# Select Board
# Meeting Notice
## AGENDA

| Date | Time | Location |
|---|---|---|
| March 14, 2023 | 7:00 PM | Bourne Veterans' Community Building – Rm 2<br>239 Main St., Buzzards Bay<br>Or virtually (see information below) |

*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 BourneTV. If anyone is audio or visual recording, please acknowledge it at this time.*

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

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

RECEIVED
2023 MAR -9 PM 4:25
TOWN CLERK BOURNE

**7:00 PM Call Public Session to Order in Open Session**

1. Moment of Silence to recognize our troops and our public safety personnel

2. Salute to the flag

3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

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

5. Public comment on non-agenda items - Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

6. Girl Scout Silver Award project request - Beach Toy Lending Library for Monument Beach.

7. Appointments and Licenses
    a. Discussion and possible appointment of Sarah Butler as a member of the Conservation Commission with term ending June 30, 2023
    b. Discussion and possible appointment of Elza Bystrom as a member of the Education/Scholarship Committee with term ending June 30, 2023 and an associate member of the Board of Appeals with term ending June 30, 2023
    c. Discussion and possible vote to approve the renewal of various seasonal liquor, common victualer and entertainment licenses, as shown in the spreadsheet entitled "2023 Season Renewals Spreadsheet" included in the 3/14/23 meeting packet.

d. **Public Hearing**: Application for a new "All Alcoholic Beverages Package Store License" by H&J Convenience Inc., d/b/a Country Farms – proposed to be located at 365 Barlows Landing Road, Pocasset, MA

8. Select Board's Business
    a. Annual Town Meeting Warrant Articles
        i. Article 1 – Consent Agenda
        ii. Article 6 – Committee Reports
        iii. Article 12 – Human Services Grant Program
        iv. Article 14 – Senior Tax Work-Off Program
        v. Article 15 – Wetland Protection Bylaw, Section 3.7.3
        vi. Article 16 – Wetland Protection Bylaw, Section 3.7.4
        vii. Article 17 – Wetland Protection Bylaw, Section 3.7.13
        viii. Article 18 – Recreation Committee Bylaw, Sections 1.7.1 – 3
        ix. Article 22 – Town of Bourne Bylaws, Section 3.1.23 – Disturbances (by petition)
    b. Town Meeting process of presenting Articles & motions
    c. Barnstable County Retirement Board – request for 5% local COLA option
    d. Rescission of Wedding Policy and Public Record Compliance Policy
    e. Discussion and possible vote to accept the donation of $50.00 from Florence Burke to the Council on Aging
    f. Announcement – Board of Health Vacancies – solicit letter of interest to fill the unexpired terms until the next local election
    g. Discussion and possible vote to approve use of Buzzards Bay Fire Station for a Rabies Clinic run by the Sandwich-Bourne Lions Club on 4/1 and 4/15
    h. Discussion and possible vote to approve use of the Community Building Parking Lot for a Girl Scout Cookie Sale Drive Through run by Troop #82145 on 4/2

Town Administrator report

Minutes: 1/9/23; 1/24/23; 2/14/23; 2/28/23

Correspondence

Committee reports

Other business

Upcoming meetings – March 21 (MA-DOT presentation re: Canal Bridges)
March 28 (ATM & STM warrant articles, budget update; BOSC, if necessary)
April 4 (Articles & execute warrant)

Adjourn

RECEIVED
2023 MAR -9 PM 4:26
TOWN CLERK BOURNE

**From:** Peter Meier
**To:** All Selectmen; Marlene McCollem; Kathleen Thut; Elizabeth Hartsgrove; Maria Simone
**Subject:** Fwd: Select Board request
**Date:** Saturday, February 18, 2023 7:49:23 PM

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Dawn:

Thank you for reaching out to me.

We will be planning our upcoming meetings this coming Wednesday. After that I'll be reaching out to you and see what dates work for you Dawn.

Have a great school vacation and congratulations on your acceptance to Upper Cape Tech this upcoming fall.

Sent from my iPhone 12 Pro Max from Verizon.

Peter J Meier
[redacted]

Begin forwarded message:

> **From:** Dawn Berube [redacted]
> **Date:** February 18, 2023 at 7:34:06 PM EST
> **To:** Peter Meier <PMeier@townofbourne.com>
> **Subject: Select Board request**
>
> To Peter Meier and the Bourne Select Board,
>
> I am an 8th-grade resident of Bourne and working on my Girl Scout Silver Award. I would like to create a Beach Toy Lending Library for Monument Beach. This would help recycle unused beach toys, reduce leftover toys floating into the water, and give tourist children staying in local vacation rentals some toys to use while visiting our beach. I would like the opportunity to discuss my project and how best to move forward. I hope you can find time to add this to the agenda at an upcoming Select Board Meeting. I look forward to hearing from you. I hope you have a mighty fine day.
>
> Dawn Berube

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**From:** Sarah Butler
**To:** Maria Simone; Kathleen Thut
**Cc:** Stephanie Fitch
**Subject:** Talent Bank Application for Conservation Commission
**Date:** Thursday, March 2, 2023 3:35:14 PM

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Good afternoon,

After having an in depth and very fruitful meeting with Stevie Fitch yesterday I will be officially sending in my talent bank application and request. I am very interested in volunteering for the Conservation Commission and look forward to hearing back on your decision.

Included in the email is my attachment.

Thank you for your time and consideration.

*Kindly,*

*SarahMarie Butler* (508)367-2518

# TALENT BANK FORM

## ACT NOW- SERVE YOUR COMMUNITY

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

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

**NAME:** SARAH-MARIE BUTLER **DATE:** MARCH 2ND 2023

**ADDRESS:** [redacted] **VILLAGE:** BUZZARDS BAY, MONUMENT BEACH

**OCCUPATION:** STAY AT HOME MOTHER, SECRETARY BUTLER MASONRY **TELEPHONE #** [redacted]

**EMAIL:** [redacted]

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

THE CONSERVATION COMMISSION

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

- PASSIONATE ABOUT OUTDOORS-CAPE COD WILDLIFE, WATER & PLANTS
- EXCEPTIONAL INTERPERSONAL SKILLS, DIPLOMATIC, WELL SPOKEN
- I LIVE ON MULTI-GENERATIONAL OWNED LAND IN BOURNE - 1968
- THIRST FOR LEARNING & LISTENING, ACTIVELY INVOLVED IN COMMUNITY

Elza Bystrom

[redacted]

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

Via email to:
mmccollem@townofbourne.com

March 3, 2023

To the Town Administrator

I am writing to express my interest in applying for the current vacancy for an Associate Member for the Board of Appeals, and for Education/Scholarship Committee.

My husband and I have been living in the Town of Bourne since 2013 and would like to give back to the community. I am an Environmental Engineer for the Massachusetts Department of Environmental Protection in its Southeast Regional Office in Lakeville, MA.

I hope you will consider this letter of interest and I look forward to hearing back from the Town on the next steps of the process.

Warm Regards,

Elza Bystrom

Elza Bystrom

# TALENT BANK FORM

**ACT NOW- SERVE YOUR COMMUNITY**

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

**NAME:** Elza Bystrom **DATE:** March 3, 2023

**ADDRESS:** [redacted]. **VILLAGE:** Pocasset

**OCCUPATION:** Environmental Engineer **TELEPHONE #** [redacted]

**EMAIL:** [redacted]

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

Board of Appeals

Education / Scholarship Committee

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

As a state employee, I am accustomed to learn, understand, and interpret regulations to help my program in making a fair and balanced decision.

For education/scholarship: I believe everybody has the right for education - scholarship will be the tool to help deserving individuals to nurture learning ability to succeed

# 2023 Seasonal Renewals

| D/B/A | NAME | ADDRESS | Liquor | Com Vic | **WKdy** Amuse | Sunday Amuse ment | COAD | General |
|---|---|---|---|---|---|---|---|---|
| **Seasonal - Common Victualer - All Alcoholic** | | | | | | | | |
| **d/b/a The Chart Room** | Jarvis, Inc. | 180 Shore Road, Bourne | x | x | x | x | | |
| **Seasonal - Common Victualer** | | | | | | | | |
| | Betty Ann's Dairy Freeze | 225 Main St., Buzzards Bay | | x | | | | |
| | Lazy Sundaes Ice Cream | 1370 Rte. 28A, Cataumet | | x | | | | |
| | Seafood Shanty | 803 Scenic Hwy., Buzzards Bay | | x | | | | |
| | **Somerset Creamery** | 1268 Rte. 28A, Cataumet | | x | | | | |
| **Seasonal - General License** | | | | | | | | |
| | Cataumet Light Mini Golf | 1370 Rte. 28A, Cataumet | | | | | | x |

# TOWN OF BOURNE

**Town Administrator**
24 Perry Avenue – Room 101
Buzzards Bay, MA 02532
www.townofbourne.com
508.759.0600, Ext. 1308

Marlene McCollem, Town Administrator
Email: mmccollem@townofbourne.com

March 1, 2023

Bourne Enterprise
Depot Road
Falmouth, MA 02540

Re: Legal Notice – Liquor License Hearing

Please place the following legal notice in the Friday, March 3, 2023 edition of the Bourne Enterprise:

NOTICE
TOWN OF BOURNE
LIQUOR LICENSE HEARING

Notice is hereby given in accordance with Massachusetts General Laws, Chapter 138, Section 15 that an application has been received from H&J Convenience Inc. d/b/a Country Farms, Jigneshkumar Patel, Manager, 365 Barlows Landing Road, Pocasset, MA 02559 for a year round Retail Package Goods Store License for the sale of all kinds of alcoholic beverages. Description of premise: A total of 4500 sq. ft. including an office, storage, retail sales with a walk in cooler.

A public hearing will be held in the Bourne Veteran's Memorial Community Center, 239 Main Street, Buzzards Bay, MA 02532 on Tuesday, March 14, 2023 at 7:05 p.m.

Board of Selectmen,
Peter J. Meier
Jared P. MacDonald
Melissa Ferretti
Judith MacLeod Froman
Mary Jane Mastrangelo

# Obituaries

## Thomas V. Noonan Jr

Thomas V. Noonan Jr. of Bourne died on February 21. He was 85 and leaves family in Bourne and Sandwich.

Mr. Noonan was born in Boston to Thomas and Helen (Procida) Noonan Sr.

He graduated from North Quincy High School and Wentworth Institute and served in the US Navy from 1958 to 1961.

He was the president and owner of Noonan Press, Inc., in Quincy, and later Plymouth, from 1964 until his retirement. His clients included Ocean Spray, Gillette and other large regional organizations.

Mr. Noonan also was an avid sailor, golfer and fan of Boston's sports teams.

He leaves his wife, Bing Mei Noonan; his former wife, Cecile; daughter Stephanie O'Leary and her husband, Robert Johnson, of Middleboro; sons, Thomas Noonan and his wife, Loriann, of Braintree, and Stephen Noonan and his wife, Moira, of Sandwich; eight grandchildren; and one great-grandchild.

He was preceded in death by his daughter, Diane Giordani; and a sister, Francis Foley.

Services were held on February 27.

## Catherine B. Young

Catherine B. Young of Bourne died on February 20 after a brief illness. She was 77.

Born and raised in Attleboro, she was the daughter of the late Leith B. and Catherine R. Young.

After graduating from the University of Massachusetts she moved to Cape Cod, living for many years in Sagamore Beach and Bourne.

Ms. Young leaves a sister, Patricia Young, and her partner, Elizabeth Long, of Hingham; a brother, Leith Young, and his wife, Margaret, of Marstons Mills; and extended family.

A celebration of her life will be held at a later date.

### Other Obituaries

*The following residents, former residents or family of residents of Falmouth, Mashpee and Sandwich recently died. Visit capenews.net to read the complete obituary news stories.*

**Richard S. Brereton**, 86, of Falmouth died February 25.

**Marjorie L. Brodeur**, 93, of Falmouth died February 24.

**Glenn C. Burke**, 62, of Sandwich died February 26.

**Jane M. Cahoon**, 80, of Falmouth died February 21.

**Edward E. George**, 82, of Mashpee died February 22.

**Daniel Hamelburg**, 82, of East Sandwich died February 26.

**Theodore S. King**, 88, of Falmouth died on February 26.

**Christine M. Mackin**, 56, of Sandwich died February 21.

**Marlene I. McDevitt**, 89, of Falmouth died February 20.

**Scott R. Meissner**, 53, of Falmouth died February 19.

**Joseph Mendes Sr.**, 88, of Mashpee died February 1.

**Frederick T. Riley**, 67, of Falmouth died February 27.

**Raymond M. Tow**, 86, of Falmouth died February 21.

ZACHARY FOLEY/ ENTERPRISE

An otter plays with a fish on a cold February afternoon in Red Brook Pond in Bourne.

# Film Screening And Panel Will Focus On Impact Of PFAS

The Barnstable Youth Commission, Barnstable High School Green Club, and Sturgis East Environmental Club will host an event, "PFAS and Your Community," on Saturday, March 25. The event will begin at 1 PM at the Sturgis Charter Public School Community Center at 529 Main Street in Hyannis.

It will feature a series of short films about the impact of PFAS pollution on human health and the environment, followed a panel discussion with local leaders and experts on what communities can do to protect themselves from these harmful and pervasive chemicals that contaminate drinking water supplies across the nation, including Cape Cod.

PFAS (per- and polyfluoroalkyl substances) are a class of chemicals that companies add to a wide variety of consumer products to make them non-stick, waterproof, and stain-resistant. The chemicals can be found in products such as stain-resistant carpets and upholstery, waterproof apparel, floor waxes, non-stick cookware, greaseproof food packaging, dental floss, and some cosmetics. They are also used in firefighting foams for putting out fuel fires. People can be exposed to these chemicals from direct contact with products, or through the air they breathe or the food they eat.

Before 2016, levels of PFAS in the Hyannis water system were higher than in any other public water supply in Massachusetts. Although the water in Hyannis is now being treated to remove PFAS, scientists are concerned about possible long-term health effects from exposures that happened in the past.

Among the panelists are Massachusetts state Senator Julian Cyr and Dr. Laurel Schaider, senior scientists at Silent Spring Institute. Dr. Schaider is the lead investigator of the Massachusetts PFAS & Your Health Study, which is part of a national effort launched by the Centers for Disease Control and Prevention (CDC) to investigate the human health effects of exposure to PFAS contaminants in drinking water. Findings from the study will inform policies and support communities in reducing their exposures.

The event is free, and all are welcome to attend.

**Thank you for reading The Enterprise.**

# Bournedale Kindergarten Registration Opens In April

Bournedale Elementary School announced last week that registration for its full-day tuition-free kindergarten program will take place in April.

Kindergarten registration will be held on Tuesday, April 11, and Thursday, April 13, at the school by appointment only. Appointments are available from 9:15 AM to 4 PM. Each appointment is scheduled to be no longer than 30 minutes.

All Bourne children who will reach age 5 before September 1 are eligible to be registered to attend kindergarten at Bournedale for the 2024 school year.

To sign up for a screening slot, families must first complete the initial registration forms at www.bourneps.org.

The following records must be presented at the time of registration: child's valid birth certificate and military records, if applicable; proof of residency (property tax bill, mortgage statement, utility bill, current signed lease with dates and address); child's medical records; and child's updated record of immunization including DPT (diphtheria, pertussis, tetanus), MMR (measles, mumps, rubella), Hib, polio, hepatitis-B, varicella, record of lead testing, TB screening and vision screening/stereopsis.

Children need to be present for the screening. Parents and guardians will be able to wait in the lobby while their child is participating in the screening.

If the child is not feeling well, parents/guardians should contact the school at 508-743-3800 or besoffice@bourneps.org to reschedule.

Those with questions about the registration process should call 508-743-3800.


Laughter will mingle with tears.
Preplanning will ensure stress doesn't.
Some things change. Some things don't.
FUNERALS & CREMATIONS
CHAPMAN
CHAPMANFUNERAL.COM


# Legal Notices

**LEGAL NOTICE**
**NOTICE OF PUBLIC SALE**

Notice is hereby given by Buckler's Towing, Inc.116 Ridgewood Ave, Hyannis, MA, pursuant to the provisions of Mass G.L c. 255, Section 39A, that they will sell the following vehicles on or after March 18, 2023 beginning at 10:00 a.m. by private or public sale to satisfy their garage keepers lien for towing, storage, and notices of sale. Vehicles are being stored at Buckler's Towing, Inc.

1. 2005 Chevrolet Colorado VIN 1GCDT148158233568
2. 2000 Winnebago Camper VIN 1FDWE30S3X-HB66759
3. 2000 Toyota Tundra VIN 5TBB-T4410YS061182
4. 1998 Toyota 4Runner VIN JT3HN-87R4W0173590
5. 2005 Chrysler 300 VIN 2C3JA53G15H187439
6. 2007 Volkswagen Jetta VIN 3VWE-G71K37M076973

Signed,
Nathan Buckler

March 3, 10, 17, 2023

**NOTICE**
**TOWN OF BOURNE**
**LIQUOR LICENSE HEARING**

Notice is hereby given in accordance with Massachusetts General Laws, Chapter 138, Section 15 that an application has been received from H&J Convenience Inc. d/b/a Country Farms, Jigneshkumar Patel, Manager, 365 Barlows Landing Road, Pocasset, MA 02559 for a year round Retail Package Goods Store License for the sale of all kinds of alcoholic beverages. Description of premise: A total of 4500 sq. ft. including an office, storage, retail sales with a walk in cooler.
A public hearing will be held in the Bourne Veteran's Memorial Community Center, 239 Main Street, Buzzards Bay, MA 02532 on Tuesday, March 14, 2023 at 7:05 p.m.

Board of Selectmen,
Peter J. Meier
Jared P. MacDonald
Melissa Ferretti
Judith MacLeod Froman
Mary Jane Mastrangelo

March 3, 2023

**COMMONWEALTH OF MASSACHUSETTS**
**THE TRIAL COURT**
**PROBATE AND FAMILY COURT**
**Docket No. BA23P0230EA**
**Estate of: Joan Ellen Henry**
**Date of Death: 07/15/2022**
**Barnstable Probate Family Court**
**3195 Main Street**
**PO Box 346**
**Barnstable, MA 02630**
**508-375-6710**
**CITATION ON PETITION FOR FORMAL ADJUDICATION**

To all interested persons:
A Petition for Formal Probate of Will wi h Appointment of Personal Representative has been filed by Robin J. Cote of South Attleboro MA requesting hat the Court enter a formal Decree and Order and for such other relief as requested in the Petition. The Petitioner requests that Robin J. Cote of South Attleboro MA
be appointed as Personal Representative(s) of said estate to serve WITHOUT SURETY on the bond in an unsupervised administration.
IMPORTANT NOTICE
You have the right to obtain a copy of the Petition from the Petitioner or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before:
10:00 a.m. on the return day of 03/14/2023.
This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding . If you fail to file a imely written appearance and objection followed by an Affidavit of Objec ions within thirty(30) days of the return date, action may be taken without further notice to you.
UNSUPERVISED ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)
A Personal Representa ive appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including the distribution of assets and expenses of administration.
WITNESS, Hon. Susan Sard Tierney, First Justice of this Court.
Date: February 21, 2023
Anastasia Welsh Perrino
Register of Probate

March 3, 2023


Clancy Construction Inc.
GENERATOR INSTALLATION
NOW SCHEDULING!

We are proud to announce that we are certified installers of Generac brand generators and are scheduling appointments for this winter.
Give us a call at **508.265.4911** or email us at **Greg@gregclancyconstruction.com** to book your installation today.
217 CLINTON AVE, FALMOUTH, MA 02540

Does Your Child Struggle to Make and Maintain Friendships?
Dominique Baudry, MS.Ed is excited to announce the opening of her new office in East Falmouth
For more info, call **774.392.8145** or visit **SocialSkillGroupwork.com**


NORTH SAGAMORE WATER DISTRICT ESTABLISHED 1939

**NORTH SAGAMORE WATER DISTRICT**

NOTICE TO THE REGISTERED VOTERS RESIDING WITHIN THE BOUNDARIES OF THE NORTH SAGAMORE WATER DISTRICT. NOMINATION PAPERS ARE AVAILABLE AT THE OFFICE OF THE NORTH SAGAMORE WATER DISTRICT, 14 SQUANTO ROAD, P.O. BOX 133, SAGAMORE BEACH, MA 02562.

FOR THE OFFICE OF:
**WATER COMMISSIONER FOR A THREE YEAR TERM**

**ELECTION TO BE HELD ON WEDNESDAY, MAY 10, 2023**
**SAGAMORE BEACH FIRE STATION #3**
**51 MEETINGHOUSE LANE**
**SAGAMORE BEACH, MA AT 6 PM**

LAST DAY TO SUBMIT NOMINATION PAPERS WITH THE NORTH SAGAMORE WATER DISTRICT CLERK FOR CERTIFICATION OF VOTER REGISTRATION IS APRIL 7, 2023.

