

Board of Selectmen Meeting Notice AGENDA AMENDED



Date

April 5, 2022

Time

7:00 PM

Location

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

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

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

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

1. Moment of Silence to recognize our Troops and our public safety personnel
2. Salute to the Flag
3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. Public Comment on Non-Agenda Items
 - a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Appointments and Licenses
 - a. Toni Dering appointment to the Historic Commission as an alternate member.
 - b. Discussion of South Side Fire Station Appointments.
 - c. 7:15 p.m. Hearing on application for an Alteration of Premise Year Round Common Victualer License for the sale of all kinds of alcoholic beverages for Mahoney's on Main LLC, 57 Main Street, Buzzards Bay
7. Selectmen's Business
 - a. Calamar Update
 - b. Presentation by Richard Conron re: JBCC machine gun range
 - c. Update from the Recycling Committee and Earth Day information

RECEIVED
2022 APR - 1 PM 1:11
TOWN CLERK BOURNE

- d. Discussion and possible vote on the request of Zoe Wright to allow a fund-raising event for the American Cancer Society at the Community Center on 7/1/22.
- e. Discussion and possible vote on the request of Nicole Mitchell for the Cape Cod Kindness Festival event at Buzzards Bay Park on 10/8/22.
- f. Discussion and possible vote on the request of Paul Curley for Best Buddies bike riding event on 6/4/22.
- g. Road Acceptance discussion for Sanderling Drive and Whimbrel Drive.
- h. Vote to post the Special and Annual May 2, 2022 Town Meeting Warrants.
- i. Discussion and possible vote on the FY23 final budget and capital plan
- j. Discussion and Vote on Special Town Meeting Warrant Articles
 - i. Special Article 1 – unpaid bills
 - ii. Special Article 2 – supplemental budget for ISWM pilot leachate project
 - iii. Special Article 3 – supplemental budget for the Old Bridge Road project
 - iv. Special Article 4 – supplemental budget for environmental remediation at the Community Building
- k. Discussion and Vote on **Essential** Annual Town Meeting Warrant Articles
 - i. Article 1 – Consent agenda
 - ii. Article 2 – FY23 operating budget
 - iii. Article 3 – FY23 sewer enterprise budget
 - iv. Article 4 – FY 23 ISWM enterprise budget
 - v. Article 5 – FY 23 capital budget
 - vi. Article 9 – Community Preservation Committee – admin & operating
 - vii. Article 10 – Stabilization Fund
 - viii. Article 11 – Capital Stabilization Fund
 - ix. Article 13 – Special Education Reserve Fund
 - x. Article 15 – Salary Reserve for IAFF contract
 - xi. Article 19 – Establish “adult education revolving fund”
 - xii. Article 20 – Insert Departmental Revolving Funds into the General Bylaws
- l. Discussion on the draft motions for the Special and Annual May 2, 2022 Town Meeting.
- m. Discussion and possible vote and on the possible necessity of a second night for Town Meeting.

8. Town Administrator Report

9. Minutes: 2/15/2022

10. Correspondence

11. Committee Reports

12. Adjourn

March 1, 2022

To whom it may concern,

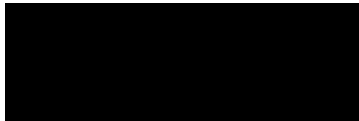
I have attached a summary of my interest and background in application for an opening on the Bourne Historical commission. Please let me know if you require further information.

I appreciate your consideration and look forward to hearing from you.

Thank you

A handwritten signature in cursive script, appearing to read "Toni Dering".

Toni Dering



BOURNE BD OF SELECTMEN
ROUTED 2022 MAR 4 AM 9:57

My name is Toni Dering and I am the fourth generation of my family to reside in the town of Bourne. I am interested in the Historical Commission because I am interested in documenting and preserving local history. I am currently on the Board of the Bourne Society for Historic Preservation and am active in many of the programs we perform throughout the year.

My great grandparents, Alan and Rachel MacLeod, came to Bourne in the early 1920s with my then 3 year old grandfather. Having this long connection to Bourne holds my interest in local history as I curiously drive through town identifying properties of my ancestors. My mother, Mary (MacLeod) Ziemba was involved in various projects with the Historical Society and Archives. As a young woman, this piqued my interest in town history as I typed up recorded interviews she had done with long-time town residents. Having lived most of my adult years outside of town, I have a renewed interest in preserving and documenting local history after returning and seeing so much change and feeling a strong connection to my childhood home.

My background is primarily in technology and art. I spent years working in computer related fields, mostly database maintenance and management. I then moved on to working as a docent at an art museum and managing an art gallery.

My years living abroad, mostly Europe and Scandinavia, give me a perspective on preserving the past both in architecture and lifestyle. While living in Brussels, I watched as architects and builders kept the façade of a hotel in tact during the process of renovating and updating the structure. It was absolutely stunning when completed. I visited many Historic places and was witness to continued rituals including markets in old town squares, festivals and holiday traditions.

I hope that my interest in town history and preservation partnered with my eagerness to learn make me a good candidate for this commission. As I am retired, I am interested in getting involved in local activities.

TALENT BANK FORM

ACT NOW- SERVE YOUR COMMUNITY

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

TOWN GOVERNMENT TALENT BANK

c/o Town Administrator,

24 Perry Avenue

Buzzards Bay, MA 02532

NAME: Toni Dering

DATE: 3.11.22

ADDRESS: [REDACTED]

OCCUPATION: teacher

BACKGROUND: computers/art

| Check | AREAS OF INTEREST (LIST ORDER OF PREFERENCE) |
|-------|---|
| | AFFORDABLE HOUSING TRUST - provides the Town with many tools to create and preserve affordable housing, including the ability to option, lease, purchase, renovate, and lease out or sell real estate. |
| | ZONING BOARD OF APPEALS - The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws, and by this Bylaw, those powers being to hear and decide applications for Special Permits upon which the Board is empowered to act under this Bylaw; to hear and decide petitions for variances, excluding variances for use; to hear and decide other appeals from any aggrieved person, officer, or board, or the Cape Cod Planning and Economic Development Commission, to issue comprehensive permits as provided by Sections 20-23, Ch.40B, G.L., and in special cases to issue withheld building permits, as provided by Section 81Y, Ch.41, G.L. |
| | BOARD OF ASSESSORS |
| | BARNSTABLE COUNTY COASTAL RESOURCES - is the County's coastal advisory committee, serves as a liaison between towns and the County on coastal issues and is the local governance committee for the Cape Cod region of the Massachusetts Bays Program. |
| | BARNSTABLE COUNTY HOME CONSORTIUM - is comprised of 15 communities on Cape Cod. Jurisdiction to receive and disburse HOME funds. |
| | BARNSTABLE COUNTY HUMAN RIGHTS COMMISSION - To promote and protect the basic human rights of all persons in Barnstable County |
| | BUZZARDS BAY ACTION - The mission of the Buzzards Bay Action Committee is to improve collaboration among watershed municipalities. |
| | BY-LAW COMMITTEE - Reviews and also recommends updates or changes to the Town By-laws |
| | CABLE ADVISORY COMMITTEE- performs research/makes recommendations for cable license renewal |
| | CAPE & VINEYARD ELECTRIC COOPERATIVE - was organized on September 12, 2007. Provides for the establishment of energy cooperatives. |
| | CAPE COD COMMISSION - is an agency within Barnstable County regional government, but with its own separate and unique funding source, the Cape Cod Environmental Protection Fund. |
| | CAPE COD WATER PROTECTION COLLABORATIVE - to help Cape Cod and Islands towns pay for necessary wastewater infrastructure and water quality remediation projects. |

| | |
|---|---|
| | CAPE LIGHT COMPACT - mission is to serve our 205,000 customers through the delivery of proven energy efficiency programs, effective consumer advocacy, and renewable competitive electricity supply. |
| | CAPITAL OUTLAY COMMITTEE – Reviews requests and makes recommendations to the Town Administrator on large equipment or building projects |
| | CHARTER COMPLIANCE COMMITTEE – Hears and adjudicates complaints filed alleging Charter Violations |
| | CHARTER REVIEW COMMITTEE –Reviews Charter every five years |
| | COMMISSION ON DISABILITIES - cause the integration and participation of people with disabilities; assists municipal officials in ensuring compliance with the ADA and other state/federal laws |
| | COMMUNITY ACTION COMMITTEE OF CAPE COD & ISLANDS, INC. - is a private, non-profit organization that provides a variety of services to low-income individuals and families to help them improve the quality of their lives and achieve self-sufficiency. |
| | COMMUNITY ENGAGEMENTS - mission is to sponsor and encourage community events, projects, activities, services, programs, and public improvements which are of mutual interest to the visitors and residents of the Town of Bourne, and, which strengthen the Town by fostering community involvement and spirit. The Committee shall create an application for funding and invite organizations or individuals to submit on events or activities that will benefit the Town of Bourne and its citizens. In no event may a Member present a project before the Committee. The committee shall provide quarterly reporting to the Board of Selectmen and Town Administrator. |
| | COMMUNITY PRESERVATION COMMITTEE will give preference to proposals Are eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation; specifically, The acquisition, creation, and preservation of open space. The acquisition, preservation, rehabilitation, and restoration of historic resources. The acquisition, creation, and preservation of land for recreational use. The creation, preservation, and support of community housing (including items such as annual payments to the housing authority to preserve or expand the affordable housing supply). The rehabilitation and restoration of open space, land for recreational use, and community housing that is acquired or created using monies from the fund. |
| | CONSERVATION COMMISSION- administers the Wetlands Protection Act, Local Wetlands bylaws |
| | COUNCIL ON AGING- coordinates programs designed for the needs of aging in coordination with the MA Executive Office of Elder Affairs |
| | CULTURAL COUNCIL - reviews applications for local arts and cultural events and awards grant funds received from the MA Cultural Council. |
| | DESIGN REVIEW BOARD (DRB)- reviews alterations, including demolitions of properties located within the demarked areas, adopts design guidelines, rules/regulations |
| | EDUCATION/SCHOLARSHIP |
| | FINANCE COMMITTEE- reports to town meeting on the proposed budget of town manager and any warrant articles having a fiscal impact on the Town. |
| ✓ | HISTORICAL COMMISSION - caretakers of the Town history. |
| | HOUSING PARTNERSHIP - addresses local housing needs through a collaborative effort between local govt., community organizations, banks and the private sector. |
| | HUMAN SERVICES - The Committee is charged with recommending policies and potential programs to the Town Administrator related to the delivery of human services to the citizens of Bourne. |
| | LANDFILL BUSINESS PROJECT MODEL WORKING GROUP-Make recommendations on long term viability of the Integrated Solid Waste Management Department to the Town Administrator and Selectmen |
| | LOCAL EMERGENCY PLANNING COMMITTEE - mission is to provide residents with an emergency response program for hazardous materials incidents, extreme weather, and other high impact events. |

