

May 4 ,2009 ANNUAL TOWN MEETING

ARTICLE 1: To see if the Town will vote the following regularly required authorizations or actions, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: We move the Town so vote.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 2: To see if the Town will vote to fix the salaries and compensation of all elected officials of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, and raise and appropriate a sum of money therefore, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: We move that the Town vote to fix the salaries and compensation of all elected officials of the Town, as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, as follows:

Moderator	\$ 531.00
Selectmen 5 ea @ 3500.00	\$17,500.00
Town Clerk	\$33,817.72

We further move that the sum of \$51,848.72 be raised and appropriated for the purpose of this article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to defray the regular annual expenses of the Town, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: We move that the sum of \$50,165,988.00 be appropriated for the regular annual expenses of the Town for the fiscal year July 1, 2009 to June 30, 2010, of which \$10,927,724.00 shall be for salaries and wages and \$39,238,264.00 shall be for expenses, all segregated to the accounts as printed in the Board of Selectmen’s recommendations attached to this motion and incorporated herein by reference, except that amounts for Town and Regional Schools may wholly or in part be used for salaries and wages; and to meet this appropriation, we further move that the sum of \$297,989.00 be transferred from PL874 grant funds for the town’s school expenses, the sum of \$895,000.00 be transferred from the Ambulance Fund to the Town Ambulance operation, the sum of \$30,000.00 be transferred from Conservation Commission Receipts reserved for appropriation for the Conservation Commission, the sum of \$632,222.00 be appropriated from FY2010 Estimated Community Preservation Fund Revenues for debt expense for Open Space and Recreation purposes, the sum of \$30,490.00 be transferred from the Community Septic Management program, the sum of 75,000.00 be transferred from the Waterway Improvement Fund, the sum of \$859,245.00 transferred from free cash and the sum of \$47,346,042.00 be raised and appropriated.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 4:

To see if the

Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Department, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

MOTION: We move the sum of \$779,778.00 be authorized to be expended by the Sewer Commissioners for the operation of the Sewer Department as follows:

Salaries & Wages	\$145,259.00
Expenses	\$619,519.00
Reserve Fund	\$ 15,000.00

And we further move that the sum of \$142,677.00 be transferred to the General Fund to offset Sewer Enterprise indirect expenses, and in order to meet this appropriation, we move that the sum of \$9,930.00 be transferred from the Massachusetts Water Pollution Abatement Trust Reserve Account and the sum of \$912,525.00 be raised from Sewer Enterprise Receipts.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 5:

To see if the

Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts for the construction, reconstruction and improvement on all approved public ways which qualify under the State Aid Highway (Chapter 90) guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the D.P.W. Superintendent, with the approval of the Board of Selectmen, or take any other action in relation thereto.

Sponsor - D.P.W. Superintendent

MOTION: We move that the Town vote to appropriate any sums of money received or to be received from the Commonwealth of Massachusetts for the purposes of this article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 6:

To see if the

Town will vote to raise and appropriate or transfer from available funds a sum of money to establish a Reserve Fund, or take any other action in relation thereto.

Sponsor - Board of Selectmen

MOTION: We move that the Town vote to raise and appropriate the sum of \$250,000.00 for the purpose of this Article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Integrated Solid Waste Management Program, or take any other action in relation thereto.

Sponsor - Board of Selectmen

MOTION: We move that the sum of \$9,661,930.00 be authorized to be expended for the operation of the Integrated Solid Waste Management Enterprise Fund as follows:

Salaries & Wages	\$1,690,935.00
Expenses	\$7,370,995.00
Reserve Fund	\$ 250,000.00
Host Community Fee	\$ 350,000.00

And we further move that the sum of \$1,963,815.00 be transferred to the General Fund to offset ISWM Enterprise Fund indirect expenses and in order to meet this appropriation, we further move the sum of \$11,625,745.00 be raised from receipts from the ISWM Enterprise Fund for the purpose of this article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 8: To see if the Town will vote to hear reports and recommendations of Committees and Town Officers, or take any other action in relation thereto.

Sponsor - Board of Selectmen

MOTION: We move the Town so vote.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 9: To see if the Town will vote under authority of M.G.L., Chapter 44, Section 53E ½ to establish Revolving Funds to be known as described below, or take any other action in relation thereto.

MOTION: We move that the Town vote under the authority of M.G.L. Chapter 44, Section 53 E ½ to establish Revolving Funds to be entitled herein and to authorize the spending limits for the Recreation Programs Fund in the amount of \$100,000.00, the Shellfish Propagation Fund in the amount of \$35,000.00, the School Transportation Fund in the amount of \$50,000.00, the After School Activity Fund in the amount of \$25,000.00, the Public Library Book Fund in the amount of \$25,000.00 and the Composting Bins Fund in the amount of \$500.00.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding capital improvements and capital projects, or take any other action in relation thereto

Sponsor – Capital Outlay Committee

MOTION: We move that the Town vote to raise and appropriate the sum of \$2,059,000.00 for the capital outlay projects listed in the capital outlay report and to meet this appropriation we move to transfer the sum of \$244,000.00 from free cash; \$101,000.00 from the Waterways Improvement Fund. We further vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$1,714,000.00 under and pursuant to Chapter 44, Sections 7(3A), 7(9), 7(28) of the General Laws, as amended, and supplemented, or any other enabling authority and to issue bonds or notes of the Town therefore.