RECEIVED
MAR 01 2023
TOWN OF BOURNE
BOARD OF SELECTMEN

**Anita Bonaiuto**

**From:** customerservice@nCourt.com
**Sent:** Monday, January 9, 2023 3:31 PM
**To:** Anita Bonaiuto
**Subject:** Receipt from nCourt

YOUR RECEIPT >>

**Please include the payment receipt with your application. Thank you.**

| Paid To | |
|---|---|
| Name: | Massachusetts Alcoholic Beverages Control Commission - Retail |
| Address 1: | 95 Fourth Street, Suite 3 |
| City: | Chelsea |
| State: | Massachusetts |
| Zip: | 02150 |

| Payment On Behalf Of | | | |
|---|---|---|---|
| First Name: | Jigneshkumar | Last Name: | Patel |
| Address 1: | 365 Barlows Landing Road | | |
| City: | Pocasset | State/Territory: MA | Zip: 02559 |
| Phone: | (508) 477-6500 | | |

| Description | ID | Service Fee | Amount |
|---|---|---|---|
| FILING FEES-RETAIL | H&J Convenience Inc. d/b/a Country Farms | $4.70 | $200.00 |

**Receipt Date:** 1/9/2023 3:30:42 PM EDT
**Invoice Number:** 0d46b5de-0803-4849-b0a9-ef254101a46d

**Total Amount Paid:$204.70**

| Billing Information | | Credit / Debit Card Information | |
|---|---|---|---|
| First Name | Brian | Card Type | Visa |
| Last Name | Garner | Card Number | [redacted] |
| Address 1 | 133 Falmouth Road, P O Box 560 | | |
| City | Mashpee | | |
| State/Territory | MA | | |
| Zip | 02649 | | |
| Email | anitab@dunningkirrane.com | | |

IMPORTANT INFORMATION >>

Please include the payment receipt with your application. Thank you.
Please verify the information shown above. Your payment has been submitted to the location listed above.

*The Commonwealth of Massachusetts*
*Alcoholic Beverages Control Commission*
*95 Fourth Street, Suite 3, Chelsea, MA 02150-2358*
*www.mass.gov/abcc*

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION**
**MONETARY TRANSMITTAL FORM**

**APPLICATION FOR A NEW LICENSE**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.**

**ECRT CODE: RETA**

**Please make $200.00 payment here: ABCC PAYMENT WEBSITE**

**PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT**

**ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)**

**ENTITY/ LICENSEE NAME** H&J Convenience Inc.

**ADDRESS** 365 Barlows Landing Road

**CITY/TOWN** Pocasset **STATE** MA **ZIP CODE** 02559

For the following transactions (Check all that apply):

- ☒ New License
- ☐ Transfer of License
- ☐ Change of Manager
- ☐ Change of Officers/ Directors/LLC Managers
- ☐ Change of Location
- ☐ Alteration of Licensed Premises
- ☐ Change Corporate Name
- ☐ Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- ☐ Change of Class (i.e. Annual / Seasonal)
- ☐ Change of License Type (i.e. club / restaurant)
- ☐ Change of Category (i.e. All Alcohol/Wine, Malt)
- ☐ Issuance/Transfer of Stock/New Stockholder
- ☐ Other
- ☐ Change Corporate Structure (i.e. Corp / LLC)
- ☐ Pledge of Collateral (i.e. License/Stock)
- ☐ Management/Operating Agreement
- ☐ Change of Hours
- ☐ Change of DBA

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL:

**Alcoholic Beverages Control Commission**
**95 Fourth Street, Suite 3**
**Chelsea, MA 02150-2358**

*The Commonwealth of Massachusetts*
*Alcoholic Beverages Control Commission*
*95 Fourth Street, Suite 3, Chelsea, MA 02150-2358*
*www.mass.gov/abcc*

**APPLICATION FOR A NEW LICENSE**

Municipality: Bourne (Pocasset)

## 1. LICENSE CLASSIFICATION INFORMATION

| ON/OFF-PREMISES | TYPE | CATEGORY | CLASS |
|---|---|---|---|
| Off-Premises-15 | §15 Package Store | All Alcoholic Beverages | Annual |

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Currently operating as a convenience store and applying for all alcoholic beverage license.

Is this license application pursuant to special legislation? ○ Yes ◉ No Chapter _____ Acts of _____

## 2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name: H&J Convenience, Inc. FEIN: 82-2634572

DBA: Country Farms Manager of Record: Jigneshkumar Patel

Street Address: 365 Barlows Landing Road, Pocasset, MA 02559

Phone: [redacted] Email: [redacted]

Alternative Phone: [redacted] Website: _____

## 3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Store is operated as a convenience store and is currently 3,000 sq. ft. We plan on expanding the convenience store to the building next door which is approximately 1,500 sq. ft., to sell alcoholic beverages. The 1,500 sq. ft. area will have a 12'x12' office area, additional storage (20'x11"), a total of 2,500 sq. ft sales area, walk in cooler (20'x11') and storage (12'x10')

Total Square Footage: 4,500 Number of Entrances: 2 Seating Capacity: _____

Number of Floors: 1 Number of Exits: 2 Occupancy Number: _____

## 4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name: Jigneshkjumbar Patel Phone: [redacted]

Title: Owner Email: [redacted]

## 5. CORPORATE STRUCTURE

Entity Legal Structure: Corporation

Date of Incorporation: 08292017

State of Incorporation: Ohio

Is the Corporation publicly traded? (•) Yes ( ) No

## 6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
  **On Premises (E.g.Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;
  **Off Premises(Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| Jigneshkumar Patel | [redacted] | | |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
|---|---|---|---|---|
| Owner - Vice President | 50% | (•) Yes ( ) No | (•) Yes ( ) No | (•) Yes ( ) No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| Harshadkumar Patel | [redacted] | | |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
|---|---|---|---|---|
| Owner/President | 50% | (•) Yes ( ) No | (•) Yes ( ) No | (•) Yes ( ) No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ( ) Yes ( ) No | ( ) Yes ( ) No | ( ) Yes ( ) No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ( ) Yes ( ) No | ( ) Yes ( ) No | ( ) Yes ( ) No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ( ) Yes ( ) No | ( ) Yes ( ) No | ( ) Yes ( ) No |

Additional pages attached? ( ) Yes (•) No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. ( ) Yes (•) No

## APPLICATION FOR A NEW LICENSE

### 6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

### 6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒

If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6Aor 6B ever been suspended, revoked or cancelled?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Date of Action | Name of License | City | Reason for suspension, revocation or cancellation |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

## 7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises: Own

Landlord Name: Dada Realty Trust

Landlord Phone: [redacted]

Landlord Email: [redacted]

Landlord Address: 365 Barlows Landing Road, Pocasset, MA 02559

Lease Beginning Date:

Rent per Month:

Lease Ending Date:

Rent per Year:

Will the Landlord receive revenue based on percentage of alcohol sales? ○ Yes ◉ No

## 8. FINANCIAL DISCLOSURE

| | |
|---|---|
| A. Purchase Price for Real Estate | |
| B. Purchase Price for Business Assets | |
| C. Other * (Please specify below) | $38,-000.00 |
| D. Total Cost | $38,000.00 |

*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

| Name of Contributor | Amount of Contribution |
|---|---|
| Santander | $38,000.00 |
| | |
| | |
| | |
| Total: | $38,000.00 |

SOURCE OF FINANCING

Please provide signed financing documentation.

| Name of Lender | Amount | Type of Financing | Is the lender a licensee pursuant to M.G.L. Ch. 138. |
|---|---|---|---|
| | | | ○ Yes ○ No |
| | | | ○ Yes ○ No |
| | | | ○ Yes ○ No |
| | | | ○ Yes ○ No |

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Walkthrough will cost about $1,000.00, shelving about $2,000.00 and inventory about $35,000.00, which will be self financed.

## 9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ○ Yes ◉ No

Please indicate what you are seeking to pledge (check all that apply) ☐ License ☐ Stock ☐ Inventory

To whom is the pledge being made?

## 10. MANAGER APPLICATION

### A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name: Jigneshkumar Patel  Date of Birth: [redacted]  SSN: [redacted]

Residential Address: [redacted]

Email: [redacted]  Phone: [redacted]

Please indicate how many hours per week you intend to be on the licensed premises: 80

### B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* ◉ Yes ○ No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? ○ Yes ◉ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

| Date | Municipality | Charge | Disposition |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

### C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

| Start Date | End Date | Position | Employer | Supervisor Name |
|---|---|---|---|---|
| 01012007 | 10012017 | Manager | J&J Convenience, Inc. | Dashrathbhai Patel |
| 01012006 | 01012007 | Cashier | J&J Convenience, Inc. | Dashrathbhai Patel |
| | | | | |
| | | | | |

### D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ○ Yes ◉ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

| Date of Action | Name of License | State | City | Reason for suspension, revocation or cancellation |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

*I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:*

Manager's Signature: [signature]  Date: 1/15/23

## 11. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? ○ Yes ◉ No
If yes, please fill out section 11.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

**IMPORTANT NOTE:** A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does **not** pertain to a liquor license manager that is employed directly by the entity.*

## 11A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

| Entity Name | Address | Phone |
|---|---|---|
| | | |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ○ Yes ○ No | ○ Yes ○ No | ○ Yes ○ No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ○ Yes ○ No | ○ Yes ○ No | ○ Yes ○ No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ○ Yes ○ No | ○ Yes ○ No | ○ Yes ○ No |

| Name of Principal | Residential Address | SSN | DOB |
|---|---|---|---|
| | | | |

| Title and or Position | Percentage of Ownership | Director | US Citizen | MA Resident |
|---|---|---|---|---|
| | | ○ Yes ○ No | ○ Yes ○ No | ○ Yes ○ No |

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime? ○ Yes ○ No
If yes, attach an affidavit providing the details of any and all convictions.

## 11B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 11A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

## 11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 11A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

## 11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 11A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Licensee Name | License Type | Municipality | Date(s) of Agreement |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

## 11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D ever been suspended, revoked or cancelled?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Date of Action | Name of License | City | Reason for suspension, revocation or cancellation |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

## 11F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee? Yes ☐ No ☒

b. Will the licensee retain control of the business finances? Yes ☐ No ☒

c. Does the management entity handle the payroll for the business? Yes ☐ No ☒

d. Management Term Begin Date _____ e. Management Term End Date _____

f. How will the management company be compensated by the licensee? (check all that apply)

☐ $ per month/year (indicate amount) _____

☐ % of alcohol sales (indicate percentage) _____

☐ % of overall sales (indicate percentage) _____

☐ other (please explain) _____

**ABCC Licensee Officer/LLC Manager**

Signature: _____

Title: _____

Date: _____

**Management Agreement Entity Officer/LLC Manager**

Signature: _____

Title: _____

Date: _____

## APPLICANT'S STATEMENT

I, JIGNESHKUMAR PATEL the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of H&J CONVENIENCE INC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

(1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;

(2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;

(3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;

(4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;

(5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;

(6) I understand that all statements and representations made become conditions of the license;

(7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;

(8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and

(9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

(10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: [signature] Date: 1/15/2023

Title: Owner

# ADDENDUM A

## 6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name

Percentage of Ownership in Entity being Licensed
(Write "NA" if this is the entity being licensed)

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

Name of Principal | Residential Address | SSN | DOB

Title and or Position | Percentage of Ownership | Director/ LLC Manager ○ Yes ○ No | US Citizen ○ Yes ○ No | MA Resident ○ Yes ○ No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime? ○ Yes ○ No
If yes, attach an affidavit providing the details of any and all convictions.

## ENTITY VOTE

The Board of Directors or LLC Managers of H+J Convenience Inc D/B/A Country Farms
Entity Name

duly voted to apply to the Licensing Authority of Bourne and the
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 1/10/2023
Date of Meeting

For the following transactions (Check all that apply):

- [x] New License
- [ ] Transfer of License
- [ ] Change of Manager
- [ ] Change of Officers/ Directors/LLC Managers
- [ ] Change of Location
- [ ] Alteration of Licensed Premises
- [ ] Change Corporate Name
- [ ] Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- [ ] Change of Class (i.e. Annual / Seasonal)
- [ ] Change of License Type (i.e. club / restaurant)
- [ ] Change of Category (i.e. All Alcohol/Wine, Malt)
- [ ] Issuance/Transfer of Stock/New Stockholder
- [ ] Other
- [ ] Change Corporate Structure (i.e. Corp / LLC)
- [ ] Pledge of Collateral (i.e. License/Stock)
- [ ] Management/Operating Agreement
- [ ] Change of Hours
- [ ] Change of DBA

"VOTED: To authorize Jignesh Kumar Patel
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Jignesh Kumar Patel
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

Corporate Officer /LLC Manager Signature

Harshad Kumar Patel
(Print Name)

For Corporations ONLY
A true copy attest,

Corporation Clerk's Signature

Jignesh Kumar Patel
(Print Name)

# The Commonwealth of Massachusetts
## William Francis Galvin

Minimum Fee: $250.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

## Articles of Organization
(General Laws, Chapter 156D, Section 2.02; 950 CMR 113.16)

**Identification Number:** 001288661

### ARTICLE I

The exact name of the corporation is:

H & J CONVENIENCE INC

### ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

TO OPERATE CONVENIENCE STORES AND TO ENGAGE IN ANY OTHER LAWFUL ACTIVITY AS MAY FROM TIME TO TIME BY DETERMINED BY THE CORPORATION BOARD OF DIRECTO RS .

### ARTICLE III

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

| Class of Stock | Par Value Per Share Enter **0** if no Par | Total Authorized by Articles of Organization or Amendments | | Total Issued and Outstanding |
|---|---|---|---|---|
| | | *Num of Shares* | *Total Par Value* | *Num of Shares* |
| CNP | $0.00000 | 10,000 | $0.00 | 10,000 |

G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

### ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

ONE CLASS OF STOCK ONLY ....COMMON , NO PAR VALUE

### ARTICLE V

The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

THERE ARE NUMEROUS RESTRICTIONS PLACED ON THE TRANSFER OF CORPORATE STOCK

ALL OF WHICH CAN BE FOUND IN THE CORPORATE BYLAWS A COPY OF WHICH MAY BE O BTAINED BY REQUEST MADE IN WRITING TO THE CORPORATE CLERK

**ARTICLE VI**

Other lawful provisions, and if there are no provisions, this article may be left blank.

NONE

**Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.**

**ARTICLE VII**

The effective date of organization and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a *later* effective date is desired, specify such date, which may not be later than the *90th day* after the articles are received for filing.

**Later Effective Date: Time:**

**ARTICLE VIII**

The information contained in Article VIII is not a permanent part of the Articles of Organization.

**a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:**

Name: HARSHADKUMAR PATEL
No. and Street: [redacted]
City or Town: [redacted] tate: MA Zip: 02072 Country: USA

**c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):**

| Title | Individual Name<br>First, Middle, Last, Suffix | Address (no PO Box)<br>Address, City or Town, State, Zip Code |
|---|---|---|
| PRESIDENT | HARSHADKUMAR K PATEL | [redacted] |
| TREASURER | JIGNESHKUMAR A PATEL | |
| SECRETARY | HARSHADKUMAR K PATEL | |
| VICE PRESIDENT | JIGNESHKUMAR A PATEL | |
| DIRECTOR | HARSHADKUMAR K PATEL | |
| DIRECTOR | JIGNESHKUMAR A PATEL | |

**d. The fiscal year end (i.e., tax year) of the corporation:**
December

**e. A brief description of the type of business in which the corporation intends to engage:**

CONVENIENCE STORE

**f. The street address *(post office boxes are not acceptable)* of the principal office of the corporation:**

No. and Street: 365 BARLOWS LANDING ROAD
City or Town: POCASSET State: MA Zip: 02559 Country: USA

**g. Street address where the records of the corporation required to be kept in the Commonwealth are located *(post office boxes are not acceptable)*:**

No. and Street: 365 BARLOWS LANDING ROAD
City or Town: POCASSET State: MA Zip: 02559 Country: USA

**which is**

X its principal office
__ an office of its transfer agent
__ an office of its secretary/assistant secretary
__ its registered office

**Signed this 29 Day of August, 2017 at 3:43:53 PM by the incorporator(s).** *(If an existing corporation is acting as incorporator, type in the exact name of the business entity, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said business entity and the title he/she holds or other authority by which such action is taken.)*

HARSHADKUMAR PATEL

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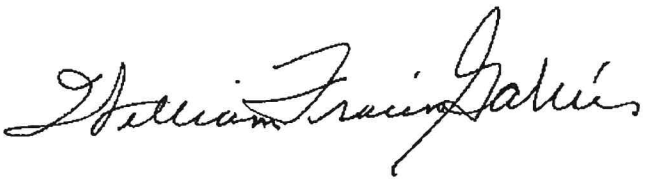
All Rights Reserved

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

August 29, 2017 03:41 PM



WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*

Department of the Treasury
Internal Revenue Service
Cincinnati OH 45999-0038

| | |
|---|---|
| Notice | [redacted] |
| Notice date | |
| Employer ID number | |
| To contact us | |
| Page 1 of 3 | |

090864.803521.387444.17281 1 AB 0.403 530

H & J CONVENIENCE INC
COUNTRY FARMS
365 BARLOWS LANDING RD
POCASSET MA 02559-1970

090864

We've accepted your S Corporation election

# You will be treated as an S Corporation starting August 29, 2017

We've accepted your S Corporation election. As a result, your tax year will end in December, and you will be treated as an S Corporation starting August 29, 2017.

## What you need to do

You don't need to take any action.

Review this notice to understand some of your obligations and responsibilities as an S Corporation.

Continued on back...

H & J CONVENIENCE INC
COUNTRY FARMS
365 BARLOWS LANDING RD
POCASSET MA 02559-1970

| | |
|---|---|
| Notice | [redacted] |
| Notice date | |
| Employer ID number | |

## Contact information

If your address has changed, please call 1-800-829-0115 or visit www.irs.gov.

☐ Please check here if you've included any correspondence. Write your Employer ID number (82-2634572) on any correspondence.

| Primary Phone | Best time to call | Secondary Phone | Best time to call |
|---|---|---|---|
| | ☐ a.m. ☐ p.m. | | ☐ a.m. ☐ p.m. |

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0038

822634572 PR 00 2 000000

[redacted]

## Additional information

- Visit www.irs.gov/cp261
- For more information, see Form(s) 1120S, 2553, and Schedule K-1, and their instructions.
- For tax forms, instructions, and publications, visit www.irs.gov or call 1-800-TAX-FORM (1-800-829-3676).
- Keep this notice for your records.

If you need assistance, please don't hesitate to contact us.

090864

IRS.gov

## EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

### Summary of your information

Please review the information you are about to submit. If any of the information below is incorrect, you will need to start a new application.

Click the "Submit" button at the bottom of the page to receive your EIN.

**Help Topics**

- What is Form 1128?
- What is Form 8716?

**Organization Type: S Corporation**

#### S Corporation Information

| | |
|---|---|
| Legal name: | H & J CONVENIENCE INC |
| Trade name/Doing business as: | COUNTRY FARMS |
| County: | BARNSTABLE |
| State/Territory: | MA |
| Date Corporation started or acquired: | AUGUST 2017 |
| Closing month of accounting year: | DECEMBER (The closing month of the accounting year is defaulted to December due to your organization type. To change your closing month of accounting year, complete Form 1128 / Form 8716.) |
| State/Territory where articles of organization are (or will be) filed: | MA |

#### Addresses

| | |
|---|---|
| Physical Location: | 365 BARLOWS LANDING RD<br>POCASSET MA 02559 |
| Phone Number: | 508-563-6557 |

#### Responsible Party

| | |
|---|---|
| Name: | HARSHADKUMAR K PATEL |
| SSN/ITIN: | XXX-XX-6466 |

#### Employee Information

| | |
|---|---|
| Date wages or annuities will be paid: | SEPTEMBER 2017 |
| Number of agricultural employees: | 0 |
| Number of other employees: | 4 |
| Tax Liability of $1000 or less during calendar year: | NO |

#### Principal Business Activity

| | |
|---|---|
| What your business/organization does: | RETAIL |
| Principal products/services: | CONVENIENCE |

#### Additional S Corporation Information

| | |
|---|---|
| Owns a 55,000 pounds or greater highway motor vehicle: | NO |
| Involves gambling/wagering: | NO |
| Involves alcohol, tobacco or firearms: | YES |
| Files Form 720 (Quarterly Federal Excise Tax Return): | NO |
| Has employees who receive Forms W-2: | YES |
| Reason for Applying: | STARTED A NEW BUSINESS |

We strongly recommend you print this summary page for your records as this will be your only copy of the application. You will not be able to return to this page after you click the "Submit" button.

Click "Submit" to send your request and receive your EIN. Submit

Once you submit, please wait while your application is being processed. It can take up to two minutes for your application to be processed.

IRS.gov

**EIN Assistant**

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

**Congratulations! Your EIN has been successfully assigned.**

EIN Assigned: [redacted]

Legal Name: H & J CONVENIENCE INC

**IMPORTANT:**

Save and/or print this page and the confirmation letter below for your permanent records.

The confirmation letter below is your official IRS notice and contains important information regarding your EIN.

CLICK HERE for Your EIN Confirmation Letter Help with saving and printing your letter

Once you have saved or printed your letter, click "Continue" to get additional information about using your new EIN.

Continue >>

Help Topics

What if I do not have access to a printer at this time?

Can I access this letter at a later date?

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 08-29-2017

Employer Identification Number:
[redacted]

Form: SS-4

Number of this notice: [redacted]

H & J CONVENIENCE INC
COUNTRY FARMS
365 BARLOWS LANDING RD
POCASSET, MA 02559

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 82-2634572. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

| | |
|---|---|
| Form 941 | 10/31/2017 |
| Form 940 | 01/31/2018 |
| Form 1120 | 04/15/2018 |

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

**IMPORTANT INFORMATION FOR S CORPORATION ELECTION:**

If you intend to elect to file your return as a small business corporation, an election to file a Form 1120-S must be made within certain timeframes and the corporation must meet certain tests. All of this information is included in the instructions for Form 2553, *Election by a Small Business Corporation*.

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, *Electronic Choices to Pay All Your Federal Taxes*. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.

The IRS is committed to helping all taxpayers comply with their tax filing obligations. If you need help completing your returns or meeting your tax obligations, Authorized e-file Providers, such as Reporting Agents (payroll service providers) are available to assist you. Visit the IRS Web site at www.irs.gov for a list of companies that offer IRS e-file for business products and services. The list provides addresses, telephone numbers, and links to their Web sites.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.

* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.

* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is H&JC. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

*Commonwealth of Massachusetts*
*Alcoholic Beverages Control Commission*
*95 Fourth Street, Suite 3*
*Chelsea, MA 02150*

*JEAN M. LORIZIO, ESQ.*
*CHAIRMAN*

# CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

***ABCC LICENSE INFORMATION***

| | | | | | |
|---|---|---|---|---|---|
| **ABCC NUMBER:** (IF EXISTING LICENSEE) | | **LICENSEE NAME:** | | **CITY/TOWN:** | |

***APPLICANT INFORMATION***

| | | | | | |
|---|---|---|---|---|---|
| LAST NAME: | Patel | FIRST NAME: | Jigneshkumar | MIDDLE NAME: | Arvindbhai |
| MAIDEN NAME OR ALIAS (IF APPLICABLE): | — | PLACE OF BIRTH: | India | | |
| DATE OF BIRTH: | [redacted] | SSN: | [redacted] | ID THEFT INDEX PIN (IF APPLICABLE): | — |
| MOTHER'S MAIDEN NAME: | Manjulaben | DRIVER'S LICENSE #: | [redacted] | STATE LIC. ISSUED: | MA |
| GENDER: | Male | HEIGHT: | 5' 8" | WEIGHT: | 180 |
| EYE COLOR: | Black | | | | |
| CURRENT ADDRESS: | [redacted] | | | | |
| CITY/TOWN: | [redacted] | STATE: | MA | ZIP: | [redacted] |
| FORMER ADDRESS: | | | | | |
| CITY/TOWN: | | STATE: | | ZIP: | |

***PRINT AND SIGN***

| | | | |
|---|---|---|---|
| PRINTED NAME: | Jigneshkumar Patel | APPLICANT/EMPLOYEE SIGNATURE: | |

***NOTARY INFORMATION***

On this 9th Jan. 2023 before me, the undersigned notary public, personally appeared Jignesh Kumar Patel (name of document signer), proved to me through satisfactory evidence of identification, which were Drivers License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

Anita M. Bonaiuto
*NOTARY*

ANITA M. BONAIUTO
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
March 30, 2029

*DIVISION USE ONLY*

REQUESTED BY:

*SIGNATURE OF CORI-AUTHORIZED EMPLOYEE*

The DCJI Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJI. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. **ALL CORI request forms that include this field are required to be submitted to the DCJI via mail or by fax to (617) 660-4614.**

*Commonwealth of Massachusetts*
*Alcoholic Beverages Control Commission*
*95 Fourth Street, Suite 3*
*Chelsea, MA 02150*

*JEAN M. LORIZIO, ESQ.*
*CHAIRMAN*

# CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

**ABCC LICENSE INFORMATION**

| ABCC NUMBER: (IF EXISTING LICENSEE) | | LICENSEE NAME: | | CITY/TOWN: | |
|---|---|---|---|---|---|

**APPLICANT INFORMATION**

| | | | | | |
|---|---|---|---|---|---|
| LAST NAME: | Patel | FIRST NAME: | Harshad kumar | MIDDLE NAME: | K |
| MAIDEN NAME OR ALIAS (IF APPLICABLE): | – | PLACE OF BIRTH: | Indra | | |
| DATE OF BIRTH: | [redacted] | SSN: | [redacted] | ID THEFT INDEX PIN (IF APPLICABLE): | |
| MOTHER'S MAIDEN NAME: | Kritaben | DRIVER'S LICENSE #: | [redacted] | STATE LIC. ISSUED: | MA |
| GENDER: | Male | HEIGHT: | 5 10 | WEIGHT: 175 | EYE COLOR: Black |
| CURRENT ADDRESS: | [redacted] | | | | |
| CITY/TOWN: | [redacted] | STATE: | MA | ZIP: | [redacted] |
| FORMER ADDRESS: | | | | | |
| CITY/TOWN: | | STATE: | | ZIP: | |

**PRINT AND SIGN**

PRINTED NAME: Harshad kumar Patel APPLICANT/EMPLOYEE SIGNATURE: [signature]

**NOTARY INFORMATION**

On this 11th January '23 before me, the undersigned notary public, personally appeared Harshad Kumar Patel (name of document signer), proved to me through satisfactory evidence of identification, which were Drivers License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

[signature] M Bonaiuto
NOTARY

ANITA M. BONAIUTO
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
March 30, 2029

**DIVISION USE ONLY**

REQUESTED BY: _____ DATE: _____
SIGNATURE OF CORI AUTHORIZED EMPLOYEE

The DCJIS Identity Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJIS. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. All CORI request forms that include this field are required to be submitted to the DCJIS via mail or by fax to (617) 660-4614.

Scanned with CamScanner

Bk 30942 Pg152 #61955
12-05-2017 @ 11:53a

# Quitclaim Deed

**Tirth LLC, a Limited Liability Company** with a usual place of business at 151 Thompson Road, Webster, Worcester County, MA, in consideration of Seven Hundred Twenty-Five Thousand and 00/100 ($725,000.00) Dollars, paid **GRANT TO Harshadkumar K. Patel, Trustee of DADA Realty Trust u/d/t dated May 12, 2017, of**

With ***QUITCLAIM COVENANTS***

Property Address: **365 Barlows Landing Road, Bourne, MA 02559**

A certain parcel of land together with the buildings and improvements thereon in that part of Bourne, Barnstable County, Massachusetts called Pocasset and on the Southerly side of Barlow's Landing Road, so-called, and shown on a plan entitled "A Plan of Land to be conveyed to Anna O. Sullivan to V.S.H. Realty, Inc." dated August 3, 1976 and prepared by Newell B. Snow, R.L.S. recorded in Barnstable County Registry of Deeds Plan Book 310, Page 45, being bounded and described as follows:

EASTERLY by Barlow's Landing Road 96.71 feet;

SOUTHERLY by land of Raymond Wheeler as shown on said plan 208.49 feet;

WESTERLY by land of Evelyn Patricia Shastany as shown on said plan 91.32 feet; and

NORTHERLY by land of Paul D. and Eleanor Conley and Thomas M. and Alice N. George as shown on said plan 212.02 feet.

Subject to an easement to New Bedford Gas & Electric and New England Telephone & Telegraph recorded in Book 2452, Page 323.

The grantors herein release any and all rights of homestead they may have acquired in and to the subject property by statute or otherwise and further states under the pains and penalties of perjury, no other person has the right to claim homestead benefits in said property.

**Being the same premises conveyed to these Grantors by deed dated June 7, 2012 and recorded with the Barnstable County Registry of Deeds at Book 26421, Page 62.**

This conveyance does not include all or substantially all of the assets of Tirth LLC.

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 12-05-2017 @ 11:53am
Ctl#: 590 Doc#: 61955
Fee: $2,479.50 Cons: $725,000.00

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 12-05-2017 @ 11:53am
Ctl#: 590 Doc#: 61955
Fee: $2,218.50 Cons: $725,000.00

Executed as a sealed instrument this 20th day of November, 2017

**TIRTH LLC**

Prashant Patel, Manager

Commonwealth of Massachusetts
County: Worcester

On this 20th day of November, 2017 before me, the undersigned notary public, personally appeared **Prashant Patel, Manager**, the above-named and proved to me through satisfactory evidence of identification, which was MA DL to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed and the free act and deed of Tirth LLC.

Notary Public:
My Commission Expires: 9/30/22

KIMBERLY A. RZEZNIKIEWICZ
Notary Public
Commonwealth of Massachusetts
My Commission Expires September 30, 2022

JOHN F. MEADE, REGISTER
BARNSTABLE COUNTY REGISTRY OF DEEDS
RECEIVED & RECORDED ELECTRONICALLY

## IMPORTANT INFORMATION ABOUT YOUR TAX BILL

This bill contains two remittances. One remittance is for the payment due on February 1, 2023 and the second is for the payment due on May 1, 2023. Please make a note on your calendar as a reminder to make the second payment before the due date of May 1st. No other notification reminder will be mailed to you.

BREZ21221-0005478 - A7519

Make checks payable to: **Town of Bourne**
and mail your payment to:
Town of Bourne, MA
Department 7680
PO Box 4110
Woburn, MA 01888-4110

| Office Hours | Assessor's Office | Tax Collector's Office |
|---|---|---|
| Monday – Friday | 508-759-0600 | 508-759-0600 |
| 8:30 – 4:30 | Ext. 1510 | Ext. 1507 |

This is your Third and Fourth QUARTER ACTUAL REAL ESTATE TAX BILL for FISCAL 2023.
They are due and payable on February 1, 2023 and May 1, 2023

**Pay your Town of Bourne Real Estate Tax online.**

1) Go to **www.townofbourne.com**
2) Click on Online Bill Payments
3) Complete each screen to process your payment.

Visa, Discover and MasterCard credit card payments are currently accepted. Vendor fees apply.

Your **online** check must have the **Bill Number** **RE-6032** on the check.
Please mail all **online** checks to:
**Town of Bourne**
**24 Perry Ave**
**Buzzards Bay, MA 02532**

---

**Town of Bourne**
Erica Flemming
Collector/Treasurer
24 Perry Avenue
Buzzards Bay, MA 02532-3441

Bill Number **6032**

**ABATEMENT APPLICATIONS TO ASSESSORS DUE: 02/01/2023**

PATEL HARSHADKUMAR K TRS
DADA REALTY TRUST
365 BARLOWS LANDING ROAD
POCASSET MA 02559-1970

TOWN OF BOURNE, MA
DEPARTMENT 7680
PO BOX 4110
WOBURN, MA 01888-4110

### 2023 ACTUAL REAL ESTATE TAX BILL SUMMARY

FISCAL YEAR 2023

Based on assessments as of January 1, 2022, your Real Estate Tax for the fiscal year beginning July 1, 2022 and ending June 30, 2023 on the parcel of real estate described below is as follows:

Issue Date: 4/1/2023

| PROPERTY IDENTIFICATION | |
|---|---|
| **365 BARLOWS LANDING RD** | |
| Map/Parcel | 43.1 135.00 |
| Book – Page | 30942 - 152 |
| Land Area (sqft) | 19,646 |
| Class | 3250 |
| Deed Date | 12/05/2017 |

Interest at the rate of 14% per annum will accrue on overdue payments from the due date until payment is made. (See reverse side for Important Information)

| ASSESSMENTS | |
|---|---|
| Special Assessments | 0.00 |
| Real Estate Tax | 5,968.78 |
| CPA (Community Preservation Act) | 179.07 |
| District | 47.42 |
| **Total Tax/Assessments** | **6,195.27** |
| Preliminary Taxes Paid (-) | -3,223.58 |
| Credits (-) | 0.00 |
| Interest | 0.00 |
| **Total Due** | **2,971.69** |

| VALUATIONS | |
|---|---|
| Land Value | 295,600 |
| Building Value | 370,000 |
| Other Value | 11,900 |
| **Taxable Value** | **677,500** |

| Tax Rate per $1000 | | |
|---|---|---|
| | Real Estate | 8.81 |
| | CPA | 3% (of RE Tax) |
| | District 01 | 0.07 |

| 4th Quarter Due | |
|---|---|
| 4th Qtr RE Due | 1,430.02 |
| 4th Qtr CPA Due | 42.90 |
| 4th Qtr Dist Due | 12.92 |
| Betterments/Liens | 0.00 |
| Credits (-) | 0.00 |
| Interest | N/A |
| Previous Balance Due | N/A |
| **Due 05/01/2023** | **$1,485.84** |

PAYMENT COUPON

10401202323000000603270000148584050123 5

This Form Approved by the Commissioner of Revenue

---

**Town of Bourne**
Erica Flemming
Collector/Treasurer
24 Perry Avenue
Buzzards Bay, MA 02532-3441

Bill Number **6032**

**ABATEMENT APPLICATIONS TO ASSESSORS DUE: 02/01/2023**

PATEL HARSHADKUMAR K TRS
DADA REALTY TRUST
365 BARLOWS LANDING ROAD
POCASSET MA 02559-1970

TOWN OF BOURNE, MA
DEPARTMENT 7680
PO BOX 4110
WOBURN, MA 01888-4110

### 2023 ACTUAL REAL ESTATE TAX BILL SUMMARY

FISCAL YEAR 2023

Based on assessments as of January 1, 2022, your Real Estate Tax for the fiscal year beginning July 1, 2022 and ending June 30, 2023 on the parcel of real estate described below is as follows:

Issue Date: 12/30/2022

| PROPERTY IDENTIFICATION | |
|---|---|
| **365 BARLOWS LANDING RD** | |
| Map/Parcel | 43.1 135.00 |
| Book – Page | 30942 - 152 |
| Land Area (sqft) | 19,646 |
| Class | 3250 |
| Deed Date | 12/05/2017 |

Interest at the rate of 14% per annum will accrue on overdue payments from the due date until payment is made. (See reverse side for Important Information)

| ASSESSMENTS | |
|---|---|
| Special Assessments | 0.00 |
| Real Estate Tax | 5,968.78 |
| CPA (Community Preservation Act) | 179.07 |
| District | 47.42 |
| **Total Tax/Assessments** | **6,195.27** |
| Preliminary Taxes Paid (-) | -3,223.58 |
| Credits (-) | 0.00 |
| Interest | 0.00 |
| **Total Due** | **2,971.69** |

| VALUATIONS | |
|---|---|
| Land Value | 295,600 |
| Building Value | 370,000 |
| Other Value | 11,900 |
| **Taxable Value** | **677,500** |

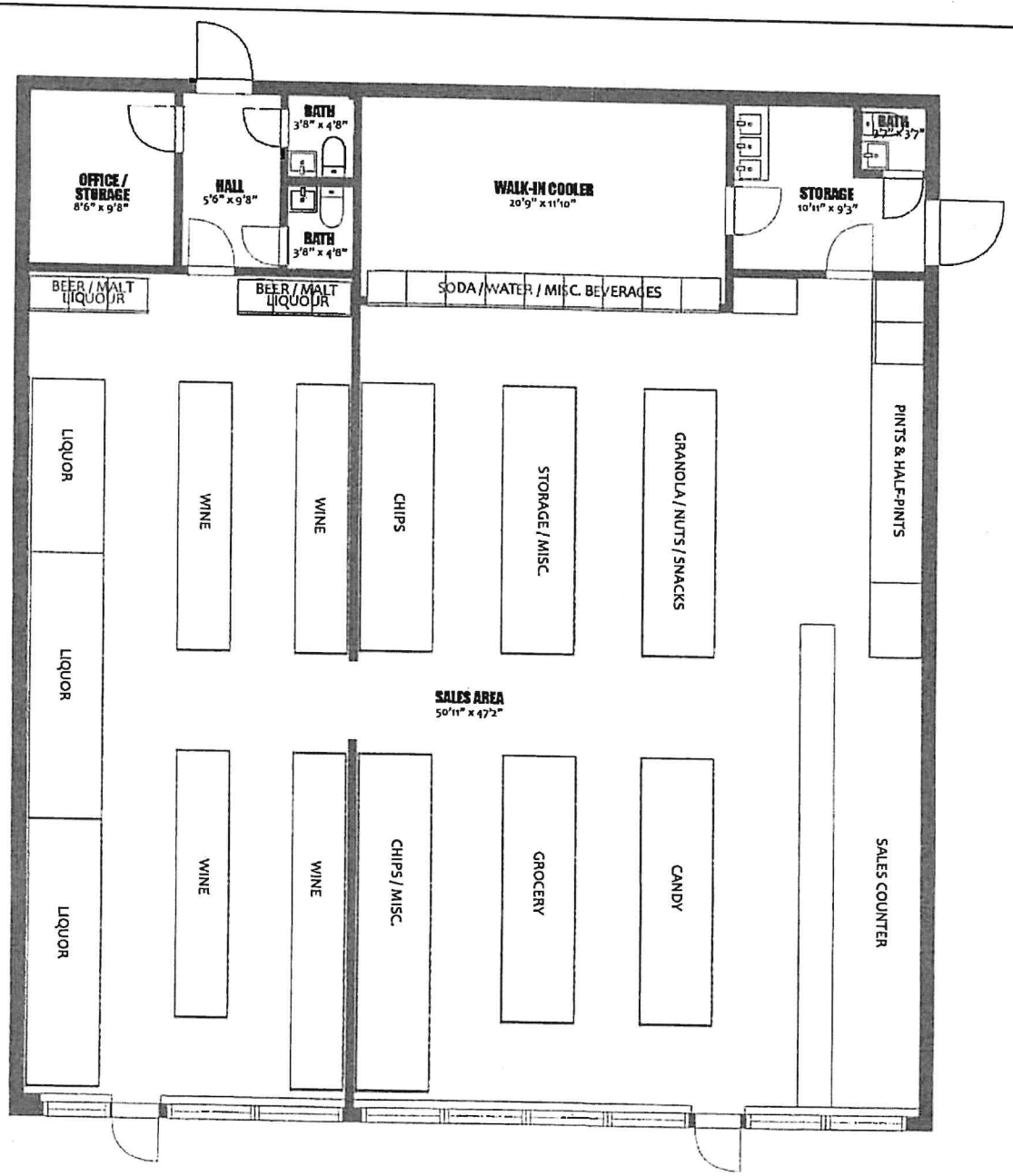
| Tax Rate per $1000 | | |
|---|---|---|
| | Real Estate | 8.81 |
| | CPA | 3% (of RE Tax) |
| | District 01 | 0.07 |

| 3rd Quarter Due | |
|---|---|
| 3rd Qtr RE Due | 1,430.02 |
| 3rd Qtr CPA Due | 42.91 |
| 3rd Qtr Dist Due | 12.92 |
| Betterments/Liens | 0.00 |
| Credits (-) | 0.00 |
| Interest | 0.00 |
| Previous Balance Due | 0.00 |
| **Due 02/01/2023** | **$1,485.85** |

PAYMENT COUPON

10401202323000000603270000148585020123 9

This Form Approved by the Commissioner of Revenue




**PROPOSED GROUND FLOOR PLAN**
**TOTAL SQUARE FOOTAGE: 8,300 +/-**

**COUNTRY FARMS, H&J CONVENIENCE, INC.**
**385 BARLOWS LANDING ROAD, POCASSET, MA 02559**

NUMBER

# 7

FEE

$50.00

THE COMMONWEALTH OF MASSACHUSETTS

## TOWN OF BOURNE

**This is to Certify that** H & J Convenience Store, Inc.
d/b/a Country Farms
Jigneshkumara A. Patel
365 Barlows Landing Road, Pocasset MA 02559

**IS HEREBY GRANTED A**

**FOR THE SALE OF FOOD AND NON-ALCOHOLIC DRINK UNDER THE TOWN OF BOURNE BYLAWS ARTICLE 3.5**

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires **December 31, 2023** unless sooner suspended or revoked

Marlene V. McCollem
Town Administrator

**Dated:** 12.2.22

**TOWN OF BOURNE**
**Town Administrator**
24 Perry Avenue
Buzzards Bay, MA 02532
Phone 508-759-0600 x1503 – Fax 508-759-0420

Marlene V. McCollem, Town Administrator
Email: mmccollem@townofbourne.com

March 1, 2023

Mr. Jigneshkumar Patel
365 Barlows Landing Road
Pocasset, MA 02559

Dear Mr. Patel:

The legal notice on the application for a year round Retail Package Goods Store License for the sale of all kinds of alcoholic beverages will appear in the Friday, March 3, 2023 edition of the Bourne Enterprise.

In accordance with Massachusetts General Laws and regulations promulgated by the Board of Selectmen, you are required within three (3) days after publication to notify your abutters by certified mail, return receipt requested, of the date, time, place and reason for said hearing, and, if a school, which gives not less than the minimum instruction an training to children of compulsory school age or a church is located within a radius of five hundred feet from said premises, to such school or church. The notice sent to such school or church shall indicate the necessity of a written objection to prevent the issuance of such license in accordance with the provisions of section 16C of Chapter 138 of the Massachusetts General Laws. A list of abutters may be obtained at the Assessor's Office, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

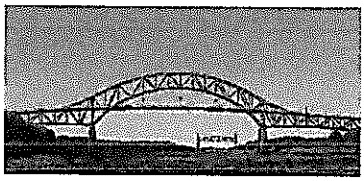
Please submit your certified mail return receipts to the Select Board's Office prior to the hearing.

Should you have any questions relative to this hearing, please contact my office.

Respectfully,
Marlene V. McCollem
Town Administrator

Email: [redacted]

# TOWN OF BOURNE
**Board of Assessors**
**24 Perry Avenue**
**Buzzards Bay, MA 02532**
**(508) 759-0600 Ext. 1510 ♦ Fax (508) 759-8026**



Michael Leitzel, Chairperson
Ellen Doyle Sullivan, Clerk
Donna Barakauskas, Member

Rui Pereira, MAA
Director of Assessing


March 1, 2023

Jessica C. Sommer, Esquire
Dunning, Kirrane, McNichols & Garner, LLP
133 Falmouth Road
PO Box 560
Mashpee, MA 02649

Reference: Abutters List for Map 43.1 Parcel 135
Subject Property: 365 Barlow's Landing Road

Pursuant to the provisions of Massachusetts General Laws Chapter 138, Section 15A, as amended, this is to certify that the enclosed list of names and addresses constitutes all of the abutters of the premise, including schools, churches and hospitals within 500 feet of the subject property on the most recent tax list of the Town of Bourne. The purpose of the abutters list is for an application of a Liquor License from the Board of Selectmen.

Abutting properties are: Map 43.1 Parcels 51, 134, 136 & 247.

Your payment of $10.00 has been received by the Assessor's Office.

**Please be advised that this abutters list is only good for 30 days from the date on this letter. Expired abutters list can be recertified for an additional filing fee.**

See enclosed Data Base Inquiry Forms for abutters mailing addresses.