| | |
|--|--|
| | OPEN SPACE COMMITTEE - was formed in 1999 for the purpose of recommending acquisitions of interest in real property to be owned or managed by the Conservation Commission or other designated nonprofit organization or in the case of interests to acquire sites for future wellhead development for a Water Resource District. |
| | TASK FORCE ON LOCAL POLLUTION/PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT PROGRAM - membership shall consist of seven (7) members of the general public, at least two of whom, if possible, shall have a professional background in science, law or engineering. |
| | PRIVATE ROADS ACCEPTANCE - On an annual basis we will have to establish a prioritization process to see what roads will be brought before the town for consideration. |
| | RECREATION COMMITTEE – Works with the Director of Recreation on long term planning for the recreational needs of the Town |
| | RECYCLING - Provide advice and assistance to the Board of Selectmen, the ISWM General Manager and Town residents concerning recycling requirements and procedures. Assist the Board of Selectmen with public education concerning recycling, composting and source reduction. |
| | REGISTRAR OF VOTERS - The Board of Registrars responsibilities include registering voters, making local listings of residents, certifying nomination papers and petitions, processing absent voter applications and administering election recounts. |
| | SELECTMEN'S ENERGY ADVISORY COMMITTEE - assist the Board of Selectmen on the investigation, research and consideration of siting and utilizing alternative forms of energy for municipal purposes. |
| | SOUTH SIDE FIRE STATION BUILDING COMMITTEE - To make recommendations regarding the feasibility, design, siting and construction of new, replacement Fire/EMS station on south side of Cape Cod Canal. |
| | SHORE AND HARBOR COMMITTEE – Works on plans, future development and recommends regulatory change and enforcement |
| | SPECIAL WORKS OPPORTUNITY PROGRAM - SWOP's mission statement is to provide social opportunities to adults with intellectual disabilities residing in the Town of Bourne. We do this through social settings that foster independence and cultivate respect and support through community involvement. |
| | STREET AND TRAFFIC – Look into the current street lighting. |
| | TOWN ADMINISTRATORS ADVISORY COMMITTEE ON PEDESTRIAN BICYCLE PATHWAY - to assist in the creation of a pedestrian and bicycle pathway within the geographic boundaries of the Town of Bourne, connecting with the Shining Sea pathway in Falmouth |
| | TRANSPORTATION ADVISORY COMMITTEE - shall have the following responsibilities on transportation-related projects proposed by the town and others and shall include, but not limited to, highways and other roadways, rail services, bus services, shuttle services and transportation facilities. |
| | WASTEWATER ADVISORY COMMITTEE - To serve as advisors to the Town Administrator and Bourne Board of Sewer Commissioners in the areas of public policy and long-range planning as it relates to the implementation of the Comprehensive Wastewater Management Plan. |
| | WASTEWATER FACILITY DESIGN AND BUILDING - To serve as advisors to the Town Administrator and Bourne Board of Sewer Commissioners as it prepares the final design, siting and construction of a 100,000 gpd facility within Buzzards Bay. |
| | UPPER CAPE REGIONAL TRANSFER STATION - is the body that oversees all operations for the municipally-owned regional solid waste transfer station located on Joint Base Cape Cod (JBCC) in Sandwich. |
| | VETERANS GRAVES OFFICER |
| | OTHER (please list) |

HISTORIC COMMISSION

THREE YEAR TERM

Associate – One Year Term

Established at 1972 Annual Town Meeting, Article 75
NOT LESS THAN 3 NOR MORE THAN 7 MEMBERS 3 YEAR TERMS

| 21-22 COMMITTEE | | | | |
|-----------------|--|--------------------|------------|-----------|
| EXP | COMM | APPT BY | FIRST | LAST |
| June 30, 2023 | Historic Commission | Board of Selectmen | Deborah M. | Burgess |
| June 30, 2024 | Historic Commission | Board of Selectmen | Jean | Campbell |
| June 30, 2024 | Historic Commission | Board of Selectmen | Blanche E. | Cody |
| June 30, 2022 | Historic Commission | Board of Selectmen | Carl | Georgeson |
| June 30, 2022 | Historic Commission | Board of Selectmen | Neil F. | Langille |
| June 30, 2024 | Historic Commission | Board of Selectmen | Mary P. | Reid |
| June 30, 2022 | Historic Commission | Board of Selectmen | Judith A. | Riordan |
| June 30, 2022 | Historic Commission - Associate Member | Board of Selectmen | Judith | House |
| June 30, 2022 | Historic Commission - Associate Member | Board of Selectmen | Rich | Kantor |
| June 30, 2022 | Historic Commission - Associate Member | Board of Selectmen | Karl | Spilhaus |
| June 30, 2022 | Historic Commission - Associate Member | Board of Selectmen | | Vacancy |

Applicant for Associate:

Toni Dering, 15 Thaxter Road, Pocasset, MA 02559 - 508.564.0722 –
tonidering01@gmail.com

***Vacancies advertised on Town WEB page**

NOTICE TOWN OF BOURNE LIQUOR HEARING

Notice is hereby given in accordance with Massachusetts General Laws Chapter 138, Section 12 that application has been received from Mahoney's on Main LLC, Vincent D. Mahoney, Manager, 57 Main Street, Buzzards Bay, MA 02532 to amend his Year Round Common Victualer License for the sale of all kinds of Alcoholic Beverages to be drunk on the premises to include the addition of 400 sq. ft. patio dining area Description of premises: 3000 sq. ft. free standing building. One floor with full basement. 1 floor 4 rooms & 3 restrooms, one dining room with bar, kitchen prep room, office, men's bathroom, ladies' bathroom, employees restroom, 3 entrances/exits, 400 sq. ft. patio dining area. A hearing will be held at the Bourne Veterans Memorial Community Center, 239 Main Street, Buzzards Bay, on Tuesday, April 5, 2022 at 7:15 p.m.

BOARD OF SELECTMEN

Peter J. Meier

Judith MacLeod Froman

George G. Slade, Jr.

Jared P. MacDonald

Marv Jane Mastrangelo

**NOTICE TOWN OF BOURNE LIQUOR
HEARING**

Notice is hereby given in accordance with Massachusetts General Laws Chapter 139, Section 12 that application has been received from Mahoney's on Main LLC, Vincent D. Mahoney, Manager, 57 Main Street, Buzzards Bay, MA 02532 to amend his Year Round Common Victualer License for the sale of all kinds of Alcoholic Beverages to be drunk on the premises to include the addition of 400 sq. ft. patio dining area. Description of premises: 3000 sq. ft. free standing building. One floor with full basement. 1 floor 4 rooms & 3 restrooms, one dining room with bar, kitchen prep room, office, men's bathroom, ladies' bathroom, employees restroom, 3 entrances/exits, 400 sq. ft. patio dining area. A hearing will be held at the Bourne Veterans Memorial Community Center, 239 Main Street, Buzzards Bay, on Tuesday, April 5, 2022 at 7:15 p.m.

BOARD OF SELECTMEN
Peter J. Meier
Judith MacLeod Froman
George G. Glade, Jr.
Jared P. MacDonald
Mary Jane Mastrangelo
[REDACTED]



Town of Bourne
Interdepartmental Advisory Form



| | |
|--|---|
| Start Date: | 3/23/2022 |
| Owner/Applicant: | Vincent Mahoney, Mahoney's on Main LLC - 508.353.4470 |
| Project Location: | 57 Main Street, Buzzards Bay |
| Nature of Request: | Alter Premises to include patio Amend Year Round Common Victualer License for sale of all kinds of alcoholic beverages to description as follows: 3000 sq. ft. free standing building. One floor with full basement. 1 floor 4 rooms & 3 restrooms, one dining room with bar, kitchen prep room, office, men's bathroom, ladies' bathroom, employees restroom, 3 entrances/exits, 400 sq. ft. patio dining area. Application for a special permit in process. |
| Liability Insurance Naming Town of Bourne as Additional Insured | Has applicant provided insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | | | | | |
|-------------|------|----------------|-------|------------------|--|
| Map: | 23.2 | Parcel: | 45.00 | District: | |
|-------------|------|----------------|-------|------------------|--|

☐ **Engineering:**

| | | | | | | | |
|---------------------------|--------|--------------------------------|--------|------------------|-----|-------------------------|-----|
| Date of Recording: | | Lot Area: | 5750sf | Frontage: | | Zone: | DTC |
| Resource District: | No | Town Road: | Yes | Paved: | Yes | Contiguous Lots: | No |
| Flood Zone: | AE 16' | Within 100' of Wetland: | No | | | | |

Owner:
Remarks:

| | |
|-----------|-----------------|
| 3/23/2022 | Timothy P Lydon |
| Date | Department Head |

☐ **Planning Department/Planning Board:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks: SPR-SP #03-
2022 application in
process.

| | |
|-----------|-------------------|
| 3/30/2022 | Jennifer Copeland |
| Date | Town Planner |

☐ **Conservation Commission:** ☐ **Must File** ☐ **Determination** ☐ **Notice of Intent**
☒ **Need not File**

Remarks:

| | |
|-----------|--------------------|
| 3/23/2022 | Stephanie M Fitch |
| Date | Conservation Agent |

☐ **Board of Health:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

3/25/2022 K.Shea
Date Health Agent

☐ **Building Inspector:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

3/25/2022 KMurphy/ag
Date Building Inspector

☐ **Sewer Commissioners:** ☒ **Approved** ☐ **Disapproved** ☐ **Not Under Sewer Jurisdiction**

Remarks:

3/23/2022 K. Thut/Admin
Date Department Head

☐ **Town Collector:** ☐ **Outstanding Taxes** ☒ **Taxes Paid In Full**

| | | | | | | | | |
|----|----|--------|----|----|--------|----|----|--------|
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |

Remarks:

3/23/2022 A Dastous
Date Town Collector

☐ **Town Clerk:**
If not corporation has business certificate been issued? ☐ **Yes** ☐ **No**

Remarks: Business is incorporated with the State

3/25/2022 CCobb
Date Clerk's Office

☐ **Assessors:**
This individual has (have) completed the Form of List? ☒ **Yes** ☐ **No**

Remarks: fol on file

3/30/2022 JPotter
Date Assessors Office

☐ Department of Public Works: ☐ Approved ☐ Disapproved ☒ Not Under DPW Jurisdiction

Remarks:

3/28/2022

Matthew Quinn

Date

Department Head

☐ Department of Natural Resources: ☐ Approved ☐ Disapproved ☒ Not Under DNR Jurisdiction

Remarks:

3/23/2022

Chris Southwood

Date

Department Head

☒ Recreation Department: ☐ Concur ☐ Does Not Concur ☒ Not Under Jurisdiction

Remarks:

3/28/2022

Krissanne M. Caron

Date

Department Head

☐ Police Department: ☒ Concur ☐ Does Not Concur ☐ Not Under Police Jurisdiction

Remarks:

3/25/2022

Lt. John R. Stowe Jr.

Date

Department Head

☐ Fire Department: ☒ Concur ☐ Does Not Concur

Remarks:

3/25/2022

David S. Pelonzi, Assistant Chief

Date

Department Head

☐ Town Administrator/Board of Selectmen: ☐ Concur ☐ Does Not Concur

Remarks:

Date

Town Administrator/Board of Selectmen Chairman



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

AMENDMENT-Change or Alteration of Premises Information

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)

04204-RS0118

ENTITY/ LICENSEE NAME

Mahoney's on Main LLC Vincent D Mahoney Jr. manager

ADDRESS

57 Main St

CITY/TOWN

Buzzards Bay

STATE

Ma

ZIP CODE

02532

For the following transactions (Check all that apply):

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of DBA | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Change of Hours |
| <input type="checkbox"/> Change of Manager | <input checked="" type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Officers/Directors | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Ownership Interest | <input type="checkbox"/> Other | <input type="text"/> | |

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
TRANSMITTAL FORM ALONG WITH
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:**

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

AMENDMENT-Change or Alteration of Premises Information

☐ **Change of Location**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

☒ **Alteration of Premises**

- ✓ • Payment Receipt
- ✓ • Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- ✓ • Financial Statement
- Vote of the Entity *complete*
- ✓ • Supporting financial records
- ✓ • Legal Right to Occupy
- ✓ • Floor Plan
- Abutter's Notification - *ASSK*
- Advertisement

1. BUSINESS ENTITY INFORMATION

| Entity Name | Municipality | ABCC License Number |
|-------------------|--------------|---------------------|
| Mahoney's on Main | Buzzards Bay | 04204-RS0118 |

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

Additional Patio seating and service exterior bar. Patio was installed 2020 under covid relief guidelines

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

| Name | Title | Email | Phone |
|-----------------|---------|---------------------|------------|
| Vincent Mahoney | Manager | vinbags@comcast.net | 5083534470 |

2. ALTERATION OF PREMISES

2A. DESCRIPTION OF ALTERATIONS

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

Install 6ft fence around perimeter with 2 gates for egress. Provide tables and chairs for 42 patrons. Install small service bar for wait staff and 6 patrons.

2B. PROPOSED DESCRIPTION OF PREMISES

Please provide a complete description of the proposed premises, 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.

