Select Board
Meeting Notice
AGENDA

Date	Time	Location
April 9, 2024	7:00 PM	Bourne Veterans' Community Center 239 Main St., Buzzards Bay 02532 Or virtually (see information below)

Note this meeting is being televised, streamed or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time. Use of flash photography during Select Board meetings is prohibited.

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

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

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

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

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. Reading of the Select Board Vision and Mission Statements
4. Community Shout Out & Recognition
5. Public comments on non-agenda items - Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. (Board members are unable to respond due to posting requirements of the Open Meeting Law)
6. Comprehensive Wastewater Management Plan presentation by Environmental Partners and discussion
7. Update and recommendations from the Road Safety Traffic Committee
8. Consent agenda:
    a. Authorize a performance bonus in the amount of $3,000 for the Town Administrator
    b. Approval of Special Events listed on attachment as conditioned by department comments
    c. Common Victualler for Seaside Scoops & Grill located at 100 Main St (previously Mic's Main Scoop)
9. Review of motions for Town Meeting articles, recommendations, assignment of articles to Board members
10. Designate essential & contingent articles
11. Finalize and execute annual and special warrants for May 6th Town Meeting
12. Discuss annual goals for Town Administrator
13. Policy
    a. 2nd reading for Financial Policies
14. Town Administrator's Report
15. Minutes: 3/19/24
16. Committee reports

Turn Over for Page 2

OURNE TOWN CLERK
APR 5 '24 AM10:01

17. Correspondence
18. Future agenda items
19. Next meeting dates: April 16, 17 (moderator's meeting) & 30; May 6 – prior to Town Meeting
20. Adjourn

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

Turn Over for Page 2

TOWN OF BOURNE

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.

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.

TOWN OF BOURNE

Roadway Traffic Safety Committee

TOWN HALL
24 PERRY AVE.
BUZZARDS BAY, MA 02532
PHONE: 508-759-0600 x1345 ● FAX: 508-759-8026
Email: RTSCommittee@townofbourne.com

MEMORANDUM

TO: Select Board
FROM: Roadway Traffic Safety (RTS) Committee
RE: Recommendations of recent resident and staff items and issues
DATE: April 2, 2024

The following traffic safety concerns were raised by either the residents or staff of the Town of Bourne. The Roadway Traffic Safety (RTS) Committee is a committee formed by and appointed by the Select Board. This committee is a review and clearing house for all issues relating to the roadways and traffic or other related safety issues in the Town of Bourne.

The committee has reviewed the concerns within the purview of this committee, and in some cases are requiring a traffic/safety study or analysis of the situation by additional internal or external stakeholders. After review, the RTS committee is making the following recommendation to the Select Board as required.

Town-wide Traffic study of speed limit signage

After several years of complaints of speeding and traffic signage, the RTS Committee is making a recommendation that the Town review all formal votes and legislation for speed limit signage and other associated signage on Town ways. Once this is completed the Town may elect to pursue hiring a consultant to evaluate improvements to signage based on road geometry and statutory requirements.

Parking Issues at Sagamore Beach and Electric Ave

The Committee discussed counting and reworking of beach signage at the Sagamore Beach area, Electric Ave, and Main Street. Chief Esip is looking to have a plan for seasonal parking signs to have consistent verbiage and appearances. ATA Hartsgrove went into great detail on the conversation within staff meetings that go back to August. A summary of recommended signage modification prepared by Chief Esip (attachment A) is provided at the end of this document. DPW Director Sawicki came up with a cost and labor analysis to replace the signage (attachment B).

Scraggy Neck Railroad Bridge Overpass, Cataumet

The Town received reports from residents of several accidents and near accidents at the Scraggy Neck railroad bridge. DPW Director Sawicki identified proposed areas where additional signage would be effective. This was based on the MUTCD national traffic signage reference guide. The RTSC has worked with Scraggy Neck residents, MassDOT, and Mass Coastal. If the Select Board agrees to this RTSC recommendation, we will reach out to Mass Coastal and MassDOT to coordinate a mutual response to this issue. A map of additional signage is provided at the end of this document (attachment C). Cost and labor analysis for this project is also included in attachment B.

Mezza Luna Parking Amendment Request

The Administration was approached by Mezza Luna, who through observations, recommended safety improvements to vehicle stall markings along Main Street abutting their property. The Parking Team met on site to evaluate the concerns and agreed current markings create sightline concerns when vehicles are exiting onto Main Street.
Recommendations include cross hatch the parking space before 1st curb cut, crosshatch middle parking space between the two curb cuts, crosshatch slightly after 2nd curb cut and redesign into "Motorcycle Parking Only". Please see attachment D

Attachment A

PROPOSED SIGNS FOR USE IN SAGAMORE BEACH

Sign Image	Map Icon	Sign Image	Map Icon
	A		B
	C		D
	E		F
	G		H
	I		

COMBINATION SIGNS

	J		K

Summary of Recommended Modifications

All signs to be turned 90 degrees so they are parallel with the roadway. This will allow motorists to clearly see the specific zone that is either restricted or prohibited.

Use **RED** signs where parking is prohibited and **GREEN** signs where parking is allowed (with beach stickers).

In areas where two parking zones meet (Parking by Beach Sticker turns into No Parking or vice versa), post two signs on a single post with arrows indicating which direction parking is or is not allowed in.

Several signs were in conflict with other regulations such as Parking by Beach Sticker signs that were posted in front of parking lots, driveways, or too close to intersections.

Signage added in the area of fire hydrants to clearly indicate where parking is and is not allowed if the fire hydrants were in a Parking by Beach Sticker zone.

Signage in parking lots improved to more clearly identify where vehicles are able to park.

Signage added to intersections where Parking Regulations already restrict parking, so motorists unfamiliar with the Town Regulations will be aware.

Some signs need to be moved slightly in order to more clearly identify areas where parking is or is not allowed.

Many signs are currently obstructed. Visibility will be corrected as signs are replaced.

Several non-official signs are currently attached to town signposts. These will be removed to comply with the Town Bylaws.

Sign Specific Notes

Most of the 164 signs in the Sagamore Beach area would require a rotation of the sign and addition of arrows to the sign. This may require a new sign or arrows may be able to be added below the sign. Where there is a sign color change, a new sign would be required. Below is a list of additional signs, and sign moves.

Sign Number	Description	Sign Type
#005	Add	A – No Parking (Both Arrows)
#010	Move sign to start no parking zone prior to fire hydrant / Double Sign	J – Beach Parking Right / No Parking Left
#013	Add	I – Parking by Beach Sticker (Both Arrows)
#015	Add	I – Parking by Beach Sticker (Both Arrows)
#016	Add	K – Beach Parking (Left) / No Parking (Right)
#017	Add	J – Beach Parking (Right) / No Parking (Left)
#019	Move (to clearly indicate no parking in area of driveway)	K – Beach Parking (Left) / No Parking (Right)
#020	Add	J – Beach Parking (Right) / No Parking (Left)
#022	Add (to more clearly indicating no parking in area of private parking lot)	K – Beach Parking (Left) / No Parking (Right)
#023	Move closer to parking lot to clear up where to park	J – Beach Parking (Right) / No Parking (Left)
#024	Add (to clear up zones)	K – Beach Parking (Left) / No Parking (Right)
#025	Add	A – No Parking (Both Arrows)
#027	Add	A – No Parking (Both Arrows)
#028	Add	A – No Parking (Both Arrows)
#029	Move	
#030	Move	

#031	Add	A – No Parking (Both Arrows)
#035	Add	A – No Parking (Both Arrows)
#036	Move	
#040	Add	H – Parking by Beach Sticker (Right Arrow)
#041	Add	I – Parking by Beach Sticker (Both Arrows)
#043	Move (due to new fire hydrant)	
#044	Add for FH	K – Beach Parking (Left) / No Parking (Right)
#045	Add for FH	J – Beach Parking (Right) / No Parking (Left)
#049	Add	I – Parking by Beach Sticker (Both Arrows)
#054	Move (closer to Standish Rd)	
#056	Add	I – Parking by Beach Sticker (Both Arrows)
#061	Add	I – Parking by Beach Sticker (Both Arrows)
#064	Make sign larger for lot	
#070	Add	I – Parking by Beach Sticker (Both Arrows)
#076	Remove SBCC from post	
#078	Trees Obstructing View of Stop Sign	
#086	Add	D – No Parking (Right)
#087	Add	A – No Parking (Both Arrows)
#088	Add	A – No Parking (Both Arrows)
#089	Add	A – No Parking (Both Arrows)
#093	Add	A – No Parking (Both Arrows)
#094	Add	A – No Parking (Both Arrows)
#095	Add	A – No Parking (Both Arrows)
#097	Add	J – Beach Parking (Right) / No Parking (Left)
#102	Add	A – No Parking (Both Arrows)
#105	Move	
#106	Move	
#107	Add	B – No Parking Anytime
#108	Add	A – No Parking (Both Arrows)
#112	Move	
#114	Move	
#117	Add	A – No Parking (Both Arrows)
#137	Move	
#140	Add	A – No Parking (Both Arrows)
#141	New	A – No Parking (Both Arrows)
#148	Add	D – No Parking (Right)
#152	Add	A – No Parking (Both Arrows)
#153	Add	B – No Parking Any time
#154	Remove No Turning in Driveway Sign	
#155	Add	D – No Parking (Right)
#156	Add	C – No Parking (Left)
#157	Add	D – No Parking (Right)
#159	Add	D – No Parking (Right)
#161	Add	D – No Parking (Right)
#162	Add	A – No Parking (Both Arrows)
#163	Add	A – No Parking (Both Arrows)
#164	Add	A – No Parking (Both Arrows)

SIGN TOTAL SUMMARY

Sign Image	Map Icon	Sign Count	Total Including Combo Signs
	A	89	89
	B	7	7
	C	13	22
	D	14	21
	E	3	3
	F	0	0
	G	4	11
	H	1	10
	I	16	16

COMBINATION SIGNS

	J	9	N/A
	K	7	N/A

PROPOSED SIGNS FOR USE IN AREA OF ELECTRIC AVE

Sign Image	Map Icon	Sign Image	Map Icon
	A		B
	C		D
	E		F
BOAT TRAILER	Q	BOAT TRAILER	R
BOAT TRAILER	S	NO PARKING OF BOAT TRAILERS IN LOT	L
NO PARKING OF BOAT TRAILERS ←	M	NO PARKING OF BOAT TRAILERS →	N
NO PARKING OF BOAT TRAILERS ←→	O	NO PARKING ON BOAT RAMP	P

Summary of Recommended Modifications for Electric Ave Area

All signs to be turned 90 degrees so they are parallel with the roadway. This will allow motorists to clearly see the specific zone that is either restricted or prohibited.