Board of Assessors

Ellen Doyle Sullivan
Donna Barakauskas
Michael Leitzel

List Enclosed

Extract: ABUTTERS LIST
Database: LIVE
Filter: Key IN 9059,9137,9139,9239
Sort:

# Report #24: Owner Listing Report

Fiscal Year 2024

Bourne MA

| Key | Parcel ID | Owner | Location | LCU/CI | Bk-Pg(Cert) /DI | [redacted] |
|---|---|---|---|---|---|---|
| 9059 | 43.1-51-0 | ROMAN CATHOLIC BISHOP OF FALL RIVER - ST JOHNS | 841 SHORE RD | N 9600 | 00434/0496 | [redacted] |
| 9137 | 43.1-134-0 | BAXLEY GROVER G | 369 BARLOWS LANDING RD | N 3250 | 27952/311 1/24/2014 | [redacted] |
| 9139 | 43.1-136-0 | KLEIN LYNNE A ETVIR GROVER FRED KLEIN | 361 BARLOWS LANDING RD | Y 1040 | 201237 8/22/2013 | [redacted] |
| 9239 | 43.1-247-0 | BOURNE HOUSING AUTHORITY | 871 SHORE RD | N 9700 | 3935/37 | [redacted] |

Total Records 4

# ARTICLES OF THE WARRANT

# FOR THE

# ANNUAL TOWN MEETING

## Monday, May 1, 2023

## 7:00 P.M.

## Bourne High School Auditorium

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March 10, 2023

# ***ANNUAL TOWN MEETING***

***ARTICLE 1:*** To see if the Town will vote the following Consent Articles 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 the following regularly required authorizations:

   a. Assumption of Liability – To see if the Town will vote 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 see if the Town will vote 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 see if the Town will vote 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 see if the Town will vote in accordance with the provisions of G.L. c. 30B, § 12(b) to authorize the Town Administrator or the Superintendent of Schools 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. Authorize the Treasurer and the Town Collector, pursuant to G.L. c. 44, § 53F, 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. 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, 2023 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: $45,680



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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. Reserve Fund - To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **$350,000** to establish the Finance Committee Reserve Fund.

5. 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, 2023, as follows:

| Revolving Fund | FY 2024 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 |

6. Accrued Contractual Compensated Absences - To see if the Town will vote to raise and appropriate or transfer from available funds 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 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 – Select Board***

***ARTICLE 3:*** 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***

***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, or borrow a



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sum of money for the purpose of funding the Fiscal Year 2024 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:*** Withdrawn

***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 purposes, and to meet said appropriation, to transfer from available funds or reserve from the FY2024 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 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 10:*** To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to the Stabilization Fund, or take any other action in relation thereto.
***Sponsor – Select Board***

***ARTICLE 11:*** To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money to the Capital Stabilization Fund, or take any other action in relation thereto.
***Sponsor – Select Board***

***ARTICLE 12*:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Human Services Grant program, or take any other action in relation thereto.
***Sponsor – Select Board***

***ARTICLE 13:*** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Special Education Reserve Fund, or take any other action in relation thereto.
***Sponsor – School Department***

***ARTICLE 14:*** To see if the Town will vote to amend the vote taken under Article 27 at the May 8, 2000 Annual Town Meeting, which accepted the provisions of Chapter 59, Section 5K of the General Laws, to increase the previously-voted gross exemption amount limit of $500.00 to $750.00 per fiscal year for each approved volunteer who participates in the Senior Tax Work-Off Program, said increase to become effective beginning in Fiscal Year 2024, or take any other action in relation thereto.
***Sponsor – Board of Assessors***

***ARTICLE 15*:** To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Wetland and Natural Resources Protection, Section 3.7.3: Notice of Hearings as follows:

Section 3.7.3

Notice of Hearings. Any person filing a Notice of Intent with the Conservation Commission shall give notice thereof in the same manner required by Mass. Gen. Laws, Chapter 131, Section 40, as from time to time amended and supplemented, and the Rules and Regulations, if any, promulgated thereunder, as from time to time amended and supplemented.

Any person filing a Request for Determination of applicability with the Conservation Commission shall give written notice thereof, no less than five (5) business days prior to the scheduled Commission meeting, by certified mail-return receipt requested postage prepaid, by delivery in hand, **or by certificates of mailing,** to all abutters to the proposed project and to the property owner if other than the applicant, according to the most recent records of the Bourne Board of Assessors. The notice shall specify the date, time and location of the Commission meeting, and shall also specify where a copy of the Request for Determination, accompanying plans and documents may be examined and obtained.

or take any other action in relation thereto.
***Sponsor – Conservation Commission***

***ARTICLE 16*:** To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Wetland and Natural Resources Protection, Section 3.7.4: Definitions; Regulations as follows:

3.7.4 Definitions; Regulations 'Adjoining Land Areas'

'Adjoining Land Areas' shall mean the land **within 100' of any Wetland Resource Area, other than Land Subject to Coastal Storm Flowage (LSCSF) and the Riverfront Area.** The area is hereafter referred to as the Buffer Zone. **There is no buffer zone to LSCSF or Riverfront Area.** No habitable dwelling or accessories thereto or roadway/driveway shall be allowed **within the buffer zone any closer than 50' from the boundary of a Wetland Resource Area** unless permitted under this bylaw.

A. **For undeveloped lots, the 50' setback is required. For further alteration of lots that contain an existing dwelling, the applicant must attempt to meet the 50' setback to the degree that is practicable with a minimum setback of being no closer than the existing dwelling.**

B. **For eroding Coastal Banks that are significant to storm damage prevention or flood control because they supply sediment to coastal beaches or coastal dunes (aka "Sediment-Source Bank"), a 50' setback landward from the top of bank is required.**

C. **For non-eroding Coastal Banks that are significant to storm damage prevention or flood control only because they act as a vertical buffer to storm waters (aka "Vertical-Buffer Bank"), a minimum of 10' setback landward from the top of bank is required. Upon a clear showing that a Vertical-Buffer Bank provides insignificant storm damage prevention or flood control the Conservation Commission may waive the setback requirement entirely.**

or take any other action in relation thereto.
***Sponsor – Conservation Commission***

***ARTICLE 17*:** To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Wetland and Natural Resources Protection, Section 3.7.13: Waiver as follows:

**3.7.13: Waiver**

**A waiver to a specific performance standard of these Bylaws may be sought in cases where there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with these regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible and when the waiver is consistent with the intent and purpose of the Bylaw.**
**A request for a waiver shall be made in writing and shall include, at a minimum, the following information:**

- **A brief statement of the relief sought;**
- **A description of all reasonably identifiable alternatives to the applicant's proposal that were considered by the applicant that would avoid or minimize the necessity of the requested relief, along with the reasons why such alternatives were deemed to be inadequate, unworkable, or inadvisable;**
- **A statement of all efforts that will be undertaken to minimize impact upon the affected resource areas subject to protection under the Bylaw (Bylaw resource area) arising out of the work proposed;**
- **Detailed plans for proposed mitigation measures; and**
- **Adequate engineering and expert evidence to permit the Conservation Commission to evaluate the basis for applicant's contentions in support of the waiver requested.**

**The applicant shall have the burden of demonstrating, by clear and convincing evidence, that the granting of the waiver is consistent with the intent and purpose of the Bylaw and these regulations.**

or take any other action in relation thereto.
***Sponsor – Conservation Commission***

***ARTICLE 18*:** To see if the Town will vote to amend the Town of Bourne Recreation Committee Bylaw, Article 1.7, Sections 1.7.1-1.7.3, as follows:

Article 1.7 Recreation Committee
**The Bourne Recreation Committee is a committee formed for the purposes of supporting all residents of Bourne in their recreational pursuits.**

Section 1.7.1
Membership. ~~There shall be a Recreation Committee consisting of nine voters of the Town appointed annually by the Board of Selectmen.~~ **The Committee shall consist of nine voters, appointed by the Select Board, serving three year overlapping terms.**

Section 1.7.2
Organization. ~~The Committee shall annually organize by election from its member a chairman, a vice-chairman, and a clerk.~~ **Each September, the Committee shall elect a chairperson, vice-chairperson, clerk and CPC representative. If no member stands for election, it shall be in the Chairperson's power to appoint officers of the Committee.**

Section 1.7.3
Duties and Responsibilities. ~~The Committee shall review all requests from private organization for town funding of athletic and recreation programs, and shall transmit its recommendations therefor to the Selectmen and finance committee in the form of its annual budget submission; the Committee may develop town sponsored athletic and recreation programs; the Committee shall develop, and regularly update, a written master plan for development and coordination of recreation programs and utilization of recreation facilities for all age groups in~~

~~the town; and, shall be responsible for such other matters as may from time to time be referred to it. The committee shall not have jurisdiction or supervision over recreation programs of the school department, lifeguard department, Bourne Council on Aging, or Bourne Veterans Memorial Community Center, unless so requested by such departments.~~

- **The Committee shall assist the Recreation Department in the promotion of active and passive recreational activities for all age groups and abilities.**
- **The Committee shall submit an Annual Report to the Town outlining its goals and accomplishments for the prior fiscal year.**
- **The Committee shall identify and advocate for active and passive recreational opportunities, capital projects, new recreational areas, special events and programs.**
- **The Committee shall assist the Recreation Department to improve outreach and communications with the community regarding the Town's recreational programming, projects, events, and initiatives.**
- **The Committee may assist the Recreation Department with the implementation of special events as scheduled by the Department throughout the year.**
- **The Committee may solicit public opinion for recreation projects.**
- **The Committee will notify the Recreation Department and Department of Public Works of any known maintenance and/or repair needs to recreational facilities.**

or take any other action in relation thereto.
***Sponsor – Recreation Committee***

***ARTICLE 19:*** To see if the Town will vote to accept G.L. c. 41, §110A, or take any other action in relation thereto.
***Sponsor – Town Clerk***

***ARTICLE 20:*** To see if the Town will vote to rescind borrowing authority, or take any other action in relation thereto.
***Sponsor – Select Board***

***ARTICLE 21:*** To see if the Town will vote to authorize – land transfer for the Keene House, or take any other action in relation thereto.
***Sponsor – Select Board***

***ARTICLE 22:*** To see if the Town will vote to amend the Town of Bourne Bylaws, Section 3.1.23 Disturbances by adding an additional section "c," said new section to read as follows: c. The fact that the noise is plainly audible at a distance of one hundred fifty (150) feet from the building, dwelling, structure, premises, shelter, boat, or vehicle from which it originates and when the noise occurs between 10 p.m. and 7 a.m., shall constitute prima facie evidence of a violation of this bylaw.
***By petition – Julie M. Keene***

Approved: April ___, 2023

SELECT BOARD

_____ _____



DRAFT

Peter J. Meier

Judith MacLeod Froman

_____
Jared P. MacDonald

_____
Mary Jane Mastrangelo

_____
Melissa Ferretti

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, 2023

_____
Constable

Received in the Town Clerk's Office _____
Barry H. Johnson, Town Clerk

DRAFT

| | |
|---|---|
| **From:** | Renee Gratis |
| **To:** | Peter Meier; Jared MacDonald |
| **Cc:** | Amanda Bongiovanni; Marlene McCollem; Elizabeth Hartsgrove |
| **Subject:** | FinCom Vote on Town Meeting Process |
| **Date:** | Monday, February 6, 2023 10:29:37 PM |

---

Good evening Select Board Chair Meier and Select Board Vice Chair MacDonald,

On January 10th the Select Board and Finance Committee met jointly to discuss the town meeting process. After discussion the consensus was that the Finance Committee needed to have their own discussion and make the Select Board aware of any changes.

The Finance Committee held discussions on 01/23 and 01/30. This evening, 02/06, an official vote was taken to change the Finance Committee's role at town meeting to be making their recommendation to Town Meeting and stating their vote.
The committee voted 6-3-0 to approve this change.

Below, after my signature, is an example I showed the Finance Committee from Yarmouth's most recent meeting.
While the Finance Committee cannot dictate to the Select Board how to proceed, our vote this evening puts the ball in the Select Board's court to discuss how you would like to proceed with presenting articles, making motions, and explaining articles. I would suggest letting the Town Moderator know when you have discussions, so that she can attend. I just ask that you please keep me and Amanda Bongiovani, as FinCom's Chair and Vice Chair, in the loop as to any decisions made. While the Select Board and the Finance Committee have different roles, the town meeting process is still a collaborative effort.

Be advised that I will appear before the Select Board during public comment tomorrow evening and provide a similar update.

Thank you,
Renee Gratis, Chair
Finance Committee

I specifically jumped to about 1:27:40 (Article 13) as an example because it was the simplest :
https://www.youtube.com/watch?v=4XhjFpuICdM

- Moderator calls the article
- Selectman makes the motion and seconds
- Moderator asks FinCom their recommendation
- FinCom states their vote
- Moderator asks the Selectmen to explain the article
- Selectmen explain the article
- Moderator asks for questions from the floor
- Questions were answered by the Chief of Police (direct staff member to the article)

PERAC

PERAC MEMO #29/2022

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chair* JOHN W. PARSONS, ESQ., *Executive Director*

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES J. GUIDO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN, ESQ.

M E M O R A N D U M

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director

RE: 5% Local COLA option

DATE: November 18, 2022

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment ("COLA") for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

The local approval mechanism is different than traditional COLA increases and COLA base increases. In order for a system to adopt a COLA increase pursuant to this act, **the retirement board must vote for the increased amount and then it must also receive local approval**.

For purposes of this act, local approval means:

- In a city, the mayor must recommend the increase to the city council and the council must vote in favor.
- In a city having a Plan D or Plan E charter, the city manager must recommend the increase to the city council and the council must vote in favor.
- In a town, the chief executive officer[1] - the select board in nearly all cases - must vote in favor to accept the increase rather than the town meeting as is the case for COLA base increases.
- In a district, or other political subdivision, the governing board, commission or committee must vote in favor to accept the COLA increase.

[1] As defined in G.L. c. 4, § 7, "chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the select board in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

FIVE MIDDLESEX AVENUE, SUITE 304 | SOMERVILLE, MA 02145
PH 617 666 4446 | FAX 617 628 4002 | TTY 617 591 8917 | WWW.MASS.GOV/PERAC

- In a regional system, two-thirds of the cities and towns within the system must approve the increase. This is done in the same fashion as stated above for municipalities: in a city, by the city council upon recommendation by the mayor or, in a city with a Plan D or Plan E charter, the city manager; or, in a town, by approval of the chief executive officer (likely the select board) as defined by G.L. c. 4, § 7.
- In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept **and** two-thirds of the cities and towns within the system must approve the increase in the same manner as stated above for regional systems.

Though many local systems are comprised of multiple units such as housing authorities and districts, the two-thirds language only applies to regional and county systems as the approval specified in the statute only refers to cities and towns as voting political subdivisions.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

(0.2) x (COLA base) x (# of retirees/beneficiaries)

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at judith.a.corrigan@mass.gov.

# Acts (2022)

# Chapter 269

## AN ACT RELATIVE TO COST-OF-LIVING ADJUSTMENTS FOR RETIREES

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide for increased cost-of-living adjustments for retirees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. (a) (1) Notwithstanding section 103 of chapter 32 of the General Laws or any other general or special law to the contrary, the retirement board of any system that has accepted said section 103 may elect to establish a cost-of-living adjustment increase of not less than 3 per cent and not greater than 5 per cent on the base amount provided for in said section 103 for fiscal year 2023.

(2) The sum of the dollar amount of the cost-of-living increase on the base amount, together with the amount of retirement allowance, pension or annuity to which the cost-of-living increase is applied,

shall become the fixed retirement allowance, pension or annuity for all future purposes, including the application of subsequent cost-of-living adjustments in future years.

(b) A retirement board may grant a cost-of-living increase of not less than 3 per cent and not greater than 5 per cent on the base amount for fiscal year 2023 at any time during the fiscal year.

(c) This section shall take effect for the members of a retirement system by a majority vote of the board of such system and upon local acceptance: (i) of the city council upon recommendation of the mayor in a city, (ii) of the city council upon recommendation of the city manager in a city having a Plan D or Plan E charter, (iii) of the chief executive officer, as defined in section 7 of chapter 4 of the General Laws, in a town, (iv) of the county commissioners in a county and (v) by vote of the governing board, commission or committee in a district or other political subdivision of the commonwealth. For any retirement system comprising more than 1 political subdivision of the commonwealth, this section shall be effective by a majority vote of the board of such system and upon the acceptance of two-thirds of cities and towns within the system by approval of: (i) the city council upon recommendation of the mayor in a city, (ii) the city council upon recommendation of the city manager in a city having a Plan D or Plan E charter, and (iii) the chief executive officer, as defined in section 7 of chapter 4 of the General Laws, in a town.

SECTION 2. This act shall take effect on July 1, 2022.

*Approved, November 16, 2022.*

Estimated cost increase for FY2025 and FY2026 only based on FY2024 percentage
Additional annual cost will be added for FY2025 to FY2037 to current appropriation schedule

| ### | UNIT | | estimate | sheriff | estimate | sheriff |
|---|---|---|---|---|---|---|
| | | | for FY2025 | | for FY2026 | |
| 001 | BARNSTABLE COUNTY | 4.21% | $ 45,451.24 | $ 27,114.00 | $ 48,087.42 | $ 28,258.00 |
| 002 | COUNTY HOSPITAL | 0.00% | $ - | | $ - | |
| 003 | BARNSTABLE | 15.58% | $ 168,201.99 | | $ 177,957.72 | |
| 004 | BARNSTABLE FIRE | 0.71% | $ 7,665.17 | | $ 8,109.75 | |
| 005 | BARN HSG AUTH | 0.33% | $ 3,562.69 | | $ 3,769.32 | |
| 006 | BOURNE | 5.66% | $ 61,105.47 | | $ 64,649.60 | |
| 039 | BOURNE HSE AUTH | 0.07% | $ 755.72 | | $ 799.55 | |
| 007 | BOURNE REC AUTH | 0.21% | $ 2,267.16 | | $ 2,398.66 | |
| 008 | BOURNE WATER DIST | 0.20% | $ 2,159.20 | | $ 2,284.44 | |
| 009 | BREWSTER | 4.03% | $ 43,507.96 | | $ 46,031.43 | |
| 041 | BREWSTER HSE AUTH | 0.02% | $ 215.92 | | $ 228.44 | |
| 010 | BUZZARDS BAY WATER | 0.13% | $ 1,403.48 | | $ 1,484.88 | |
| 011 | CC MOSQ CONTROL | 0.51% | $ 5,505.97 | | $ 5,825.32 | |
| 012 | CC REG TECH | 0.68% | $ 7,341.29 | | $ 7,767.09 | |
| 013 | COMM FIRE DIST | 2.32% | $ 25,046.77 | | $ 26,499.48 | |
| 014 | CHATHAM | 3.28% | $ 35,410.95 | | $ 37,464.78 | |
| 040 | CHATHAM HSE | 0.06% | $ 647.76 | | $ 685.33 | |
| 015 | COTUIT FIRE | 0.56% | $ 6,045.77 | | $ 6,396.43 | |
| 016 | DENNIS | 5.10% | $ 55,059.70 | | $ 58,253.17 | |
| 017 | DENNIS HSE AUTH | 0.12% | $ 1,295.52 | | $ 1,370.66 | |
| 018 | DENNIS WATER DIST | 0.41% | $ 4,426.37 | | $ 4,683.10 | |
| 019 | D/Y REG SCH DIST | 2.08% | $ 22,455.72 | | $ 23,758.16 | |
| 020 | EASTHAM | 2.78% | $ 30,012.94 | | $ 31,753.69 | |
| 021 | HARWICH | 4.39% | $ 47,394.53 | | $ 50,143.41 | |
| 022 | HYANNIS FIRE DIST | 2.03% | $ 21,915.92 | | $ 23,187.05 | |
| 023 | MASHPEE | 5.10% | $ 55,059.70 | | $ 58,253.17 | |
| 044 | MASHPEE HSE AUTH | 0.10% | $ 1,079.60 | | $ 1,142.22 | |
| 043 | MASHPEE WATER | 0.25% | $ 2,699.01 | | $ 2,855.55 | |
| 024 | T/NANTUCKET | 10.52% | $ 113,574.13 | | $ 120,161.44 | |
| 046 | NANTUCKET HSE | 0.02% | $ 215.92 | | $ 228.44 | |
| 025 | C/NANTUCKET | 0.39% | $ 4,210.45 | | $ 4,454.65 | |
| 049 | NANTUCKET REG TRANS | 0.05% | $ 539.80 | | $ 571.11 | |
| 026 | NAUSET REG SCH DIST | 1.20% | $ 12,955.22 | | $ 13,706.63 | |
| 027 | N SAGAMORE WTR | 0.07% | $ 755.72 | | $ 799.55 | |
| 028 | ORLEANS | 3.25% | $ 35,087.07 | | $ 37,122.12 | |
| 037 | ORLEANS HSG | 0.08% | $ 863.68 | | $ 913.78 | |
| 042 | GROUND WATER | 0.00% | $ - | | $ - | |
| 029 | PROVINCETOWN | 3.12% | $ 33,683.58 | | $ 35,637.23 | |
| 030 | SANDWICH | 6.39% | $ 68,986.57 | | $ 72,987.79 | |
| 047 | SANDWICH HSE | 0.09% | $ 971.64 | | $ 1,028.00 | |
| 031 | SANDWICH WATER | 0.31% | $ 3,346.77 | | $ 3,540.88 | |
| 032 | TRURO | 1.93% | $ 20,836.32 | | $ 22,044.83 | |
| 033 | VETERANS DIST | 0.12% | $ 1,295.52 | | $ 1,370.66 | |
| 034 | WELLFLEET | 2.19% | $ 23,643.28 | | $ 25,014.60 | |
| 035 | YARMOUTH | 6.76% | $ 72,981.10 | | $ 77,214.00 | |
| 036 | YARMOUTH HSE AUTH | 0.06% | $ 647.76 | | $ 685.33 | |
| 038 | W BARNSTABLE FIRE | 0.22% | $ 2,375.12 | | $ 2,512.88 | |
| 050 | CAPE COD REG TRANS | 0.26% | $ 2,806.97 | | $ 2,969.77 | |
| 051 | MONOMOY REG SCH DIST | 1.57% | $ 16,949.75 | | $ 17,932.84 | |
| 052 | PROVINCETOWN HSE AUTH | 0.00% | $ - | | $ - | |
| 053 | CAPE LIGHT COMPACT | 0.48% | $ 5,182.09 | | $ 5,482.65 | |
| | TOTALS: | 100.00% | $ 1,079,602.00 | $ 27,114.00 | $ 1,142,219.00 | $ 28,258.00 |

BARNSTABLE COUNTY RETIREMENT ASSOCIATION

750 Attucks Lane, Hyannis, MA 02601 ◆ 508-775-1110 ◆ Fax 508-775-1344 ◆ www.barnstablecountyretirement.org

**MEMORANDUM**

***Correction***

TO: Select Board

FROM: Barnstable County Retirement Association

DATE: March 7, 2023

We would like to inform you that on November 16, 2022, the Governor approved Chapter 269 of the Acts of 2022 which allows for a **1 time** adjust of the Cost-of-Living (COLA) for retirees from a maximum of 3% to 5% for **only Fiscal Year 2023 (FY2023).** Please note that the Barnstable County Retirement Association has established a maximum of $18,000.00 base for calculation of the COLA which would mean that if this is approved, the maximum increase to any retiree would be $30.00 per month. Attached to this memorandum is a copy of Chapter 269 of the Acts of 2022, PERAC Memo #29/2022, a letter showing the additional total cost to the system annual for FY2025 to FY2037, what the current appropriation cost, and a spreadsheet showing an estimated additional cost per unit for only FY2025 and FY2026. This is **only an estimate,** the percentage of the total appropriate per unit changes annually. Each unit percentage is based on the reported salary on September 30 as a percentage of the total reported by all units each year. ***Barnstable County Retirement Association retirees will only receive this increase if it is approved by of the Retirement Board, Barnstable County Commissioners, and two-thirds of the towns within our system.*** If you have any questions as you are reviewing this information, please feel free to contact Susy Holmes at 508-775-1110 or by email at sholmes@barnstablecountyretirement.org

We respectfully request that the Board of Selectman review the attached information and let us know if we could be of any assistance in this matter. This matter is time sensitive as the legislation requires us to act on this by the end of this fiscal period (6/30/2023). We ask that you place it on your agenda as soon as you feel you can make an educated vote to either approve or deny this additional 2% Cost-of-Living Adjustment.