3000 sq ft free standing building. one floor with full basement. 1 floor 4 rooms , 3 restrooms, one dining room with bar. Kitchen prep room, office, mens bathroom, ladies bathroom, employee restroom. 3 entrance/exits add 400 sq ft patio dining

| | | | | | |
|---------------------|------|------------------|----|------------------|----|
| Total Sq. Footage | 3000 | Seating Capacity | 86 | Occupancy Number | 99 |
| Number of Entrances | 3 | Number of Exits | 3 | Number of Floors | 1 |

AMENDMENT-Change or Alteration of Premises Information

3. CHANGE OF LOCATION

3A. PREMISES LOCATION

Last-Approved Street Address 57 Main st

Proposed Street Address 57 Main st

3B. 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.

Total Sq. Footage 3000

Seating Capacity 86

Occupancy Number 99

Number of Entrances 3

Number of Exits 3

Number of Floors 1

3C. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Lease

Landlord Name 57 Main st realty trust

Landlord Phone 508 353 2365

Landlord Email dmahoney7@comcast.net

Landlord Address 35 Fieldwood Drive Sagamore Beach, Ma 02562

Lease Beginning Date

Rent per Month 2,500

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☒ No

4. FINANCIAL DISCLOSURE

Associated 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):

Associated Cost(s):

| |
|--|
| |
|--|

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 |
|---------------------|------------------------|
| | |
| | |
| | |
| | |
| Total: | |

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. |
|----------------|--------|-------------------|--|
| | | | <input type="radio"/> Yes <input type="radio"/> No |
| | | | <input type="radio"/> Yes <input type="radio"/> No |
| | | | <input type="radio"/> Yes <input type="radio"/> No |
| | | | <input type="radio"/> Yes <input type="radio"/> No |

APPLICANT'S STATEMENT

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

of Mahoney's on Main
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: Vincent Mahoney

Date: 2/21/2022

Title: Owner/ Manager

ENTITY VOTE

The Board of Directors or LLC Managers of

Mahoneys on Main
Entity Name

duly voted to apply to the Licensing Authority of

Bourne
City/Town

and the

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

3/20/22
Date of Meeting

For the following transactions (Check all that apply):

☒ Alteration of Licensed Premises

☐ Change of Location

☐ Other

"VOTED: To authorize

Vincent Mahoney
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."

A true copy attest,

Vincent Mahoney
Corporate Officer /LLC Manager Signature

Vincent Mahoney
(Print Name)

For Corporations ONLY

A true copy attest,

Corporation Clerk's Signature

(Print Name)

Town of Bourne - Fiscal Year 2022

12/1/2021 7:58 pm SEQ #: 4.653

LEGAL

LAND

DETACHED

BUILDING

[illegible]

Thut, Kathleen

From: Thut, Kathleen
Sent: Friday, April 1, 2022 14:37
To: Thut, Kathleen
Subject: FW: Cape Cod Machine gun Range EPA review

From: Richard Conron [REDACTED]
Sent: Tuesday, March 22, 2022 10:30 AM
To: McCollem, Marlene <mmccollem@townofbourne.com>
Cc: [REDACTED]
Subject: Fwd: Cape Cod Machine gun Range EPA review

Hi Marlene

Here is an updated email I received about the EPA machine gun range evaluation and what they are doing

Begin forwarded message:

[REDACTED]
From: "Belaval, Marcel" <Belaval.Marcel@epa.gov>
Date: March 22, 2022 at 9:21:44 AM EDT
To: [REDACTED]
Cc: "Bender, Emily" <Bender.Emily@epa.gov>
Subject: RE: Cape Cod Machine gun Range EPA review

Hello Mr Conron,

Please find some additional clarifications below.

- 1) SSA = Sole Source Aquifer
- 2) We are reviewing all data and reports available related to the proposed range. This includes relevant scientific studies, monitoring data, revised operation and maintenance plans, and other new information and documents from MassDEP and/or MA Army National Guard. I do not have a detailed list to provide at this time. However, when EPA's draft determination is released it will include a detailed list of the documents reviewed.
- 3) EPA's review for this project is specifically focused on evaluating whether the proposed project has a potential to contaminate the sole source aquifer creating a significant hazard to public health. The review is done in the context of federal law - specifically the federal Sole Source Aquifer program. As part of this evaluation EPA will consider the role of state programs (for example the Massachusetts Environmental Management Commission) in determining whether the project has the potential to contaminate the aquifer.

If you have further questions please feel free to reach out by phone or email.

Thanks
Marcel

Marcel Belaval, PG
Hydrologist, USEPA New England

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: Monday, March 21, 2022 3:44 PM
To: Belaval, Marcel <Belaval.Marcel@epa.gov>
Subject: Cape Cod Machine gun Range EPA review

Hi Marcel

We spoke and exchanged email information about your study.

Can you provide me with more specific details regarding what you are studying/reviewing?

1. What does SSA stand for?
2. What are the specific items that make up your study? Can you give me a detailed list?
3. Do you review existing state and federal laws and regulations that define development over a sole source aquifer?

Thanks

Dick Conron
[REDACTED]

Sent from my iPhone

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



TOWN OF BOURNE

Board of Selectmen

24 Perry Avenue – Room 101
Buzzards Bay, MA 02532-3496
www.townofbourne.com

Phone: 508-759-0600 x1503
Fax: 508-759-0420



APPLICATION FOR THE USE OF TOWN PROPERTY

Individual/Organization American Cancer Society Determination Endurance Series

Address (mailing) PO Box 755 Sagamore Rd Sagamore Beach MA 02562

Home/Business Address 6 Starfish Lane Sagamore Beach MA 02562

Home Telephone # Cell Phone [REDACTED]

Business Telephone # _____

Contact Person Zoe Wright

Email address: [REDACTED]

I (we) request the use of the following town owned property:

Name: Pickleball Courts

Location: Clark Road

Purpose: *** Fundraising for the American Cancer

Please indicate if a tent will be used or food served/available at event

Date(s) July 1, 2022

Time(s)
From 3:00 pm (time first person will arrive)

To 8:00 pm (time last person will leave)

From _____ (time first person will arrive)

To _____ (time last person will leave)

*******Copy of Liability Insurance with town named as additional insured*******
(PLEASE COMPLETE THE REVERSE SIDE OF THIS FORM)

Approval is contingent upon your acceptance of the estimated costs as listed above. If for any reason, you no longer wish to use our facility, please contact us immediately.



Town of Bourne
Interdepartmental Advisory Form



| | |
|--|---|
| Start Date: | 3/4/2022 |
| Owner/Applicant: | American Cancer Society Determination Endurance Series PO Box 755 Sagamore Road, Sagamore Beach, MA 02562 Contact: Zoe Wright [REDACTED] |
| Project Location: | Pickelball Courts - Clark Road |
| Nature of Request: | 7.1.2022 3:00 p.m. - 8:00 p.m. Estimated Attendance: 20 Fundraising for the American Cancer |
| Liability Insurance Naming Town of Bourne as Additional Insured | Has applicant provided insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | | | | | |
|-------------|-----|----------------|--------|------------------|--|
| Map: | 4.3 | Parcel: | 131.00 | District: | |
|-------------|-----|----------------|--------|------------------|--|

☐ **Engineering:**

| | | | | | | | |
|---------------------------|-----|--------------------------------|-----|------------------|-----|-------------------------|-----|
| Date of Recording: | | Lot Area: | | Frontage: | | Zone: | R40 |
| Resource District: | Yes | Town Road: | Yes | Paved: | Yes | Contiguous Lots: | No |
| Flood Zone: | X | Within 100' of Wetland: | No | | | | |

Owner:
Remarks:

3/7/2022 Timothy Lydon
Date Department Head

☐ **Planning Department/Planning Board:** ☐ Concurs ☐ Does Not Concur

Remarks:

3/10/2022 Jennifer Copeland
Date Town Planner

☐ **Conservation Commission:** ☐ Must File ☐ Determination ☐ Notice of Intent
☒ Need not File

Remarks:

3/16/2022 Stephanie Fitch
Date Conservation Agent

☐ **Board of Health:** ☒ Concurs ☐ Does Not Concur

Remarks:

3/17/2022

Terri Guarino

Date

Health Agent

☐ Building Inspector:

☒ Concur

☐ Does Not Concur

Remarks:

3/4/2022

KMurphy/ag

Date

Building Inspector

☐ Sewer Commissioners: ☐ Approved ☐ Disapproved ☒ Not Under Sewer Jurisdiction

Remarks:

3/16/2022

K. Thut/Admin

Date

Department Head

☐ Town Collector:

☐ Outstanding Taxes

☒ Taxes Paid In Full

| | | | | | | | | |
|----|----|--------|----|----|--------|----|----|--------|
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |

Remarks:

3/16/2022

SRM

Date

Town Collector

☐ Town Clerk:

If not corporation has business certificate been issued? ☐ Yes ☒ No

Remarks: Not Applicable

3/4/2022

CCobb

Date

Clerk's Office

☐ Assessors:

This individual has (have) completed the Form of List? ☐ Yes ☒ No

Remarks: na

3/11/2022

JPotter

Date

Assessors Office

☐ Department of Public Works: ☒ Approved ☐ Disapproved ☐ Not Under DPW Jurisdiction

Remarks:

3/25/2022

Matthew Quinn

Date

Department Head

☐ Department of Natural Resources: ☐ Approved ☐ Disapproved ☒ Not Under DNR Jurisdiction

Remarks:

3/4/2022

Chris Southwood

Date

Department Head

☐ Recreation Department: ☐ Concur ☐ Does Not Concur ☒ Not Under Jurisdiction

Remarks:

3/16/2022

Krissanne M. Caron

Date

Department Head

☐ Police Department: ☒ Concur ☐ Does Not Concur ☐ Not Under Police Jurisdiction

Remarks:

3/16/2022

Lt. John R. Stowe Jr.

Date

Department Head

☐ Fire Department: ☒ Concur ☐ Does Not Concur

Remarks:

3/4/2022

David S. Pelonzi, Assistant Chief

Date

Department Head

☐ Town Administrator/Board of Selectmen: ☐ Concur ☐ Does Not Concur

Remarks:

Date

Town Administrator/Board of Selectmen Chairman



SAGABEA-01

DDONOHUE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/24/2022

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 have ADDITIONAL INSURED provisions or 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 The Corcoran & Havlin Insurance Group 287 Linden Street Wellesley, MA 02482 | CONTACT NAME: | |
| | PHONE (A/C, No, Ext): (781) 235-3100 | FAX (A/C, No): (781) 235-1622 |
| | E-MAIL ADDRESS: | |
| | ADDRESS: | |
| INSURER(S) AFFORDING COVERAGE | | NAIC # |
| INSURER A: Philadelphia Indemnity Insurance Company | | 18058 |
| INSURED Sagamore Beach Colony Club P. O. Box 417 Sagamore Beach, MA 02562 | INSURER B: | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |

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.

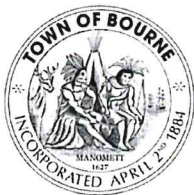
| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: | X | | PHPK2318013 | 9/2/2021 | 9/2/2022 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | | | PHPK2318013 | 9/2/2021 | 9/2/2022 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| A | <input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 | | | PHUB782817 | 9/2/2021 | 9/2/2022 | EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | | | | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| A | Liquor Liability | | | PHPK2318013 | 9/2/2021 | 9/2/2022 | Per Occurrence 1,000,000 |
| A | Liquor Liability | | | PHPK2318013 | 9/2/2021 | 9/2/2022 | Aggregate 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate Holder is included as an Additional Insured with respects to the General Liability when required by written contract and subject to policy terms and conditions.