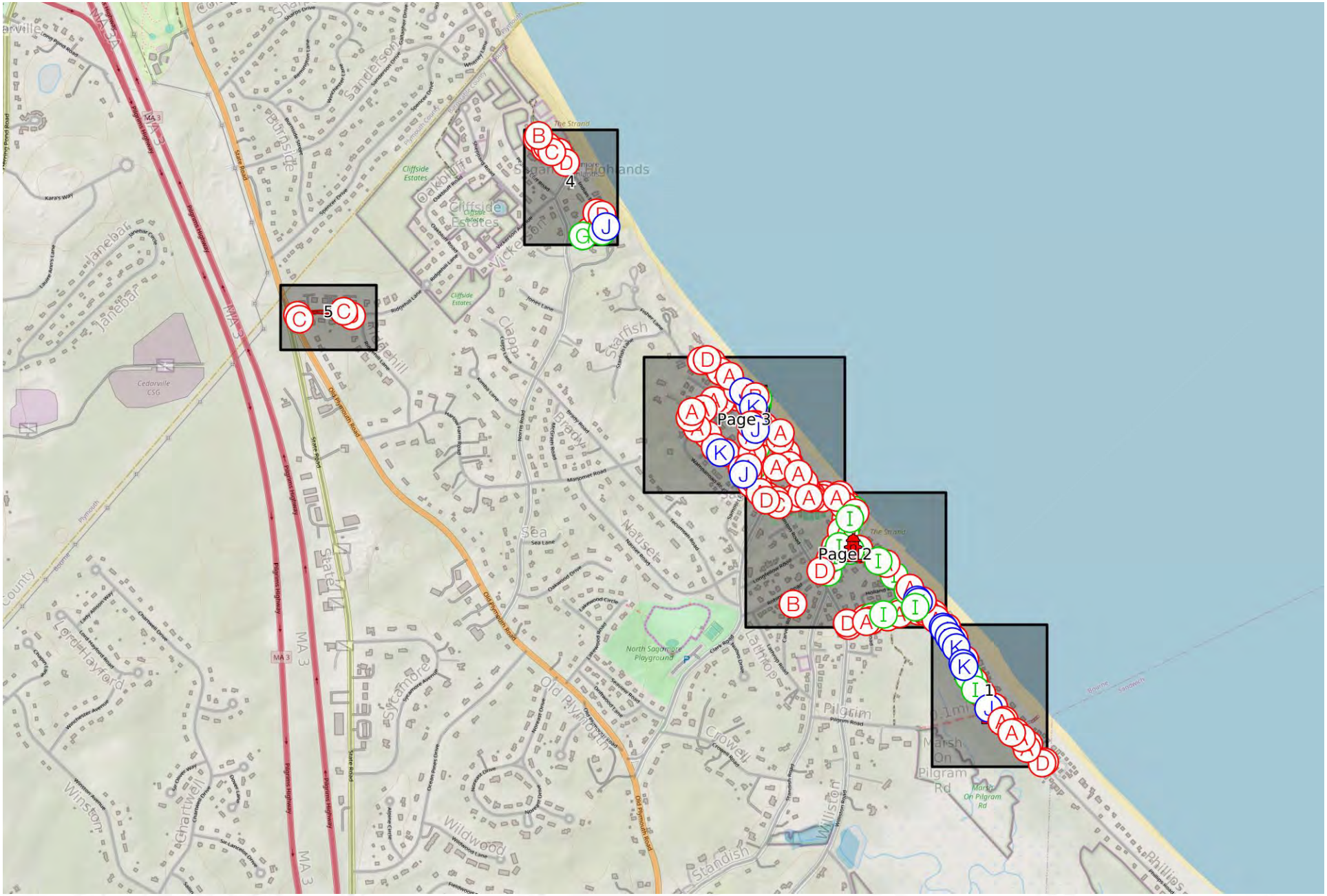
Use **RED** signs where parking is prohibited and **GREEN** signs where parking is allowed (with beach stickers).

Sign Specific Notes

Sign Number	Description	Sign Type
#165	Replace	L/E – No Parking of Boat Trailers in Lot / Parking by Beach Sticker
#166	Add	E – Parking by Beach Sticker Only in Lot
#167	Add	E – Parking by Beach Sticker Only in Lot
#168	Replace	M – No Parking of Boat Trailer - Left
#169	Add	O - No Parking of Boat Trailer - Both
#170	Replace	N - No Parking of Boat Trailer – Right
#171	Replace	P – No Parking on Boat Ramp
#172	Replace	P – No Parking on Boat Ramp
#173	Remove – Not Legal Sign Posted on Utility Pole	
#174	Replace	Q - Boat Trailer Parking by Beach Sticker Only – Left Arrow
#175	Add	S – Boat Trailer Parking by Beach Sticker Only – Both Arrows
#176	Move and Replace	R - Boat Trailer Parking by Beach Sticker Only – Right Arrow
#177	Replace	C – No Parking Any Time – Left
#178	Replace	D – No Parking Any Time – Right
#179	Move	C – No Parking Any Time – Left
#180	Replace	A – No Parking Any Time – Both
#181	Replace	D – No Parking Any Time - Right

ELECTRIC AVE SIGN TOTAL SUMMARY

Sign Image	Map Icon	Sign Count	Sign Image	Map Icon	Sign Count
	A	1		L	1
	C	2		M	1
	D	2		N	1
	E	3		O	1
BOAT TRAILER	Q	1		P	2
BOAT TRAILER	R	1			
BOAT TRAILER	S	1			



Proposed Parking Sign Modifica 5/5
WGS84
UTM Zone 19T

0.5 1.0 1.5 2.0 2.5 km

0.5 1.0 1.5 mi

Scale **1:14850** 1 inch = 1238 feet

CALTOPO

MN
-14.2º

Proposed Parking Sign Modifica 1/5
WGS84
UTM Zone 19T

0.1 0.2 km

0.1 mi

CALTOPO

Scale **1:1725** 1 inch = 144 feet

MN -14.2º

Proposed Parking Sign Modifica 2/5
WGS84
UTM Zone 19T

0.1 0.2 0.3 0.4 km

0.1 0.2 mi

Scale **1:2245** 1 inch = 187 feet

MN -14.2º

CALTOPO

Proposed Parking Sign Modifica 3/5
WGS84
UTM Zone 19T

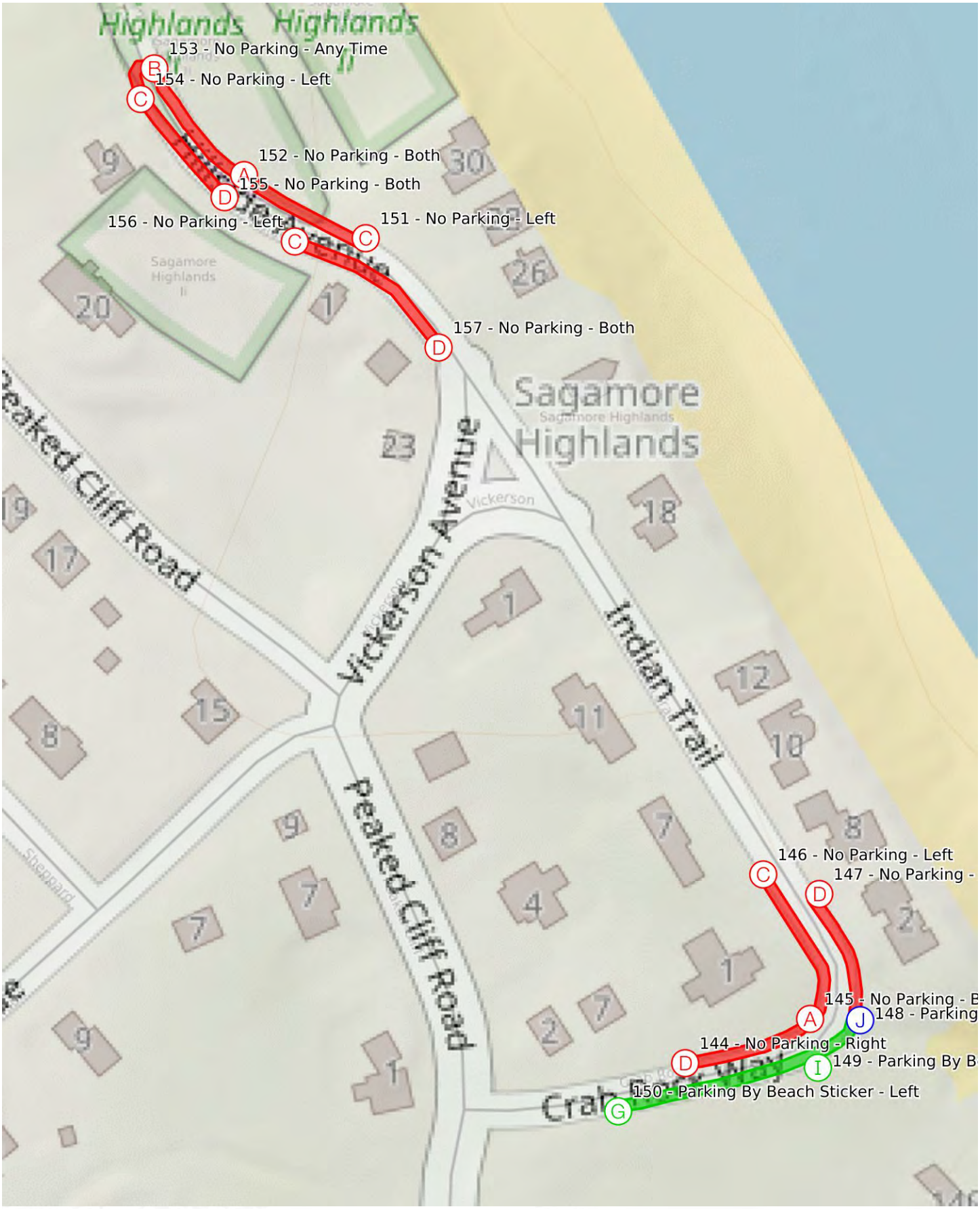
0.1 0.2 0.3 0.4 km

0.1 0.2 mi

Scale **1:2263** 1 inch = 189 feet

MN
-14.2º

CALTOPO



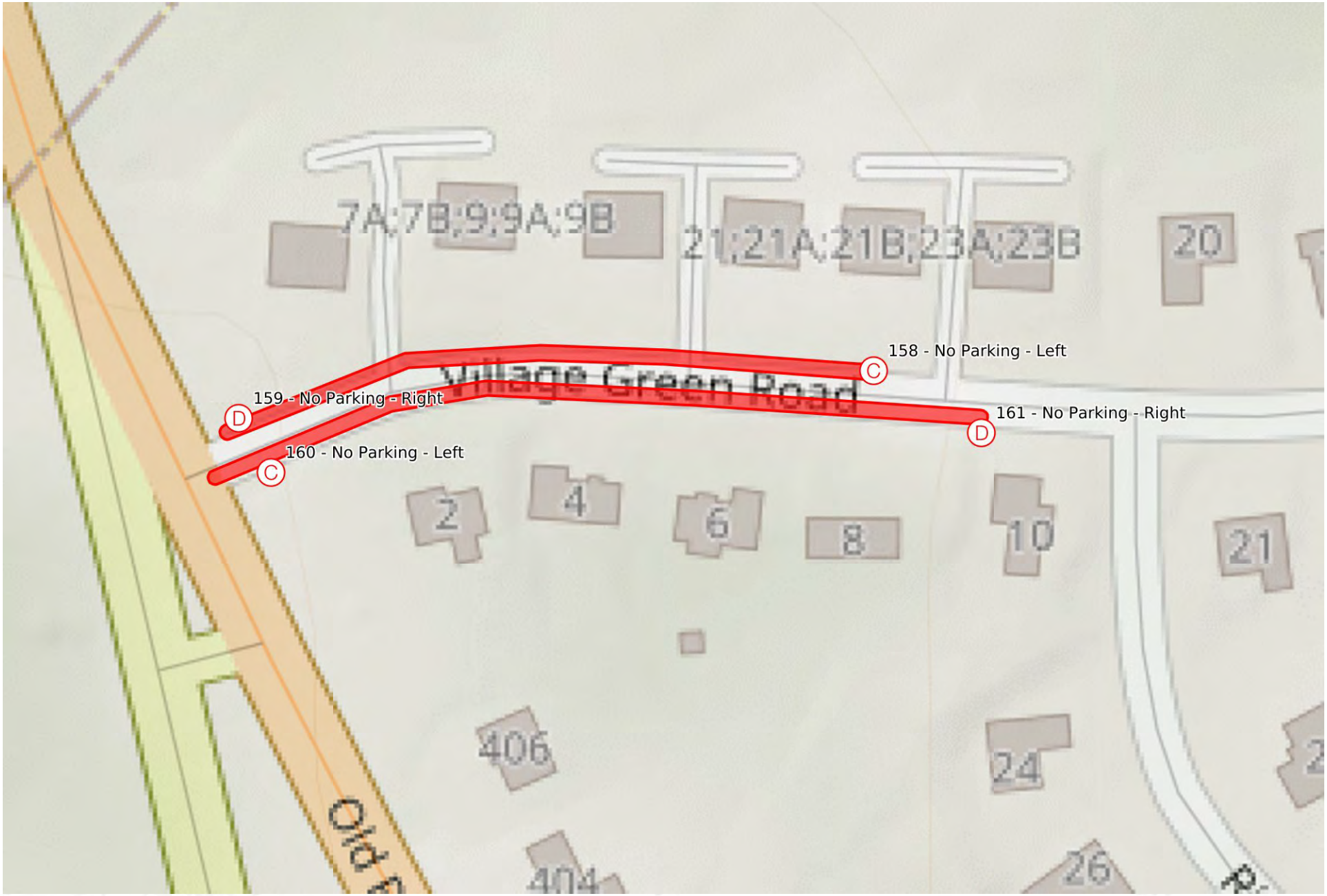
Proposed Parking Sign Modifica 4/5
WGS84
UTM Zone 19T
CALTOPO