Please notify this office of your decision by May 31, 2023 by any of the following:

Regular mail to: Susy Holmes, Executive Director
Barnstable County Retirement Association
750 Attucks Lane
Hyannis, MA 02601
Fax: 508-775-1344
Email: sholmes@barnstablecountyretirement.org

Thank you for your time and consideration in this matter.

***Correction was FY2024 to FY2023

Segal

Kathleen A. Riley, FSA, MAAA, EA
Senior Vice President and Chief Actuary
T 617.424.7336
M 617.872.1541
kriley@segalco.com

116 Huntington Avenue
Suite 901
Boston, MA 02116-5744
segalco.com

February 24, 2023

Retirement Board
Barnstable County Retirement Association
750 Attucks Lane
Hyannis, MA 02601

**Re: Cost of Increasing the July 1, 2022 COLA from 3% to 5%**

Dear Board Members:

As requested, we have estimated the cost of increasing the July 1, 2022 Cost of Living Adjustment (COLA) from 3% to 5% with the current base of $18,000 for the Barnstable County Retirement Association. Note that this cost estimate is a one-time increase in the annual COLA percentage, which is projected to be 3% for 2023 and thereafter. We have assumed the additional cost would first be reflected in the fiscal 2025 appropriation. The estimates in this report are based on the January 1, 2022 Actuarial Valuation and Review of the Barnstable County Retirement Association and do not reflect any experience gains or losses after that date.

Increasing the July 1, 2022 COLA from 3% to 5% increases the July 1, 2022 unfunded liability by $11,360,052, or 1.5%, from $780,819,667 to $792,179,719.

The funding schedule included in the January 1, 2022 actuarial valuation report fully funds the actuarial accrued liability of the Barnstable County Retirement Association by June 30, 2037 with total payments increasing 5.80% per year through fiscal 2036 and a reduced payment in fiscal 2037.

We have incorporated the additional cost of increasing the July 1, 2022 COLA to 5% into the funding schedule by amortizing the additional liability in payments that increase 5.80% per year for the group that excludes the Retired Sheriffs and 4.22% per year for the Retired Sheriffs, which are added to the current appropriations for fiscal 2025 through fiscal 2037.

The appropriations for fiscal 2023 through fiscal 2037 shown in the current funding schedule and reflecting the 5% COLA are shown on the following page.

**Actuarially Determined Contribution (ADC) – 5% COLA on July 1, 2022**

| Fiscal Year Ended June 30, | Current ADC – 3% COLA on July 1, 2022 (Excluding Retired Sheriffs) | Current ADC – 3% COLA on July 1, 2022 (Retired Sheriffs Only) | Increase in ADC - Additional UAL Payments beginning in Fiscal 2025 (Excluding Retired Sheriffs) | Increase in ADC - Additional UAL Payments beginning in Fiscal 2025 (Retired Sheriffs Only) |
|---|---|---|---|---|
| 2023 | $76,920,966 | $1,878,012 | $0 | $0 |
| 2024 | 81,412,073 | 1,957,246 | 0 | 0 |
| 2025 | 86,164,916 | 2,039,824 | 1,079,602 | 27,114 |
| 2026 | 91,194,730 | 2,125,885 | 1,142,219 | 28,258 |
| 2027 | 96,517,633 | 2,215,578 | 1,208,468 | 29,450 |
| 2028 | 102,150,683 | 2,309,054 | 1,278,559 | 30,693 |
| 2029 | 108,111,927 | 2,406,475 | 1,352,716 | 31,988 |
| 2030 | 114,420,464 | 2,508,005 | 1,431,173 | 33,337 |
| 2031 | 121,096,501 | 2,613,819 | 1,514,181 | 34,744 |
| 2032 | 128,161,421 | 2,724,098 | 1,602,004 | 36,210 |
| 2033 | 135,637,850 | 2,839,029 | 1,694,920 | 37,738 |
| 2034 | 143,549,728 | 2,958,810 | 1,793,225 | 39,330 |
| 2035 | 151,922,389 | 3,083,644 | 1,897,232 | 40,989 |
| 2036 | 160,782,639 | 3,213,744 | 2,007,272 | 42,718 |
| 2037 | 76,509,556 | 3,349,334 | 2,123,694 | 44,521 |

These cost estimates are based on the assumptions used in the most recent actuarial valuation of the Barnstable County Retirement Association. To the extent there is adverse experience, employer contributions will increase and the cost related to the increased COLA may be different than expected. For example, if members live longer than assumed under the current mortality table assumption, the cost of increasing the COLA will be higher than shown.

Please refer to our January 1, 2022 Actuarial Valuation and Review dated December 20, 2022 for the data, assumptions and plan of benefits underlying these calculations and for a discussion of the risks that may affect the Barnstable County Retirement Association.

This report was prepared in accordance with generally accepted actuarial principles and practices at the request of the Board to assist in administering the Retirement Association.

The measurements shown in this actuarial valuation may not be applicable for other purposes. Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or

demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period); and changes in plan provisions or applicable law.

Segal valuation results are based on proprietary actuarial modeling software. The actuarial valuation models generate a comprehensive set of liability and cost calculations that are presented to meet regulatory, legislative and client requirements. Deterministic cost projections are based on a proprietary forecasting model. Our Actuarial Technology and Systems unit, comprised of both actuaries and programmers, is responsible for the initial development and maintenance of these models. The models have a modular structure that allows for a high degree of accuracy, flexibility and user control. The client team programs the assumptions and the plan provisions, validates the models, and reviews test lives and results, under the supervision of the responsible actuary.

The actuarial calculations were directed under my supervision. I am a member of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion herein. To the best of my knowledge, the information supplied in this actuarial valuation is complete and accurate. The assumptions used in this actuarial valuation were selected by the Board based upon my analysis and recommendations. In my opinion, the assumptions are reasonable and take into account the experience of the Barnstable County Retirement Association and reasonable expectations.

Please let us know if you have any questions or need any additional information.

Sincerely,

Kathleen A. Riley, FSA, MAAA, EA
Senior Vice President and Chief Actuary

cc: Susy Bento Holmes, Executive Director

## Funding schedule

| (1) Fiscal Year Ended June 30 | (2) Employer Normal Cost | (3) Amortization of 2002 ERI | (4) Amortization of 2003 ERI | (5) Amortization of 2019 ERI | (6) Amortization of Remaining Unfunded Liability | (7) Plan Cost Without Retired Sheriff Liability (2)+(3)+(4)+(5)+(6) | (8) Amortization of Retired Sheriff Liability | (9) Actuarially Determined Contribution (ADC): (7)+(8) | (10) Total Unfunded Actuarial Accrued Liability at Beginning of Fiscal Year | (11) Percent Increase in Actuarially Determined Contribution |
|---|---|---|---|---|---|---|---|---|---|---|
| 2023 | $22,167,096 | $485,011 | $228,192 | $320,095 | $53,720,572 | $76,920,966 | $1,878,012 | $78,798,978 | $780,819,667 | - - |
| 2024 | 22,970,379 | 504,411 | 237,320 | 320,095 | 57,379,868 | 81,412,073 | 1,957,246 | 83,369,319 | 775,158,220 | 5.80% |
| 2025 | 23,802,589 | 524,587 | 246,813 | 320,095 | 61,270,832 | 86,164,916 | 2,039,824 | 88,204,740 | 765,145,764 | 5.80% |
| 2026 | 24,664,761 | 545,571 | 256,685 | 320,095 | 65,407,618 | 91,194,730 | 2,125,885 | 93,320,615 | 750,233,809 | 5.80% |
| 2027 | 25,557,972 | 567,394 | 266,953 | 320,095 | 69,805,219 | 96,517,633 | 2,215,578 | 98,733,211 | 729,820,943 | 5.80% |
| 2028 | 26,483,331 | 590,090 | 277,631 | 320,095 | 74,479,536 | 102,150,683 | 2,309,054 | 104,459,737 | 703,248,288 | 5.80% |
| 2029 | 27,441,990 | 613,693 | 288,736 | 320,095 | 79,447,413 | 108,111,927 | 2,406,475 | 110,518,402 | 669,794,576 | 5.80% |
| 2030 | 28,435,140 | 638,241 | 300,285 | 320,095 | 84,726,703 | 114,420,464 | 2,508,005 | 116,928,469 | 628,670,840 | 5.80% |
| 2031 | 29,464,017 | 663,770 | 312,297 | 320,095 | 90,336,322 | 121,096,501 | 2,613,819 | 123,710,320 | 579,014,674 | 5.80% |
| 2032 | 30,529,897 | 690,321 | 324,789 | 320,095 | 96,296,319 | 128,161,421 | 2,724,098 | 130,885,519 | 519,884,039 | 5.80% |
| 2033 | 31,634,107 | 717,934 | 337,780 | 320,095 | 102,627,934 | 135,637,850 | 2,839,029 | 138,476,879 | 450,250,565 | 5.80% |
| 2034 | 32,778,016 | 746,652 | 351,291 | 320,095 | 109,353,674 | 143,549,728 | 2,958,810 | 146,508,538 | 368,992,337 | 5.80% |
| 2035 | 33,963,045 | 776,518 | 365,343 | 320,095 | 116,497,388 | 151,922,389 | 3,083,644 | 155,006,033 | 274,886,089 | 5.80% |
| 2036 | 35,190,665 | 807,578 | 379,957 | 320,095 | 124,084,344 | 160,782,639 | 3,213,744 | 163,996,383 | 166,598,798 | 5.80% |
| 2037 | 36,462,400 | 839,881 | 395,155 | 0 | 38,812,120 | 76,509,556 | 3,349,334 | 79,858,890 | 42,678,601 | -51.30% |
| 2038 | 37,779,825 | 0 | 0 | 0 | 0 | 0 | 0 | 37,779,825 | 0 | -52.69% |
| 2039 | 39,144,573 | 0 | 0 | 0 | 0 | 0 | 0 | 39,144,573 | 0 | 3.61% |
| 2040 | 40,558,336 | 0 | 0 | 0 | 0 | 0 | 0 | 40,558,336 | 0 | 3.61% |
| 2041 | 42,022,868 | 0 | 0 | 0 | 0 | 0 | 0 | 42,022,868 | 0 | 3.61% |

Notes:
Actuarially Determined Contributions are assumed to be paid on July 1 and December 31.
Actuarial Determined Contribution for fiscal year 2023 is set to the budgeted amount determined with the prior valuation.
Item (2) reflects 3.25% growth in payroll as well as 0.15% adjustment to total normal cost to reflect the effects of mortality improvement due to generational mortality assumption.
Projected normal cost does not reflect the impact of pension reform for new hires.
The 2002 and 2003 ERI amortization payments are calculated to increase 4.0% per year.
The payments on the Retired Sheriff Liability (item (7)) increase 4.22% per year.
Projected unfunded actuarial accrued liability does not reflect deferred investment gains and losses.

RECEIVED
2017 JUN 14 PM 3:39
TOWN CLERK BOURNE

# Public Records Compliance Policy

Adopted: June 6, 2017

_____ George G. Slade, Jr., Chair

_____ Peter J. Meier, Vice Chair

_____ Judith M. Froman, Clerk

_____ Donald J. Pickard

_____ Michael A. Blanton

# Public Records Compliance Policy

## Policy Statement

It is the policy of the Town of Bourne, Massachusetts, to conform and comply with all laws and regulations regarding public records. Applicable laws and regulations include, but are not limited to, MGL Chapters 7 and 66 as amended by Chapter 121 of the Acts of 2016 and 950 CMR 32 as enacted by the Office of the Secretary of the Commonwealth.

## Introduction

On June 3, 2016, Governor Baker signed into law a major revision of the Public Records Law, which takes effect on January 1, 2017. The Secretary of the Commonwealth issued final revisions of 950 CMR Section 32.00 et seq. on December 16, 2016.

The new law and proposed regulations make several important changes to how municipalities respond to public records requests. In brief, cities and town now must (1) create and appoint a new municipal position or positions: Records Access Officer; (2) respond to public records requests within 10 (ten) business days; and (3) post on their websites public records guidelines and identify all Records Access Officers with their contact information.

By adopting this document, the Town of Bourne sets out its policy and procedures for receiving, processing, and responding to public records requests and complies with the new law and regulations.

## Records Access Officers

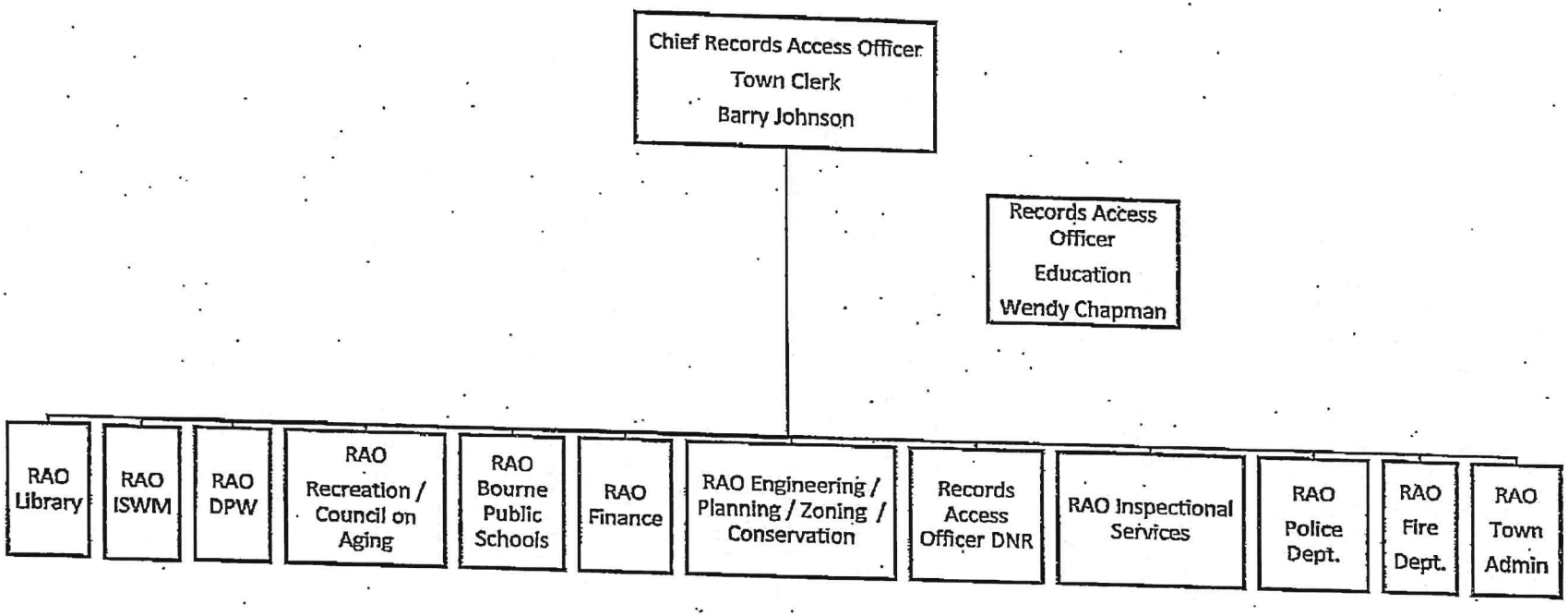
Each city, town, and district must create and maintain a new position or positions: Records Access Officer (RAO).

The new law states: "...Each agency and municipality shall designate 1 or more employees as records access officers. In a municipality, the municipal clerk, or the clerk's designees, or any designee of a municipality that the chief executive officer of the municipality may appoint, shall serve as records access officers...."

The new law states that the RAO "...shall at reasonable times and without unreasonable delay permit inspection or furnish a copy of any public record ... or any segregable portion of a public record, not later than 10 business days following the receipt of the request, provided that:

(i) the request reasonably describes the public record sought;
(ii) the public record is within the possession, custody or control of the agency or municipality that the records access officer serves; and
(iii) the records access officer receives payment of a reasonable fee..."

The Town of Bourne, Town Administrator, acting collectively as the chief administrative officer, adopts the following Records Access Officer (RAO) organizational chart:



Although the Town Clerk is designated as the default RAO, the Town Administrator has appointed other Records Access Officers, each responsible for handling public records requests relating to a specific functional area of town government. The Town Administrator has deferred to the School Committee the appointment of a Records Access Officer to handle public records requests relating to education. In addition, the Select Board has designated the Town Clerk as the Chief RAO, responsible for setting policy concerning public records matters generally and for developing appropriate guidelines and procedures for responding to public records requests. The Chief RAO will coordinate with the appointed RAOs and with custodians of public records to respond to requests for records.

Written/e-mail/facsimile requests or questions concerning public records issues should be directed to the RAO responsible for that functional area of government. The Town Clerk, as Chief RAO, can assist with determining which RAO is best to handle a specific request. In-person requests may also be made at the business addresses listed below.

**List of Records Access Officers**

| RAO | Functional Area of Government | Business Address | Business Email / Phone |
|---|---|---|---|
| Barry Johnson, Town Clerk | General Government | 24 Perry Avenue<br>Buzzards Bay, MA 02532 | RECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 1505 |
| Chief Dennis Woodside | Police | 175 Main Street<br>Buzzards Bay, MA 02532 | POLICERECORDS@TOWNOFBOURNE.COM<br>508-759-4420 EXT 205 |
| Chief Norman Sylvester | Fire | 51 Meetinghouse Lane<br>Sagamore Beach, MA 02562 | FIRERECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 2 |
| Wendy Chapman - | Records Training & Ed | 24 Perry Avenue<br>Buzzards Bay, MA 02532 | RECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 1505 |
| Patrick Marshall | Library | 19 Sandwich Rd<br>Bourne, MA 02532 | LIBRARYRECORDS@TOWNOFBOURNE.COM<br>508-759-0644 EXT 107 |
| Paula Coulombe | ISWM | 24 Perry Avenue<br>Buzzards Bay, MA 02532 | ISWMRECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 4 |
| Michelle Freeman | DPW | 24 Perry Avenue<br>Buzzards Bay, MA 02532 | DPWRECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 3 |
| Krissanne Caron | Recreation / Council on Aging | 239 Main Street<br>Buzzards Bay, MA 02532 | REC-COARECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 5302 |
| Superintendent Steven Lamarche | Education | 36 Sandwich Road<br>Bourne, MA 02532 | SCHOOLRECORDS@TOWNOFBOURNE.COM<br>508-759-0660 |
| Linda Marzelli | Finance | 24 Perry Avenue<br>Buzzards Bay, MA 02532 | FINANCERECORDS@TOWNOFBOURNE.COM<br>508-759-0600 EXT 1508 |

| RAO | Functional Area of Government | Business Address | Business Email / Phone |
|---|---|---|---|
| Tim Lydon | Engineering / Planning / Zoning / Conservation | 24 Perry Avenue Buzzards Bay, MA 02532 | EPZCRECORDS@TOWNOFBOURNE.COM 508-759-0600 EXT 1509 |
| Tim Mullen | Natural Resources | 24 Perry Avenue Buzzards Bay, MA 02532 | DNRRECORDS@TOWNOFBOURNE.COM 508-759-0600 EXT 1504 |
| Roger Laporte | Inspectional Services | 24 Perry Avenue Buzzards Bay, MA 02532 | INSPECTRECORDS@TOWNOFBOURNE.COM 508-759-0600 EXT 1512 |
| Nancy Sundman | Town Administration | 24 Perry Avenue Buzzards Bay, MA 02532 | ADMINRECORDS@TOWNOFBOURNE.COM 508-759-0600 EXT 1503 |

Requests for records may also be made "over the counter" at Town offices. Such requests may be made to and handled by the custodian of the requested records; provided, however, that if such a request will necessitate allocation of significant time or resources, or if there will be any records withheld or redactions made to the requested records, the custodian of the requested records will inform the appropriate RAO who will provide such response as may be necessary or appropriate. Any person requesting public records may seek out and contact any Town of Bourne RAO for assistance in determining the appropriate RAO or custodian of records.

