three and four year terms and thereafter appoint members on a rotating basis for three-year terms.

The Committee shall preferably consist of a Representative of the Bourne School Department\*, Bourne Police Department, Council on Aging, Bourne Housing Authority, a youth representative, and 6\*\* members at large. A Representative of the Board of Selectmen and a Representative of the Finance Committee may serve as ex-officio members who shall have a voice but no vote in the proceedings of the Committee.

\* Added at 12/11/07 Selectmen's Meeting.

\*\* Amended at 02/05/19 Selectmen's Meeting.

# Town of Bourne - FY22 - Bourne Human Services Committee

EXP	LAST NAME	FIRST NAME	STREET	CITY	ST	ZIP	HOME #	EMAIL	REP OF COMM
June 30, 2022	Garcia	Kara	35 Corrine Drive	East Falmouth	MA	02536	563-7485	kgarcia@bournehousing.org	Bourne Housing Authority - Rep
June 30, 2022	Welsh-Manley	Wendy	6 Meadowlark Lane	Sagamore Beach	MA	02562		hslew4@gmail.com	At Large
June 30, 2023	Bombaci	Leona	PO Box 570 - 100 Williams Avenue	Pocasset	MA	02559	563-6647	Lbabdm@aol.com	At Large
June 30, 2023	Oliviere-Llanes	Debora	239 Main Street	Buzzards Bay	MA	02532	759-0600 x5226	doliviere@townofbourne.com	Council on Aging
June 30, 2023	Powers	Haiden	5 Brady Road	Sagamore Beach	MA	02562		hpowers679@gmail.com	Youth Representative
June 30, 2023	Vacancy								At Large
June 30, 2023	Vacancy	Vacancy	Interim Special Education Dir.						School Department -
June 30, 2024	Esip	Brandon M.	83 Norris Road	Sagamore Beach	MA	02562	781-361-3490	BRANDON@ESIPFAM.COM	Police
June 30, 2024	Powers	Chris	5 Brady Road	Sagamore Beach	MA	02562	508-685-7503		At Large
June 30, 2024	Vacancy								At Large
June 30, 2024	Vacancy								At Large



# 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: Merry James DATE: 9/9/21  
 ADDRESS: 8 Ambrosia Ln Pocasset PRECINCT: 5  
 OCCUPATION: outreach worker TELEPHONE # 508 526 0213 EMAIL: merryjames@hotmail.com  
 BACKGROUND: Outreach worker for Town of Bourne, Resident for 17 1/2 yrs, mother of two girls.

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.

BOURNE BOARD OF SELECTMEN  
NOV 2021 SE 9 AM 10:35

	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 FEASIBILITY AND DESIGN BUILDING COMMITTEE - To serve as advisors to the Town Administrator and Bourne Board of Selectmen as it prepares the design, siting and feasibility of a new replacement fire/ems station on the south side of the 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 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)