0.1 km

mi

Scale **1:1400** 1 inch = 117 feet

MN
-14.2º



Proposed Parking Sign Modifica 5/5
WGS84
UTM Zone 19T

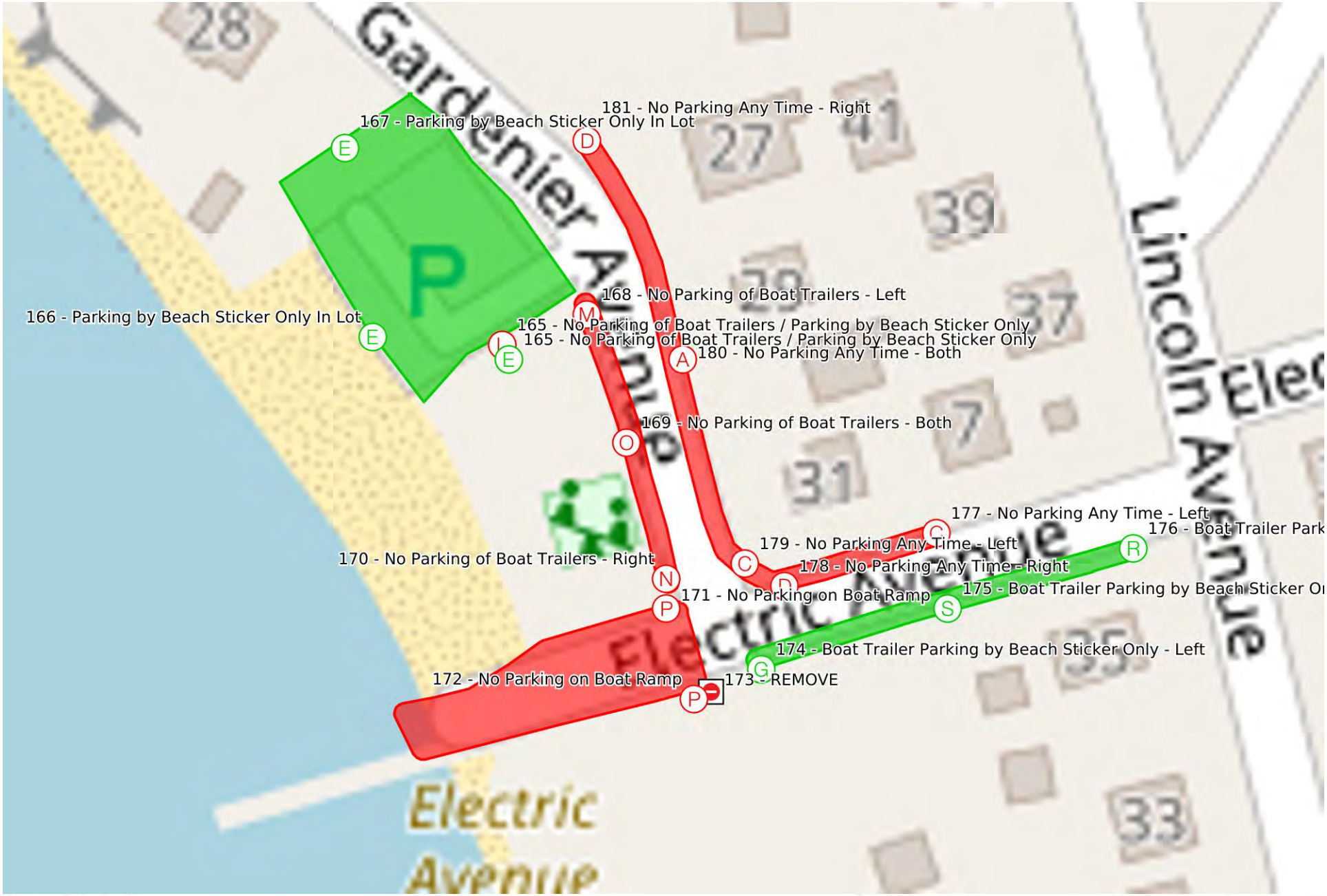
0.1 0.2 km

0.1 mi

CALTOPO

Scale **1:1079** 1 inch = 90 feet

MN
-14.2º



Mercator Projection
WGS84
UTM Zone 19T
CALTOPO

0.1 km

mi

Scale **1:767** 1 inch = 64 feet

MN
-14.2º

Attachment B

Town of Bourne Signage Modifications (2024)

DPW Labor and Material Cost Estimates

Sagamore Beach Parking (A)

Description	Quantity	Unit Price	Total
12" x 18" Aluminum Blank Sign	37	$7.25	$268.25
12" x 18" Aluminum "Parking By Beach Sticker"	24	$7.25	$174.00
18" x 24" Aluminum Blank Signs	2	$14.50	$29.00
10' x2.25" x 2.25" Square Posts	91	$76.25	$6,938.75
12" x 6" Aluminum Signs (arrows)	153	$3.50	$535.50
Total Materials Cost			***$7,945.50***

Labor Description	Hours	Number of Staff	Total Hours
Sign Shop (70 signs)	23	1	23
Rotate 83 signs and add arrows	28	2	56
Install 81 new posts with signs and arrows Remove old posts	27	2	54
Total Hours			***133***

Electric Ave Parking (B)

Description	Quantity	Unit Price	Total
12" x 18" Aluminum Blank Sign	9	$7.25	$65.25
12" x 18" Aluminum "Parking By Beach Sticker"	6	$7.25	$43.50
18" x 24" Aluminum Blank Signs	2	$14.50	$29.00
10' x 2.25" x 2.25" Square Post	15	$76.25	$1,143.75
12" x 6" Aluminum Signs (arrows)	11	$3.50	$38.50
Total Materials Cost			***$1,320.00***

Labor Description	Hours	Number of Staff	Total Hours
Sign Shop (15 signs)	4	1	4
Install 15 new posts with signs and arrows Remove old signs	5	2	10
Total Hours			***14***

Scraggy Neck Road - Rail Road Bridge Clearance Signs (C)

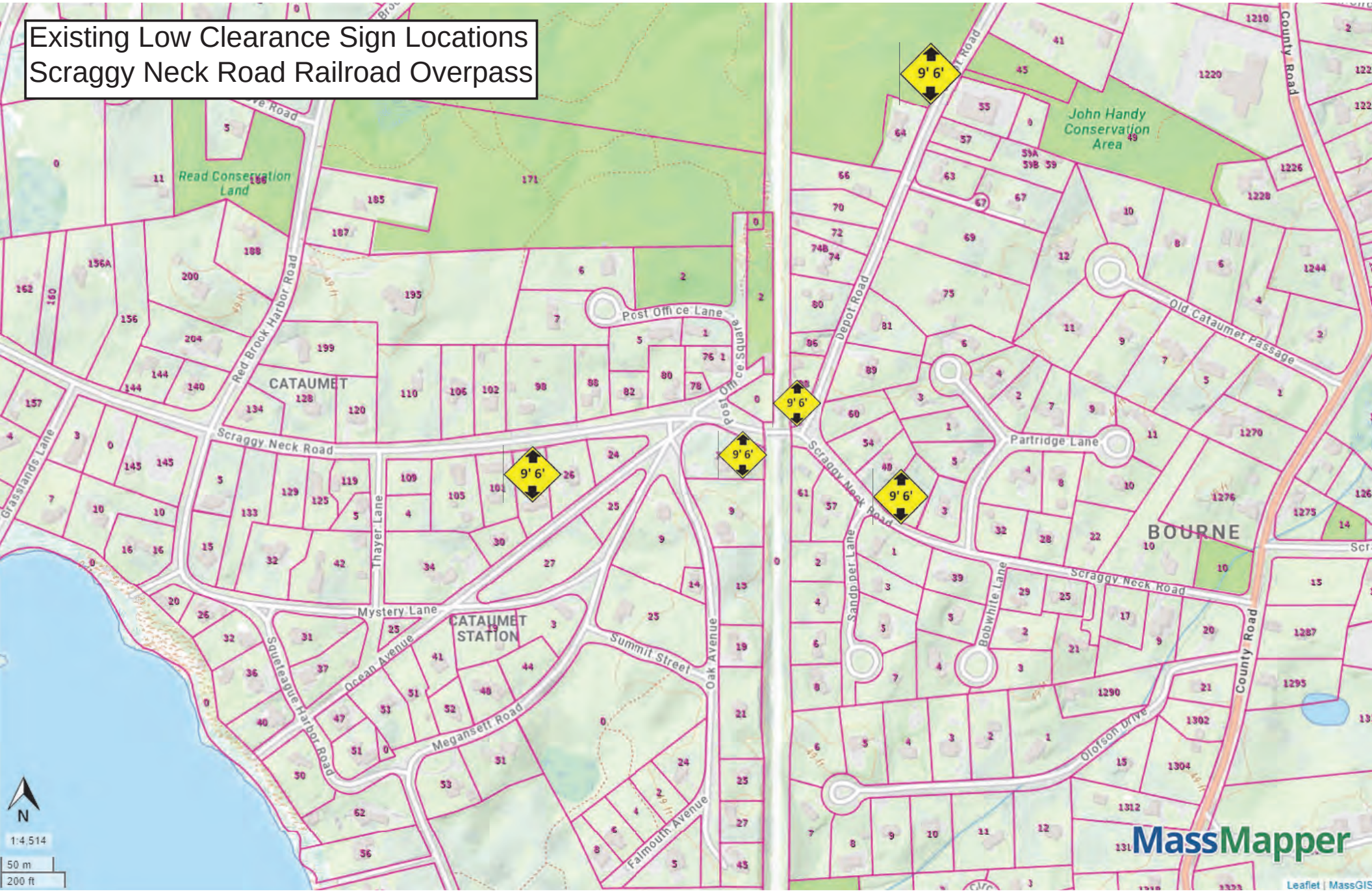
Description	Quantity	Unit Price	Total
30" x 30" Aluminum Blank Sign	6	$25.23	$151.38
24" x 9" Aluminum Blank Signs	4	$7.45	$29.80
10' x 2.25" x 2.25" Square Post	6	$76.25	$457.50
6' x 9" Aluminum Blank Signs	2	$75.00	$150.00
Total Materials Cost			***$788.68***

Labor Description	Hours	Number of Staff	Total Hours
Sign Shop (6 Signs)	2	1	2
Install 6 new posts with signs	2	2	4
Total Hours			***6***