CERTIFICATE HOLDER

CANCELLATION

| | |
|---|--|
| Town of Bourne Attn: Nancy Sunderman Selectman's Office 24 Perry Avenue Buzzards Bay, MA 02532-3441 | 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 |



TOWN OF BOURNE

Board of Selectmen

24 Perry Avenue 2nd Room 101
Buzzards Bay, MA 02532-3496
www.townofbourne.com

Phone: 508-759-0600 x1503
Fax: 508-759-0420



APPLICATION FOR THE USE OF TOWN PROPERTY

Individual/Organization: Best Buddies International

Address (mailing): 96 Partridge Cir. Taunton MA 02780

Home/Business Address: [REDACTED]

Home Telephone # [REDACTED]

Business Telephone # 305 374 2233

Contact Person: Paul Curley

Email address: [REDACTED]

I (we) request the use of the following town owned property:

Name: 4.7 Miles of town roads (route notes included)

Location: Crossing Sagamore Bridge

Purpose: *** 23rd Annual 100 mile bicycle ride from Boston to Cape Cod

____ No Tents, No stops in Bourne

Please indicate if a tent will be used or food served/available at event

Date(s) June 4, 2022

Time(s)

From 10am _____ (time first person will arrive)

To 2pm _____ (time last person will leave)

From same _____ (time first person will arrive)

To same _____ (time last person will leave)

*******Copy of Liability Insurance with town named as additional insured*******
(PLEASE COMPLETE THE REVERSE SIDE OF THIS FORM)

I (we) agree to pay the Town of Bourne a fee, if required, for use of such facilities

Estimated Attendance 500

Will the affair be policed? Yes

Will admission be charged: No

Signed _____

Identification Presented Drivers License

HOLD HARMLESS AGREEMENT

It is agreed by Best Buddies International

Hereinafter called the Organization, that the Town of Bourne be absolved of any and all liability brought about by actions of the participants and/or patrons of the organization while using the facilities of the Town of Bourne for the purpose of

Fundraiser cycling event

It is further agreed that the Organization accepts responsibility for any and all damages caused by the participants and/or patrons of the Organization that are determined to be above and beyond what is considered normal wear and tear of the facilities.

Signature of Organization _____

Printed Name Paul Curley _____

Title Route Manager **Dated** 2/11/2022

FOR TOWN ADMINISTRATOR'S USE ONLY

Estimated Facility Costs _____

Total Estimated Costs _____

APPROVED _____ **NOT APPROVED** _____

Town Administrator

Marlene McCollem
Town Administrator

Approval is contingent upon your acceptance of the estimated costs as listed above. If for any reason, you no longer wish to use our facility, please contact us immediately.

BEST BUDDIES CHALLENGE.
HYANNIS PORT

February 10, 2022

Bourne Town Hall

Re: Best Buddies Challenge: Hyannis Port

Dear Town Official,

The 23rd annual *Best Buddies Challenge: Hyannis Port* is set to take place **Saturday, June 4, 2022**. This is the annual fund raising event that will raise money for Best Buddies International. Best Buddies is a nonprofit 501(c)(3) organization dedicated to establishing a global volunteer movement that creates opportunities for one-to-one friendships, integrated employment and leadership development for people with intellectual and developmental disabilities (IDD).

The Best Buddies Challenge - Hyannis Port is a 100 mile long bicycle ride starting in Boston and finishing at Craigville Beach in Hyannis Port. We also have a 50 mile start in Carver and a 20 mile start in Sandwich. Through my involvement with this event over the last eighteen years I recognize the support your communities offer to the safety of our ride. I have enclosed our route information regarding your town and we greatly appreciate your continued help. Police details are marked in the police column of the route notes and, as in the past, I will work with each department to hire the appropriate number of officers as we get closer to the event. The number of riders participating in this event has been approximately 250 at the 100 mile; 250 at the 50 mi. and 250 at the 20 mi. The cyclists will travel at their own pace; riders are required to wear helmets and abide by the rules of the road. We plan to follow all Covid-19 guidelines put in place by the CDC, state, city and other local agencies to keep everyone safe.

Should you have any questions or concerns, please contact me by phone at (508) 942-4621, email at curleypwts@aol.com, or mail to Paul Curley, 96 Partridge Cir. Taunton MA 02780. Please **sign this letter** acknowledging your awareness of our event and return it by March 15, 2022 so I may acquire the proper permitting from MADOT.

Thank you,

Paul Curley
Route Manger

Signature

Please print your name and title

Date

2022 Best Buddies Challenge

| <u>Go</u> (Mile) | <u>To</u> (Mile) | <u>Traffic</u> Signs | <u>Police or</u> Marshall | Direction | Location (roads of travel in Bold Italic) | Landmarks | <u>Approx</u> <u>Arrival</u> <u>Fastest</u> | <u>Approx</u> <u>Arrival</u> <u>Slowest</u> |
|---------------------|---------------------|-------------------------|------------------------------|------------|--|----------------------------|---|---|
| BOURNE: | | | | | | | | |
| 0.4 | 74.2 | | P | bear left | onto Old Plymouth Rd at Scusset Fish Pier sign | Rte 3A, straight | | |
| 2.4 | 76.6 | ss | M-1 | straight | across Scusset Beach Rd/ Meetinghouse Ln | | | |
| 0.1 | 76.7 | | M-3 | right | onto Hunters Brook Rd | quick | | |
| 0.3 | 77.0 | ss | | right | onto Canal Rd along Cape Cod Canal | Sagamore Recreation Area | | |
| 0.2 | 77.2 | | M-1 | | use sidewalk on left for Sagamore Bridge crossing | at Friendly Ice Cream | 10:20 AM | 1:57 PM |
| 0.1 | 77.3 | | M-1 | straight | up left sidewalk of Sagamore Bridge...walk bike! | walk over bridge per BPD | | |
| 0.6 | 77.9 | | | bear left | off bridge thru guardrail cut for Christmas Tree Shop | | | |
| 0.1 | 78.0 | T | P | right | onto Adams St | | | |
| 0.0 | 78.0 | T | P | left | onto Cranberry Hwy | 4 lane road | | |
| 0.5 | 78.5 | | | straight | on Cranberry Hwy | Ben Abbey Rd | | |
| 0.4 | 78.9 | | M-3 | bear right | on S. Sandwich Rd/ Rte 6A East | rejoin old route | | |
| SANDWICH: | | | | | | | | |
| 0.3 | 79.2 | | | | continue on Rte 6A | | | |
| 0.2 | 79.4 | | P | left | onto Tupper Rd | town line/Rt 130 on right | | |
| 1 | 80.4 | | M-2 | right | onto Merchants Rd | | 10:28 AM | 2:12 PM |
| 0.2 | 80.6 | | P | right | into CVS - Rest stop #5, 20 MILE RIDE START (10:30am) | | | |
| 0 | 80.6 | | M-2 | left | onto Merchants Rd | | | |
| 0.2 | 80.8 | ss | M-1 | right | onto Tupper Rd | | | |
| 0.4 | 81.2 | L | P | straight | on Tupper Rd | Sandwich Rd/Rt 6A | | |
| 0.3 | 81.5 | ss | P | left | onto Main St/Rt 130 (South) | Town Hall, First Church | | |
| 1.2 | 82.7 | L | M-2 | straight | on Rt 130 | ramp to Rte 6 West (right) | | |
| 0.1 | 82.8 | L | M-2 | straight | on Rt 130 | ramp to Rte 6 East (right) | | |
| 0.5 | 83.3 | | P | left | onto Service Rd | | | |
| 2.1 | 85.4 | ss | P | straight | on Service Rd | at Quaker Meetinghouse Rd | | |
| 0.2 | 85.6 | | | straight | on Service Rd | Sandwich Hollows Golf | | |
| 1.9 | 87.5 | ss | P | straight | on Service Rd | at Chase Rd | | |



Town of Bourne
Interdepartmental Advisory Form



| | |
|--|---|
| Start Date: | 2/11/2022 |
| Owner/Applicant: | Best Buddies Challenge Paul Curley, Route Mgr. 96 Partridge Circle, Taunton, MA 02780 [REDACTED] |
| Project Location: | Town Roads-In Town of Bourne riding on Old Plymouth Road - Meetinghouse Lane - Hunters Brook Road - Canal Road - dismount and walk bike over Sagamore Bridge, thru guardrail cut for Christmas Tree Shop onto Adams Street - Cross Cranberry Highway and travel Cranberry Highway to Sandwich Road - 6A to Town of Sandwich |
| Nature of Request: | 23rd Annual Best Buddies Challenge - Benefit Bike Ride Use of Town Roads Saturday - June 4, 2022 Estimated attendance: 250 at the 100 mile; 250 at the 50 mile; 250 at the 20 mile Route separate PDF file |
| Liability Insurance Naming Town of Bourne as Additional Insured | Has applicant provided insurance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

| | | | | | |
|-------------|--|----------------|--|------------------|--|
| Map: | | Parcel: | | District: | |
|-------------|--|----------------|--|------------------|--|

☐ **Engineering:**

| | | | | | | | |
|---------------------------|--|--------------------------------|--|------------------|--|-------------------------|--|
| Date of Recording: | | Lot Area: | | Frontage: | | Zone: | |
| Resource District: | | Town Road: | | Paved: | | Contiguous Lots: | |
| Flood Zone: | | Within 100' of Wetland: | | | | | |

Owner:
Remarks:

2/11/2022 Timothy P Lydon
Date Department Head

☐ **Planning Department/Planning Board:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

2/11/2022 Jen Copeland
Date Town Planner

☐ **Conservation Commission:** ☐ **Must File** ☐ **Determination** ☐ **Notice of Intent**
☒ **Need not File**

Remarks:

2/11/2022 Stephanie Fitch
Date Conservation Agent

☐ **Board of Health:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

2/14/2022 Kaitlyn Shea
Date Health Agent

☐ **Building Inspector:** ☒ **Concurs** ☐ **Does Not Concur**

Remarks:

2/14/2022 K Murphy/ag
Date Building Inspector

☐ **Sewer Commissioners:** ☐ **Approved** ☐ **Disapproved** ☒ **Not Under Sewer Jurisdiction**

Remarks:

3/23/2022 K. Thut/Admin
Date Department Head

☐ **Town Collector:** ☐ **Outstanding Taxes** ☒ **Taxes Paid In Full**

| | | | | | | | | |
|----|----|--------|----|----|--------|----|----|--------|
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |
| FY | RE | \$0.00 | FY | RE | \$0.00 | FY | RE | \$0.00 |

Remarks: N/A

3/11/2022 A Dastous
Date Town Collector

☐ **Town Clerk:**
If not corporation has business certificate been issued? ☐ **Yes** ☒ **No**

Remarks: NOT APPLICABLE

3/11/2022 CCOBB
Date Clerk's Office

☐ **Assessors:**
This individual has (have) completed the Form of List? ☐ **Yes** ☐ **No**

Remarks: na

2/11/2022 JPotter
Date Assessors Office

☐ Department of Public Works: ☒ Approved ☐ Disapproved ☐ Not Under DPW Jurisdiction

Remarks:

3/25/2022

Matthew Quinn

Date

Department Head

☐ Department of Natural Resources: ☐ Approved ☐ Disapproved ☒ Not Under DNR Jurisdiction

Remarks:

2/14/2022

Chris Southwood

Date

Department Head

☐ Recreation Department: ☐ Concurs ☐ Does Not Concur ☒ Not Under Jurisdiction

Remarks:

2/14/2022

Krissanne M. Caron

Date

Department Head

☐ Police Department: ☒ Concurs ☐ Does Not Concur ☐ Not Under Police Jurisdiction

Remarks: Event organizers must contact police administration four (4) weeks prior to event to review route and determine police details.

2/14/2022

Lt. John R. Stowe Jr.