VOTED: Ayes 186; Nays 1; declared the motion passes by more than a 2/3rds vote.

ARTICLE 11: To see if the Town will vote to appropriate, transfer from available funds or borrow a sum of money through the Town of Bourne Integrated Solid Waste Management System for the final design and construction of a new public works facility or take any action in relation thereto.
Sponsor – Capital Outlay Committee

MOTION: we move that the Town vote to indefinitely postpone this article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 12: To see if the Town will vote to transfer any sums of money received from the ISWM Host Community Fees in excess of \$350,000.00 to fund entitled “Capital Expenditure Stabilization Reserve Fund” or take any other action in relation thereto.
Sponsor – Board of Selectmen

MOTION: We move that the Town vote to direct and dedicate any additional moneys received from the ISWM Host Community Fee in excess of \$350,000.00 per year into a fund entitled the Capital Expenditure Stabilization Reserve Fund.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 13: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds, or reserve from the FY 2010 Estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto:
Sponsor – Community Preservation Committee

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend.
A	Bourne Housing Partnership	Fund position of Affordable Housing Specialist - (including equipment, supplies, and expenses).	Community Housing	\$47,680.00
B	Bourne Housing Partnership	Bourne Housing Opportunity Purchase Program (to subsidize affordable home ownership and/or rentals)	Community Housing	\$140,000.00
C	Buzzards Bay Village Association	To continue the “Three Mile Look” project located at the end of Perry Avenue in Buzzards Bay.	Open Space	\$28,000.00
D	Town Clerk	To bind and re-bind permanent town birth, death, marriage licenses, install shelving in Clerk’s vaults, purchase proper storage containers.	Historic Resources	\$15,000.00

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend.
E	Town Clerk	Placing Town Clerk, Planning Board and Archives documents in an electronic format (laserfiche)	Historic Resources	\$35,000.00
F	Pocasset Village Association	To replace the roof of the Pocasset Community Center building and restore the roof to its original appearance when built in 1912.	Historic Resources	\$6,100.00
G	Mass. Coastal Railroad, LLC.	Rehabilitation of the Buzzards Bay Railroad Interlocking Tower	Historic Resources	\$87,753.00
H	Swift Memorial United Methodist Church	Restoration of the Church's Historic Slate Roof	Historic Resources	\$125,000.00
I	Community Preservation Committee	Reserve for Community Housing	Community Housing	\$.00
j	Community Preservation Committee	Reserve for Open Space	Open Space	\$324, 488.00
k	Community Preservation Committee	Reserve for Historic Resources	Historic Resources	\$.00
l	Community Preservation Committee	2010 Budgeted Reserve	All CPA Purposes	\$105,244.00

Each of the above listed projects were voted under the following separate motions:

13A. We move that the Town vote to appropriate, upon the recommendation of the Community Preservation Committee, the sum of \$47,680.00 for the purpose of funding the position of Affordable Housing Specialist, as described in the Warrant, for the purposes of community housing, and to meet this appropriation, to transfer the sum of \$47,680.00 from the 2010 CPA Community Housing Estimated Revenues.

VOTED: Ayes have it; motion passes.

13B. MOTION: We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$140,000.00 for the purpose of funding the Bourne Housing Opportunity Purchase Program, as described in the Warrant, for the purposes of community housing, and to meet this appropriation, to transfer the sum of \$88,564.00 from the 2010 CPA Community Housing estimated Revenues and the sum of \$45,469.00 from the Community Housing reserves and the sum of \$5,967.00 from Undesignated Fund Balance of the Community Preservation Fund.

VOTED: Ayes have it; motion passes.

13C. MOTION: We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$28,000.00 for the purpose of continuing the “Three Mile Look” project located at the end of Perry Avenue in Buzzards Bay for the purposes of open space, and to meet this appropriation, to transfer the sum of \$28,000.00 from 2010 CPA Open Space Estimated Revenues.

VOTED: Ayes have it; motion passes.

13D. MOTION: We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$15,000.00 for the purpose of preserving documents in the Town Clerk’s office, as described in the Warrant, for the purpose of historic resources, and to meet this appropriation, to transfer the sum of \$15,000.00 from the 2010 CPA Historic resources Estimated Revenues.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

13E. MOTION: We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$35,000.00 for the purposes of preserving archive documents in an electronic format, as described in the Warrant, for the purpose of historic resources, and to meet this appropriation, to transfer the sum of \$35,000.00 from the 2010 CPA Historic Resources Estimated Revenues.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

13F. MOTION: We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$6,100.00 for the purpose of replacing the roof of the Pocasset Community Center to its original appearance, as described in the Warrant, for the purpose of historic resources, and to meet this appropriation, to transfer the sum of \$6,100.00 from the 2010 CPA Historic Resources Estimated Revenues.