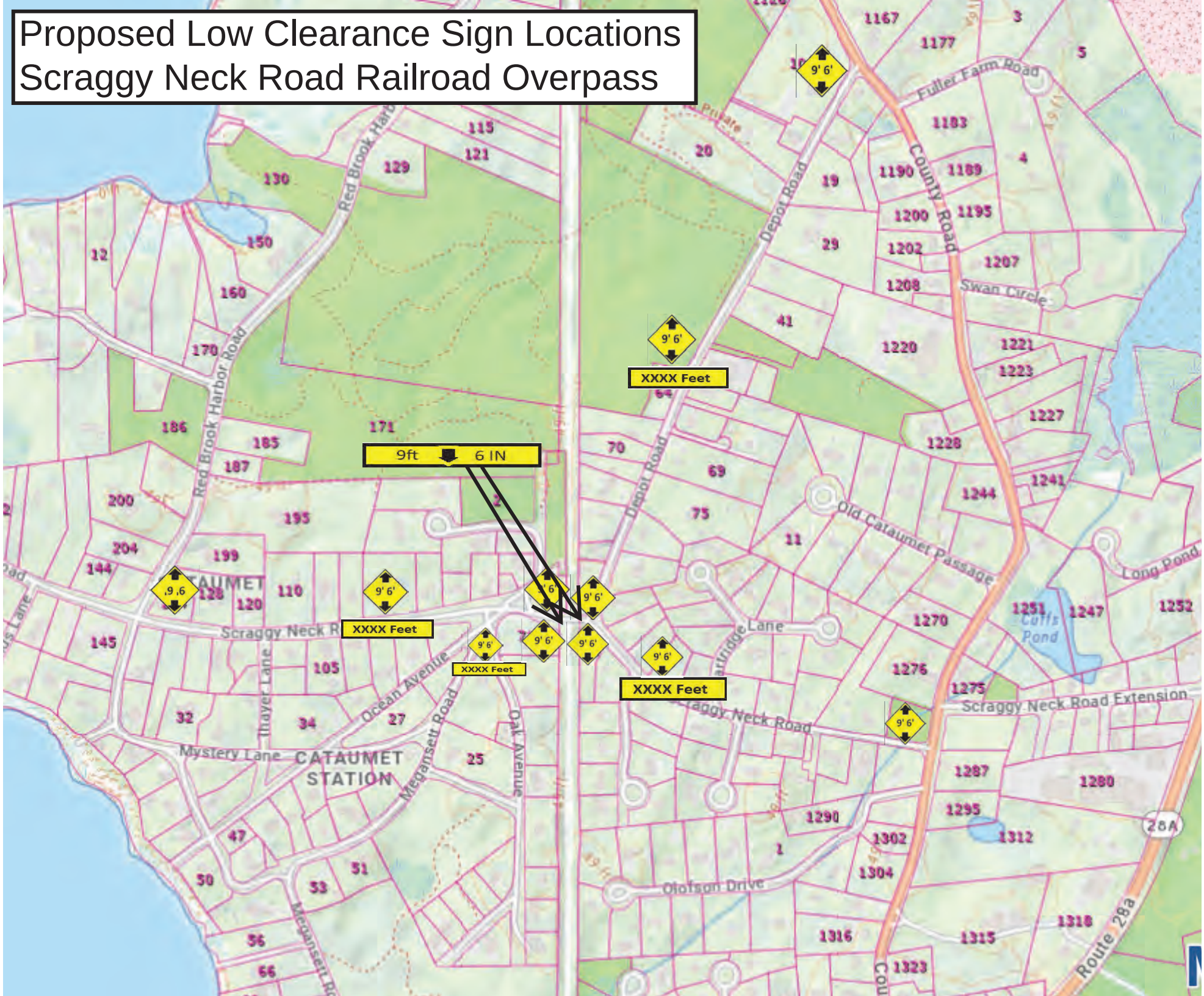
Total Materials Cost (A+B+C)	**$10,054.18**
Total DPW Labor (A+B+C)	**153**

FY24 DPW Budget for Signs	*$16,635.40*
Expended or Encumbered as of 4/10/2024	*$5,000.00*
Available for Signage Modification Project	*$11,635.40*

