



TOWN OF BOURNE

Finance Committee

24 Perry Avenue
Buzzards Bay, MA 02532



FY23 Reserve Fund: \$294,728.76
FY23 ISWM Reserve Fund: \$600,000
FY23 Sewer Reserve Fund: \$150,000

FINANCE COMMITTEE

James Sullivan
Chair

Amanda Bongiovanni
Vice Chair

Thomas Joyce

Richard Lavoie

Kathleen LeGacy

Arthur Wayne Sampson

Priscilla Harcourt

Carla Emmons

VACANCY (1)

MEETING NOTICE

March 11, 2024 at 7:00 PM
Bourne Community Center
239 Main Street, Buzzards Bay, MA 02532
AMENDED

Zoom Meeting ID: 844 6523 8259
Zoom Meeting Password: FINCOM

The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time. Use of flash photography during Finance Committee meetings is prohibited.

1. Call meeting to order
2. Note Excused/Absent Members
3. Reserve Fund Transfer: Public Works overhead door
4. Review Town Meeting articles:
 - o Article 6 – Committee Reports
 - o Article 15 – Human Services Grant Program
 - o Article 16 – Reduce membership on Cultural Council
 - o Article 19 – Amend Wetlands Bylaw
 - o Zoning:
 - Article 21 - Section 1238: SPR traffic and circulation plan
 - Article 22 - Section 1242: change special permit time lapse from two to three years
 - Article 23 - Section 3343: Remove June 1, 2020 sunset date for Interim Egress Control in the Traffic Management District
 - Article 24 - Section 2821: Table of Allowable Uses
 - Article 25 - Section 4120: Accessory Dwelling update
5. Discuss draft financial policies in advance of Select Board's 1st reading on 3/19/24
6. Minutes: 3/5/24 and 3/12/24 2/4/24 and 2/12/24
7. Adjourn meeting

Any Bourne resident interested
in serving on the Finance
Committee can contact the
moderator by e-mailing:

moderator@townofbourne.com

Residents are welcome and encouraged to attend our meetings. All agenda items are subject to deliberation and votes.

Reasonable accommodations for people with disabilities are available upon request. Please include a description of the accommodation you require, with as much detail as possible, and include a way we can contact you if we need more information. Please allow advance notice. Send an email to kthut@townofbourne.com or call the Town Administrator's Office at 508-759-0600 x1503

RECEIVED
2024 MAR -8 AM 11:50
TOWN CLERK BOURNE

ARTICLES OF THE WARRANT

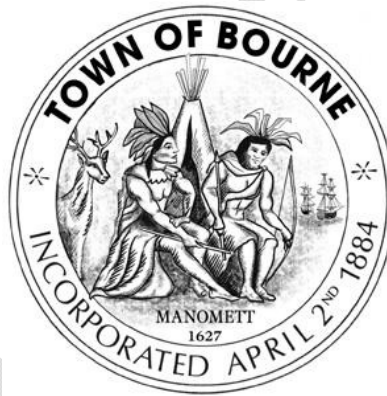
FOR THE

ANNUAL TOWN MEETING

Monday, May 6, 2024

7:00 P.M.

Bourne High School Auditorium



ANNUAL TOWN MEETING

ARTICLE 1: To see if the Town will vote to approve each of the following articles, as a single Consent Agenda motion pursuant to a single vote, or pass any vote or take any other action relative thereto.

Sponsor – Select Board

1. Regular Required Authorizations - To see if the Town will vote to approve the following regularly required authorizations:
 - a. Assumption of Liability – to assume liability as specified in Section 1 of Chapter 814 of the Acts of 1972, in the manner provided by G.L. c. 91, §§ 29 and 29A, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, and, further, to authorize the Select Board to execute and deliver a bond of indemnity therefore to the Commonwealth.
 - b. Road Contracts - to authorize the Town Administrator to enter into a contract with the Massachusetts Highway Department Commissioner or the Federal Government for the construction and maintenance of public highways in the Town of Bourne for the ensuing year.
 - c. Grant Program Authorization - to authorize the Select Board and/or the Town Administrator to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Bourne by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program.
 - d. Contracts in Excess of Three Years - to authorize the Town Administrator or the Superintendent of Schools, in accordance with the provisions of G.L. c. 30B, § 12(b), to solicit and award contracts for terms exceeding three years, including any renewal, extension, or option, provided in each instance that the term in excess of three years is determined to be in the best interest of the Town by a vote of the Select Board (if solicited and awarded by the Town Administrator) or the School Committee (if solicited and awarded by the Superintendent).
 - e. Banking Institution Agreements – to authorize the Treasurer and the Town Collector, pursuant to G.L. c. 44, § 53F, and with the approval of the Select Board, to enter into agreements with banking institutions to maintain deposits in exchange for banking services, for periods not to exceed three years.
 - f. Medicaid Medical Services Program – to authorize the Select Board, pursuant to G.L. c. 44, § 72, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.
2. Elected Officials Salaries - To see if the Town will vote to fix the salaries and compensation of the following elected officials of the Town, as provided by G.L. c. 41, § 108, for the fiscal year commencing July 1, 2024 as follows:
 - a. Town Moderator: \$644
 - b. Select Board 4 @ \$3,570 for total of \$14,280

- c. Select Board (Chair) 1 @ \$4,590 for a total of \$4,590
- d. Town Clerk: \$46,822