For purposes of this policy, the definitions found in the Public Records Law, MGL Chapter 4, Section 7, Clause 26 and MGL Chapter 66, Section 10 and the Public Records Access Regulations, 950 CMR 32.00 et seq., shall be applicable.

If a records request includes the contents of an email account or computer network storage, the head of the department affected by the request shall be notified prior to the requests being processed and shall be involved in the process of determining any exemptions that may be applicable to the contents of the request.

**What happens when public documents are requested under the new law?**

1. Any person can make a request for public records by e-mail, by facsimile, or in writing to a Bourne Records Access Officer using the contact information listed above. Requests for copies of records or access thereto may still be made in person at the appropriate Town office.

2. A request may be made in person or by e-mail, first class mail, facsimile, or hand delivery.

- Verbal requests for public records will be acknowledged and replied to, even though a requester may not appeal a verbal request to the Supervisor of Public Records.
- A public records request form shall be available to anyone making a public records request, but neither that form, nor any other type of written request, shall be required to be completed by the requestor. Any employee accepting a verbal request shall record that request on a public request form for standardization and ease of processing purposes. **See Appendix A.**

3. Upon receipt of a public record request, any RAO <u>not</u> responsible for processing their own requests and responses (i.e. Police) shall immediately notify the Chief RAO in such time and manner as shall be established from time to time by the Chief RAO.

4. Except for the Police RAO, any RAO receiving a request for public records shall track the processing of that request using the request tracking system specified by the Chief RAO. The Police RAO shall maintain his own log of requests and make this log accessible to the Chief RAO annually, or as needed in the event of a specific record request appeal. In such event, the Chief RAO shall make timely notification to the Police RAO of the appeal.

5. The RAO may contact the requester in order to clarify a request; provided, however, that a RAO may not ask the requester the intent or purpose of the request. The RAO shall utilize their superior knowledge of the requested records to ensure that the requester and the RAO understand what is being requested, what records are available, and/or to assist the requester in narrowing or refining the request.

6. The records access officer shall provide the public records to a requester by <u>electronic means</u> unless the record is not available in electronic form or the requester does not have the ability to receive or access the records in a usable electronic form. The records access officer shall, to the extent feasible, provide the public record in the requester's preferred format or, in the absence of a preferred format, <u>in a searchable, machine readable format</u>. The records access officer shall not be required to create a new public record in order to comply with a request, provided that furnishing a segregable portion of a public record shall not be deemed to be creation of a new record. If the public record requested is available on a public website pursuant to subsection (b) of section 19 of this chapter, section 14C of chapter 7 or any other appropriately indexed and searchable public website, the records access officer may furnish the public record by providing reasonable assistance in locating the requested record on the public website. An electronically produced document submitted to an agency or municipality for use in

deliberations by a public body shall be provided in an electronic format at the time of submission.

7. The RAO may assess a reasonable fee for the production of a public record, except those records that are freely available for public inspection (see 950 CMR 32.08); and pursuant to MGL Chapter 66, Section 10(a)(iii), the RAO may require the payment of the reasonable fee prior to production of the requested records.
    - Fees shall conform to the provisions of 950 CMR 32.08(2) or other applicable law, including that black and white copies and printouts shall be charged at $0.05/page, whether one or two-sided, and the actual cost of a thumb drive or disk if the records are provided electronically other than by mail.
    - It is not permissible to take a record that is electronically accessible and print/copy it and send it to the requester so that copy costs may be accessed.
    - The actual cost of producing a copy of a requested record shall be assessed for records not susceptible to ordinary means of reproduction.
    - With a population of 19,754 as of the decennial census, the Town of Bourne may assess fees for employee time required in connection with search, segregation, or copying of requested records (see MGL Chapter 66, Section 10(d)(iii)(B).
    - If the request for public records requires employee time for search, segregation, or copying, including employees or necessary vendors, such as legal counsel, technology and payroll consultants or others as needed, such time shall be assessed as a fee to the requester based upon the prorated hourly rate of the lowest paid employee in that office capable of doing the work. Provided further, however, that if the work needed to reply to request requires time for an employee compensated in excess of $25 per hour, the Town may petition the Massachusetts Supervisor of Records for permission to charge in excess of $25 per hour.

8. In general, subject to the exceptions set forth in MGL Chapter 66, Section 10(a), the RAO is required to respond within 10 business days of receipt of a public records request by providing access to or copies of the requested records, providing the requester with direction to access the requested records on the Town's website, or by notifying the requester in writing that all or a portion of the records will be withheld from disclosure and/or that the records will not be provided in that timeframe, addressing the other elements required by law as set forth in MGL Chapter 66, Section 10(b). For the purpose of the response:
    - Business days are Monday through Friday, 8:30 a.m. to 4:30 p.m., except for legal holidays and any day when Town Hall is closed for business due to

emergency, weather, or other events requiring the unexpected closure of business.

- Calculation of time shall begin with the first business day following the receipt of the public records request (see 950 CMR 32.03(3)).
    - Example #1: A request for public records is received by an RAO at 2:00 p.m. on a Wednesday. "Day 1" for purposes of the law will be Thursday.
    - Example #2: A public records request received after hours on a Friday. "Day 1" for the purposes of the law will be Monday (or Tuesday, if Monday is a holiday).
    - Example #3: An email requesting public records is received on Saturday. "Day 1" for the purposes of the law will be Monday (or Tuesday, if Monday is a holiday).
- The Town may refuse to provide records to any person who has not paid a reasonable estimate for provision of public records or who has failed to pay such a fee in connection with a prior request for public records.
- When the Town, within ten business days as provided by law, provides a good faith estimate of the cost to provide access to or copies of requested records, the number of business days for its response shall be stayed until the Town receives the fee. The Town shall, upon receipt of the fee, undertake the required work to comply with the requested in compliance with the applicable time frames set forth in the statute.

9. If the response to the request is anticipated to be time consuming, extensive, voluminous, or otherwise puts a burden on the Town or its departments, the RAO may request from the Massachusetts Supervisor of Records an extension of time to fulfill the request. The requester of the public records shall be notified in writing that an extension has been requested.

Record Access Officers shall meet on such dates and times, whether regularly or intermittently, as the Chief RAO shall determine. Such meetings are strictly administrative in nature and do not constitute a meeting of a public body under the Open Meeting Law. Meetings among the RAOs may occur in person, by telephone, or by email.

The Town of Bourne has custody of records as set forth in Municipal Records Retention Schedule, which can be found on the Secretary of the Commonwealth's website on the Archives Division Page at the following link:

http://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20161109.pdf

Additional information about the Public Records Law may be found on the Secretary of the Commonwealth Public Records Division's website at:

http://www.sec.state.ma.us/pre/preidx.htm

# Wedding Ceremony Policy

There are many beautiful places in Bourne to hold a wedding ceremony! In addition to Buzzards Bay Park, we recommend the following locations: 3-Mile Look, Sagamore Beach, Monument Beach, Hen's Cove.

For locations other than Buzzards Bay Park, there is no permit process. Town of Bourne public areas are to remain open and available at all times. Scheduling a wedding ceremony is at the participant's discretion and the Town is not responsible for ensuring a private ceremony.

If holding a wedding ceremony on Town property, all rules and regulations pertaining to the property must be adhered to; including but not limited to:

Parking permits required for all Town beaches.

No tents or anything staked into the ground.

No alcohol.

No open flames.

**From:** Debora Oliviere-Llanes
**To:** Kathleen Thut
**Subject:** Donation
**Date:** Monday, February 27, 2023 1:59:31 PM

---

Kathleen,

The COA has a donation to be approved by BOS. $50 from Florence Burke, [redacted]


*Debora Oliviere* *(she/her/hers)*
Director
Bourne Council on Aging
508-759-0600 Ext. 5226
239 Main Street, Buzzards Bay, MA 02532
doliviere@townofbourne.com

TOWN OF BOURNE
BOARD OF HEALTH
24 Perry Avenue
Buzzards Bay, MA 02532
www.townofbourne.com/health

March 9, 2023

To the Honorable Select Board:

I am writing to you to notify you of two vacancies in the elected Bourne Board of Health subsequent to the resignation of two members. On March 8th, the remaining members of the Board voted to provide you with written notice of these vacancies pursuant to M.G.L. c. 41, §11 in an effort to proceed with filling these important roles. Should you need any additional information from the Health Department, please do not hesitate to contact me directly.

RECEIVED
2023 MAR -9 AM 11:25
TOWN CLERK BOURNE

Respectfully Submitted,

Terri Guarino

Terri Guarino, RS, CHO
Health Agent

C.C. Town Administrator's Office
Town Clerk
Board of Health

**Use of Town Property Event Application**

# EA-23-9

Submitted On: Feb 16, 2023

**Applicant**

Jeanne Nichols

[redacted]

## Primary Contact Information

**Name**

Jeanne Nichols

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

Sandwich-Bourne Lions Club

**Mailing Address**

[redacted]

**Cell Phone No.**

[redacted]

## Event Information

**Organization/Individual Hosting the event**

Sandwich-Bourne Lions

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

Non-Profit

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

Rabies Clinic fundraiser

**Location of Event**

Buzzards Bay Fire Station

**Date(s) of Event**

4/1/23 & 4/15/23

**Set up/Clean up Dates**

4/1/23 & 4/15/23

**Hours (start and end times)**

4/1: 9:00-2:00; 4/15: 9:00-12:00

**Total Attendance Expected**

50

**Description of Event**

Rabies clinic fund raiser; we have held this fund raiser for many, many years at the Buzzards Bay fire station.

**Will you event impact parking?**

No

**Will your event impact traffic?**

No

**Is event open to the public?**

Yes

**Will admission be charged?**

No

**Will there be alcohol service/ on-premise consumption?**

No

**Will there be food?**

No

**Will there be vendors?**

No

**Will a tent be used?**

No

**Will you be holding a raffle?**

No

**Use of Electricity/generators?**

No

**Will you require portable toilets?**

No

Town of Bourne, MA

03/10/2023

# EA-23-9

**Use of Town Property Event Application**

**Status:** Active

**Date Created:** Feb 16, 2023

## Timeline

| Label | | Status | Activated | Completed | Assignee | Due Date |
|---|---|---|---|---|---|---|
| ✓ | Application Content and Attachments | Complete | Feb 16, 2023 at 4:29 pm | Feb 21, 2023 at 3:19 pm | Maria Simone | - |
| ✓ | Health Agent Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 21, 2023 at 3:25 pm | Kaitlyn Shea | - |
| ✓ | DNR Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 21, 2023 at 3:25 pm | Christopher Southwood | - |
| ✓ | Recreation Department Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 21, 2023 at 3:27 pm | Krissanne Caron | - |
| ✓ | Town Clerk's Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 21, 2023 at 3:33 pm | Mary Fernandes | - |
| ✓ | Building Inspector Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 21, 2023 at 3:51 pm | Ann Gutterson | 02/22/2023 |
| ✓ | Conservation Agent Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 21, 2023 at 4:25 pm | Stephanie Fitch | - |
| ✓ | Engineering Department Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 22, 2023 at 9:35 am | Tim Lydon | - |
| ✓ | DPW Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 22, 2023 at 11:33 am | Matthew Quinn | - |
| ✓ | Sewer Commissioner Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 22, 2023 at 11:50 am | Maria Simone | - |
| ✓ | Town Planner Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 24, 2023 at 10:53 am | Tracy Sullivan | - |
| ✓ | Police Department Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 24, 2023 at 11:04 am | Brandon Esip | 02/28/2023 |
| ✓ | Fire Department Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 27, 2023 at 2:38 pm | David Pelonzi | - |
| ✓ | Town Collector's Comments | Complete | Feb 21, 2023 at 3:19 pm | Feb 27, 2023 at 3:50 pm | Town Collector | - |
| ✓ | Town Administrator's Comments | Complete | Feb 27, 2023 at 3:50 pm | Mar 2, 2023 at 1:09 pm | Maria Simone | - |
| ✓ | Board of Selectmen Vote | Active | Mar 2, 2023 at 1:09 pm | - | - | - |
| | Temporary Event Permit Issued | Inactive | - | - | - | - |

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/28/2023

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

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

PRODUCER

DSP Insurance Services, Inc.
1900 E. Golf Road, Suite 650
Schaumburg, IL 60173

CONTACT NAME: John Adams
PHONE (A/C, No, Ext): 1-800-316-6705 FAX (A/C, No): 847-934-6186
E-MAIL ADDRESS: lionsclubs@dspins.com

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : ACE American Insurance Company | 22667 |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED

Sandwich-Bourne Lions
Sandwich and Bourne Massachusetts

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | GENERAL LIABILITY<br>X COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE X OCCUR<br>X Agg. Per Named Insured is $2,000,000<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>X POLICY PRO-JECT LOC | | | HDO G47352241 | 09/01/2022 | 09/01/2023 | EACH OCCURRENCE | $ 1,000,000 |
| | | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ 1,000,000 |
| | | | | | | | MED EXP (Any one person) | $ 5,000 |
| | | | | | | | PERSONAL & ADV INJURY | $ 1,000,000 |
| | | | | | | | GENERAL AGGREGATE | $ 10,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | $ 2,000,000 |
| | | | | | | | | $ |
| A | AUTOMOBILE LIABILITY<br>ANY AUTO<br>ALL OWNED AUTOS SCHEDULED AUTOS<br>X HIRED AUTOS X NON-OWNED AUTOS | | | ISA H10761220 | 09/01/2022 | 09/01/2023 | COMBINED SINGLE LIMIT (Ea accident) | $ 1,000,000 |
| | | | | | | | BODILY INJURY (Per person) | $ |
| | | | | | | | BODILY INJURY (Per accident) | $ |
| | | | | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | | | | | | | $ |
| | UMBRELLA LIAB OCCUR<br>EXCESS LIAB CLAIMS-MADE<br>DED RETENTION $ | | | | | | EACH OCCURRENCE | $ |
| | | | | | | | AGGREGATE | $ |
| | | | | | | | | $ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N<br>(Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | | | | | WC STATU-TORY LIMITS OTH-ER | |
| | | | | | | | E.L. EACH ACCIDENT | $ |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE | $ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | $ |

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Rabies Clinics 4 /1/23 and 4/15/23

The following persons or organizations granting use of real property, including structures thereon are included as Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the insured shown above and not out of the sole negligence of said additional insured.

*** Town of Bourne, , ***

PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

CERTIFICATE HOLDER

Town of Bourne
24 Perry Avenue
Bourne Massachusetts 02532-3441

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

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| | |
|---|---|
| **From:** | Sandwich-Bourne Lions |
| **To:** | Maria Simone |
| **Cc:** | Sandwich-Bourne Lions |
| **Subject:** | Re: Rabies Clinic |
| **Date:** | Thursday, March 9, 2023 9:49:48 AM |

---

Hi Maria.

No we don't bring any van or camper. We bring and set up tables inside the large fire truck bay at the Bourne Fire Station. The fire truck or trucks are moved outside for the duration. We've been doing this for many years.

We have 2-3 tables set up for payment and registration; and 2 more tables set up for the animals to be vaccinated by Dr. Fall, our veterinarian.

We have a couple of people directing the animal owners when to go in; where to go once they're in, and help manage the animals.

I hope this helps. I am planning on attending the Selectman's meeting on March 14 to discuss it.

Jeanne

**From:** Maria Simone <msimone@townofbourne.com>

**Date:** March 8, 2023 at 3:53:59 PM EST

**To:** sandwichbournelions@gmail.com

**Subject: Rabies Clinic**

Hi Jeanne,

A question came up regarding the upcoming Rabies Clinic. Could you please tell me what the set up will be like? For example, will there be a van or trailer coming in where the pets will enter to be given shots?

Thank you,

Maria Simone

**Use of Town Property Event Application**

# EA-23-12

Submitted On: Mar 6, 2023

**Applicant**

Jessica Banis

[redacted]

## Primary Contact Information

**Name**

Jessica Banis

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

Bourne Girl Scout Troop #82145

**Mailing Address**

[redacted]

**Cell Phone No.**

[redacted]

## Event Information

**Organization/Individual Hosting the event**

Bourne Girl Scout Troop #82145

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

non-profit

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

Fundraising - Girl Scout Cookie Sales

**Location of Event**

Other

**Other**

Outside of Bourne Veterans Community Building or Johnathan Bourne Library

**Date(s) of Event**

4/2/23

**Set up/Clean up Dates**

N/A

**Hours (start and end times)**

1pm - 4pm

**Total Attendance Expected**

5

**Description of Event**

To wrap up our cookie season, we would like to hold a Drive-Thru cookie sale outside the community building or library. Both of these already have drive-thru type traffic flow and we think would be well suited to it. We will have a minimum of two adults and two scouts (ages range from 9-11) at the event. Customers can drive up to the table, purchase boxes of cookies with cash or Venmo, and then simply drive off. This event will be weather-dependent.

**Will you event impact parking?**

No

**Will your event impact traffic?**

No

**Is event open to the public?**

Yes

**Will admission be charged?**

No

**Will there be alcohol service/ on-premise consumption?**

No

**Will there be food?**

No

**Will there be vendors?**

No

**Will a tent be used?**

No

**Will you be holding a raffle?**

No

**Use of Electricity/generators?**

No

**Will you require portable toilets?**

No

## Please Note:

## Copy of Liability Insurance with the Town named as additional insured

## Hold Harmless Agreement

**Signature**

true

## Signature

**Signature**

true

Town of Bourne, MA

03/10/2023

# EA-23-12

**Use of Town Property Event Application**

**Status:** Active

**Date Created:** Mar 6, 2023

## Timeline

| Label | | Status | Activated | Completed | Assignee | Due Date |
|---|---|---|---|---|---|---|
| ✓ | Application Content and Attachments | Complete | Mar 6, 2023 at 9:34 am | Mar 6, 2023 at 3:49 pm | Maria Simone | - |
| ✓ | Fire Department Comments | Complete | Mar 6, 2023 at 3:49 pm | Mar 6, 2023 at 4:03 pm | David Pelonzi | - |
| ✓ | Recreation Department | Complete | Mar 6, 2023 at 3:50 pm | Mar 6, 2023 at 4:07 pm | Krissanne Caron | - |
| ✓ | DPW Comments | Complete | Mar 6, 2023 at 3:49 pm | Mar 7, 2023 at 6:30 am | Matthew Quinn | - |
| ✓ | Police Department Comments | Complete | Mar 6, 2023 at 3:49 pm | Mar 9, 2023 at 5:24 pm | Theodore Economides | 03/13/2023 |
| ✓ | Town Administrator's Comments | Complete | Mar 9, 2023 at 5:24 pm | Mar 10, 2023 at 9:46 am | Maria Simone | - |
| ✓ | Select Board Vote | Active | Mar 10, 2023 at 9:46 am | - | - | - |
| | Temporary Event Permit Issued | Inactive | - | - | - | - |

**Board of Selectmen**
**Minutes of Monday, January 9, 2023**
**Bourne Veterans' Community Center – Rm 2**
**Buzzards Bay, MA**
**Or Virtually**

---

**TA Marlene McCollem**
**ATA Liz Hartsgrove**

**Board of Selectmen**

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

Others: Michael Rausch, Attorney Bryan Bertram, Patrick Ross, Jenny Ross, Attorney Adam Barnowski, Langdon Allen, Kristine Fisher, Scott Froman, Neil Langille (virtual), Tom Williams (virtual), Gary Crossen (virtual), Stephanie White (virtual), Stephen Miller (virtual), and Mrs. McNally (virtual).

*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.*

Michael Rausch, Bourne Enterprise, acknowledged that he is recording this meeting.

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

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

**7:00 PM Call Public Session to Order in Open Session**

1. **Public Comment on Non-Agenda Items –** Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

2. **Appointments and Licenses**

   a. **<u>Public Hearing</u>: Application for a new "All Alcoholic Beverages Package Store License" by Sea State Foods LLC d/b/a Cataumet Fish – proposed to be located at 1360 Route 28A, Cataumet, MA 02534.**

**2.a. <u>Public Hearing</u>: Application for a new "All Alcoholic Beverages Package Store License" by Sea State Foods LLC d/b/a Cataumet Fish – proposed to be located at 1360 Route 28A, Cataumet, MA 02534.**

Chair Meier said that there is a public hearing application for a new "All Alcoholic Package Store License" by Sea State Foods, LLC, d/b/a Cataumet Fish, proposed to be located at 1360 Route 28A, Cataumet, MA 02534. Chair Meier read aloud the hearing notice, opened the hearing and as the first order of business he entered into the record of the hearing a copy of the legal notice provided by the Town for this public hearing, and the green card showing the notification. He said as the second order of business he entered into this hearing a copy of the application and supporting materials provided by to the Town of Bourne under the cover letter dated December 19th, 2022.

Chair Meier then gave an overview of how the hearing would be run. He said they will start by allowing the applicant to make a presentation, then members of the Select Board (Board of Selectmen) will ask questions if they have any at that time, then they will open the floor to comments from the public. Following public comment, the applicant may ask for further statements, the Select Board will then ask any remaining questions, then deliberate concerning the application.

Attorney Adam Barnowski of Ruberto, Israel & Weiner in Boston, said that he was there on behalf of the applicant, Sea State Foods, LLC. He said that Patrick and Jenny Ross are the owners of the business, and that Patrick is the proposed Manager of record. He gave a background of the business and the location. He said that the fish market has been in operation for over 40 years.