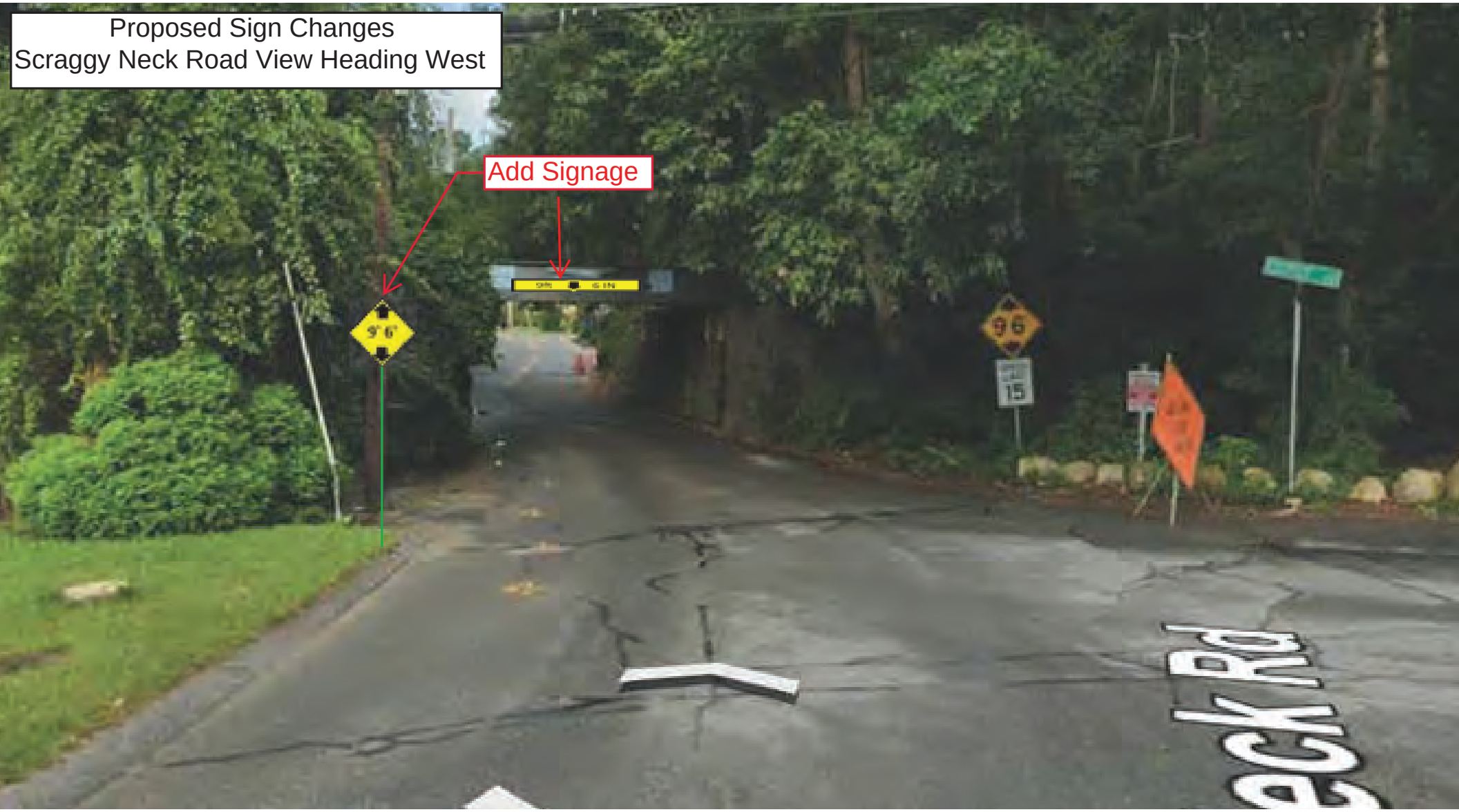
Attachment C

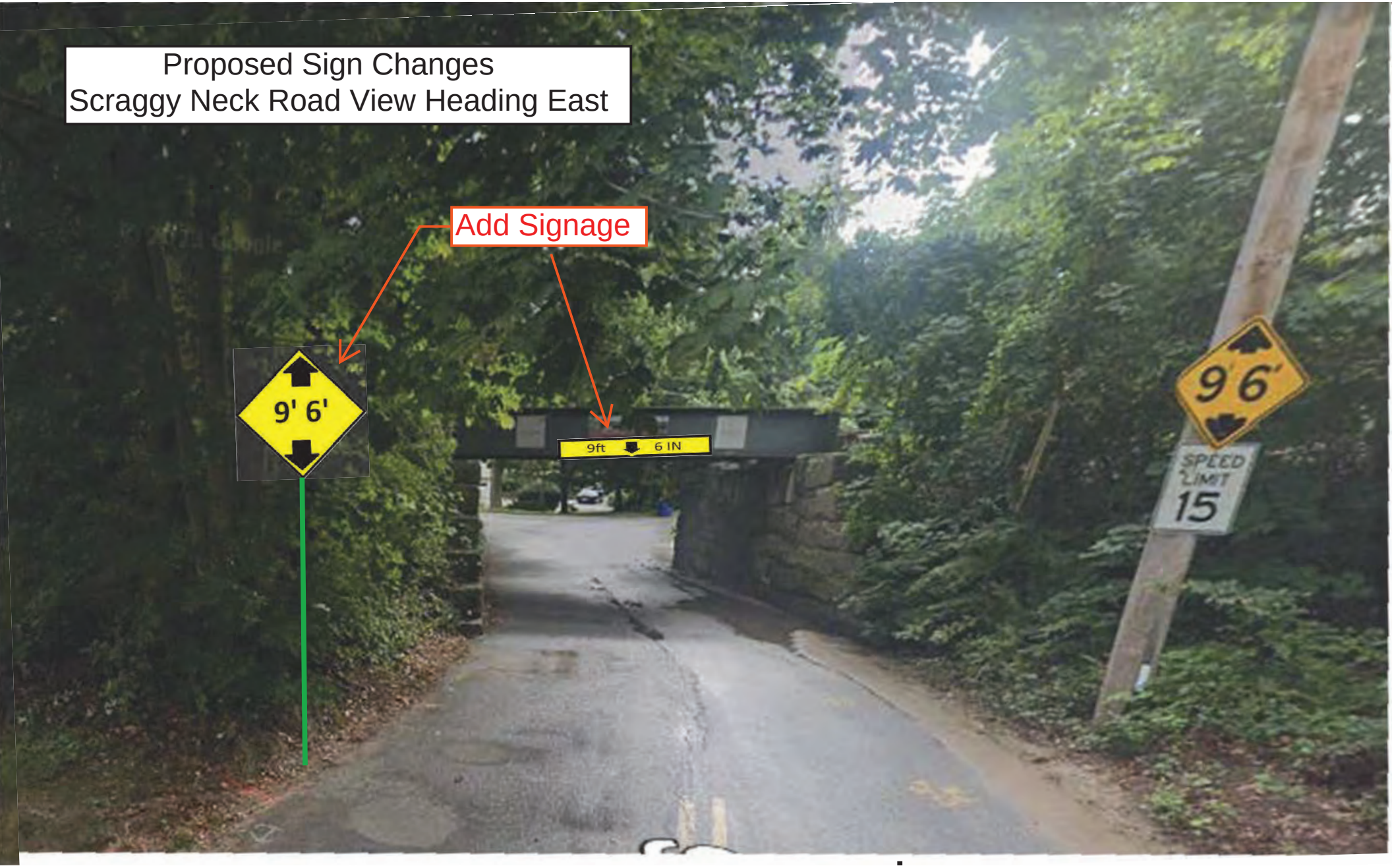


Proposed Low Clearance Sign Locations
Scraggy Neck Road Railroad Overpass

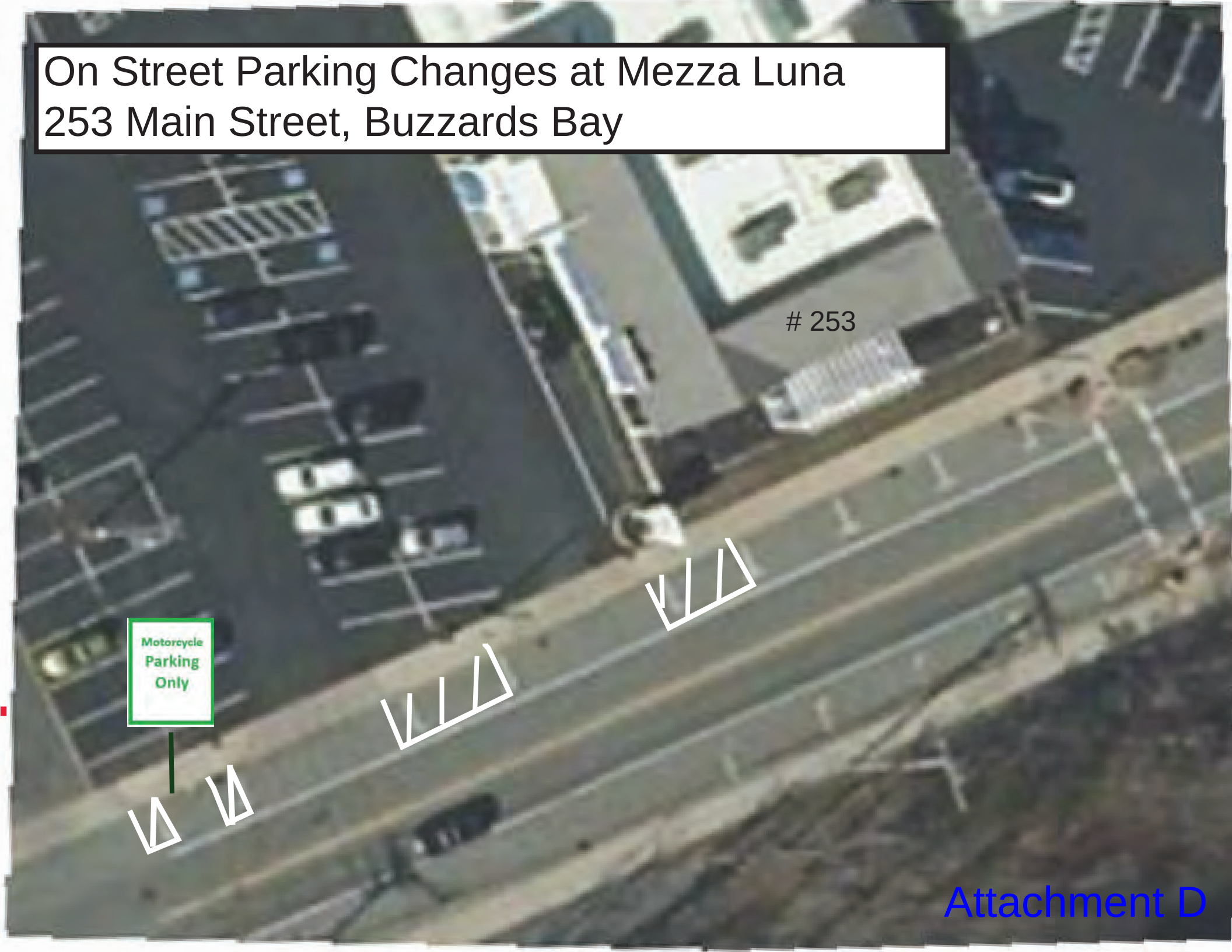


Proposed Sign Changes
Scraggy Neck Road View Heading West




Proposed Sign Changes
Scraggy Neck Road View Heading East
Add Signage
9' 6'
9ft 6 IN
9 6
SPEED LIMIT 15

On Street Parking Changes at Mezza Luna
253 Main Street, Buzzards Bay



Attachment D

CW-24-2

Car Wash on Town Property

Status: Active

Submitted On: 4/2/2024

Applicant

AMY KELLY

[redacted]

POCASSET, MA 02559

Organizer Information

Event Manager Name*

AMY KELLY

Event Manager E-mail*

[redacted]

Event Manager Phone Number

[redacted]

Organization Name

BHS CLASS OF 2025

Total Number of Participants*

10

Will there be participants under the age of 18?*

Yes

Juvenile/Youth events must have at minimum 2 adults over the age of 21 be present during the event, and an additional 1 adult per 10 children after 20 children associated with said event.

Number of Participants under 18

8

Number of Chaperones over 21

8

Have you previously held a car wash in the town?*

Yes

Reason for Event

FUNDRAISING FOR CLASS

Car Wash Information

Location of Car Wash	Date of Car Wash
Fire Station 3 (Sagamore)	06/08/2024
Start/End Time	**Rain Date**
8AM-NOON	06/09/2024

Location of Car Wash	Date of Car Wash
Fire Station 4 (Pocasset)	06/08/2024
Start/End Time	**Rain Date**
8AM-NOON	06/09/2024

Rules and Regulations

I agree to the above conditions

AMY K IPPOLITO KELLY
Apr 2, 2024

Liability

Signature

AMY K IPPOLITO KELLY
Apr 2, 2024

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
✔ Intake Review	4/2/2024, 11:07:47 AM	4/2/2024, 12:56:10 PM	Maria Simone	-	Completed
✔ Fire Department	4/2/2024, 12:56:10 PM	4/3/2024, 10:10:20 AM	David Pelonzi	4/6/2024	Completed
✔ Police Department	4/2/2024, 12:56:10 PM	4/2/2024, 1:43:01 PM	Theodore Economides	4/6/2024	Completed
✔ Public Works	4/2/2024, 12:56:10 PM	4/2/2024, 1:10:46 PM	Matthew Quinn	4/6/2024	Completed
✔ Schedule Hearing	4/3/2024, 10:10:22 AM	-	Maria Simone	-	Active
✔ Hearing Results	-	-	-	-	Inactive

Special Events for Consent Agenda

Event Name	Type of Event	Location	Date	Rain Date
BHS Class of 2025	Car Wash	Sagamore/Pocasset Fire Stations	6/8/24	6/9/24

CVFV-10

Annual Common Victualler/Food Vendor License

Status: Active

Submitted On: 3/20/2024

Primary Location

100 MAIN ST

Bourne, MA 02532

Owner

Vincent P. Michienzi

Main ST 100 BOURNE, MA 02532

Applicant

[redacted]

Dartmouth, MA 02747

Applicant/Business Information

Individual/Corporate Name*

Seaside Scoops & Grill INC.

Doing Business as (D/B/A)

Seaside Scoops & Grille

Mailing Address (if different from premise address)*

[redacted] Dartmouth Mass 02747

Business Phone Number

Business Email Address

Manager Name:*

Justine Dore

Manager Phone Number

[redacted]

License Information

License Category*

Common Victualler's License

Do you own or will you be renting the premise?*

Rent

Landlord Name*

Vincent P. Michienzi, Senior

Landlord Contact Information*

[redacted]

Length of Lease*

1 year

Do you have employees?*

Yes

Will you be serving alcohol?*

No

Premise Description and Capacity Information

Total square footage*

1,112

# of rooms with public access*

2

# of entrances*

2

# of exits*

2

# of floors*

1

# of bathrooms*

1

Inside Seating Capacity

6

Inside Maximum Occupancy

8

Does this property have outside seating?*

Yes

Outside Seating Capacity

18

Outside Maximum Occupancy

24

Parking Capacity*

0

Hours of Operation

Sunday Food Service Hours*

11:00AM - 10:00PM

Monday Food Service Hours*

11:00AM - 10:00PM

Tuesday Food Service Hours*

11:00AM - 10:00PM

Wednesday Food Service Hours*

11:00AM - 10:00PM

Thursday Food Service Hours*

11:00AM - 10:00PM

Friday Food Service Hours*

11:00AM - 10:00PM

Saturday Food Service Hours*

11:00AM - 10:00PM

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
✔ Intake Review	3/20/2024, 1:40:53 PM	3/20/2024, 3:27:39 PM	Maria Simone	-	Completed
$ Application Fee	3/20/2024, 3:27:40 PM	3/20/2024, 3:28:10 PM	Justine Dore	-	Completed
✔ Planning Department	3/20/2024, 3:28:10 PM	3/21/2024, 9:21:05 AM	Julia Gillis	3/26/2024	Completed
✔ Building Department	3/20/2024, 3:28:10 PM	3/22/2024, 11:08:05 AM	Cassie Hammond	3/26/2024	Completed
✔ Health Department	3/20/2024, 3:28:10 PM	4/2/2024, 4:07:30 PM	Kaitlyn Shea	3/26/2024	Completed
✔ Fire Department	3/20/2024, 3:28:10 PM	3/25/2024, 10:09:24 AM	Scott Labelle	-	Completed
✔ Town Collector	3/20/2024, 3:28:10 PM	3/21/2024, 4:25:40 PM	Town Collector	-	Completed
✔ Police Department	3/20/2024, 3:28:10 PM	3/26/2024, 9:37:16 AM	Brandon Esip	3/26/2024	Completed
✔ Sewer Department	3/20/2024, 3:28:10 PM	3/25/2024, 3:10:48 PM	Maria Simone	-	Completed
✔ Clerk's Office	3/20/2024, 3:28:10 PM	3/28/2024, 3:51:23 PM	Clerks Office	-	Completed
✔ Schedule Hearing	4/2/2024, 4:07:30 PM	-	Maria Simone	-	Active
✔ Hearing Results	-	-	-	-	Inactive
✔ Final Building Inspector Sign Off	-	-	-	-	Inactive

Label	Activated	Completed	Assignee	Due Date	Status
✔ Final Fire Department Sign Off	-	-	-	-	Inactive
✔ Final Health Department Sign Off	-	-	-	-	Inactive
$ Final Payment	-	-	Justine Dore	-	Inactive
Common Vic License	-	-	-	-	Inactive

Town of Bourne, MA

Apr 5, 2024

CVFV-10

Planning Department

Annual Common Victualler/Food Vendor License

Status: Complete

Assignee: Julia Gillis

Became Active: Mar 20, 2024

Completed: Mar 21, 2024

Applicant

Justine Dore
[redacted]
Dartmouth, MA 02747
[redacted]

Primary Location

100 MAIN ST
Bourne, MA 02532

Owner:

Vincent P. Michienzi
100 Main ST BOURNE, MA 02532

Comments

Julia Gillis, Mar 21, 2024

Good morning Justine, we spoke yesterday regarding the Design Review Committee (DRC) review process. Any changes to signage or building design elements will need review from the DRC. Once the Planning Department receives a complete application with the application fee of $30.00 (pay by either cash or check, check made out to "Town of Bourne"), along with samples of proposed materials, size, and colors, we will work to get you scheduled onto an upcoming meeting agenda. The DRC typically meets on Tuesdays at 10:00 AM. Please do not hesitate to contact the Planning Department if you have any further questions.

No issues with Common Victualler License. Location is within the Downtown District, Downtown Waterfront Subdistrict. The use of restaurant is permitted by right per Zoning Bylaw section 2820.

Town of Bourne, MA

Apr 5, 2024

CVFV-10

Health Department

Annual Common Victualler/Food Vendor License

Status: Complete

Assignee: Kaitlyn Shea

Became Active: Mar 20, 2024

Completed: Apr 2, 2024

Applicant

Justine Dore
[redacted]

Dartmouth, MA 02747
[redacted]

Primary Location

100 MAIN ST
Bourne, MA 02532

Owner:

Vincent P. Michienzi
100 Main ST BOURNE, MA 02532

Comments

Kaitlyn Shea, Mar 20, 2024

Will need a Food Plan Review submitted to the Health Department for review of new business. Once all set with that we will need a Food Permit application and pre-operative inspection.
Health Dept - Food Establishment Plan Review - ViewPoint Cloud (opengov.com) (https://bournema.portal.opengov.com/categories/1073/record-types/1006424)
Health Dept - Food Establishment Permit - ViewPoint Cloud (opengov.com) (https://bournema.portal.opengov.com/categories/1073/record-types/1006470)

@Deon Wills @Stacey Burgess

Kaitlyn Shea, Apr 2, 2024

Food Plan Review, FEPR-21, submitted to the Health Department for review. Pending permit application and pre-operative inspection by the Health Department.