3. Chapter 90 - 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, pursuant to G.L. c. 90, for the construction, reconstruction, preservation, maintenance, and improvement of all public ways accepted by the Town, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, 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 DPW Director, with the approval of the Select Board.
4. Revolving Funds - To see if the Town will vote to set the total amount that may be expended from each revolving fund established by Article 2.10 of the General Bylaws, pursuant to G.L. c. 44, § 53E½, for the fiscal year beginning July 1, 2024, as follows:

Revolving Fund	FY 2025 Spending Limit
Recreation Programs Fund	\$ 175,000
Shellfish Propagation Fund	\$ 75,000
Transportation Revolving Fund	\$ 50,000
Public Library Book Fund	\$ 20,000
COA Supportive Day/Bridging the Years	\$ 100,000
COA Programs	\$ 100,000
Community Building Rental fund	\$ 10,000
Tax Title Collection Fund	\$ 60,000
	\$ 590,000

5. Accrued Contractual Compensated Absences - To see if the Town will vote to raise and appropriate, transfer from available funds, otherwise provide the sum of \$100,000 to fund the costs related to payments of accrued contractual compensated absences.

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to defray the regular annual expenses of the Town, or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to operate the Sewer Department, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

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 Integrated Solid Waste Management Program, or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money for the purpose of funding the Fiscal Year 2025 Capital Budget, or take any other action in relation thereto.

Sponsor – Capital Outlay Committee and Select Board

ARTICLE 6: 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 – Select Board

ARTICLE 7: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purpose (Recreation Feasibility Study), and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

Sponsor – Community Preservation Committee

ARTICLE 8: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purpose (Recreation Skate Park), and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

Sponsor – Community Preservation Committee

ARTICLE 9: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purpose (Historic Preservation – Anna’s Pals – Former Hoxie School), and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

Sponsor – Community Preservation Committee

ARTICLE 10: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purpose (Affordable Housing – 9 Sandwich Road), and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

Sponsor – Community Preservation Committee

ARTICLE 11: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purpose (**Affordable Housing + Historic Preservation**), and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

Sponsor – Community Preservation Committee

ARTICLE 12: 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

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to the Stabilization Fund, or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to the Capital Stabilization Fund, or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the Human Services Grant program, or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 16: To see if the Town will vote to reduce the size of the Bourne Cultural Council from 11 members to 5 members, the minimum required by MGL c. 10, §58, or take any other action in relation thereto.

Sponsor – Bourne Cultural Council

ARTICLE 17: To see if the Town will vote to amend the Town of Bourne Bylaws by deleting all references to “thirty (31) days” and all such similar references and replacing the same with “thirty (30) days” or other similarly appropriate text, or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 18: To see if the Town will vote to amend the Town of Bourne General Bylaw, Article 1.5, Section 1.5.6, by adding the **bolded** text and deleting the struck through text as follows:

Section 1.5.6

Capital Outlay Items Defined. Any proposed article meeting the definition of a capital outlay item as herein defined shall be presented to the Capital Outlay Committee for review as a Capital

Outlay item. A Capital Outlay item will refer to any activity that meets one or more of the following criteria:

- a. The acquisition of land or buildings.
- b. The new construction, reconstruction, repair, replacement, or improvement of buildings or other public facilities, drainage facilities, streets, sidewalks, parks or improvements of land with a cost in excess of \$20,000 **\$25,000**.
- c. The purchase of major equipment, including motor vehicles, with a cost in excess of \$10,000 **\$25,000**.

or take any other action in relation thereto.

Sponsor – Select Board

ARTICLE 19: To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Section 3.7.9 – Consultant Fees – by adding the **bolded** text and deleting the struck through text as follows:

Section 3.7.9

~~Consultant Fees. The Commission is authorized to impose reasonable fees require the applicant, to pay the reasonable costs and expenses borne by the Commission (Town) for specific expert engineering and consultant services deemed necessary by the Commission to review the notice of Intent and/or the Request for Determination of Applicability, up to a maximum of two thousand and five hundred dollars (\$2,500.00).~~

As provided by MGL Ch. 44 § 53G, the Commission can impose reasonable fees for the employment of outside consultants, engaged by the Conservation Commission, for specific expert services deemed necessary by the Commission to review the Notice of Intent and/or the Request for Determination of Applicability.

Said payment can be required at any point in the deliberations prior to a final decision being rendered. Said services may include but are not limited to wetland resource area surveys and delineations, wetland resource area reports, hydrogeological and drainage analysis, wildlife evaluation, shellfish surveys, and environmental/land-use law.

~~The Commission is hereby authorized to charge for said fee when the Notice of Intent and/or the Request for Determination of Applicability proposes any of the following: 500 square feet or greater alteration of a coastal or inland wetland resource area: 50 linear feet or greater of bank alteration to an inland or coastal waterway: 500 square feet or greater alteration to the buffer zone: alteration of greater than 500 square feet of land under a water body or the ocean: discharge of any pollutants into or contributing to surface or groundwater or the wetland resource area or buffer zone: or the construction of any detention or retention basin or water control structure. Any applicant aggrieved by the imposition of, or the size of, the fee, or any act related thereto, may appeal according to the provisions of Massachusetts General Laws.~~

The applicant has a right to appeal the selection of the outside consultant pursuant to MGL Ch. 44 § 53G.

or take any other action in relation thereto.