Attorney Barnowski said that Patrick and Jenny, Bourne residents and oyster farmers that own Monks Cove Oysters and Sea State Food Truck, recently acquired the business. They renovated the building and now offer a varied selection of foods. They are seeking this license to be able to provide an array of beer and wine and spirits to customers seeking to pair specialty beverages with their seafood purchases.

After more details about Patrick and Jenny Ross, Attorney Barnowski talked about the elements of public need. He said that there are no other package stores located in the immediate vicinity in the Village of Cataumet. He said there are a cluster of liquor stores 4 miles to the north and to the south in North Falmouth. He said that the premise of what the Ross' plan to do is different as it is to offer a complete specialty market experience for the customers. He said that this license should not impact neighbors or other package stores.

Patrick Ross said that he grew up in Bourne and moved back to Bourne, after leaving for a few years, to buy a house and start the oyster farm. He said that he had the opportunity to buy Cataumet Fish and is hoping to be able to expand to their offerings for their customers. Jenny Ross said that local and responsible seafood is their focus and always will be and they would like to be able to expand on the products that they could offer their customers.

Judith Froman asked what the distance is to the liquor stores in North Falmouth. Attorney Barnowski said that there is one liquor store about a mile to the south and there is a cluster about 4 mile to the north. Jared MacDonald wanted to make sure that they were aware of what the hours are to be able to sell liquor that the State requires.

Chair Meier opened to floor to public comment and reminded all that each speaker will be limited to two minutes to ensure that everyone that wishes to speak will get that opportunity.

Cataumet resident Langdon Allen said he has been a customer of Cataumet Fish for over 30 years, and he was delighted when the Ross' bought Cataumet Fish. Mr. Allen said that he is in support of this license.

Kristine Fisher, who previously owned Cataumet Fish with her husband Peter, said that they could not be happier with everything that the Ross' have done with the market, and she does not see any reason to oppose them having a liquor license and she feels that it would be a great improvement for the Village of Cataumet and for Bourne.

Scott Froman from Sagamore Beach asked if Town Counsel has given any thoughts on this applicant based on previous decisions by this Board. Attorney Bryan Bertram said that his communications on this applicant have been limited. He said that he has reviewed the application and he has not discussed anything of substance with the Board. Mr. Froman asked if he will have any discussion with the Board before any decisions are made by the Board. Attorney Bertram said that if the Board decides here then the discussion will be anything that is done in open session. Mr. Froman said that he has no issue with Cataumet Fish, but he has concerns about previous decisions made by this Board.

There are many letters that were received regarding this application that are available for public inspection and will be posted on the website and some are in this evening's packet and the others will be added to this evening's packet as an addendum.

Chair Meier said there was an email that was sent to all the Board from Christine Gagne on Monday, January 9th at 4:27 that was written in support the retail liquor permit for Cataumet Fish. Jared MacDonald said that there are a lot of letters in support of this license getting approved, and some are from other businesses and other liquor establishments in the Town of Bourne. Mr. Froman asked how many letters were received from other liquor license holders and what their positions are. There were letters from a restaurant that sells liquor that abuts Cataumet Fish and one from a liquor retail store, both in favor of granting this liquor license. Chair Meier said that he has not seen any that oppose this license.

Mary Jane Mastrangelo said that she feels that this license fits public need because Cataumet Village does not have a section 15 license. She said that the previous applicant for a license was very close to other licenses and this area is very different from that area. She said that what is good about this application is that it is a niche concept, is compatible with the area, and provides a new service that is not available to the customers. This will also provide an existing business with complementary revenue which is important for small businesses on the Cape to survive in the off season.

Ms. Mastrangelo said that she does have some concerns about this license and one being the management and experience. She suggests that the application be contingent on the TIPS certification of management. She said there is limited parking there also and she feels that a site plan review or a special permit review may be needed.

Ms. Mastrangelo also asked for an answer about the expansion of 540 square feet. Assistant Town Manager, Liz Hartsgrove said that the floor plan that was submitted, and the square footage, incorporates the storage area as well as the retail sale. If they were to expand upon the retail sale footprint, it would require the applicant to go through an amendment of the description of the premise. Any changes would require a public hearing process, a legal ad, an abutter notification, and any potential permit reviews.

Regarding the hours of operation, Ms. Hartsgrove said that they can reduce the hours of selling liquor without a public hearing process, but they cannot expand on the hours. Ms. Mastrangelo asked what if there is anything in the application that states this license is an accessory use and if there are any hours of operation in the application that will be put on the license. Ms. Hartsgrove said that the hours are listed on the license, and it would be based upon what the application states. Attorney Barnowski said that the hours of operation were not included in the license because it is an ABCC application. He said that he assumed that the Town would require certain hours that would be consistent with those that were mentioned previously, which are Monday through Friday, noon to 6 and 10 to 6 on Saturday, and for the summer the hours get expanded to 11-6 Monday through Friday, 10 to 6 on Saturdays, and 9 to 2 on Sundays.

There was some discussion about the 540 square feet, and Ms. Mastrangelo is concerned that the license should have the 20 x 27 feet as the retail sales location for alcoholic beverages. Town Administrator Marlene McCollem said that the premise to be licensed based on this application is approximately 2,715 square feet including retail area, storage, and preparation area.

Ms. Mastrangelo asked that if the Board wanted to limit future expansion of the retail alcohol sales area, beyond the 540 square feet noted in the application, could they have it subject to review by the Board, and can they put it in the license. She said that her concern is that someday the whole 2,715 square feet could become all for the sale of alcohol. There was more discussion about the space being licensed as food service, and/or retail space and about the possibility of a change of use in the future for the space. Jared MacDonald expressed the same concerns as Ms. Mastrangelo regarding the space turning into a liquor store with the sale of a little fish, sometime in the future.

Judith Froman said that she is conflicted in that they recently had another applicant for a liquor license. She said that there are many things that she does like about this application. She said that this application fits in with the goals of the Board and the Town. Scott Froman said that the description "unique need" keeps coming up and there is another market in Town that has basically the same premise and the applicant from last week also had a unique purpose in that the Town does not already have a store like theirs.

Melissa Ferretti said she loves the idea, and she has seen the letters of support, although she is torn due to denying the license last week. She said she does have the same concerns as Ms. Mastrangelo as well. Ms. Froman also wanted to bring up the fact that last week the Board discussed creating a policy for when opportunities arise in which there are liquor licenses available.

There was a question raised by a resident asking if this applicant decides to sell their liquor license, how would the sale work. Ms. McCollem said it would have to get transferred through a public

hearing. Attorney Barnowski confirmed by saying that for any changes to the license, the applicant would need to go in front of the Board.

Chair Meier announced that it was time for deliberations by the Board. Mr. MacDonald started by saying that the legality of this is a bit of a conundrum for the Board. He said that changes in this business in the future have raised concerns for the Board. He also said the uniqueness of this application is different from the uniqueness in that of the last applicant. He said the last applicant was a box store and would be providing more of a business for those heading further down the Cape and possible taking away sales from the smaller businesses that are down Cape, and he feels that does not make Bourne a good neighbor to the rest of the Cape. He said that there is a vast difference in size and proximity to the next liquor store. He said that they are unique in that they are a small business and a part of the community and the premise of selling liquor to complement their fish is different rather than a box store selling large quantities. He said that he is in favor of issuing this license based on its uniqueness, community need and service and that the Board is offering a fair assessment in this application.

Judith Froman said that being in line with the conservative amount of growth that the Town has had, she thinks that having a smaller type of liquor store operation makes sense and it does serve an area that is under served. She said that acknowledging the direction that the Board and the Town has stated is being the way to go. She also said she wants to hear what Town Counsel recommends.

Attorney Bertram said that everything that the Town Administrator and Assistant Town Administrator have said is accurate. He said in terms of the analysis from this meeting, the Board seems to be focusing on the need of the location and how the Board weighs the various aspects of their analysis, it is up to the Board because they are presumed to have the best understating of the local needs. He said the Board is considering proper factors.

Mary Jane Mastrangelo said that she does support this application and she thinks that the application does support the public need. She said the niche concept is unique and is compatible with the area and will provide a new service that is not currently available to customers. She also thinks that the addition of retail alcohol sales will provide this business with complimentary revenue. She also said that the Board has received positive feedback from Cataumet residents and businesses, and others and this application fits the vision of the Town of Bourne and Cataumet.

Ms. Mastrangelo said she does want some contingencies and documentation of the TIPS premise certification of the manager. She also wants review and approval of applicable site plan special permits necessary as determined by the Planning Board and the Building Inspector. She said she wants it noted that any future expansion of the retail alcohol sales area be of the 20 x 27 square foot area noted in the floor plan of the application is subject to review and approval by the Select Board.

Melissa Ferretti said that what they have heard about this application this evening is that it speaks to community and the importance of supporting Bourne's small businesses. She said that small businesses have just gone through a very tough time with the pandemic. She agrees with Ms. Mastrangelo's thoughts on seeing that the conditions are met with the size of the space. She also noted that there has not been opposition as there was with the last applicant. She said that she is in support of this application.

Chair Meier said that this is a unique situation and the fact that Mrs. Fisher was here in support as being the former business owner speaks volumes.

Attorney Bertran said that the conditions of the license are TIPS Off-Premise Certification of the Manager, subject to whatever necessary approvals or permits related to the zoning, limiting the alcohol retail space to the space that is denoted in the plan and the allowable hours of 10 AM to 6 PM. He also said that considering the prior hearing, he suggests that they put some kind of condition on it like it being subject to the availability of a Section 15 license pending the outcome of any, and all appeals that may result from that proceeding. Chair Meier asked the applicants if they had any objection to any of the conditions, and Attorney Barnowski said that they do not have any objections to the conditions.

Ms. McCollem reminded the Board and the applicants that this is for a yearly license and if the premises closes for more than 30 days, then they must go before the Board for their permission, and that there needs to be regular communication.

**Voted:** Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the application of Sea State Foods LLC for a new Annual All Alcohol Retail Package Store License under General Law Chapter 138, Section 15 for the reasons stated by the Selectmen during this hearing with allowable hours of 10 AM to 6 PM, conditioned on documentation of TIPS Off-Premise Certification of the Manager, review and approval of applicable site plan special permits as determined by the Planning Board and the Building Inspector, and compliance with Zoning, and that any future expansion of the retail alcohol sales area be on the 20 x 27 square foot area noted in the floor plan of application is subject to review and approval by the Select Board, and subject to the availability of a Section 15 License and further to authorize and direct Town Staff and Town Counsel to prepare correspondence memorializing the same for transmission to the applicant and to the Alcoholic Beverages Control Commission.
**Vote:** Melissa Ferretti – yes, Mary Jane Mastrangelo – yes, Jared MacDonald – yes, Judith Froman – yes, and Chair Meier – yes. 5-0-0.

**3. Selectmen's Business**

None.

**4. Town Administrator's Report**

None.

**5. Minutes**

None.

**6. Correspondence**

Chair Meier said there were two pieces of correspondence in the packet which were both in support.

**7. Committee Reports**

None.

**8. Other Business**

None.

**9. Upcoming meetings:** Chair Meier said that there will be a meeting tomorrow, January 10th at the same time.

**10. Adjourn**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to adjourn.
**Vote:** Melissa Ferretti – yes, Mary Jane Mastrangelo – yes, Jared MacDonald – yes, Judith Froman – yes, and Chair Meier – yes. 5-0-0.

This meeting of the Bourne Board of Selectmen was adjourned at 8:38 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

**Board of Selectmen**
**Minutes of Tuesday, January 24, 2023**
**Meeting held virtually**

**TA Marlene McCollem**

**Board of Selectmen**

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

Others: Gary Maloney, Bourne TV and Kathleen Thut (notes)

*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.*

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

**12:30 PM Call Public Session to Order in Open Session**

1. Selectmen's Business –
   a. Discussion and possible vote to approve the sale of Bond Anticipation Notes (BANS).

   **Voted:** Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the following motion:
   **Motion:** To approve the bonding as written in the packet.

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

   b. Discussion and possible vote for any further changes to the DEP Title V comment letter.
   Town Administrator, Marlene McCollem, said that there were no comments or changes suggested by the deadline. MJ Mastrangelo noticed 2 small typographical errors but said letter had good tone and depicted Select Board comments.

   **Voted:** Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the following motion:

   **Motion:** To approve and sign the letter as written (except for 2 typos mentioned). Letter will be sent on behalf of Select Board only.

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

2. Adjourn

   **Voted:** Jared MacDonald moved, and Judith Froman seconded to adjourn.
   **Vote:** 5-0-0.

This meeting of the Bourne Board of Selectmen was adjourned at 12:47 PM.

Respectfully Submitted,

Kathleen Thut

**Select Board**
**Minutes of Tuesday, February 14, 2023**
**Bourne Veterans' Community Center – Rm 2**
**Buzzards Bay, MA**
**Or Virtually**

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**TA Marlene McCollem**
**ATA Liz Hartsgrove**

**Select Board**

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

Others: John York (virtual 7:30), Jonathan Hobill, and Neal Comen.

*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.*

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

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

**7:00 PM Call Public Session to Order in Open Session**

1. **Moment of Silence to recognize our Troops and our public safety personnel.**
2. **Salute to the Flag.**
3. **Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

   Chair Maier said that they read the Vision and Mission at every meeting, and they are posted on the wall in this meeting room. Chair Meier also wanted to thank the Bourne Fire and Police Departments and the other departments that had to respond to Upper Cape Tech for a fire in the kitchen. He said that everyone did a good job.

**5. Select Board Workshop Discussion – Policies and Rules of Procedures**

**a. Rules of Procedures**

i. "Section II. Procedure for Establishing Policies and Procedures" does not include the use of a Policy Subcommittee. The Board should confirm at what point the staff or Counsel is consulted.
ii. "Section VIII. Correspondence" does not address when the Board is listed as a CC recipient to emails.
iii. No mention of when a "Certificate of Vote" is to be prepared for signature.

**b. Policies currently under review or development.**

i. Human Resource – comprehensive redrafting of current Employee Handbook – in conjunction with the Collins Center.
ii. Financial Policies comprehensive review – in conjunction with the Collins Center
   1. Select Board will need to identify a Steering Committee to guide the process.
iii. Policies & Procedures regarding acceptance of private ways by Town Meeting.
   1. August deadline set for the TA to provide a draft for Board review.

**c. Polices to be prioritized for future review.**

i. Curbside trash and recycling pickup – citizen request.
ii. Memorials – 5-year threshold for establishment – citizen request.
iii. Blight Bylaw – citizen request.
iv. Building Use – requested by Community Building Trustees' Chair.
v. Code of Conduct – Policy Subcommittee request.
vi. Sale & Purchase of Town-Owned Property – Policy Subcommittee request.
vii. Public Records Compliance – Policy Subcommittee request.
viii. Special Events and Outdoor Facilities – Policy Subcommittee request.
ix. Wedding Policy – Policy Subcommittee request.
x. Liquor License (package store) – staff request.
xi. IT user – staff request.
xii. General Bylaw to establish a Responsible Management Entity (RME) for I/A septic systems (public utility district) – staff request.
xiii. Others?

**5.a. Rules of Procedures**

i. "Section II. Procedure for Establishing Policies and Procedures" does not include the use of a Policy Subcommittee. The Board should confirm at what point the staff or Counsel is consulted.

DRAFT

Town Administrator Marlene McCollem said she outlined her thoughts in a memo that she sent to the Select Board. She would like the Board to have a discussion and she looks forward to hearing from them.

Judith Froman said that subcommittees usually sound like a great idea. She said that policies are a major part of what they are supposed to be doing, and making sure that they are current. She said they really need to identify which policies are the priorities and it needs more of a discussion on the Board level rather than subcommittee level to make it more efficient. She said that she would support not having a policy subcommittee at this point.

Mary Jane Mastrangelo said that the only way that she would support Ms. Froman's idea is if the workshops on the second Tuesday would be policy workshops. She said that they do not have an agenda item for policy.

Ms. Froman said that a place to start could be to see what are the policies that the staff sees are necessary and what are the polices that the Select Board sees that are necessary. Then the Select Board needs to determine which are the ones that they need to focus on, and who is doing the writing or tweaking.

Jared MacDonald said that he thinks it is important for the professional staff to weigh in on the more important policies. He thinks if they are going to use policy subcommittees that they need to be more specific with them. He said that professional staff would most likely be better in a lot of the places and he thinks that if staff brought them to the Select Board, then at some point bring them to Town Counsel.

Melissa Ferretti said that she agrees with much of what has been said and she thinks the memo from Ms. McCollem was particularly helpful.

Ms. Froman said that she thinks that step one should be that once or twice a year they identify the list policies and what the priorities are, then who is going to be responsible for writing or tweaking it, whether staff or the Select Board. If it is a policy that is already in place, then have a general discussion and the Select Board could identify a few people for that specific policy to go off and create a draft. Then bring it back for a first reading and follow through with making changes. She said that there would be the next draft where Town Counsel should be involved. Ms. Froman said she would be happy to put a draft together of what was just talked about and bring it back to the Board.

After much discussion, it was decided that Ms. Froman would write up a draft and she will send it to Ms. McCollem and Assistant Town Administrator Liz Hartsgrove, and they will distribute it to the rest of the Select Board. The Select Board will respond only back to Ms. McCollem and Ms. Hartsgrove, and then they will take it from there. Ms. McCollem said that she will set a deadline for responses back to her and she will gather the responses and give them to the

drafter, in this case Ms. Froman. Ms. Froman will then put together a draft for first reading.

Ms. Ferretti suggested a separate document be kept that lists everyone's comments, and Ms. Froman said she will do something like that to keep track of the comments.

Bourne resident Jonathan Hobill said that he worked for State government for many years and a policy on policy is what they always talked about, and he applauds the Select Board for bringing the policies forward to a public forum and the consistency. He suggested that rather than a policy for public records that they have a procedure.

ii. "Section VIII. Correspondence" does not address when the Board is listed as a CC recipient to emails.

Chair Meier said that they have been looking for clarification on correspondence. He said that they need a process about correspondence that goes to the Select Board, without proper contact information, that it is not a valid piece of correspondence. There was some discussion about stating this in the policy.

Ms. Mastrangelo said that she thinks there are issues with correspondence. She said that there is no standard on deciding what goes into correspondence. She said that too much discretion of the Town Administrator and Chair is not a good thing, but too much inclusion of correspondence is not a good thing either.

Mr. MacDonald said that all correspondence should be disseminated to the whole Select Board, even if it doesn't have sender information, but these pieces do not need to be included as a documented correspondence.

Ms. Froman said that she thinks the question at hand is what to do with the ones that are to the Select Board and the ones that carbon copied to the Select Board. She said that typically if the correspondence is not directly to you, and you are copied on it, then you do not respond to it.

Ms. Mastrangelo said that there are different categories, and it would be helpful to make the categories more clear.

Ms. McCollem said that she is not comfortable with deciding on whether something is excluded from the packet, and she doesn't feel that it should be her role. She thinks that it needs to be the Chair and the Clerk of the Select Board. She said that if they want her to do it, then the Select Board will get everything because she will not exclude anything. There was discussion about who the sender should send their correspondence to, and that it should be sent to the whole Board.

It was decided that a re-draft is needed, and Ms. Mastrangelo said that she would do the re-draft.

iii. No mention of when a "Certificate of Vote" is to be prepared for signature.

Chair Meier said that they have only done certificate of votes recently when the Town Clerk has asked for it and there needs to be a protocol. Ms. McCollem said she is happy to take a first stab at providing some language regarding this. She said she will sit down with the Clerk's office to see what is driving the "Certificate of Vote".

Ms. Mastrangelo said that there is a problem with the Town's website in that it is difficult to find documents, and some documents have been scanned in an unreadable format.

**5.b. Policies currently under review or development.**

Ms. McCollem said that the Select Board has given her clear guidance on Human Resources, Financial Policies and Policies and Procedures of acceptance of private ways by Town Meeting. She said that she wants the Board to know that these are priorities for staff time and attention.

i. Human Resource – comprehensive redrafting of current Employee Handbook – in conjunction with the Collins Center.

ii. Financial Policies comprehensive review – in conjunction with the Collins Center
   1. Select Board will need to identify a Steering Committee to guide the process.

iii. Policies & Procedures regarding acceptance of private ways by Town Meeting.
   1. August deadline set for the TA to provide a draft for Board review.

**5.c. Polices to be prioritized for future review.**

i. Curbside trash and recycling pickup – citizen request.

Chair Meier said that curbside trash and recycling pickup has been on the docket since last Fall. He said that he feels that this has been worked on and needs to be finished.

Ms. Froman suggested that the Board go through this list and rate each item by priority, after hearing a little background on the item. She suggested that the scale be 1 to 3 with 1 being top priority.

Ms. Froman asked Ms. McCollem if there was an obstacle with the Town if the curbside trash and recycling pickup policy were addressed later rather than sooner, and Ms. McCollem said not that she can see per the Municipality's perspective.

Ms. Mastrangelo gave the background on the recycling policy and said that there have been some citizen concerns and Ms. McCollem had suggested taking condominium out because there is some disparity by the numbers is a condo unit and the use of dumpsters. There are some residents who think they are entitled to the pickup. There was some more discussion about this policy.

Curbside trash and recycling pickup was given a priority number of 1.

Mr. Hobill said that he has sent many letters about this subject since 2015 and none of his letters have been discussed at any of the Select Board meetings that he watched, nor were they in the correspondence or in the minutes. Neal Comen cited a sentence from a policy that was written in 2016. The word "units" is used, and he said that the word can mean different things to different people. He said he has researched this with many departments in Town and he gets different answers from everyone. He would like to Select Board to review the August 2016 policy.

ii. Memorials – 5-year threshold for establishment – citizen request.

Ms. McCollem said that people have been reaching out to her to establish memorials where 5 years have not passed yet. Ms. Mastrangelo said that this could be an easy fix.

iii. Blight Bylaw – citizen request.