Town of Bourne, MA

Apr 5, 2024

CVFV-10

Fire Department

Annual Common Victualler/Food Vendor License

Status: Complete

Assignee: Scott Labelle

Became Active: Mar 20, 2024

Completed: Mar 25, 2024

Applicant

Justine Dore
[redacted]
Dartmouth, MA 02747
[redacted]

Primary Location

100 MAIN ST
Bourne, MA 02532

Owner:

Vincent P. Michienzi
100 Main ST BOURNE, MA 02532

Comments

Scott Labelle, Mar 25, 2024

The fire department will need to do an inspection prior to the final sign off. Please upload a copy of the recent fire alarm test, the hood will have to have a current service and also fire extinguishers will have to have a up to date service.

Town of Bourne, MA

Apr 5, 2024

CVFV-10

Clerk's Office

Annual Common Victualler/Food Vendor License

Status: Complete

Assignee: Clerks Office

Became Active: Mar 20, 2024

Completed: Mar 28, 2024

Applicant

Justine Dore
[redacted]
Dartmouth, MA 02747
[redacted]

Primary Location

100 MAIN ST
Bourne, MA 02532

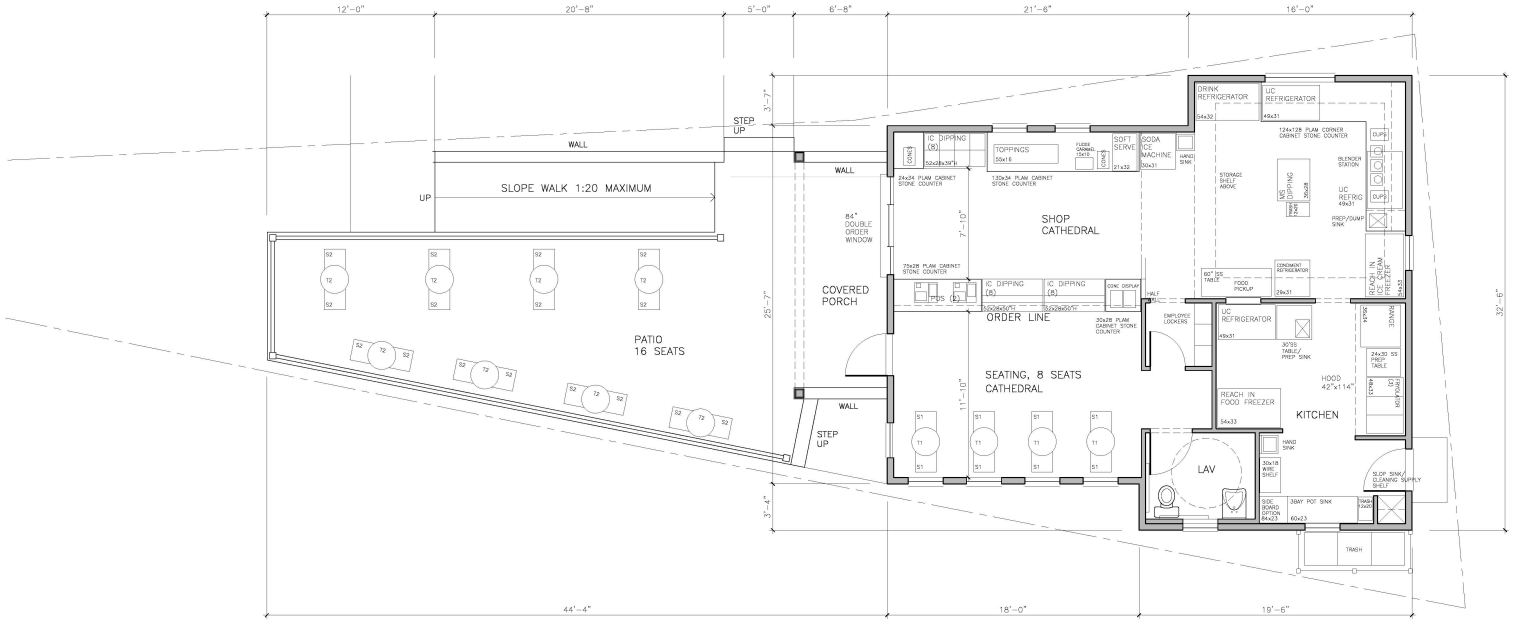
Owner:

Vincent P. Michienzi
100 Main ST BOURNE, MA 02532

Comments

Mary Fernandes, Mar 28, 2024

Applicant must file for business certificate with Clerk's office.



FLOOR PLAN
1/4" = 1'-0"

THE ENTIRE BUILDING WILL BE FLOODPROOFED
PER FEMA P-936 FLOODPROOFING
NON-RESIDENTIAL BUILDINGS DATED JULY 2013

RESCOM
ARCHITECTURAL, INC

RESIDENTIAL & COMMERCIAL ARCHITECTURE

118 WATERHOUSE ROAD
BOURNE, MA 02532

PHONE: (508) 759-9828
www.rescomarch.com

PROJECT:

100
MAIN STREET

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Buzzards Bay, Massachusetts

CONTRACTOR:

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DRAWING TITLE:

FLOOR PLAN

REVISIONS

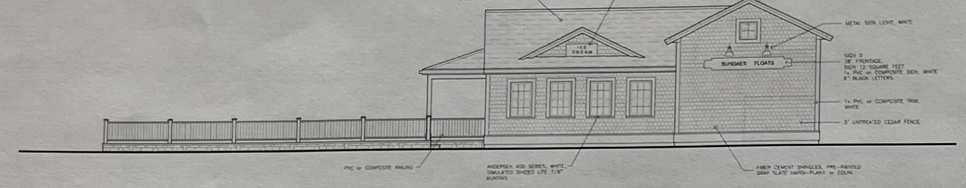
NO.	DATE	DESCRIPTION

DATE: 02-10-20

DRAWN BY: CHECKED BY:

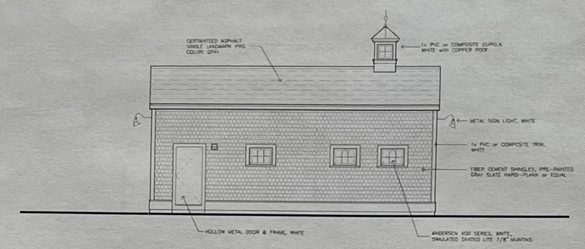
DRAWING NUMBER:

A1.1



REAR ELEVATION

1/4" = 1'-0"



LEFT SIDE ELEVATION

1/4" = 1'-0"

THE ENTIRE BUILDING WILL BE FLOODPROOFED UP TO 1'-0" ABOVE FLOOD LINE PER FEMA P-936 FLOODPROOFING NONRESIDENTIAL BUILDINGS DATED JULY 2013

100
MAIN STREET

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Buzzards Bay, Massachusetts

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DRAWING TITLE:

ELEVATIONS

REVISIONS

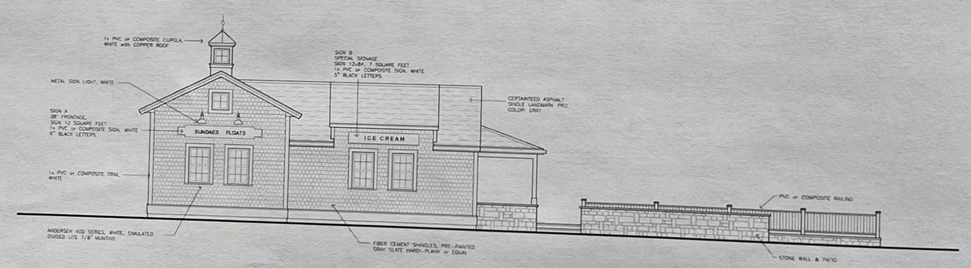
NO.	DATE	DESCRIPTION

DATE: 01-31-20

DRAWN BY: CHECKED BY:

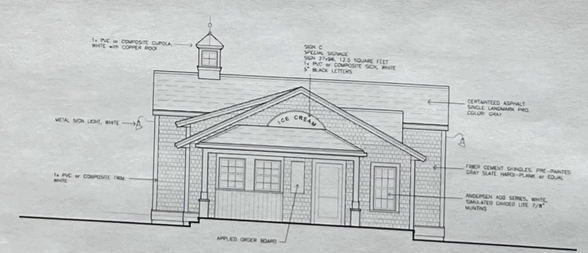
DRAWING NUMBER:

A2.2



FRONT ELEVATION

1/4" = 1'-0"



RIGHT SIDE ELEVATION

1/4" = 1'-0"

THE ENTIRE BUILDING WILL BE FLOODPROOFED UP TO 1'-0" ABOVE FLOOD LINE PER FEMA P-936 FLOODPROOFING NONRESIDENTIAL BUILDINGS DATED JULY 2013

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DRAWING TITLE:

ELEVATIONS

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 01-31-20

DRAWN BY: CHECKED BY:

DRAWING NUMBER:

A2.1

ARTICLES OF THE WARRANT, MOTIONS, VOTER INFORMATION, AND RECOMMENDATIONS OF THE FINANCE COMMITTEE

FOR THE

BOURNE SPECIAL

And

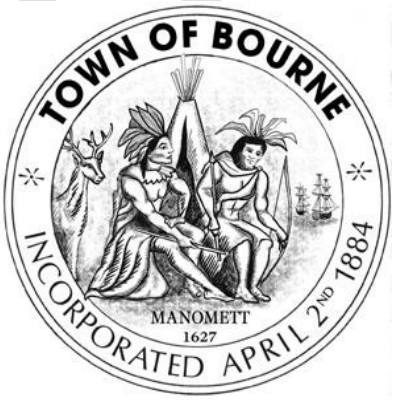
ANNUAL TOWN

MEETING

Monday, May 6, 2024

7:00 P.M.

Bourne High School Auditorium



A Voter's Handbook

PLEASE BRING THIS HANDBOOK TO EACH SESSION OF TOWN MEETING

DRAFT

VOTER HANDBOOK
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Town Meeting ABCs

Rules of the Moderator

Special Town Meeting Article Index
Articles, Motions, and Finance Committee Recommendations

Annual Town Meeting Article Index
Articles, Motions, and Finance Committee Recommendations

Appendix A –Finance Committee Report and Roll Call Votes

Appendix B – Fiscal Year 2025 Operating Budget

Appendix C – Fiscal Year 2025 Capital Budget

Appendix D – Supporting Information

Appendix E – Bourne Rule

DRAFT

SOME ABC'S ABOUT TOWN MEETING

THE PLAYERS

As you face the front of the auditorium, you see on the stage various officials and resource people in the following approximate positions: In the middle is the Moderator, an elected town official who conducts the meeting. Beside to your left the Moderator is the Town Clerk and staff who record the proceedings. Seated from left to right: Finance Committee; and Select Board; and, Town Counsel, to the right of the Moderator.

WHO MAY VOTE?

All registered voters of the Town of Bourne who have been checked in at the registration desks, and who display their identification tag.

THE QUORUM

One hundred twenty five (125) voters present constitute a quorum required for commencing the business of Town Meeting. Once the meeting opens, the quorum drops to one hundred (100) voters.

THE WARRANT

The official listing of articles compiled, publicly posted and distributed to voters at Town Meeting.