Sponsor – Conservation Commission

ARTICLE 20: Adopt **BEANO**, if necessary.

Sponsor – Select Board

ARTICLE 21: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 1238A.4.b Traffic and Internal Circulation by deleting “25” as follows:

Where access by fire vehicles or other large trucks is not anticipated, access adequacy shall reflect consistency with the performance intent of the geometric standards of Subdivision Regulations of the Bourne Planning Board and the fire equipment access requirements of 527 CMR 25.

or take any other action in relation thereto.

Sponsor – Planning Board

ARTICLE 22: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 1242.1 by deleting the word “two” and replacing with “three” as follows:

1242.1 Enforcement: Any Site Plan – Special Permit approval issued under this section shall lapse within **three** ~~two~~ years if a substantial completion of the requirements of the Site Plan has not taken place. Such permit may be extended for reasonable cause.

or take any other action in relation thereto.

Sponsor – Planning Board

ARTICLE 23: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 3343 Interim Egress Control by deleting “Until June 1, 2020, or, if earlier” as follows:

3343. Interim Egress Control. ~~Until June 1, 2020, or, if earlier, u~~ **U**ntil opening of a limited-access highway connecting the Mid-Cape Highway (Route 6) with MacArthur Boulevard (Route 28) or Route 25, all development in the Traffic Management District shall be subject to the following:

- a) Access separation. No new street, driveway, or other means of vehicular access to an arterial street shall be created unless it is separated from all other means of vehicular access on the same side of the street by at least 1,000 feet, measured centerline to centerline along the edge of the street right-of-way, unless granted a special permit under Section 3344 authorizing less separation. However, each lot or set of contiguous lots held in ownership separate from that of all abutting land as of the date of adoption of this provision shall be allowed a single access to an abutting arterial street, provided that the access shall be located so as to minimize movement conflicts with all other accesses to the same road.
- b) Land division and sale. No land in the Traffic Management District shall hereafter be divided into separate lots or ownerships unless each resulting building lot will be entitled to vehicular access under these provisions, through one or more of the

following:

- having location and configuration making it feasible to meet the requirements of Section 3343(a), or
 - having an alternative means of access, such as an authorized shared driveway (see Section 3342), or
 - having frontage on a non-arterial street, or
 - having been granted a special permit under the provisions of Section 3344.
- c) Other requirements. The standards of the table in Section 3341 (except for the required driveway centerline separation) must be met by all uses, regardless of trip generation level.

or take any other action in relation thereto.

Sponsor – Planning Board

ARTICLE 24: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 2821 Downtown District Table of Allowable Uses (DTD-1) Functional Standards and Special Permit Criteria for a Home Occupation Office Use by deleting “4120” in its entirety and replacing the same with “4110” as follows:

OFFICE USES		
Veterinary Clinic/Animal Hospital	SP	Animal hospitals shall not be located closer than one hundred (100) feet to any residential property, restaurant or hotel. All animals must be housed overnight in completely enclosed buildings. The SPGA may stipulate that appropriate sound mitigation devices be installed and that fences, walls, and/or vegetation be installed to screen the site where animals will be maintained out of doors.
Home Occupation.	SP	See Section 4110 4120
Professional Office	P	See Section 2827

or take any other action in relation thereto.

Sponsor – Planning Board

ARTICLE 25: To see if the Town will vote to amend the Bourne Zoning Bylaw as follows:

Section 2220 Use Regulation Schedule; section 4120-4123 Accessory Dwelling; section 2821 Downtown District Table of Allowable Uses (Table DTD-1); section 2853 Table of Required Parking Spaces (Table DTD-3); and section V Definitions.

Amend the following sections:

2220. Use Regulation Schedule

DISTRICT	R-40 R-80	V-B B-1	B-2 B-4	B-3	GD
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ACCESSORY USES					
Accessory dwelling (See Section 4120)	<u>Yes</u> BA	<u>Yes</u> BA	<u>Yes</u> BA	No	No

(BA = Board of Appeals)

4120. Accessory Dwelling.

The purpose of the accessory dwelling bylaw is to broaden the range of housing choice by increasing the number of small dwelling units available in Bourne's housing supply. The Building Commissioner/Chief Zoning Enforcement Office shall administer and enforce the provisions of this section. A special permit authorizing one: An accessory dwelling may be granted only if consistent with the following:

4121. Development Requirements.

- a) **One accessory dwelling is permitted as a by right use to a lawful single-family use on the same lot.** ~~In conformance with Section 2450.~~
- b) **Septic capacity or sewerage deemed satisfactory.** ~~The Board of Health must have documented to the Board of Appeals that sewage disposal will be satisfactorily provided for, including provision for an appropriate reserve area on the site.~~
- c) Parking as required at per Section 3320 shall be provided either in a garage or **designated area** ~~on paved surfaces~~ not located within any required yard. **One parking space shall be designated per bedroom. Refer to section 2853 for parking requirements in the Downtown District (DTD).**
- d) **Minimum lot size is 5,000 square feet. Less than 5,000 square feet requires conformance with section 2450.**
- e) **The maximum size of an accessory dwelling is 1,500 square feet and contains no more than two bedrooms.**
- f) **An ADU is attached or detached to the primary structure and designed to maximize the appearance of a single-family residential property. It is subordinate to and no greater than 50% of the existing primary single-family dwelling floor area calculated as first floor, second floor, basements 50% above-grade, attics over 6'6" floor to ceiling height, and garages.**
- g) **The following types of properties or developments are not eligible for an accessory dwelling: deed restricted affordable housing units; all lots developed under a Comprehensive Permit (Chapter 40B); lots with more than one single-family dwelling unit; and lots created under section 4600 Open Space Community.**
- h) **Accessory dwelling units lawfully created prior to adoption of this section may continue to be used, maintained, and occupied.**