Chair Meier said that this is a huge concern. There was some discussion about the timeline for this issue.

iv. Building Use – requested by Community Building Trustees' Chair.

Chair Meier said that this needs to be discussed by both Boards. Ms. McCollem said that this can wait, and it does need to be a joint effort.

v. Code of Conduct – Policy Subcommittee request.

Chair Meier said that some of the committees have some concerns with the Code of Conduct. It was decided that this would be the Select Boards's Code of Conduct and if other committees want to create their own Codes of Conduct that they can. Ms. Mastrangelo said she would take on the policy and create it as the

elect Board's policy as compared to an all-committee policy, and then the Board can discuss it.

vi. Sale & Purchase of Town-Owned Property – Policy Subcommittee request.

Chair Meier said that he thinks a policy should be made regarding this.

vii. Public Records Compliance – Policy Subcommittee request.

Ms. Mastrangelo said that this policy needs to be rescinded, and the rest of the Board agreed.

viii. Special Events and Outdoor Facilities – Policy Subcommittee request.

Ms. Mastrangelo said that this was brought to the sub-committee by staff. She said that there was a question about something done that was broader to include all events, like weddings. She does not feel that this is a priority currently. Ms. McCollem said that special events policy needs to be looked at and worked on. If a special permit is going to be given, they need to be distinguished by the different types. It was decided that this should be a priority after the top three.

ix. Wedding Policy – Policy Subcommittee request.

Ms. McCollem said that she feels that they should rescind the wedding policy because it is given a weight that is doesn't deserve because there are no guarantees.

x. Liquor License (package store) – staff request.

Ms. McCollem said that the staff needs to know how to proceed when a liquor license becomes available.

There was discussion on listing the policies that need to be worked on by priority.

xi. IT user – staff request.

Ms. McCollem said there has been no deliberation on the policy when it was brought before the Select Board.

It was decided that the 2 policies that need to be deliberated on are the curbside trash and the IT user policies.

xii. General Bylaw to establish a Responsible Management Entity (RME) for I/A septic systems (public utility district) – staff request.

Ms. McCollem said that this is critical to be able to implement the CWMP.

Ms. Mastrangelo said that she can't see this happening before the Annual Town Meeting next year because they don't know what the regs are. Ms. McCollem said that this is the key component to the CWMP. When the CWMP goes to Town Meeting to get approved, if they wait until then, then there will be years to get it going. There was discussion about how the process gets moving.

Ms. Froman said that after looking at the list the list of priorities is: The 1,2,3, which is Human Resources, Financial Polices, and the Private Ways.

There was discussion about the policies that are deliberations and at what point they are priorities. There was also more discussion about the RME, which Ms. McCollem said that it would be months and months of putting it together.

Ms. Froman provided a summary: The Board is going to rescind Public Records, Compliance and Weddings. Then they are going to look at the general bylaw related to the CWMP, maybe starting this summer with a presentation. She that meanwhile there are 4 things that have made their way to the top, and they are curbside trash, IT Users, special events, and sale and disposal of town property, in that order. Liquor policies for special events were added to this list to make it 5.

Ms. McCollem said that another workshop is needed for curbside, IT, and special events only. Ms. Mastrangelo asked if they could add the liquor license as it pertains to special events. Assistant Town Administrator Liz Hartsgrove said that the liquor license policies are very in depth. There was some discussion about the different polices for liquor depending on the circumstance.

xiii. Others?

Mr. Hobill recommended some ideas to discuss regarding curbside trash pickup.

**6. Correspondence**

Melissa Ferretti read aloud the correspondence:

- 2 DEP Letters.
- Resignation of K. Blanchard from the COA.
- Email from Fisherman's Alliance.
- Email from J. York regarding Belmont Circle signage.
- Letter from R. Packard regarding Facebook Survey, Recreation.
- Proposal Packet.
- JBCC Public Meeting Calendar, 2/10/23.
- Email from J. York regarding MassDOT Cape Cod Canal Area Transportation Improvement Program.
- Planning Board resignation letter – J. Carroll.

These are all on the Town's website.

**6. Upcoming meetings:**

Ms. McCollem said that she must make a change on the upcoming meeting schedule. She said that February 28 is the joint meeting with the Planning Board. Chair Meier said that they will find a time to fit in the discussion about the Town Meeting process.

**February 28 – BOS @ 6:30 – Joint Meeting with the Planning Board**
**February 28 – BOSC**
**March 7 – legislative delegation & Rail Trail update**
**March 14 – Warrant Articles**
**March 21 – Recreation Committee/Dept. & summer season update**
**March 28 - BOSC**

**8. Adjourn**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to adjourn.
**Vote:** Jared MacDonald – yes, Mary Jane Mastrangelo – yes, Chair Meier – yes, Melissa Ferretti – yes, and Judith Froman – yes. 5-0-0.

This meeting of the Bourne Select Board was adjourned at 9:25 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

**Select Board**
**Minutes of Tuesday, February 28, 2023**
**Bourne Veterans' Community Center – Rm 2**
**Buzzards Bay, MA**
**Or Virtually**

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**TA Marlene McCollem**
**ATA Liz Hartsgrove**

**Select Board**

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

Others: Dan Doucette, Planning Board Chair, Jim Robinson, Christopher Farrell, Elizabeth Brown, Jeanne Azarovitz,

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If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099.**

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

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

**6:47 PM Call Public Session to Order in Open Session**

Dan Doucette, Planning Board, Chairman of the Bourne Planning Board, called the Planning Board meeting to order.

1. **Moment of Silence to recognize our Troops and our public safety personnel.**
2. **Salute to the Flag.**
3. **Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with

others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

5. **Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

6. **Joint Meeting with the Planning Board**

   a. **Discussion and possible vote to appoint 2 members to the Planning Board to fill vacancies until the next regular election.**

   Select Board Chair, Peter Meier, said that originally three people applied for the Planning Board vacancies, and one has withdrawn their letter of interest. The two people who are remaining are Jim Robinson, and William Meier, who was not present due to a work obligation.

   Jim Robinson said that he was a former City Councilor and he has a good idea of how Town boards work with each other to grow and to keep everybody on the same page. He said he has a good idea on the overall management planning initiatives for Bourne. He said that he is a retired Major from the National Guard, and he worked on many projects while in the service from start to finish by doing the planning and the carrying out of the projects. He talked about some of the projects that he had worked on while in the service.

   Chair Meier spoke on behalf of William Meier, his father, the other candidate. Chair Meier said that Mr. Meier has been serving as an alternate with the planning Board for over 3 years. He gave a summary of what Mr. Meier has done.

**Voted:** Christopher Farrell moved, and Elizabeth Brown seconded to put both candidate names into nomination.

Select Board member Judith Froman asked if the Planning Board was prepared to address any of the issues that the Planning Board has had which has resulted in turnover within the Board. Planning Board Chair Doucette said that the Planning Board is always willing to listen and take in concerns for what is best for the Town.

Select Board member Mary Jane Mastrangelo said that one of the issues that was cited in the recent letters from the people that resigned from the Planning Board was that it was difficult for them to get timely access to the materials and to be able to see all the plans in time for voting at the meetings. She said the newspaper article said it was because the Town of Bourne couldn't afford to mail these items to the Planning Board. Ms. Mastrangelo asked Mr. Robinson that if those materials are not available to him as a member, if he would be comfortable going to the Planning Board office to review plans in the office to make sure that he is prepared.

Mr. Robinson responded to Ms. Mastrangelo's question by saying that he has no issues with that and that he likes to prepare before a meeting. He said he has no problem driving to Town Hall, and he would have no problem asking fellow members where he can get the information.

Ms. Mastrangelo then asked if he was sitting on the Planning Board and was at a hearing and he felt that he had not received the information before the meeting, how would he feel about saying that he was not provided the information in a timely fashion and would he say he would like to postpone his decision or would he just go ahead with the decision.

Mr. Robinson responded by saying that he would probably feel that he did not do his due diligence, and that he will have the responsibility of doing his own homework. He said it is not fair to an outside agency coming into the Town for a meeting if they are not prepared.

Ms. Mastrangelo wanted clarity of what positions these two candidates were filling at this meeting and was told that they were both to fill temporary vacancies on the Planning Board until the next regular election, which is in May. Ms. Mastrangelo asked if on the next ballot there three openings for 3-year terms, one opening for a 2-year unexpired term and one opening for a 1-year unexpired term, and Planning Board Chair Doucette said yes.

**Vote:** Chair Doucette – yes, Jeanne Azarovitz – yes, Judith Froman – yes, Jared MacDonald – yes, Chair Meier – abstain, Melissa Ferretti – yes, Mary Jane Mastrangelo – yes, Elizabeth Brown – yes, and Christopher Farrell – yes. 8-0-1.

Chair Meier said that each member of the Select Bard and the Planning Board will now vote for the candidate or candidates that they chose to fill the vacancies.

Christopher Farrell voted for both Mr. Robinson and Mr. Meier.
Elizabeth Brown voted for both Mr. Robinson and Mr. Meier.
Mary Jane Mastrangelo voted for both Mr. Robinson and Mr. Meier.
Melissa Ferretti voted for both Mr. Robinson and Mr. Meier.
Chair Meier abstained.
Jared MacDonald voted for both applicants.
Judith Froman voted for both applicants.
Jeanne Azarovitz voted for both applicants.
Chair Doucette voted in the affirmative for both Mr. Meier and Mr. Robinson.

**Vote:** 8-0-1 for both applicants.

**Voted:** Christopher Farrell moved, and Chair Doucette seconded to adjourn the joint meeting.
**Vote:** 5-0-0.

DRAFT

**7. Minutes**

None.

**7. Correspondence**

None.

**9. Adjourn**

**Voted:** Christopher Farrell moved, and Chair Doucette seconded to adjourn the joint meeting.
**Select Board Vote:** Judith Froman – yes, Jared MacDonald – yes, Chair Meier – yes, Melissa Ferretti – yes, and Mary Jane Mastrangelo – yes 5-0-0.
**Planning Board Vote:** Chair Doucette – yes, Jeanne Azarovitz – yes, Elizabeth Brown – yes, and Christopher Farrell – yes. 4-0-0.

This joint meeting of the Bourne Select Board and the Bourne Planning Board was adjourned at 7:05 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

Selectmen's Correspondence

March 14, 2023

A. DEP letter Draft Revision Feasibility Study Skeet Range
B. Army Corp Canal Project – Abutter's Notice
C. Bourne Workshop 2 Flyer – Low Lying Roads Project
D. Xfinity letter- rate increase
E. Letter from Cape Cod Commission – Digital Equity Planning Notice

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Gary Moran
Acting Commissioner

March 3, 2023

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

RE: **BOURNE – BWSC**
Release Tracking Number: 4-0000037
Joint Base Cape Cod (JBCC)
**Draft Revision 1 Feasibility Study Skeet Range Munitions Response Area,**
Comments

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **"Draft Revision 1 Feasibility Study Skeet Range Munitions Response Area"** dated February 2023 (the Revised Draft FS. The Revised Draft FS was prepared by the Air Force Civil Engineer Center (AFCEC) to develop and evaluate remedial alternatives to address lead contaminated soil at the Skeet Range munitions response area (MRA). Recommendations in the Revised Draft FS are intended to support the selection of a remedial alternative for the Skeet Range munitions response site to mitigate unacceptable risks to human health from lead in soil. MassDEP has the following comments on the Revised Draft FS.

1. Page 2-8, Section 2.3.1.2, Previous Investigations, Comprehensive Site Evaluation Phase II, Initial CSE Phase II Soil Sampling:
   The text states, **"Dibenz(a,h)anthracene (maximum concentration of 0.298 mg/kg) exceeded the EPA industrial RSL of 0.29 mg/kg in one soil sample."** MassDEP notes that Figure 2-3 *Summary of CSE Phase II Results for PAHs* illustrates that the maximum concentration of Dibenz(a,h)anthracene is reported at a concentration of 242 mg/kg in soil sample 75-H2-SS-1000. Please clarify and revise the figure and text as necessary.

2. Page 2-13, Section 2.3.3.3, Previous Investigations, Groundwater, PAH Results:
   The text states, **"PAH analytes 2-methylnaphthalene (89 ug/L) and naphthalene (180 ug/L) exceeded EPA tap water RSLs in groundwater sample GW-1 at 48 ft bgs."** The polycyclic aromatic hydrocarbon (PAH) analytes 2-methylnaphthalene and naphthalene also exceeded the MassDEP GW-1 Standard of 10 micrograms per liter (µg/L) and 140 µg/L respectively in groundwater sample GW-1 at 48 feet bgs. Please revise the text.

3. Page 2-13, Section 2.3.4.1, Previous Investigations, Summary of Previous Investigation Sampling Results, ISM Surface Soil Results:
   During the CSE Phase II soil sampling event, PAH compounds were found in various incremental sampling methodology (ISM) surface soil samples at concentrations exceeding their respective screening values, to include the EPA Industrial Soil Regional Screening Level (RSL), the EPA Residential Soil RSL, and the MassDEP state background value. For completeness, please address the ISM surface soil results for PAHs in summation within this section.

4. Page 2-15, Section 2.4.1, Conceptual Site Model, Nature and Extent:
   The text states, **"Concentrations of lead are above screening values within the skeet range fan, with higher concentrations at the surface than in the subsurface soil intervals indicating that lead is complexed and relatively immobile."** Please revise the text to indicate that concentrations of PAHs were also detected above their respective screening values within the skeet range fan.

5. Page 2-15, Section 2.4.3, Conceptual Site Model, Human Health Risk Assessment:
   The text states, **"The small remaining acreage (6.7 acres) was not evaluated as it consists of man-made infrastructure (i.e., roads, buildings) and soil data were not collected (Exposure Areas D and E)."** Figure 2-5 *Remedial Investigation Vertical Soil Sample Results for Lead* illustrates that an ISM soil sample was collected from decision unit (DU) O3 within Exposure Area E. Please revise the text.

6. Page 2-16, Section 2.4.3, Conceptual Site Model, Human Health Risk Assessment:
   The text states, **"All receptors were evaluated for their exposure to soil in Exposure Areas A, B, and C and hypothetical future residents were also evaluated for exposure to groundwater (as a tap water source) in Exposure Area C only."** Within Exposure Area E, groundwater samples were collected which had concentrations that exceeded the EPA Tap water RSL and the MassDEP GW-1 Standard. Please clarify why Exposure Area E was not used to evaluate hypothetical future residents for exposure to groundwater.

7. Page 2-20, Section 2.4.5, Conceptual Site Model, Summary of Contaminants of Concern and Exposure Pathways:
   The text states, **"The COPCs identified at the Skeet Range MRS included MC metals (lead) and PAHs associated with targets (i.e., clay pigeons) (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene, and indeno(1,2,3-c,d)pyrene) in soil and benzo(a)anthracene and benzo(a)pyrene in groundwater."** Figure 2-7 *Remedial Investigation Groundwater Sample Results for Lead and PAHs* illustrates that naphthalene and 2-methylnaphthalene were detected in groundwater samples within the Skeet Range MRS at concentrations that exceeded the EPA Tap water RSL and the MassDEP GW-1 Standard. Please clarify why those analytes were not identified as contaminants of potential concern in groundwater and revise the text as necessary.

8. Page 3-4, Section 3.2.2, Remedial Action Objectives, Area/Volume of Attainment:
   The text states, **"To be conservative and to account for the discrete surface sample exceedance at DU M3, it is assumed that 6 in. would be removed from the seven grids with concentrations above the PRG of 200 mg/kg for lead (Figure 2-5). Therefore, the estimated total volume exceeding PRGs is 35,000 cubic ft (1,300 cubic yards)."** A discrete surface soil sample collected at DU M3 from a depth interval of 0 to 12 inches bgs had a lead concentration exceeding the preliminary remediation goal (PRG) of 200 mg/kg. Please provide justification for why only the top 6 inches bgs and not the top 12 inches bgs of soil would be removed from the seven grids that had concentrations above the PRG for

lead. Please revise the text as necessary. In addition, please revise the Revised Draft FS to include the applicable Remedial Action Cost Engineering and Requirements worksheets in Appendix A for the estimated volume of soil exceeding PRGs.

Please incorporate this letter into the Administrative Record for the Skeet Range MRA for the Military Munitions Response Program at Joint Base Cape Cod. If you have any questions regarding this letter, please contact me at (508) 946-2871 or Kendall Walker at (508) 946-2846.

Sincerely,

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

P/kw

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

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

BOURNE BD OF SELECTMEN
RCVD 2023 MAR 9 AM10:38

March 6, 2023

Dear Property Abutter:

The U.S. Army Corps of Engineers, Cape Cod Canal project is undertaking a survey of the existing boundary lines and monumentation of the federal project.

Our surveying contractors may be in the general area of your property that is adjacent to the federal lands being surveyed. The surveyors may be required to access abutting lands, for a short time during business hours, as necessary to complete the survey of Government lands, provided such ingress and egress is necessary and not otherwise conveniently available to the Government contractors through federal property.

The contractors will be actively surveying the boundary lines and monuments of the federal property within a period from April 1, 2023 through June 30, 2023.

If you have any questions or concerns about the activities of our Federal contractors in the area of your property, please call Park Manager Michele Breen at 978-318-8636 or by email at michele.l.breen@usace.army.mil before the period of time indicated above when the contractors will be active.

Sincerely,

Digitally signed by SHUGERT.TIMOTHY.W.1238587243
Date: 2023.03.06 11:39:45 -05'00'

Timothy W. Shugert
Chief, Real Estate Division

The Town of Bourne invites you to a

# Public Meeting

## Phase 2 of the Low Lying Roads Project

***Learn*** about possible solutions for the four identified low lying road segments: Circuit Avenue and Wings Neck Road

***Discuss*** traditional, green, and hybrid solutions for each identified road segment including associated cost estimates

***Ask*** any questions about the presented solutions or about the project in general

**Wednesday, March 22, 2023; 3pm**

*LINK: https://capecodcommission.org/llr/join*
Passcode: join
Phone: (929) 205-6099
Meeting ID: 935 5189 6265

CAPE COD COMMISSION

Have questions? Contact Timothy Lydon at tlydon@townofbourne.com
For Cape Cod Commission questions, contact Heather McElroy at hmcelroy@capecodcommission.org
For more information visit: *https://www.capecodcommission.org/our-work/low-lying-roads-bourne/*

BOURNE BD OF SELECTMEN
RCVD 2023 MAR 9 PM 12:58

COMCAST

March 3, 2023

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

Dear Chairman and Members of the Board:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note the following changes to the Xfinity Rate Card provided in your community:

- *Effective April 2, 2023, the monthly subscription for HBO and HBO Max will increase from $14.99 to $15.99 per month as a result of a recent increase in HBO and HBO Max programming costs.*

Customers are receiving notice of change in their bill. Please do not hesitate to contact me with any questions at **Michael_Galla@comcast.com**.

Very truly yours,

*Michael Galla*

Michael Galla, Sr. Manager
Government Affairs

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

CAPE COD COMMISSION

Date: March 7, 2023

To: Cape Cod Boards of Selectmen & Barnstable Town Council
Cape Cod Town Administrators and Managers
Cape Cod Town Planners and Planning Board Chairs

From: Kristy Senatori, Executive Director, Cape Cod Commission

Dear Municipal Official:

The Cape Cod Commission would like to highlight an opportunity for municipalities to receive digital equity planning services at no cost. Offered through the Massachusetts Broadband Institute (MBI), the Municipal Digital Equity Planning Program is currently accepting applications on a rolling basis. Municipalities participating in this program will receive assistance from a network of prequalified consultants, which includes the Cape Cod Commission.

The purpose of this program is to assist municipalities in assessing the digital divide in their community (internet affordability, affordable devices appropriate for an individual's civic, social, and employment needs, and the skills necessary to engage digitally) and identify solutions towns can further through other state and local efforts. The program is designed to:

- Guide municipal decision-making and investments to increase access, adoption, and usage of the internet for the populations most affected by the COVID-19 pandemic.
- Prepare municipalities to submit grant proposals to existing or forthcoming state or federal programs to support digital equity activities.

Municipalities may choose between two planning options: an intensive short-term workshop/charrette (approximately 8 hours) and/or a more focused planning process (3-6 months), both of which will engage stakeholders to gather information on local digital equity needs and issues.

Through this planning process information gathered will identify challenges and barriers to digital access and priorities and solutions for advancing digital equity and access. The resulting

report will be issued to the town and incorporated into the statewide digital planning efforts being coordinated by MBI. The report will complement ongoing and planned regional efforts to understand and document Cape Cod's broadband needs and challenges and, together make the region and municipalities more competitive for upcoming state and federal funding opportunities.

WHO IS ELIGIBLE?
Communities that have the presence of impacted (300% poverty) or disproportionately impacted (185% poverty) populations, as defined by U.S. Treasury guidance related to American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLFRF). All communities on Cape Cod have the presence of these populations and are therefore eligible.

HOW TO APPLY
Municipalities can apply to MBI through their online form. Municipalities will then be provided with a list of pre-qualified consultants to choose from.

Commission staff are available to assist in the application process and explain each planning option and provide data needed to answer the brief application questions. Communities are encouraged to consider a multi-town, subregional approach to digital equity planning, where appropriate to cooperatively identify and develop strategies to tackle shared challenges. Commission staff are available to assist with discussions of potential subregional applications.

TO FIND OUT MORE
More information and the online municipal application can be found at the MBI website: https://broadband.masstech.org/municipal.

Visit the Cape Cod Commission Municipal Digital Equity Planning Services webpage for application data, at https://capecodcommission.org/our-work/digital-equity-program/. Please feel free to reach out to Steven Tupper (stupper@capecodcommission.org, 508-744-1232) if you have any questions regarding this opportunity.

cc: Cape Cod Commission members