Date

Department Head

☐ Fire Department: ☒ Concurs ☐ Does Not Concur

Remarks:

2/11/2022

David S. Pelonzi, Assistant Chief

Date

Department Head

☐ Town Administrator/Board of Selectmen: ☐ Concurs ☐ Does Not Concur

Remarks:

Date

Town Administrator/Board of Selectmen Chairman



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/09/2021

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 have ADDITIONAL INSURED provisions or 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 Mark Edward Partners LLC 505 Park Ave. New York NY 10022 | CONTACT NAME: Barry Zimberg PHONE (A/C, No, Ext): (212) 355-5005 FAX (A/C, No): (212) 813-8085 E-MAIL ADDRESS: bjz@markedwardpartners.com INSURER(S) AFFORDING COVERAGE INSURER A: AmGUARD Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F: | NAIC # 42390 |
| INSURED Best Buddies International, Inc. 100 Southeast Second Street Suite 2200 Miami FL 33131 | | |

COVERAGES

CERTIFICATE NUMBER: CL2163010433

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 INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | C1GP201869 | 06/30/2021 | 06/30/2022 | EACH OCCURRENCE \$ 1,000,000 |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 |
| | | | | | | | MED EXP (Any one person) \$ 5,000 |
| | | | | | | | PERSONAL & ADV INJURY \$ 1,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE \$ 3,000,000 |
| | <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC | | | | | | PRODUCTS - COMP/OP AGG \$ 3,000,000 |
| | OTHER: | | | | | | Policy Aggregate: \$ 10,000,000 |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ |
| | <input type="checkbox"/> ANY AUTO | | | | | | BODILY INJURY (Per person) \$ |
| | <input type="checkbox"/> OWNED AUTOS ONLY | | | | | | BODILY INJURY (Per accident) \$ |
| | <input type="checkbox"/> HIRED AUTOS ONLY | | | | | | PROPERTY DAMAGE (Per accident) \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS | | | | | | \$ |
| | <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | | | | |
| | UMBRELLA LIAB | | | | | | EACH OCCURRENCE \$ |
| | EXCESS LIAB | | | | | | AGGREGATE \$ |
| | <input type="checkbox"/> OCCUR | | | | | | \$ |
| | <input type="checkbox"/> CLAIMS-MADE | | | | | | |
| | DED | | | | | | |
| | RETENTION \$ | | | | | | |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | PER STATUTE |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | | | | | | OTH-ER |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. EACH ACCIDENT \$ |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE \$ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT \$ |

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

RE: Best Buddies Hyannis Port Challenge Oct. 2 2021

The certificate holder is included as an additional insured as required by written contract, subject to the terms and conditions of the policy

CERTIFICATE HOLDER

CANCELLATION

| | |
|--|---|
| Town of Bourne 24 Perry Ave Buzzards Bay MA 02532 | 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 Mark Edward Partners LLC |
|--|---|

© 1988-2015 ACORD CORPORATION. All rights reserved.

ARTICLES OF THE WARRANT

**FOR THE
BOURNE SPECIAL**

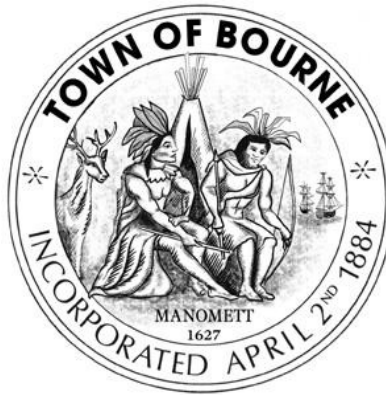
and

ANNUAL TOWN MEETING

Monday, May 2, 2020

7:00 P.M.

Bourne High School Auditorium



ARTICLE INDEX
2022

SPECIAL TOWN MEETING

1. Unpaid Bills
2. Amend ISWM Enterprise Fund – pilot leachate program
3. Amend DPW capital project for Old Bridge Road
4. Supplemental budget for environmental remediation at the Community Building
5. Insert Departmental Revolving Funds into the General Bylaws

ARTICLE INDEX
2022
ANNUAL TOWN MEETING

1. Annual Consent Article
2. Regular Annual Expenses – Fiscal Year 2023 Budget
3. Sewer Enterprise Budget
4. ISWM Enterprise Budget
5. Capital Budget – Fiscal Year 2023
6. Committee Reports
7. Close Out and Transfer Balances
8. Community Preservation Fund Projects
9. Community Preservation Committee - Administrative & Operating Expenses
10. Stabilization Fund
11. Capital Stabilization Fund
12. Human Services Grant Program
13. Special Education Reserve Fund
14. A – Withdrawn
B – Withdrawn
15. Salary Reserve for IAFF Contract
16. Withdrawn
17. Special Legislation – Establish a “Shellfish Mitigation Fund”
18. Amend Bylaw 3.1.28 – Temporary Repairs of Private Ways
19. Establishment of an Adult Education Revolving Fund

Special Town Meeting

ARTICLE 1: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of the payment of unpaid bills from a previous fiscal year, in accordance with G.L. c. 44, § 64, or take that are legally unenforceable due to the insufficiency of appropriation or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from available funds including but not limited to the Integrated Solid Waste Management (ISWM) Enterprise Fund retained earnings, a sum of money for the purpose of funding an amendment to **Article 6** voted at the November 16, 2020 Special Town Meeting for the purpose of funding development, installation and operational costs associated with a Pilot Leachate Treatment System to be installed at the ISWM Facility, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding an amendment to **Article 9** voted at the October 27, 2014 Town Meeting for the purposes of construction, reconstruction, preservation, maintenance, and improvement, related to the repair and replacement of the roadway and retaining wall, and all infrastructure related thereto, on Old Bridge Road in Buzzards Bay, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of assessing, monitoring, regulatory reporting, clean up and remediation, pursuant to G.L. c. 21E, in connection with 229-239 Main Street or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 5: To see if the Town will vote to amend the Town of Bourne Bylaws by inserting a new Article 2.10 for the purpose of establishing departmental revolving funds under authority of G.L. c. 44, § 53E½, as amended by Section 86 of Chapter 218 of the Acts of 2016, as follows:

Article 2.10 Departmental Revolving Funds

Pursuant to chapter 44, section 53E½ of the General Laws, the following departmental revolving funds are hereby established and authorized for use by Town departments, boards, committees, or officers in connection with the operation of programs or activities that generate fees, charges, or other receipts to support all or some of the expenses of those programs or activities:

| Revolving Fund | Department Board, Committee, or Officer Authorized to Spend from Fund | Fees, Charges, or Other Receipts Credited to Fund | Program or Activity Expenses Payable from Fund | Other Requirements / Reports |
|--------------------------|--|--|--|-------------------------------------|
| Recreation Programs Fund | Recreation Department with the Approval of the Town Administrator | All fees charged for all programs run by the Recreation Department | Purchase and acquire recreational equipment and materials; part-time seasonal staff for seasonal recreational programs | None |
| Shellfish | Department of Natural Resources with the | Fees for commercial | Part-time salaries & expenses related to the | None |

| | | | | |
|--------------------------------------|--|--|---|------|
| Propagation Fund | Approval of the Town Administrator | shellfish licenses | propagation, cultivation, protection, and study of shellfish | |
| Transportation Revolving Fund | School Department with the approval of the School Committee | Fees for transportation services | Expenses, including salaries, for the provision of school transportation services | None |
| Public Library Book Fund | Library with the approval of the Town Administrator | Fines and fees charged for overdue, lost, or damaged materials | Purchase of new or replacement books and materials | None |
| COA Supportive Day/Bridging he Years | COA with the approval of the Town Administrator | Fees and charges received from clients for program services | Expenses for and related to providing supportive day programs | None |
| COA Programs | COA with the approval of the Town Administrator | Fees and charges from COA classes and programs | Expenses, including instructor fees and salaries, for programs offered | None |
| Community Building Rental Fund | Recreation Director with the approval of the Town Administrator | Building rental fees | Expenses, including part-time salaries, related to building rentals | None |
| Tax Title Collection Fund | Town Collector/ Treasurer, with the approval of the Town Administrator | Fees from tax title takings, redemptions, and foreclosures | Expenses related to tax title takings, redemptions, and foreclosures | None |

or take any other action relative thereto.

Sponsor – Board of Selectmen

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 – Board of Selectmen

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 Selectmen 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 Board of Selectmen 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 Board of Selectmen (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 Board of Selectmen, 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 Board of Selectmen, 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, 2022-as follows:
 - a. Town Moderator: **\$644**
 - b. Selectmen 4 @ \$3,570 for total of **\$14,280**
 - c. Selectman (Chair) 1 @ \$4,590 for a total of **\$4,590**
 - d. Town Clerk: **\$44,565**

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 D.P.W. Superintendent, with the approval of the Board of Selectmen.
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, 2022, as follows:

| Revolving Fund | FY 2023 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 upon retirement**.

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 – Board of Selectmen

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 – Board of Selectmen

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the **Fiscal Year 2023 Capital Budget**, or take any other action in relation thereto.

Sponsor – Capital Outlay Committee and Board of Selectmen

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 – Board of Selectmen

ARTICLE 7: To see if the Town will vote to close out and transfer available balances in previous Town Meeting Articles whose purposes have been satisfied or take any other action in relation thereto.

Sponsor – Board of Selectmen/Community Preservation Fund

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 FY2023 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

Sponsor – Board of Selectmen

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 – Board of Selectmen

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 – Board of Selectmen

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 – Board of Selectmen

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 – Board of Selectmen

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 – Board of Selectmen

ARTICLE 14A: Withdrawn

ARTICLE 14B: Withdrawn

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to provide for wage, salary and other cost of living adjustments for Town employees following an agreement between Local Union 1717, International Association of Fire Fighters and the Town of Bourne, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 16: Withdrawn

ARTICLE 17: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth for passage of special legislation allowing for the Town to establish a Shellfish Mitigation Receipts Reserved for Appropriation Fund “Shellfish Mitigation Fund” for monies to be deposited from mitigation funds obtained by the Bourne Conservation Commission for projects impacting public waterways and shellfish habitats, and further, that said fund shall be used exclusively for shellfish resource enhancements, shellfish habitats or capital improvements, or take any other action in relation thereto.

Sponsor – Department of Natural Resources and Conservation Department

ARTICLE 18: To see if the Town will vote to amend the Town of Bourne Bylaws, Article 3.1 Public Safety and Good Order, Section 3.1.28 – Temporary Repairs of Private Ways, by deleting the current section 3.1.28 and inserting in its place Section 3.1.28 – Temporary Repairs of Private Ways as follows:

In accordance with chapter 40, section 6N of the General Laws, the purpose of this bylaw is to set forth the level of service the Town will provide for temporary repairs to private ways that have not been accepted by the Town but have been continuously open to public use for six years and which will remain open to public use. Private ways posted as restricted in use to owners and/or their guests will not be maintained under this bylaw.

- A. Owners Responsible for Private Ways. The owners abutting private ways are responsible for the maintenance of such ways. Constructed private ways must be maintained so there are no defects to impede the safe passage of emergency vehicles. The making of temporary repairs to private ways by the Town pursuant to this section 3.1.28, no matter how often or to what extent, shall not constitute acceptance, maintenance, or use of such a way or any portion thereof as a public way.
- B. Emergency Temporary Repairs. The Town may perform emergency temporary repairs to private ways if such repairs are determined by the Superintendent of Public Works, in consultation with the Police Chief and/or Fire Chief, to be required to correct a defect or condition that impairs the safe transit of public safety vehicles or poses an imminent and substantial risk to the public safety. Said repairs shall be considered a public necessity and shall be limited to abating the immediate hazard caused by the defect or condition. . Defects, such as potholes, shall be repaired with materials similar to the road surface and base.
- C. Temporary Repairs. For all repairs that are not emergency repairs pursuant to subsection b, said repairs shall be undertaken only if petitioned for by the abutters who own at least 50% of the lineal footage of such way and only if the Board of Selectmen shall declare that said repairs are required by the public necessity and convenience. The cost of such repairs shall be paid by the abutters by a cash deposit or by betterment assessment as hereinafter provided, and no work shall commence unless and until such cash deposit in the amount of the estimated cost of such repairs as determined by the Superintendent of Public Works to do the work is paid over to the Town or the Board of Selectmen have made a determination that betterments will be assessed. If the Selectmen determine that betterments will be assessed, the Selectmen shall assess betterments upon the owners of estates which derive particular benefit or advantage from the making of such repairs on any such private way. Such assessment shall be a sum equal, in the aggregate, to the total cost of such repairs and, in the case of each such estate, in proportion to that frontage thereof of such way. Except as otherwise provided, the provisions of Chapter 80 of the General Laws relating to public improvements and assessments therefor shall apply to repairs to private ways ordered to be made under this section; provided, that no assessment amounting to less than twenty-five dollars shall be apportioned and no assessment may be apportioned into more than five portions. Before any work commences, the Town shall be held harmless on account of any damages whatever

caused by such repairs by suitable indemnity agreements executed by the abutters who petitioned therefor.