VOTED: Ayes have it; motion passes.

13G. MOTION: We move that the Town vote to appropriate, upon the recommendation of the Community Preservation Committee, the sum of \$80,000.00 for the purpose of rehabilitation of the Buzzards Bay Railroad Interlocking Tower, for the purpose of historic resources, and to meet this appropriation to transfer the sum of \$80,000.00 from the 2010 CPA Historic Resources Estimated Revenues, said appropriation to be contingent upon execution of a grant agreement between the Town and the Massachusetts Coastal Railroad LLC..

VOTED: Ayes have it; motion passes.

13H. We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$125,000.00 for the purpose of restoration of the Historic Slate Roof of the Swift Memorial United Methodist Church, for the purpose of historic resources, and to meet this appropriation, \$144.00 from the 2010 CPA Historic resources estimated Revenues and to transfer the sum of \$97,096.00 from the Historic resources Unreserved Fund Balance the sum of \$27,760.00 from the Undesignated Fund Balance of the Community Preservation Fund, said appropriation to be contingent upon execution of a Permanent Historic Restriction pursuant to Massachusetts General Laws Chapter 184.

VOTED: Ayes 123; Nays 49- declared the motion passes.

13I. It was not necessary to take a vote on this item.

13J. We move that the Town vote to appropriate, upon recommendation of the Community Preservation the sum of \$324,488.00 for the Reserve for Open Space, for the purpose of open space, and to meet this appropriation, to transfer the sum of \$324,488.00 from the 2010 CPA Open Space Estimated Revenues.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

13K. It was not necessary to take a vote on this item.

13L. We move that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$105,244.00, for the purposes of the 2010 Budgeted Reserve of the Community Preservation Committee, for the purposes of the Community Preservation Act, and to meet this appropriation, to transfer the sum of \$105,244.00 from the 2010 CPA Other Purposes Estimated Revenues.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 14: To see if the town will vote to amend the Town of Bourne Bylaws by deleting Article 3.9 entitled "Mooring Permits" in its entirety or take any other action in relation thereto.
Sponsor – Board of Selectmen

MOTION: We move that the Town vote to amend the Town of Bourne Bylaws by deleting Article 3.9 entitled "Mooring Permits" in its entirety.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 15: To see if the town will vote to amend the Town of Bourne Bylaws Article 3.9 Mooring Permits Section 3.9.1 by deleting "Each mooring permit shall be assessed a fee of \$50.00 for a resident mooring for personal, non-commercial use, a fee of \$150.00 for non-resident mooring for personal non-commercial use, and a fee of \$150.00 for a mooring for commercial use" and inserting in place thereof the words "Each mooring permit shall be assessed a fee of \$70.00 for personal, non-commercial use and a fee of \$150.00 for a mooring for commercial use" or take any other action in relation thereto
Sponsor – Board of Selectmen

MOTION: We move that the Town vote to indefinitely postpone this Article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of shellfish propagation, or take any other action in relation thereto.
Sponsor – Board of Selectmen

MOTION: We move that the Town vote transfer \$9,000.00 from free cash for the purposes of this Article.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 17: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 2220, Use Regulation Schedule, by adding WECS, to read as follows or take any other action in relation thereto.
Sponsor – Planning Board

DISTRICT	R-40 R-80	V-B B-1	B-2 B-4	B-3	GD
WECS Section 3460	PB	PB	PB	PB	PB

MOTION: We move that the Town vote to amend the Bourne Zoning Bylaw Section 2220, entitled “Use Regulation Schedule” by adding Section WECS, as printed in the Warrant and inserting Section WECS as the last category under “Accessory Uses” in Section 2220.

VOTED: Ayes have it; motion passes; declared a unanimous vote

ARTICLE 18: To see if the Town will vote to amend the Bourne Zoning Bylaw, by striking the words “Building Inspector” and substituting in their place the words “Inspector of Buildings” throughout the Zoning Bylaw or take any other action in relation thereto.
Sponsor – Planning Board

MOTION: We move the Town so vote.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 19: To see if the Town will vote to rescind and repeal its vote under Article 24 of the May 1979 Annual Town Meeting establishing the Archives Committee, and its vote under Article 7 at the September,1980 Special Town Meeting. Sponsor - the Bourne Historical Commission, the Bourne Historical Society and the Bourne Archives

MOTION: We move the Town so vote.

VOTED: Ayes have it; motion passes; declared a unanimous vote.

ARTICLE 20: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the administrative and operating expenses of the Community Preservation Committee, or take any other action in relation thereto.
Sponsor - Community Preservation Committee

MOTION: We move the Town vote, upon recommendation of the Community Preservation Committee, to appropriate the sum of \$30,000.00 for the purposes of this Article and to meet this appropriation to transfer the sum of \$30,000.00 from the Undesignated Fund Balance of the Community Preservation Fund.

VOTED: Ayes have it; motion passes; declared a unanimous vote.