ARTICLES

Articles are the individual subjects to be acted on by Town Meeting. They have been submitted by Town Boards and Departments, by the Select Board, and by private petition endorsed by ten or more registered voters (for an annual town meeting) or one hundred or more registered voters (for a special town meeting).

ORDER OF BUSINESS

The Moderator determines when a quorum is present and calls the meeting to order. Following the pledge of allegiance, the Moderator reviews the basic rules under which the meeting will be conducted. Special Resolutions, if any, are presented and acted upon. With some exceptions, articles are called by lottery, discussed, and voted upon. This procedure is followed for each article until the warrant has been completed. If necessary, due to time constraints, additional meetings will be scheduled.

MOTIONS

When an article reaches the floor, the Moderator will usually ask if the Select Board has a recommendation and a motion to offer. The Moderator will then ask if the Finance Committee has a recommendation to offer. This is because Town Bylaw requires the Finance Committee to review and make recommendations on all articles in the warrant. On articles presented by the Planning Board, the Moderator will ask them to present a motion and their official report. The Finance Committee will then make its recommendation. Motions not related to subjects in the warrant or to the conduct of the meeting are not permitted.

DRAFT

INDEFINITE POSTPONEMENT

A motion to indefinitely postpone action on an article is a motion not to take positive action at this town meeting.

NEGATIVE RECOMMENDATIONS

If the action recommended by the Select Board on an article other than zoning bylaw articles is negative, the Moderator will ask if any voter present wishes to make a positive motion. If so, the person making the motion must also be prepared to submit the motion in writing to the Moderator.

AMENDMENTS

Any voter present may request to be recognized by the Moderator for purposes of offering an amendment to any motion under discussion. The motion to amend must be in writing and include the specific words to be deleted in the original motion as well as those to be substituted.

PARTICIPATION

If you have a question of clarification concerning an article or motion under discussion, or wish to participate in such discussion, please do so. To be recognized by the Moderator, raise your hand or if necessary, stand in place. When recognized, step forward to the nearest microphone as quickly as possible and state your name. Speak slowly and clearly into the microphone. Be as concise and brief as possible, and by all means stick to the point at hand. Keep your remarks to 3½ minutes or less.

VOTING

Generally, after appropriate motion and discussion, if any, the Moderator will call for a ballot vote using electronic keypads. The Moderator, at her discretion, may use electronic balloting for any or all votes.

DEFINITIONS

For the benefit of those who may not be familiar with some of the financial terms appearing in or used in the course of considering various articles, the following much simplified definitions maybe helpful:

CONSENT ARTICLE

The Consent article is an exception to the general process of Town Meeting. In consultation between Town Counsel, the Moderator, the Finance Committee, and the Select Board, several articles that are usually voted separately have been combined into one article. These articles, which are related to each other, not likely to be controversial and not likely to generate debate, have been combined into one article to allow a single motion and voted as one unit. At the call of the Consent Article the Moderator will refer to each section of the article, one by one. If any voter calls out “hold” in a loud voice, that particular section is laid aside for separate consideration. After reading all of the article sections, the Moderator will entertain motion on the sections not set aside to be voted as one unit. After that vote, the meeting will consider the sections set aside and takes them up in order for discussion and possible amendment, rejection or other disposition.

GENERAL FUND

The account in which general and/or undesignated revenues are deposited for use in paying the

general expenses of the Town.

STABILIZATION FUND

Monies appropriated by the Town to fund capital expenditures for equipment, land, or large-scale projects or for any other lawful purposes. An appropriation into the stabilization fund requires a majority vote and a 2/3 vote is required to appropriate money from the Stabilization Fund.

RESERVE FUND

Monies appropriated by the Town to cover extraordinary or unforeseen expenses during the fiscal year as approved by the Finance Committee.

FREE CASH

The amount of the Town's surplus revenue over and above uncollected taxes of prior years.

RAISE AND APPROPRIATE

The authority voted by the Town to raise by taxation and spend Town Funds for purposes stated in various articles in the warrant. The dollar amount, which can be raised by taxation, is limited by the state law known as "Proposition 2-1/2". After the setting of the tax rate, no funds may be raised and appropriated by taxation at a special town meeting.

TAX LEVY

The maximum amount of money that by State law may be raised through property taxes in any given year. The Tax Levy is by far the largest of a number of revenue sources for the Town, accounting for over half of the total. The maximum tax levy is limited by Proposition 2-1/2.

TAX RATE

The dollar amount per $1000 of property valuation required to collect the Tax Levy through property tax bills.

THE BOURNE RULE

The "Bourne Rule" controls unlimited spending by town meeting in violation of Proposition 2-1/2. The rule, adopted at the beginning of town meeting by resolution, requires any amendment seeking funding in excess of the amount recommended by the Finance Committee to state an equal dollar reduction in another appropriation or appropriations in order to maintain all spending in balance so that the tax levy will not exceed the maximum levy limit imposed by Proposition 2-1/2.

RULES OF DEBATE:

1. All debate will be conducted in a respectful and courteous manner and in a calm and collected tone.

2. All comments and inquiries will be directed to the moderator and are specifically limited to the subject matter being debated.

3. Confine your remarks to a maximum of 3½ minutes, unless you have *prior approval* to speak longer. If you attempt to use your speech to incite the crowd, you may be removed from the auditorium by the Sgt. at Arms, at the discretion of the moderator.

4. Speak only to the motion on the floor. Do not be repetitive. Be concise and to the point.
5. No comments of a personal nature are allowed.
6. No applause for any speaker is allowed.
7. No boos, catcalls, or similar interference with the speaker's remarks may be directed against any speaker.
8. Any person unwilling or unable to comply with these rules may, by state law, be removed from the auditorium by the Sgt. at Arms at the sole discretion of the moderator.

   Even though a crowd of persons may be booing, applauding, or engaged in other bad behavior, the moderator may start singling out one or two persons at a time engaged in this bad behavior to be removed from the auditorium by the Sgt. at Arms. This is going to continue until all the offending conduct ceases.

DRAFT

RULES OF THE MODERATOR

TOWN MEETING PROCEDURES

1. Non-Voter Seating. At the beginning of the meeting the Moderator designates rows of seats for seating of *non-voters*.

   1A. Non-Voter Minor Children. With the permission of a doorkeeper, voter(s) attending town meeting with a child(ren) may be allowed to sit with their child(ren) in voter seating. That said, we respectfully request that you do not bring children under age 6 to town meeting.

2. Moderator rulings and procedure at the Town meeting are governed by Federal and Massachusetts laws, the Town Charter, Town Bylaws, and "Roberts Rules of Order" as interpreted in the book entitled Town Meeting Time.

3. The Moderator will not entertain shouted motions from the floor to Move the Question, or to challenge a quorum, or for any other purpose. Any person wishing to speak must first rise and be recognized by the Moderator. If a person has a mobility or physical disability, please notify the tellers, and the tellers will provide a portable microphone so that person can speak from their seat.

4. Individuals with hearing difficulty need to contact the Select Board's office at town hall at least three business days prior to the town meeting so that language signers can be made available for the meeting.

5. Speakers. Before speaking, state your name clearly for the record. Speak concisely and speak to the motion on the floor. Speak only long enough to make your point. Do not repeat what prior speakers have already said. Three to five minutes should be more than enough time to make a point, if the speaker is clear and concise.

6. The Moderator will not tolerate personal attacks, cat-calling, applause, booing, heckling, or any other form of disruption during the meeting. Pursuant to Massachusetts law, any person disrupting the town meeting may be caused by the Moderator to be taken into custody and removed from the meeting by the Sergeant-at-Arms or a Constable and held until the conclusion of the meeting.

7. The meeting is now televised live by the local Comcast cable television company, and is later also re-broadcast on the local cable access channel.

8. There is a stenographer keeping an official written transcript of the meeting.

9. Voter Tags. If there is a counted, standing vote, or a secret ballot, voters must have their voter tag visible and be in a seat in the voter's section in order to be counted. The tellers will not count anyone not seated in a seat in the voter's section or anyone without a voter tag.

DRAFT

10. Fifteen (15) or more registered voters may request a secret ballot. In the event of a secret ballot, the doorkeepers will call everyone into the auditorium who wishes to vote, and then close the doors. You may leave the auditorium at any time, but you will not be allowed to return to the auditorium until the Moderator declares that vote casting is concluded, and the doorkeepers may open the doors.

11. If a voter wishes to change a motion in some fashion, the procedure is to amend the motion. All motions to amend must be in writing and must state exactly how the voter wishes to change the motion on the floor. That way, the Moderator can know exactly what it is the voter wants to do before ruling on the motion or putting it to a vote. A voter who wishes to amend a main motion must have the amendment in writing and available to hand to the Moderator before rising to offer the amendment. The Moderator may refuse to put to the Meeting an amendment which is not immediately available in writing - The Moderator also will rule out of order any motion to amend which changes the original motion so drastically that, in the Moderator's opinion, the motion is no longer within the "four corners" (the scope) of the posted warrant article. An amendment may consist of adding, deleting, or substituting words in the motion. It may take the form of a "motion to substitute", i.e., a different motion. Sometimes a speaker tries to amend "the article", but this is improper language. It is the motion on the floor, not the article in the Warrant, which is to be amended. A motion to amend requires only a majority vote, even though the main motion to be amended may require two-thirds or more for final passage. If you need assistance drafting a motion to amend, please ask for it, and the deputy moderator will help you.

12. Articles in the warrant seeking to amend the Bourne Zoning Bylaw or Zoning Map require special treatment. Some Moderators refuse to allow any amendment to a main motion on a zoning article. I generally will allow a motion to amend to correct a clerical matter, misspelling, or similar non-substantive change. For example, if the main motion is to increase minimum lot size from 40,000 to 50,000 square feet, a motion to amend to increase only to 45,000 square feet, will not be allowed, as it is a substantive change to the published zoning article. On the other hand, a motion to change the word “feat” (*sic*) to “feet” will generally be allowed to correct a clerical error.

13. Reconsideration – One Hour Rule. Pursuant to Bourne Town Bylaw, notice of intention to reconsider action on an article may only be given *within one hour of continuous town meeting time.* Depending on the hour the original vote is taken and officially recorded by the Town Clerk, this one hour may carry over to a subsequent session of the same town meeting in which the original vote is taken. The subsequent session of town meeting may reconvene several days after the original vote is taken.

14. Reconsideration – Vote on Prevailing Side. Because it is a matter of long time custom and practice in the Town of Bourne, the Moderator will not allow a notice of intention to reconsider or a motion to reconsider a vote except from a voter *who voted on the prevailing side of the original vote.* If “Aye” was the prevailing vote, the voter who wishes to file a notice of intention to reconsider, and/or to move reconsideration, must have voted “Aye”. The Moderator will ask the voter which way they voted. The person who files a notice of intention to reconsider, and who makes the actual motion to reconsider, *need not be the same person*, *but both must have voted on the prevailing side*. Notice of intention to reconsider is only allowed on the main motion. A vote to reconsider an amendment must be made *before*

the next vote is taken. A notice of intention to reconsider is not allowed for an amendment to the main motion.

15. It is solely within the discretion of the Moderator to allow non-voters to address the town meeting. It has been a matter of long time custom and practice in Bourne that the Moderator will generally allow non-voters to address the town meeting.

16. A town meeting is a public meeting. There are no expectations of privacy at a public meeting. A transcript of the meeting is kept. The meeting is televised live and also video-taped by the Comcast local cable access channel for later re-broadcast on that cable channel. Press photographers are present taking photographs, including photographs of standing, counted votes. The Moderator does not allow still or motion photography *at the ballot boxes* of voter's casting their votes during a secret ballot.

17. In order to maintain the continuity of a session of a town meeting, if the Moderator needs a brief break, the Moderator may state that the Deputy Moderator, "has the gavel" for the short time the Moderator is absent from the podium, but still present in the building. There is no need to elect a temporary moderator unless the duly elected moderator is actually absent from the building for an extended period of time. If the moderator cannot attend a town meeting, or has to leave a town meeting due to illness, for example, the town clerk (or Select Board chairman, if the town clerk is absent or unable) will hold an election for a temporary moderator to run the town meeting.