- D. Scope of Authorized Temporary Repairs. The scope of temporary repairs that may be authorized pursuant to this section 3.1.28 include and are limited to: (1) filling or patching of potholes or cracks; (2) grading and leveling of surfaces; (3) oiling and tarring of road surfaces and the covering of the oil or tar with sand or gravel; (4) installation of guardrails or other infrastructure; (5) installation of stormwater drainage infrastructure; (6) cleaning of catch basins and drainage structures; (7) skim coating or armor coating of road surfaces; (8) reconstructing a way, including the removal of roadway surface and the regarding and installation of fill and roadway surface materials, including asphalt and concrete; and (9) any other temporary repair that the Superintendent of Public Works determines to be necessary to protect the public health, safety, or welfare.
- E. Liability of the Town. The Town shall not be liable for any damage or injury related to any defect or condition in a private way, or any temporary repairs or failure to make such repairs pursuant to this section 3.1.28 or otherwise. Subsequent repair or failure to make repairs to private ways. In any legal action brought against the Town for damages or injury to persons or property suffered by reason of a defect or want of repair in a private way that has been so repaired, the Town may deny that the repaired way is a public way.

Sponsor – Board of Selectmen

ARTICLE 19: To see if the Town will vote to accept the provisions of G.L. c. 71, § 71E relative to establishing a revolving fund for adult education and continuing education programs to be conducted by the Bourne Public Schools or take any other action in relation thereto.

Sponsor – School Committee

Board of Selectmen
Minutes of Tuesday, February 15, 2022
Zoom Remote – Public Access

ATA Glenn Cannon

Board of Selectmen

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

Others: Marlene McCollem, Shawn Patterson, Renée Gratis, Chris Southwood, Michael Rausch, Jerry Hill, Dave Pelonzi, James Fitzgerald, Barry Johnson, Paul Forsberg, Richard Libin, Ken Murphy, Trish Donegan, Margot Schoenfelder (7:29), Ken Cirillo (7:30).

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

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099 Meeting ID: 838 5485 5223 Password: 563385.**

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

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

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

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

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

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

5. Public Comment on Non-Agenda Items

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

6. Deliberation and potential vote on the terms and execution of a Town Administrator employment agreement for Marlene McCollem.

Chair Meier said that the Board of Selectmen met in Executive Session earlier this evening to go over some concerns with respect to the employment agreement, and they were able to come to an agreement on those terms. Chair Meier introduced Marlene McCollem as the new Town Administrator and asked her to say hello. Marlene McCollem said she looks forward to joining the team and getting started.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the terms of an employment agreement as negotiated with Ms. Marlene McCollem for the position of Town Administrator and execute the employment agreement between the Town of Bourne and the Town Administrator effective for the term beginning on February 28th, 2022, concluding on June 30th, 2025.

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

Vote: 5-0-0.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to approve a residency exemption for Ms. Marlene McCollem as Town Administrator pursuant to the provisions of section 4-1 of the Town of Bourne Home Rule Charter allowing Ms. McCollem to reside outside of the Town of Bourne for the duration of her service as Town Administrator.

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

Vote: 5-0-0.

Chair Meier welcomed Marlene McCollem to the Town, and Town Clerk Barry Johnson did also.

7. Approval of Minutes: 1/4/22

Voted: Mary Jane Mastrangelo moved, and George Slade seconded to approve the minutes of January 4, 2022.

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

Vote: 4-0-1.

8. Appointments and Licenses

- a. Discussion and possible vote to appoint Paul Forsberg to the Shore and Harbor Committee.

- b. **Discussion and possible vote to approve the application for Adrienne Wytas on behalf of Habitat for Humanity 5th Annual Ride for Homes on September 11, 2022, from 6:00 a.m. to 2:00 p.m. from Bourne to Falmouth and back.**
- c. **Discussion and possible vote to approve the Annual Cliff Walk Event Fundraise for ALS – September 11, 2022 – 7:30 a.m. to 4:00 p.m. – Buzzards Bay Park – Mary Ann Singersen.**

8.a. Discussion and possible vote to appoint Paul Forsberg to the Shore and Harbor Committee.

Paul Forsberg said that since he retired from the Fire Department 3 years ago, he has been looking for a way to get back into Town government. He said he served on the Recreation Authority for fifteen years and he would appreciate the opportunity to serve again, and his passions are related to the shoreline.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded, to appoint Paul Forsberg to the Shore and Harbor Committee for the term ending on June 30, 2023.

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

Vote: 5-0-0.

8.b. Discussion and possible vote to approve the application for Adrienne Wytas on behalf of Habitat for Humanity 5th Annual Ride for Homes on September 11, 2022, from 6:00 a.m. to 2:00 p.m. from Bourne to Falmouth and back.

Judy Froman had some questions about the route. She thinks it is a great idea and she wants to make sure everyone is safe along the route. Chair Meier said it has been his experience that the Police Department will meet with the organization two months and one month before the ride to go over any concerns. Jared MacDonald confirmed that the Police Department gives a good look at the event to be held.

George Slade said that he thinks they need some more items, like insurance, that need to be checked off, and he thinks it should be re-visited. Chair Meier said this item could go on the agenda for March 1st and ask them to come before the Board to talk about this ride. Judy Froman said she would like to have them come in and although she fully supports the cause she would like confirmation from the police saying that the route doesn't have any trouble areas. Mary Jane Mastrangelo said she would like to have the insurance clarified. She also would like the routing slip that says that the police are going to meet with them to approve the route.

Voted: George Slade moved, and Judy Froman seconded, to defer action on the application for Adrienne Wytas on behalf of Habitat for Humanity 5th Annual Ride for Homes on September 11, 2022, from 6:00 a.m. to 2:00 p.m. from Bourne to Falmouth and back.

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

Vote: 5-0-0.

8.c. Discussion and possible vote to approve the Annual Cliff Walk Event Fundraise for ALS – September 11, 2022 – 7:30 a.m. to 4:00 p.m. – Buzzards Bay Park – Mary Ann Singersen.

Chair Meier said that this event has been happening for a long time and it is a great event and there have never been any issues. Acting Town Administrator Glenn Cannon confirmed that there have never been any issues. Chair Meier said he has been assured that everything is all set for this event. Ms. Mastrangelo said she doesn't see that they have insurance. Chair Meier said that this event should be deferred until next month as well.

Voted: Judy Froman moved, and Jared MacDonald seconded, to defer action on the application of Mary Ann Singersen on behalf of ALS use of the Buzzards Bay Park as a staging area for a seven (7) mile walk along the Cape Cod Canal service road setting up on September 10, 2022, from 9:00 AM to 4:00 PM with the walk occurring on September 11, 2022, from 7:30 AM to 4:00 PM

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

Vote: 5-0-0.

9. Selectmen's Business

- a. **Discussion and possible vote relative to committee agenda posting on the town website. Town Clerk, Barry Johnson will address the Board of Selectmen on the preferred method to post committee agendas on the town website.**
- b. **Discussion and possible vote relative to the potential to amend Town Bylaw 3/1/28 Repair of Private Roads.**
- c. **Discussion and possible vote relative to requesting formal access over the railroad tracks at Monument Beach from MassDOT.**
- d. **Presentation by Rich Libin of the Shore and Harbor Committee and Chris Southwood, the Natural Resources Director relative to dredging of the Pocasset River.**
- e. **Calamar Construction update (The Tides at Bourne).**
- f. **Discussion and possible vote relative to the Barlow's Landing Road/Shore Road intersection improvements proposed by the Transportation Engineering firm (Environmental Partners). Jim Fitzgerald will give a presentation relative to transportation improvement at the intersection.**

9.a. Discussion and possible vote relative to committee agenda posting on the town website. Town Clerk, Barry Johnson will address the Board of Selectmen on the preferred method to post committee agendas on the town website.

Barry Johnson, Town Clerk, is requesting that the Board of Selectmen vote to issue a Board of Selectmen certificate stating clearly that all boards and town committees' meetings are to be posted on the main meeting calendar. He is bringing this forward because recently he ran into a rash of incidences where the meetings and agendas are not being posted on the main calendar and are posted under their own committee or through another board. He said that the postings of agendas in the Town should be uniform and the directive should come from the Board of Selectmen.

Chair Meier asked Mr. Johnson if he thought a certificate of vote would be sufficient and he said yes because the Town will follow the directive of the Board of Selectmen. Ms. Froman said she

fully supports consistency, and she wants to know who uploads and updates that calendar. Mr. Johnson said that it is spread out throughout the organization in certain cases. He said that access to the main calendar is directed from the Board of Selectmen and Administrative Office. Ms. Mastrangelo said that she thinks it is important the meetings get posted at the Town Clerk's office and on the main calendar on the website. She said that one of the issues that the Town has had with posting on the website is that it is a very complex process. There was more discussion about where agendas should be posted.

Ms. Froman said that she recommends that there is a protocol, including steps and training, and having agendas linked from the main calendar to the committee's own page. Mr. MacDonald said that he thinks a written required process needs to be posted.

Voted: Judy Froman moved, and Jared MacDonald seconded, to defer the decision for a central location for the meeting posts being on the calendar to the March 1, 2022, agenda following the discussion and outline of what the process would be and to have it discussed at the March meeting to post that process.

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

Vote: 5-0-0.

9.b. Discussion and possible vote relative to the potential to amend Town Bylaw 3.1.28 Repair of Private Roads.

Ms. Mastrangelo said that the Board of Selectmen policy subcommittee started the discussion in early February. She said although Shawn Patterson was unable to attend, they made a lot of progress. They drafted a bylaw which was sent to the Board and to Town Counsel. Town Counsel then made some adjustments to the bylaw, then they took it to the Bylaw Committee. There was a suggestion to make a slight change by Interim Director of Police Services, Paul Shastany and the Bylaw Committee was fine with the change. This change was under emergency temporary repairs that instead of saying "if such repairs are determined by the Superintendent of Public Works to be required to correct a defect or condition" that it be "are determined by the Superintendent of Public Works in consultation with the Police Chief and/or the Fire Chief".

Voted: Mary Jane Mastrangelo moved, and Judy Froman seconded, to support the amended Town Bylaw 3.1.28 Repair of Private Road as presented with the additional wording "in consultation with the Police Chief and/or the Fire Chief" and direct the Acting Town Administrator to prepare an Article for the Town Warrant relative to the amended Town Bylaw 3.1.28, subject to final approval by Town Counsel.

Mr. Slade asked if this will be a requirement and he doesn't want to make a requirement that shouldn't be. Ms. Mastrangelo suggests that they try it because "in consultation" is loosely worded as to not say "with approval of".

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

Vote: 5-0-0.

9.c. Discussion and possible vote relative to requesting formal access over the railroad tracks at Monument Beach from MassDOT.

Chair Meier said the only deep-water access at this point is at Barlow's Landing Road. He wants to see if there is a way for people to have access so they can use the new boat ramp at Monument Beach. Mr. Cannon added that as they are working on the Bourne Rail Trail and that more and more requirements have come in from MassDOT to fix the rail line and not just the bike path. He suggested that the Board have a discussion with Trish Donegan from VHB as she has a lot of experience with this and could answer any questions that the Board may have.

Mr. MacDonald said he has a lot of concerns with this, including turning radius and parking. He does not feel that it is a matter of fairness where the deep water is. Ms. Mastrangelo said that they should approach this cautiously and with goals in mind.