4122. Occupancy Requirements

- a) Either the principal or the accessory unit must be owner-occupied. ~~except for temporary absences.~~ **Fractional ownership is prohibited.**
- b) An accessory ~~unit~~ **dwelling and primary dwelling** authorized under these provisions shall not be used for **short-term rental**, summer rental, boarding and lodging, or other commercial use **except for a home occupation according to Section 4110.**
- c) **The ADU and primary dwelling may not be rented for periods shorter than 90 days at a time, and are prohibited from any use as rental units on a weekly or daily basis.**
- d) **The primary dwelling and ADU must remain in common ownership which cannot be severed.**

4123. Procedural Requirement

~~a) To approve a special permit for an Accessory Dwelling, the Board of Appeals must make a determination that all of the above requirements have been met, and also that the particular circumstances of the case make such use appropriate, including consideration of whether lot area or other site characteristics assure mitigation of any impacts on the neighborhood, whether there is enforceable assurance that occupancy of the unit will serve significant community purposes, such as facilitating care for the elderly or handicapped, or providing housing at unusually low cost, and whether site and building design will effectively avoid any departure from the character of the neighborhood.~~

~~b) A Certificate of Occupancy for an Accessory Dwelling shall be issued for a period no greater than three years. Continued occupancy beyond that shall require a new Certificate of Occupancy, to be granted only upon documentation to the Inspector of Buildings that the relationships satisfying Section 4122 or on which the decision under paragraph a) was based are still in existence.~~

~~c) Upon termination of occupancy satisfying Section 4122, or a condition of the special permit, separate occupancy of the accessory dwelling shall not be reestablished unless a new special permit is granted, on grounds that either the requirements of Section 4122 and the original special permit will again be satisfied, or that special circumstances of the structure or its occupants would make single family occupancy a hardship, and that the granting of such Special Permit would not be detrimental to the neighborhood.~~

~~d) A Certificate of Compliance with the above paragraph must be provided by the owner to the Inspector of Buildings upon transfer of any beneficial interest in the property, and recorded at the Registry of Deeds.~~

DOWNTOWN DISTRICT

2820. ALLOWABLE USES

2821. Table of Allowable Uses

The Table of Allowable Uses (Table DTD-1) establishes the uses that are permitted by right (P), by Special Permit (SP), or not permitted (N) in the Downtown District (DTD). For all uses allowed by Special Permit in the Downtown Zoning Districts, the Planning Board shall be the Special Permit Granting Authority (SPGA).

TABLE DTD-1: ALLOWABLE USES IN THE DOWNTOWN DISTRICT		
LAND USE CLASSIFICATION	PERMITTED BY:	FUNCTIONAL STANDARDS AND SPECIAL PERMIT CRITERIA
RESIDENTIAL USES		
Accessory Apartment Dwelling Unit	P SP	See Section 2827 (except subdistrict DTN see Section 4120)

2853. Table of Required Parking Spaces

Where on-site or controlled parking is necessary and required, the applicant shall provide at a minimum the amount required in the table below. This reduced parking requirement compared to Section 3300 of the Zoning Bylaw recognizes the availability and broad distribution of existing public parking and the pedestrian characteristics of the Downtown District.

TABLE DTD-3: REQUIRED PARKING SPACES IN THE DOWNTOWN DISTRICT	
TYPE OF USE	REQUIRED PARKING
RESIDENTIAL USES	
Accessory d Dwelling or Live/Work Unit	Minimum of 1 space per dwelling unit

SECTION V DEFINITIONS

In this Bylaw the following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings.

Accessory Building

A building devoted exclusively to an accessory use as herein defined, and not attached to a **primary** ~~principal~~ building by any roofed structure.

Accessory Dwelling Unit (ADU)

A subsidiary dwelling unit ~~created as an extension to an existing single-family dwelling.~~ **incorporated within a lawful primary single-family dwelling or as a detached accessory building and on the same lot as a lawful primary single-family dwelling use. This definition does not include a mobile home trailer, however mounted.**

Accessory Use

A use customarily incidental to, and on the same lot as, a ~~principal~~ **primary** use and occupying less than 30% of the ~~habitable~~ **gross** floor area on the premises and less than 50% of the lot area. **This definition does not include ADUs.**

Dwelling Unit

A building or portion of a building suitable for living quarters for a single family, having a single set of kitchen facilities (a stove ~~plus either or both~~ **in addition to either** a refrigerator ~~and or a~~ **or a** kitchen sink) not shared with any other unit; or quarters for up to six persons in a lodging house, dormitory,

congregate housing, or similar group dwelling.

Fractional ownership

The cost of an asset or property is split among individuals, corporate entities/trusts, each getting a share.

or take any other action in relation thereto.