Trish Donegan said she has been working with MassDOT on the Bourne Rail Trail project. She said she also has been working with Jacobs Engineering, which is the Railroad Division on-call consultant to talk about access over the railroad. One of the things that they are interested in is evaluating all the crossings, including this one. She said the town does have permission for emergency and pedestrian crossing at this location, and the Town can ask for a formal request from the Railroad Division to make this a formal crossing. Regarding the traffic, the Town could have the access point at an hourly or daily access, for example, there could be access for launching boats at 6:00 AM.

Ms. Donegan also said that in terms of improvements for the access, and the turning points, she would do a sketch by taking the largest vehicle and largest vehicle plus boat that would be using this location to Shore Road and from the parking lot out to Shore Road to make sure that the access point was wide enough to accommodate that vehicle and trailer configuration. They would also look at the parking circulation in the area.

Ms. Donegan said that for the Rail crossing itself, MassDOT required a Diagnostic Team Review, which means that there would be Town emergency officials, the Railroad Division, FRA, and the operator and they would evaluate what improvements would be required for the intended future use.

Chair Meier said the process should be started to do a feasibility study. Mr. Slade said that he agrees. Natural Resource Director Chris Southwood said that safety is the number one concern for him. He said that they have used the tracks for emergency use and dredging. He said a feasibility study would be the right direction to go in, and he said it would impact the parking. Mr. Cannon said that if they were to move forward with a feasibility study, then there would most likely need to be a separate contract with VHB.

Ms. Mastrangelo said that she has concerns with the proposed bylaw at Barlow's Landing and she thinks they need to look at the whole picture so that boats have access and can launch safely. Ms. Froman agrees with Ms. Mastrangelo, and she also wants to wait until they know what a feasibility study would cost before moving forward with it. Chair Meier said that this should be in front of

the Capital Outlay Committee once the costs would be known. Mr. Cannon said he could work with Trish Donegan to see if estimated costs could be determined. Chair Meier said no decisions will be made tonight and at least the discussion has been started.

9.d. Presentation by Rich Libin of the Shore and Harbor Committee and Chris Southwood, the Natural Resources Director relative to dredging of the Pocasset River.

Chris Southwood said that the information that he has with him tonight was collected by the Barnstable County Dredge Department and from Bourne's Natural Resources Department. He said that the Pocasset River dredge was a pilot project using a portable dredge and geotextile bags with a de-watering polymer. The river is a recreational destination in the community. There is a public and private marina and there are over 100 moorings and docking slips and there is a 160-acre area of critical environmental concern.

The dredging will restore all tide and navigation in the channel while also improving the water quality. The river has not been dredged for over 60 years. He said they were awarded a \$250,000 match grant from the State for the dredging project. He explained the options that they had and how the actual dredging took place.

Richard Libin thanked all the people involved in the Pocasset River dredge project. He said the project was a good project, and there is no odor at Monument Beach. Mr. Cannon said that these dredging projects help with water quality and offset some wastewater costs. Mr. MacDonald said he would like to give a lot of credit where credit is due with this project.

Ken Cirillo, Director of the Barnstable County Dredge Program, said that this was the first time for the County to be doing a project like this. He said there were not many options for doing this project, so they did go down a road that they needed to define success and they had to be very careful, and they had to adjust as they progressed. The debris at the bottom of the river did cause a lot of problems. The cooperation was essential and went very well.

Mr. Libin said that Mr. Cirillo put together a PowerPoint presentation that he will send it out to everyone and put on the website.

9.e. Calamar Construction update (The Tides at Bourne).

Mr. Cannon said that the Calamar project is currently shut down right now. A cease-and-desist order was issued on February 11th. This was done primarily because at the time there was no licensed construction supervisor on the site and Mr. Ken Murphy, the Building Inspector for Bourne, had some concerns about the construction activities there. There is a meeting this Friday. Mr. Murphy has requested that the architect and the licensed construction supervisor, and all the Town's inspectors be on site for that meeting.

Jerry Hill, V.P. of Calamar Construction, said that he is limited on what he can say at tonight's meeting because this personnel issue arose with a former employee, and he is not able to discuss the situation in public. Mr. Hill said that the issues raised were easily explained, easily within the regulations and the practice and he thinks that Mr. Murphy has been good in conversation with his

people since then and he has every expectation that any of his concerns will be addressed when they meet on Friday, and they will be ready to move forward. He said they regret this delay of a couple of weeks and there will be further delays in getting the subcontractors back on the job.

Chair Meier said that people are concerned about this project taking so long. There was some discussion about the progress of the project. Mr. Hill said that the building is sold out and there is a waiting list, and the only units that are left are subsidized units that are required.

Mr. Murphy said that Mr. Hill mentioned the delays as they are a result of the cease-and-desist order and he said the progress of this project is very slow and for him to say that the further delays are because of the Building Department, is not a fair assessment. Mr. Hill said that he did not mean to intend that the delays are because of the Town's Building Department, and he said he just wanted to say that this will impact the schedule. Mr. Murphy asked Mr. Hill to reach out to the people who have deposits on units because they call the Building Department constantly and it is slowing their permit process due to the number of calls. Mr. Hill said that they are all being contacted this week and being invited to an in-person meeting next week.

Mr. MacDonald expressed his concerns with the slow progress and Ms. Froman said she has talked with many people that have made deposits and they are concerned about housing if the project is not done in time for when they need to be out of their current housing situations. Chair Meier said that he is going to take Mr. Hill up on his offer to be back before the Board of Selectmen next month for an update on the progress.

9.f. Discussion and possible vote relative to the Barlow's Landing Road/Shore Road intersection improvements proposed by the Transportation Engineering firm (Environmental Partners). Jim Fitzgerald will give a presentation relative to transportation improvement at the intersection.

Mr. Cannon said that there was a presentation to the Board of Selectmen from Environmental Partners regarding the intersection of Barlow's Landing Road and Shore Road. This is an intersection that has been on the Town's radar for a long time. He said that they are looking for the Board to endorse the concept of going from a two-way stop to a four-way stop.

Jim Fitzgerald, Transportation Director at Environmental Partners, gave a presentation on the screen on the proposed Barlow's Landing Road/Shore Road intersection project. He said the purpose of this project is to improve pedestrian accommodations, address safety deficiencies and the high crash rate, remove excess pavement and improve circulation and delineation for abutting businesses. He explained in depth the proposed improvements at the intersection, and he talked about the feedback that has been received.

Shawn Patterson said that in his opinion, Jim Fitzgerald is the best traffic engineer in the State, and he thinks that this plan is great, and he would like to Board to adopt this plan. He said that there is safety and good traffic flow in this plan.

Mr. MacDonald said that a four-way top has been talked about for some time, and this plan clearly gives the best options for safety. Ms. Froman agrees and said that she fully supports the concept

and design. Ms. Froman also said she appreciated that they addressed the questions and concerns of the people that use the intersection frequently.

Ms. Mastrangelo asked if anything has changed from the presentation that was given on January 4th. Mr. Fitzgerald said that the only differences are the comments that came in from the Pocasset Village Association primarily having to do with the sidewalk along Village Way. Ms. Mastrangelo said that she listened to two listening sessions, and she also listened to the listening session of the Pocasset Village people and she listened to the Bourne meeting when they talked about it, and she said that the people in the village are concerned that this is changing the way their village is. They want to know if there are interim things that could be done that would solve some of these issues without having a major change to their village. She said that they want this to go to the Roadway Safety Committee to see if a smaller project, with less impact on the Village, could be done rather than a large project as presented tonight. Ms. Mastrangelo said that she is uncomfortable moving forward with this project.

Mr. Fitzgerald said that the geometric changes from their perspective don't change the character of what is already there, and it makes it a little bit better and compliant. He said operationally it was studied to make sure it is adequate. He said that in their opinion that the concept appears to work on the existing character of the location, and they do not want to change that.

Ms. Froman asked what the timeframe is to implement this plan. Mr. Fitzgerald said that the engineering side would be minimal compared to the funding side, and it could be done in one construction season. Mr. Patterson said that it would have to go to Town Meeting on a special article in the Fall, so the earliest is 2023 that it would be implemented. Ms. Froman said she is not sure that the Roadway Safety Committee would be able to come up with a temporary fix and she would like to spend time on moving this forward. Mr. MacDonald said again that he feels that this is a good plan, and he thinks it should move forward at this time.

Ms. Mastrangelo asked what the cost for feasibility is and how is it being funded. Mr. Fitzgerald said that as far as the design is concerned, they are at the conceptual phase and their next step is completing the design and preparing bid documents. Mr. Patterson said the funding source is Chapter 90 and he agreed from day 1 to pay for all design work. Mr. Patterson said it is about \$120,000.00 for each intersection so far. Ms. Mastrangelo said that if the funding source is Chapter 90, it does not require going to Capital Outlay or Town Meeting. She said it is at the discretion of the DPW to spend because Town Meeting has authorized it. There was more discussion on funding and Town Meeting.

Chair Meier asked if the Town owns the piece of property where the proposal says to close the curb cut at the Corner Café and if the Town does not own that access point, what will happen if the owner says no. Mr. Patterson said that he talked to the owner of the Corner Café, and she is in favor of closing the corner off because she thinks it's dangerous.

Mr. Slade said he doesn't mind moving forward with this, but everything is not a done deal, and he would like to see and hear from the people from the village one more time somewhere along the way. Mr. Libin is in full agreement about the intersection and Village Way needs to be looked at. Ms. Froman asked if they vote to move forward tonight, are they locked into this concept, and Mr.

Patterson said that they will not be locked in, and they can make changes and they just really need to decide if they are going to go in this direction or not.

Voted: Judy Froman moved, and Jared MacDonald seconded, to support the roadway plans as presented by Environmental Partners converting the Shore Road/Barlow's Landing Road intersection from a two (2) way stop to a four (4) way stop.

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

Vote: 4-0-1.

10. Town Administrator

- a. South Side Fire Station Committee Candidates update**
- b. West End streetlight and Academy Drive/Main St. intersection**
- c. Recent job postings**
- d. Community Center status**
- e. Police Chief search process**

10.a. South Side Fire Station Committee Candidates update

Mr. Cannon said that candidates are coming in and they will present them all in one package to the Board next Friday.

10.b. West End streetlight and Academy Drive/Main St. intersection

Mr. Cannon said Mr. Patterson is working with Environmental Partners on a shared street grant to upgrade the Main Street/Academy Drive intersection and to provide lighting for Main Street there.

10.c. Recent job postings

Mr. Cannon said on the website the postings for Facilities Manager, Town Planner, and Computer Network Technician are posted, and they are hoping to get a few more jobs posted.

10.d. Community Center status

Mr. Cannon said most of the issues that he is aware of at the Community Center have been addressed. The backup generator and other issues have been addressed and/or fixed. He said the Wi-Fi issue still needs some attention.

10.e. Police Chief search process

Mr. Cannon said that he has been talking to the Interim Director of Police Services, Paul Shastany, about the search for a Police Chief. He is going to hold off on the search so he can talk to Marlene about the options, seeing that she will be on board soon.

Chair Meier asked for some temporary lighting at the Main Street/Academy Drive intersection soon so that it is in place for the summer, and Mr. Cannon said he will work on it.

11. Correspondence

George Slade said he has one Talent Bank Form, and he would like to defer the remaining correspondence due to the time. The Talent Bank Form is from P. Lindberg seeking an appointment on the Shore and Harbor Committee. He said all the correspondence is on the Town's website.

12. Committee Reports – Deferred.

13. Adjourn

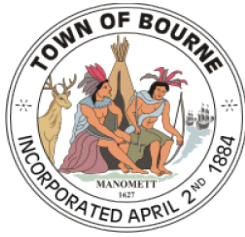
Voted: Jared MacDonald moved, and Judy Froman seconded to adjourn.