Sponsor – Planning Board

ARTICLE 26: To see if the Town will vote to (a) authorize the Select Board to acquire by purchase, gift, or eminent domain, the fee and/or permanent and/or temporary easements and/or other real property interests, for the purposes of establishing, constructing, operating, and maintaining a shared use path for non-motorized transportation, open space, and recreation purposes and for all other purposes for which shared use paths are now or hereafter may be used in the Commonwealth, including, without limitation, for the construction, installation, maintenance, improvement, repair, replacement, and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, guardrails, slopes, grading, rounding, landscaping, parking areas, and other appurtenances and/or facilities, to enable the Town to undertake the Bourne Rail Trail – Phase 1 Project, and for any and all purposes incidental or related thereto, in, on, over, across, under, and along all or any portion of the certain parcels of land located on or near the railroad right of way, running from Monument Neck Road at Presidents Road to the intersection with the Cape Cod Canal Bike Path at the Railroad Bridge, and approximately shown on a plan entitled “Massachusetts Department of Transportation Highway Division, Plan and Profile of Bourne Rail Trail – Phase 1 in the Town of Bourne, Barnstable County, Preliminary Right of Way Plans,” dated October 6, 2020, prepared by Green Seal Environmental, Inc., a copy of which is on file with the Town Clerk, and as may be amended and/or incorporated into an easement plan(s); and (b) transfer the care, custody, management, and control of a portion or portions of the Town-owned property or properties shown on the aforesaid plan from the board having the custody of the same for the purposes for which such properties are currently held to the Select Board for roadway purposes and for purposes of a shared use path and purposes incidental to the use thereof, and further to dedicate said portions of Town-owned properties to the foregoing purposes; and (c) raise and appropriate, transfer from available funds, and/or borrow a sum of money in support of the foregoing project and any and all costs incidental or related thereto, including but not limited to the cost of any easement acquisitions, appraisals, and survey; and further (d) to authorize the Select Board to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes, or take any action relative thereto.

Sponsor – Select Board

Approved: April __, 2024

SELECT BOARD

Mary Jane Mastrangelo

Melissa Ferretti

Anne-Marie Siroonian

Peter J. Meier

Jared P. MacDonald

Barnstable, ss.
Bourne, Massachusetts

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

Dated this ____ day of April, 2024

Constable

Received in the Town Clerk's Office

Barry H. Johnson, Town Clerk

DRAFT Schedule for May 6, 2024 Town Meeting

March 11: Finance Committee – article review

March 12: Select Board – article review

March 15: Close annual warrant

March 18: Fin Com – article review

March 19: Select Board reviews annual articles & **draft motions**

March 29: Close special warrant

April 1: Fin Com – reviews articles & draft motions; discuss initial recommendations

April 2: Select Board reviews articles & **all final motions**; develop initial recommendations

April 8: Fin Com reviews articles & final motions; discuss initial recommendations

April 9: Select Board votes **final motions & recommendations** – executes annual & special warrants

April 10: Post warrants

April 16: Deadline for FinCom report to be available (20-days before ATM)

April 16: Select Board **final review of draft Voter Handbook**

April 17 @ 3:30 pm: **Moderator's Meeting** – review draft handbook & motions

April 19: Voter Handbook available and due to printers

May 6: Town Meeting

Town of Bourne Finance Committee

Meeting Minutes

Bourne Community Center

239 Main Street, Buzzards Bay, MA 02532

Or Virtually

Monday, February 5, 2024, at 7:00 PM

Finance Committee Members Present: Chair Jim Sullivan, Vice Chair Amanda Bongiovanni, Tom Joyce, Kathy LeGacy, Priscilla Harcourt (virtual), Wayne Sampson, Rich Lavoie, and Carla Emmons.

Also present: Town Administrator Marlene McCollem (virtual), Erica Flemming, Finance Director (virtual), Michael Ellis, Town Accountant (virtual), Assistant Town Administrator Liz Hartsgrove, Sean Feeney, Facilities Manager (virtual), Mary Fernandes (virtual), Debora Oliviere, COA Director (virtual), Ken Murphy, Building Inspector (virtual), Katie Matthews, Acting Recreation Director (virtual), Elise Zarcaro, HR Director (virtual), Stephanie Fitch, Conservation Agent (virtual), Jennifer Copeland, Town Planner (virtual), Jordan Geist, Business Manager, Bourne Public Schools, Dr. Kerri Anne Quinlan-Zhou, Superintendent, Bourne Public Schools (virtual, 7:15), Tim Lydon, Engineering (virtual, 7:15), Fire Chief David Cote, Charlie Noyes (virtual 7:30), and Barry Johnson, Town Clerk (virtual 7:30).

Zoom Meeting ID: 844 6523 8259

Zoom Meeting Password: FINCOM

The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute.

Note this meeting is being recorded for televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time. Use of flash photography during Finance Committee meetings is prohibited.

1. Call Meeting to Order

Chair Sullivan called to order the meeting of the Finance Committee at 7:02 PM on February 5th, 2024.

2. Note Excused/Absent Members – None.

3. Public Comment for Non-Agenda Items – None

4. Discussion and possible vote to elect a Finance Committee Clerk

Voted: Amanda Bongiovanni moved, and Wayne Sampson seconded, to appoint Carla Emmons as the Finance Committee Clerk.

Vote: Tom Joyce – yes, Rich Lavoie – yes, Amanda Bongiovanni - yes, Carla Emmons - yes, Kathy LeGacy - yes, Wayne Sampson – yes, and Chair Sullivan – yes. **Vote:** 7-0-0. Priscilla Harcourt was unavailable for the vote.

5. FY24 reserve fund transfer requests – Lightning strike damage at Fire Station 3.

Town Administrator Marlene McCollem said that this reserve fund transfer request is associated with the lightning strike at the Sagamore Fire Station in the summer of 2022. The lead time for the permanent switches was very long therefore it is very costly. She said the request is for \$55,271.24. She said that they will be submitting for an insurance reimbursement. Chair Jim Sullivan asked if the reimbursement would go back to the general fund, and Mike Ellis, Town Accountant said that it would go into the general fund miscellaneous revenue to offset the expenses incurred. Amanda Bongiovanni asked if there is a deductible, and Ms. McCollem said that there is a deductible of \$25,000. Carla Emmons asked why it is not going back into the reserve fund, and Mr. Ellis said it is because they have crossed fiscal years with this project, and the reserve fund gets closed out every year.

Voted: Wayne Sampson moved, and Amanda Bongiovanni seconded, to approve this reserve fund transfer request.

Vote: Tom Joyce – yes, Rich Lavoie – yes, Amanda Bongiovanni - yes, Carla Emmons - yes, Kathy LeGacy - yes, Wayne Sampson – yes, and Chair Sullivan – yes. **Vote:** 7-0-0. Priscilla Harcourt was unavailable for the vote.

6. Public Hearing – all FY25 Capital Projects

a. Recreation (CPC Request)

Assistant Town Administrator Liz Hartsgrove said that the Recreation Committee was directed over a year ago by the Select Board to do a needs assessment on all facilities and other types of programs and services provided by the Recreation Division. She said that the Recreation Committee completed it and put together a Needs Assessment report on Facilities. She said that it is one of three reports that they are working on, and the first one was presented to the Select Board on January 23rd. She said that they did a full analysis of all thirty-four of the recreational facilities and assets that the town has. She also said that due to the recommendations, the 5-year capital plan will be revised, however the Select Board voted to authorize the first 2 recommendations for FY25.

Ms. Hartsgrove said that the first recommendation is a feasibility study on 4 recreation areas which are Clark, Pocasset, Keith, and Chester, and the \$150,000. for this study would be paid for by Community Preservation Funds, which is separate from the general fund. She said that the second application before the Community Preservation Committee that the Select Board voted to support is to redo the skate park. She said that this park is unsafe and completely shut down and there is a large need and desire for a park like this in the community. The request is for \$500,000. for designing, creating outreach within the community, and building an all-wheel park. She said that a study was done on the size of such a park for a community of the size of Bourne, and it would need to be larger than the current park to accommodate the needs of the size of the community.

Ms. Hartsgrove said that they went before the Capital Outlay Committee earlier in the day and received support for both applications.

Rich Lavoie asked why these should be done with CPA funds, and if they already submitted to the CPC. Ms. Hartsgrove answered that they have not submitted to the CPC yet as the deadline is February 7th, and she said that they wanted to make sure they had support from all committees that need to review and provide feedback. She said that there is a pool of money within the CPA funds that is specifically for recreation and outdoor space. She said that there is approximately 3 million dollars sitting in that pool. There was some more discussion about the recreation pool of money within the CPC funds and about the previous recreation feasibility study.

b. School Department – Jackson Field bleachers.

Jordan Geist, Business Manager, Bourne Public Schools, said that this proposal is for \$30,000. for design and construction oversight for the Jackson Field bleachers. He said that the previous capital that was committed to this ongoing project was \$50,000. for the feasibility study only. He said that they did not use all the money for the feasibility study, so they would like to use those funds in addition to this request for the project, and they will have to

work it out somehow. He said that these funds would be for a new set of bleachers, site improvements, and a new pedestrian walkway for accessibility to the bleachers.

7. Public Hearing - FY 25 Departmental Operating Budgets

a. Fire Dept. & Emergency Medical Services.

Fire Chief David Cote said that the Emergency Medical Services is a stand-alone item. He said that \$10,000. covers the annual assessment fee for Cape and Islands EMF.

Chief Cote said that for the Fire Department budget under Personnel Services, that they are all contractual increases. He said that they are now fully staffed so he hopes that overtime will decrease, although with the new contractual rates of pay, there is an increase in the Overtime line. He said that under Purchase of Services only 3 lines have increased. He said that there is a 6% increase in the Repair and Maintenance of the Heavy Trucks line. He said that there is a decrease in the County Dispatch line of \$50,000. He said that there is a 5% increase in Medical Supplies and an increase of \$500. in the Travel line.

b. Building Dept. & Zoning Board of Appeals.

Ken Murphy, Building Inspector, said that his budget has not changed this year. Ms. McCollem said that an additional full-time Inspector is a high priority although there is not room in the budget right now. She said that when they can sustainably support it, then it will be brought forward to the Finance Committee as a new initiative.

c. Emergency Management.

Charlie Noyes said that there are no major changes in the Emergency Management budget.

d. Human Resources.

Elise Zarcaro, Human Resources Director, said that the Human Resources budget is level funded for this year. Rich Lavoie asked about the decrease in Professional Development, and Ms. Zarcaro said that to assist with balancing the budget, she cut some of the funds out of that line, and if there is any room to get it back, they would be happy to put it towards other trainings. She said that this year they will be doing more training in-house.

e. Town Clerk; Elections & Registration.