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

Vote: 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary



Selectmen's Correspondence

April 5, 2022

- A. Monks Park Improvement Project memo from Town Planner
- B. DEP letter re JBCC Discontinuation of Perchlorate Monitoring
- C. DEP letter re RDX Plume Shell Development
- D. DEP letter re JBCC Small Arms Range Reports



JENNIFER COPELAND
INTERIM TOWN PLANNER

TOWN OF BOURNE
Office of the Town Planner

TOWN HALL
24 PERRY AVE.
BUZZARDS BAY, MA 02532
PHONE: 508-759-0600 x1347 • FAX: 508-759-8026
Email: jcopeland@townofbourne.com



To: Marlene McCollem, Town Administrator

From: Jennifer Copeland, Interim Town Planner

Cc: Shawn Patterson, Department of Public Works
Chris Southwood, Natural Resources
Tim Lydon, Engineering Department
Stephanie Fitch, Conservation Agent

Date: March 31, 2022

Re: Planning Board Recommendation for Monks Park Stormwater and Parking Improvement Project (Valley Road/0 Shore Road)

According to the Town Bylaw section 1.4.5, a public facility is to be referred to the Planning Board for investigation and the Planning Board shall report and make recommendations to the Board of Selectmen.

At a regularly scheduled meeting on March 10, 2022, Mr. Lydon presented the Monks Park Stormwater and Parking Improvement project to the Planning Board. The purpose of the project is to improve the water quality of Little Bay and improve access to a coastal resource. It consists of the installation of a subsurface stormwater system and improved parking as per site plans from Bracken Engineering, Inc. dated March 1, 2022.

Following the presentation and discussion, the Planning Board voted 7-0 to make a positive recommendation for the Monks Park Stormwater and Parking Improvement project.

Please do not hesitate to contact me if you have any questions.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

March 22, 2022

Impact Area Groundwater Study Program
ATTN: Mr. Shawn Cody, Program Manager
1807 West Outer Road
Camp Edwards, MA 02542

RE: **BOURNE--BWSC**
Release Tracking Number: 4-0015031
Joint Base Cape Cod (JBCC) **Draft**
Technical Memorandum:
Discontinuation of Northwest Corner
Perchlorate Groundwater Monitoring,
Comments

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **"Draft Technical Memorandum: Discontinuation of Northwest Corner Perchlorate Groundwater Monitoring"** (the Tech Memo) dated March 2022. The Tech Memo was prepared by the U.S. Army Corps of Engineers (USACE) on behalf of the Army National Guard Impact Area Groundwater Study Program (IAGWSP) at Joint Base Cape Cod (JBCC). The Tech Memo documents the IAGWSP rationale for discontinuing groundwater monitoring for perchlorate at the Northwest Corner Groundwater Operable Unit (NWC). MassDEP offers the following comments on the Tech Memo.

1. MassDEP requests that the IAGWSP clarify when perchlorate was last detected above the Massachusetts Maximum Contaminant Level (MMCL) of 2 micrograms per liter ($\mu\text{g/L}$) in the NWC groundwater as there are conflicting statements made in the Tech Memo. For example, on page 1; *Background* the text states, **"However, since May 2013, perchlorate has not been detected above the MMCL of 2 $\mu\text{g/L}$."** The text indicates on page 4; *Proximate to Cape Cod Canal* **"All sample results from wells near the Cape Cod Canal for the 2020-2021 reporting period are significantly below the 2 $\mu\text{g/L}$ MMCL/MCP GW-1 standard and have been since 2016."** The text also states on Page 4; *Comparison to Decision Document Criteria* **"Perchlorate concentration in one well (MW-344M2) had measured exactly 2.0 $\mu\text{g/L}$ during the 2014 reporting period and had temporarily shown a trend of slightly increasing concentrations from 2010 to 2014. However, perchlorate concentrations in this well dropped below the 2 $\mu\text{g/L}$ MMCL in 2015 and have consistently decreased in concentration from 2015 through the current reporting period (0.46 $\mu\text{g/L}$ in April 2021)."** In the final paragraph on Page 4; *Comparison to Decision Document Criteria* the text indicates, **"Although there have been no measured perchlorate concentrations at or above 2 $\mu\text{g/L}$ since 2013 (e.g., Figure 4, MW-270M1), the plume had been conservatively depicted in annual reports between 2014 and 2017, assuming a small zone of residual contamination above 2 $\mu\text{g/L}$ may have potentially remained between the**

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

existing monitoring wells based on data from previous years." Please clarify the last year that perchlorate was detected in NWC groundwater at a concentration above the MMCL and make any necessary revisions to the text.

2. Page 1, Purpose:

The text states, **"The purpose of this Project Note is to document the rationale and regulatory concurrence for discontinuing perchlorate monitoring in groundwater at the Northwest Corner under the Impact Area Groundwater Study Program (IAGWSP) at Joint Base Cape Cod (JBCC) in Camp Edwards, MA."** MassDEP notes that the subject document is a Technical Memorandum, not a Project Note. Please revise the text.

Please incorporate this letter into the Administrative Record for the Northwest Corner Groundwater Operable Unit. If you have any questions regarding this matter, please contact me at (508) 946-2871 or Elliott Jacobs at (508) 946-2786.

Sincerely,



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

P/ej

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



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

March 22, 2022

Impact Area Groundwater Study Program
ATTN: Mr. Shawn Cody, Program Manager
1807 West Outer Road
Camp Edwards, MA 02542

RE: **BOURNE--BWSC**
Release Tracking Number: 4-0015031
Joint Base Cape Cod (JBCC), **Draft**
Technical Memorandum: Central Impact
Area RDX Plume Shell Development,
Comments

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **"Draft Technical Memorandum: Central Impact Area RDX Plume Shell Development"** (the Tech Memo) dated February 2022. The Tech Memo was prepared by the U.S. Army Corps of Engineers (USACE) on behalf of the Army National Guard Impact Area Groundwater Study Program (IAGWSP) at Joint Base Cape Cod (JBCC). The Tech Memo details the development and update of the Central Impact Area (CIA) 2022 RDX groundwater plume shell. The CIA 2022 RDX groundwater plume shell represents current levels of groundwater RDX contamination at the CIA groundwater operable unit and provides a more reliable prediction of RDX concentrations for use in the evaluation of CIA groundwater remediation alternatives. MassDEP offers the following comments on the Tech Memo.

1. MassDEP agrees with the methods used to update the CIA RDX plume shell with groundwater data acquired since 2017. MassDEP supports the IAGWSP's recommendation to incorporate the CIA 2022 RDX groundwater plume shell into future fate and transport models for the CIA groundwater plume and for use in evaluations and comparisons made in future CIA groundwater environmental monitoring reports.
2. Page 6, RDX Plume:
The text states, **"The predicted RDX cleanup times at other major Central Impact Area plumelets."** There appears to be missing text in this sentence. Please revise the text.

Please incorporate this letter into the Administrative Record for the Central Impact Area groundwater operable unit. If you have any questions regarding this matter, please contact me at (508) 946-2871 or Elliott Jacobs at (508) 946-2786.

Sincerely,

A handwritten signature in black ink, appearing to read "Pinaud", enclosed within a circular scribble.

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

P/ej

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



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

March 24, 2022

Impact Area Groundwater Study Program
Attn: Mr. Shawn Cody, Remediation Manager
1807 West Outer Road
Camp Edwards, MA 02542

RE: **BOURNE – BWSC**
Release Tracking Number: 4-0015031
Joint Base Cape Cod, **Revised Draft Small
Arms Ranges Soil Removal Activities
Completion of Work Report**, Comments

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has received responses to MassDEP comments (the RCL) dated April 30, 2021, issued for the document **"Draft Small Arms Ranges Soil Removal Project Summary Report-Project Note"** dated March 2020. The responses to MassDEP comments included the document **"Revised Draft Small Arms Ranges Soil Removal Activities Completion of Work Report"** dated April 2021 (the Revised Draft Report). The Revised Draft Report was prepared by the U.S. Army Corps of Engineers (USACE) for the Army National Guard Impact Area Groundwater Study Program (IAGWSP) on Camp Edwards at Joint Base Cape Cod (JBCC). The Revised Draft Report documents field activities associated with soil removal actions carried out by the IAGWSP at ten Small Arms Ranges located at Camp Edwards. MassDEP has no comments on the RCL and offers the following comments on the Revised Draft Report.

General Comments:

1. Please revise the figures to identify the firing positions and the direction of fire for each range.
2. The purpose of the Revised Draft Report is to document field activities associated with soil removal actions required by the *"Small Arms Ranges Decision Document"* dated September 2015 (the SAR DD) at ten Small Arms Ranges (SARs) located on Camp Edwards. The Revised Draft Report states that the selected SARs included in this report are classified as either operational (inactive) or non-operational, defined as follows: The Bravo, Charlie, Delta, Golf, KD East, November and Former November Ranges have been classified by the Massachusetts National Guard as operational but inactive ranges. These are ranges that are not currently in use but given their configuration and location could be used again for small arms firing. The ranges would need to go through a Camp Edwards approval process for active use to resume firing, including the development and

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

implementation of an Operations Maintenance and Monitoring Plan. The Former Bravo, Former Charlie, Former Delta, and Former M2 Ranges have been classified by the Massachusetts National Guard as non-operational ranges. Non-operational ranges have not been utilized for a long time and are situated in such a manner where development and activities, which now exist within their firing fans, would preclude their use as a small arms range.

The SAR DD indicated that the levels of lead and antimony observed in soil at the operational SARs were, in most cases, below the applicable action levels and that the overall results of groundwater sampling indicated that the SARs were not currently a source of groundwater contamination. However, the SAR DD indicated that additional action was necessary to address residual soil contamination at certain operational and non-operational ranges, since elevated levels of small arms-related metals (i.e., antimony, lead, and tungsten) existed in some surface soils which may pose a threat to groundwater and/or a future human health risk for direct contact depending on future range use.

According to the Revised Draft Report, the purpose of the soil removal actions at the SARs was to reduce lead, antimony and tungsten concentrations remaining in the soil to levels appropriate for unrestricted future use of the small arms ranges, regardless of the range operational status. However, it is unclear in the text and in the figures for each range in the Revised Draft Report whether soil delineation sampling was conducted adjacent to grids where soil was removed to meet target cleanup levels (i.e., Massachusetts Contingency Plan S-1/GW-1 standards or interim guidance levels) for lead, antimony, and tungsten. Please revise the Revised Draft Report for each SAR to clarify if this sampling was conducted. If sampling was not conducted adjacent to grids where soil was removed to meet target cleanup levels, please revise the Revised Draft Report for each SAR to clarify and support why the sampling was not conducted.

Page-specific Comments:

1. Page 5, Section 2.1, General Small Arms Ranges History and Background, First Paragraph:
The text states, "**Copper is often used as a jacket around the projectile's lead core.**" Please clarify why copper was not considered a projectile-related contaminant at the small arms ranges.
2. Page 10, Section 3.1, Delineation Soil Sampling, B Range, First Paragraph:
The text states, "**It was determined that soil would be removed from five grids on the face and in back of the backstop berm.**" MassDEP notes that Figure 2 *Surface Soil Delineation Sampling Results B Range* illustrates eight grids on the face and behind the backstop berm which had soil removed. Please clarify and revise the text as appropriate.
3. Page 14, Section 3.1, Delineation Soil Sampling, Former M2 Range, First Paragraph:
The text states, "**Based on elevated maximum lead concentrations additional delineation sampling and some localized soil removal on the hillside behind the backstop berm were recommended in the SAR IR.**" MassDEP notes that Section 2.2 *Specific Range History and Background, Former M2 Range* states "**Records indicate this range was also used for .45 caliber submachine gun, rifle grenade, and mortar training in the 1940s.**" Please clarify if an investigation was performed at the Former M2 Range associated with the historical use of the rifle grenade.

Please incorporate this letter into the Administrative Record for the Small Arms Ranges operable unit. If you have any questions regarding this letter, please contact me at (508) 946-2871.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Pinaud", enclosed within a circular outline.

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

Ec: Upper Cape Boards of Selectmen
Upper Cape Boards of Health
JBCC Cleanup Team
MassDEP Southeast Regional Office