Barry Johnson, Town Clerk, said that the budget is staying basically the same as FY24, except in Personnel Services where there are contractual increases.

Mr. Johnson said that in Elections & Registration, there are three elections during this budget, so they have requested an increase of \$35,000. to pay for the election workers. He said that the rest of the budget is level funded.

f. Conservation Committee & Buzzards Bay Action Committee.

Steve Fitch, Conservation Agent, said that the Conservation Department is not proposing any changes in the budget for FY25.

g. Planning & Historical Commissions.

Jennifer Copeland, Town Planner, said that the Planning Department budget is level funded except for a staffing change which brought the Salaries line down.

Ms. McCollem said that the Historical Commission is level funded with no proposed changes to the budget.

h. Engineering.

Tim Lydon, Engineering, said that the Engineering budget is level funded and they are not proposing any changes.

i. Council on Aging.

Debora Oliviere, COA (Council on Aging) Director, talked about the services that the Council on Aging provides. She said that there is an increase in the Hourly Employee line, and it is due to the Administrative Assistant's position. She said that this person went to the COA from the Planning Department and had been under the former employee contract, and is now under COA, so that is why there is an increase. This employee move has also increased their Longevity line. She said that they are asking for small increases for Postage and Supplies. There is a decrease in the budget due to the copier service contract going under the Town Administration.

j. Recreation.

Ms. McCollem said that Katie Matthews is currently the Acting Recreation Director and has just been appointed as the permanent Recreation Director, which will become effective in about 12 days. She said that this budget was built with the prior Recreation Director, so Ms. McCollem ran through the details of the budget. She said that the line for the Department Head has been reset. She said that the Supervisor line will also be reset once they fill that position. She said the other wages are for the lifeguards and they do plan on staffing the same as last year, with 3 head lifeguard rather than 2, so there is an increase, which also reflects the pay raise for the lifeguards. She said that there also is an incentive for lifeguards to work for the whole summer. She also said that they are increasing the Uniforms and Other Supplies lines.

k. Any follow-up questions from budgets already discussed.

None.

8. Updates from Committee Representatives

Wayne Sampson said that the South Side Fire Station Committee has put out another Request for Proposals for property owners that wish to sell property to the Town. He said the deadline is March 1st. Ms. McCollem said that the property in Pocasset is outside the area in which they are focused on. She said that the area in which they are soliciting RFP's does not go that far south.

9. Minutes: 1/22/24

Voted: Amanda Bongiovanni moved, and Kathy LeGacy seconded, to approve the minutes of January 22nd, 2024, with one correction as noted

Vote: Rich Lavoie – yes, Tom Joyce - yes, Amanda Bongiovanni - yes, Carla Emmons – yes, Kathy LeGacy - yes, Wayne Sampson – abstain, Priscilla Harcourt - yes, and Chair Sullivan – yes. **Vote:** 7-0-1.

10. Finance Committee Comment (for information purposes only)

None.

11. Next meeting & future agenda items.

February 12th.

12. Adjourn

Voted: Amanda Bongiovanni moved, and Kathy LeGacy seconded to adjourn the meeting.

Vote: Rich Lavoie – yes, Tom Joyce - yes, Amanda Bongiovanni - yes, Carla Emmons – yes, Kathy LeGacy - yes, Wayne Sampson – yes, Priscilla Harcourt - yes, and Chair Sullivan – yes. **Vote:** 8-0-0.

The Finance Committee meeting adjourned at 8:12 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail as you can and include a way we can contact you if we need more information. Please allow advance notice. Send an email to kthut@townofbourne.com or call the Town Administrator's Office at 508-759-0600 x1503.

Town of Bourne Finance Committee

Meeting Minutes

Bourne Community Center

239 Main Street, Buzzards Bay, MA 02532, Or Virtually

Monday, February 12, 2024, at 7:00 PM

Finance Committee Members Present: Chair Jim Sullivan, Vice Chair Amanda Bongiovanni, Tom Joyce, Priscilla Harcourt (virtual), Wayne Sampson (virtual), Rich Lavoie, and Carla Emmons.

Also present: Town Administrator Marlene McCollem, Erica Flemming, Finance Director (virtual), Michael Ellis, Town Accountant (virtual), and Assistant Town Administrator Liz Hartsgrrove.

Zoom Meeting ID: 844 6523 8259

Zoom Meeting Password: FINCOM

The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute.

Note this meeting is being recorded for televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time. Use of flash photography during Finance Committee meetings is prohibited.

1. Call Meeting to Order

Chair Sullivan called to order the meeting of the Finance Committee on February 12th, 2024.

2. Note Excused/Absent Members – Kathleen LeGacy was excused from this meeting.

3. Public Comment for Non-Agenda Items – None.

4. Public Hearing – all FY25 Capital Projects

Town Administrator Marlene McCollem said that this is on the agenda in case anyone has any questions about the projects that have been talked about. She said that there are no new projects to report. Rich Lavoie asked about the status on the Middle School roof. Ms. McCollem said a feasibility study was funded and the School Department is working on it, and she does not have an update on progress at this time.

5. Public Hearing – FY 25 Departmental Operating Budgets

a. Town Reports

Ms. McCollem said that there are no changes proposed to this budget.

b. Town Meeting

Ms. McCollem said that there are no changes proposed to this budget.

c. Select Board

Ms. McCollem said that there are no changes proposed to this budget.

d. Audit

Ms. McCollem said that there are no changes proposed to this budget.

e. Legal

Ms. McCollem said that there are no changes proposed to this budget. Carla Emmons asked if there was in-house Counsel, and Ms. McCollem said that there is not, and that the town has a contract with a law firm. Mr. Lavoie said that in the past, Town Counsel has attended Finance Committee meetings to talk about the financial strains of pending lawsuits in the Town, and he asked if that could be done again. Ms. McCollem said that there are a few lawsuits currently, although none of them have financial exposure right now. She said that if there is a case that has financial exposure, then they will have Counsel come in to talk to the Finance Committee in Executive Session.

f. IT

Ms. McCollem said that there are no changes proposed to this budget right now, although she said in the Spring, she will be discussing re-organization of IT with the Select Board.

g. Postage & Copy Machine

Ms. McCollem said that this budget is going up by 12.5% for postage for mailings that they must do.

h. Telephone

Ms. McCollem said that there is a proposed increase of 30%, and most of this is due to cell phones. She said that some departments had cellphones in their departmental budgets, and they are pulling them to put them into this town-wide budget.

i. Street & Traffic Lights

Ms. McCollem said that they are recommending an increase and some of it has to do with additional contractor costs, and some has to do with electricity.

j. Health Dept.

Ms. McCollem said that there is a proposed increase of just under 5%, which is driven by the staff COLA increases.

k. Veteran's Services

Ms. McCollem said that right now they are holding a 0% because they do not have the final assessment yet.

l. VNA

Ms. McCollem said that there are no changes proposed to this budget.

m. Library

Ms. McCollem said that there is a slight increase of about 2.5%. The salaries and wages are contractual. She said that heating oil has been moved to the Facilities budget. They are increasing the data processing services line. She said that they have also separated out printed books and e-books.

n. Archives Committee

Ms. McCollem said that there are no changes proposed to this budget.

o. Public Utilities

Ms. McCollem said that there is a proposed increase of 12.25% in this budget and most of it is due to the water line. There is a new line called Trane M & V. Ms. Emmons asked about the ESCO project, and Ms. McCollem explained to her that it is a 5.2 million project for capital improvements for town and school buildings.

p. OPEB

Ms. McCollem said that there is an increase of \$40,000. There was some discussion about the way the OPEB line works.

q. Unemployment

Ms. McCollem said that there are no changes proposed to this budget.

r. FICA/Social Security

Ms. McCollem said that there is a slight increase of just under 3%.

s. Group Insurance

Ms. McCollem said that there is an increase of 1.5%.

t. County, State & Special Legislation Retirement

Ms. McCollem said that there is an increase in the County Retirement and the number will be revised.

u. Insurance

Ms. McCollem said that there is about a 5% increase for property and liability insurance costs.

v. Reserve Fund

Ms. McCollem said that this is new this year that they are recommending that they fund the Reserve Fund through the operating budget instead of having it be a separate article.

w. LIUNA Pension

Ms. McCollem said that there are no changes proposed to this budget.

x. Medicaid Reimbursement Program

Ms. McCollem said that there are no changes proposed to this budget.

y. Any follow-up questions from budgets already discussed.

Ms. Emmons said that she had a question about the Finance Department budget. She said that the overall budget is going up 4.75%, and she was wondering about the switching of departments. Ms. McCollem explained that the Finance Department is made up of a couple of Divisions – Accounting, Assessing, and Treasury and Collections. She said that things are moving around within the whole Finance Department. She said a big portion of the change has to do with the new payroll system, and a new position in the Treasurer's Office.

6. Discussion – Town Meeting Articles

a. Increasing the threshold for Capital Projects to \$25,000.

Ms. McCollem said that they will be amending the Capital Outlay article bylaw. She said that they will be requesting that the two definitions about the thresholds for Capital, be combined.

b. 11 instances of Scrivener Errors in the Bylaws

Ms. McCollem said that they want to correct the errors in the bylaws about the 30 days.

7. Updates from Committee Representatives

None.

8. Discussion regarding draft financial policies.

Ms. McCollem said that the Select Board, the School Committee, and Tom Joyce have been working on the financial policies for a few months. She said that the Select Board will be having a first reading of the draft on March 19th. She said that they would be happy to take any comments from the Finance Committee, and those comments can be sent to the Select Board. She said that they will have three readings. She said that they made some changes to the guidelines on controlling the budget. There was some discussion about the changes that were made.

9. Finance Committee Comment (for information purposes only)

None.

10. Next meeting & future agenda items.

Ms. McCollem said that the next meetings will be March 11th and March 18th. She said that they will have updated budget numbers by those meetings.

11. Adjourn

Voted: Rich Lavoie, and Amanda Bongiovanni seconded, to adjourn the meeting.

Vote: Priscilla Harcourt - yes, Wayne Sampson – yes, Carla Emmons – yes, Amanda Bongiovanni – yes, Rich Lavoie – yes, Tom Joyce - yes, and Chair Sullivan – yes. **Vote:** 7-0-0.

The Finance Committee meeting adjourned at 8:12 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

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