18. Persons running for public office, and their supporters, persons distributing literature promoting pro or con action on a warrant article or other matter of public interest, and persons soliciting signatures for candidates or for membership in a political group or organization, must remain not less than 50 feet from any entrance of the meeting location, except when they themselves are entering the town meeting for the purpose of attending the town meeting, or when they are actually in attendance at the town meeting.

19. If the Moderator determines that an article in the warrant is seeking a sense of the meeting on a matter of a celebratory nature, or not involving the Town of Bourne directly, the Moderator will treat the article as a non-binding resolution. As such, one person will be allowed five minutes to speak in favor of the resolution, and one person the same amount of time to speak in opposition to the resolution. The motion will then be put to a vote without further discussion. If, on the other hand, the article is seeking a sense of the meeting on a matter directly involving the Town of Bourne, the Moderator will still treat it as a non-binding resolution, but they *may* allow normal debate on the substance of the article.

20. Except with advance approval from the Moderator in the case of special presentations associated with the subject matter of an article, speakers shall confine their remarks to no more than 3 ½ minutes. Generally, 3 ½ minutes is more than sufficient time to make a point or state a position. Be concise. Speak only to the motion on the floor.

21. Town Counsel. Opinions of Town Counsel are reserved for the benefit of elected and appointed municipal officials. Please do not ask for an opinion of Town Counsel unless you are an elected or appointed Bourne official with an interest in the opinion. Even then, it is up to Town Counsel to determine if they wish to render an "off-the-cuff" opinion without the benefit of more detailed research and reflection.

22. All questions must be directed through the Moderator. You will not be allowed to engage in a back and forth dialogue with one particular official. Whenever possible, try to get your specific questions answered prior to town meeting. Town meeting should be for debate and not for questions and answers.

23. Presentations. If a speaker wants to use a PowerPoint®, videotape, slide, or similar presentation requiring lowering the screen on the stage, the proposed presentation must be in the hands of the Moderator for her review no less than 72 business hours prior to the town meeting, or the Moderator may not allow the presentation.

24. Please put your cell phones and pagers on vibrate or some other silent alarm, so as not to disturb the proceedings.

25. Question a Ruling or Vote. Seven (7) or more registered voters may question a ruling or a vote declaration of the moderator. The question must be raised immediately and before the next action or the next article. For example, if the moderator on a voice vote on the main motion declares "the ayes have it, the motion passes", that ruling must be questioned before the next article is drawn by the town clerk and the article number announced by the moderator. If an amendment is declared as passed on a voice vote, this declaration must be questioned before the next speaker. If a voice vote declaration is questioned, the moderator will generally ask the tellers to take a standing counted vote.

26. Lobby Displays. No person shall erect or maintain a table or a display in without approval from the Moderator obtained at least 48 hours prior to the town meeting. No display may interfere with the free passage of voters to and from the registration table and the entrance to the meeting location. The Moderator reserves the right to decline to approve any display that they deem to be too large. Also, the size of the lobby limits the total number of displays, from three to five in most cases. The doorkeepers, as agents of the moderator and town clerk, may require relocation of displays in the lobby if the displays are interfering with the free flow of foot traffic.

Thank you for attending Town Meeting!

Amy B. Kullar
Town Meeting Moderator

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Special Town Meeting

ARTICLE 1: 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 owner's project manager (OPM), architectural, engineering and other design services in order to develop plans, specifications and estimates (PSE) suitable for public bidding to build a new office and maintenance garage building at the ISWM Facility, or take any other action in relation thereto.
Sponsor – Select Board

MOTION*: We move that the Town vote to appropriate the sum of $1,917,000 for the purposes of this article and to meet this appropriation to transfer the sum of $1,917,000 from ISWM Retained Earnings.*

EXPLANATION

A YES or AYE vote in favor of the motion would approve the expenditure of funds to secure an OPM and Architect to design a new office and maintenance garage, and prepare the necessary plans and documents to put the project out for public bid.

A NO or NAY vote opposed to the motion would mean that the funds would not be available to design the new building and the project would not go forward.

Finance Committee Recommendation:

Select Board Recommendation:
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ARTICLE 2: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation, in accordance with the requirements of Article XCVII of the Massachusetts Constitution and Chapter 274 of the Acts of 2022, as set forth below authorizing the transfer of care, custody, management, and control of land held by the Conservation Commission to the Select Board for general municipal purposes, provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court, and provided further, that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT RELATIVE TO THE CHANGE IN USE OF CERTAIN PARCEL OF LAND IN THE TOWN OF BOURNE

SECTION 1. The conservation commission of the town of Bourne may transfer the care, custody, management and control of approximately 3.5 acres of land, a portion of the parcel described in a deed recorded June 13, 1988 in the Barnstable county registry of deeds in Book 6303, Page 026, which was acquired by the town and held by the conservation commission to the select board for general municipal purposes.

SECTION 2. This act shall take effect upon its passage.

Or take any other action relative thereto.
Sponsor – Select Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: 2/3 Supermajority

EXPLANATION

A YES or AYE vote in favor of the motion would allow the Town to file special legislation to remove a portion of land from Article 97 conservation protection in order to use it for a future fire station.

A NO or NAY vote opposed to the motion would mean that the Town could not pursue using the property as a fire station.

Finance Committee Recommendation:

Select Board Recommendation:

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Annual Town Meeting

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

1. Regular Required Authorizations - To see if the Town will vote to approve the following regularly required authorizations:

   a. Assumption of Liability – to assume liability as specified in Section 1 of Chapter 814 of the Acts of 1972, in the manner provided by G.L. c. 91, §§ 29 and 29A, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, and, further, to authorize the Select Board to execute and deliver a bond of indemnity therefore to the Commonwealth.

   b. Road Contracts - to authorize the Town Administrator to enter into a contract with the Massachusetts Highway Department Commissioner or the Federal Government for the construction and maintenance of public highways in the Town of Bourne for the ensuing year.

   c. Grant Program Authorization - to authorize the Select Board and/or the Town Administrator to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Bourne by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program.

   d. Contracts in Excess of Three Years - to authorize the Town Administrator or the Superintendent of Schools, in accordance with the provisions of G.L. c. 30B, § 12(b), to solicit and award contracts for terms exceeding three years, including any renewal, extension, or option, provided in each instance that the term in excess of three years is determined to be in the best interest of the Town by a vote of the Select Board (if solicited and awarded by the Town Administrator) or the School Committee (if solicited and awarded by the Superintendent).

   e. Banking Institution Agreements – to authorize the Treasurer and the Town Collector, pursuant to G.L. c. 44, § 53F, and with the approval of the Select Board, to enter into agreements with banking institutions to maintain deposits in exchange for banking services, for periods not to exceed three years.

   f. Medicaid Medical Services Program – to authorize the Select Board, pursuant to G.L. c. 44, § 72, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.

2. Elected Officials Salaries - To see if the Town will vote to fix the salaries and compensation of the following elected officials of the Town, as provided by G.L. c. 41, § 108, for the fiscal year commencing July 1, 2024 as follows:
   a. Town Moderator: $644
   b. Select Board 4 @ $3,570 for total of $14,280
   c. Select Board (Chair) 1 @ $4,590 for a total of $4,590
   d. Town Clerk: $46,822

3. Chapter 90 - To see if the Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts, pursuant to G.L. c. 90, for the construction, reconstruction, preservation, maintenance, and improvement of all public ways accepted by the Town, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway (Chapter 90) guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the DPW Director, with the approval of the Select Board.

4. Revolving Funds - To see if the Town will vote to set the total amount that may be expended from each revolving fund established by Article 2.10 of the General Bylaws, pursuant to G.L. c. 44, § 53E½, for the fiscal year beginning July 1, 2024, as follows:

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

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

MOTION: *We move that the Town vote to approve the use of a consent agenda including each of the Articles set forth in the Warrant in Article 1, and, further, that the Town vote to approve Article 1 as set forth in the Warrant and, further, that with respect to Article 1-5, to transfer $100,000 from Free Cash to fund costs related to payments for Accrued Contractual Compensated Absences.*

Vote Required: Simple Majority
Designated as an Essential Article

EXPLANATION
The items listed in the Consent Agenda reoccur annually and are housekeeping in nature.

A YES or AYE vote in favor of the motion would approve all the consent articles at one time, and authorizes a

cost of living allowance (COLA) increase of 2.5% for the Town Clerk. All other salaries for Elected Officials, Revolving Fund Spending Limits, and funding for Accrued Contractual Compensated Absences will remain the same as the prior fiscal year.

A NO or NAY vote opposed to the motion would mean that Town Meeting would vote on the items individually.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the sum of Seventy Nine Million One Hundred Forty Eight Thousand Nine Hundred Fifty Nine Dollars ($79,148,959) be hereby appropriated from the funding sources listed below to defray the expenses of the Municipal Town Departments in the chart entitled "These Amounts are to be Voted" as shown below for the fiscal year starting on July 1, 2024 to and including June 30, 2025:*

Funding Sources:	
Raise and Appropriate from the FY25 Tax Levy and other General Revenues from the Town	$ 76,489,961
PL874 Grant Funds	125,000
Ambulance Fund	1,500,000
Conservation Commission Receipts Reserved for Appropriation	30,000
Community Preservation Fund Revenues for Debt Expense	260,975
Community Septic Management Program	10,023
Waterway Improvement Fund	140,000
Capital Stabilization for Debt Expense	593,000
	-
Total	$ 79,148,959
These Amounts are to be Voted:	
General Government	$ 4,614,181
Public Safety	13,232,474
Public Works	3,540,128
Health & Human Services	1,031,069
Culture & Recreation	1,065,186
Bourne Public Schools	26,652,537
Upper Cape Cod Regional Technical High School	3,750,754
Shared Costs	19,329,055
Debt Service	5,933,575
Total	$ 79,148,959

Vote Required: Simple Majority
Designated as an Essential Article

EXPLANATION
The proposed FY25 budget maintains a level service budget, compared with last year. There are no new staff positions proposed or additional personnel. Most of the increase is due to contractual increases for both employees and service vendors. There are no new initiatives proposed in this budget.

The proposed appropriations for the FY 2025 Operating Budget is an increase of 2.01% over the previous year's appropriation.

Like prior years, capital stabilization funds are a proposed funding source for the FY 2025 general fund budget. Due to recent legislative changes, the quantum of votes to appropriate funds from a special purpose

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stabilization fund is now a simple majority, not a two-thirds vote.

This changed was passed in "AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2023 FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS" and became effective December 2023.

A YES or AYE vote in favor of the motion would approve the General Fund Operating Budget for FY25 from July 1, 2024 through June 30, 2025.

A NO or NAY vote opposed to the motion would mean that there would be no approved operating budget for FY25.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move the sum of $1,601,438 be authorized to be expended by the Sewer Commissioners for the operation of the Sewer System for the fiscal year starting on July 1, 2024, to and including June 30, 2025, as follows:*

Salaries & Wages	*$ 226,050*
Expenses	*$1,275,388*
Reserve Fund	*$ 100,000*

And we further move that the sum of $161,764 be transferred to the General Fund to offset Sewer Enterprise indirect expenses, and in order to meet this appropriation, we move that the sum of $1,613,202 be raised from Sewer Enterprise Receipts and $150,000 be transferred from Sewer Retained Earnings.

Vote Required: Simple Majority
Designated as an Essential Article

EXPLANATION

A YES or AYE vote in favor of the motion would approve the sewer enterprise operating budget for FY 2025 from July 1, 2024 through June 30, 2025.

A NO or NAY vote opposed to the motion would mean that there would be no approved sewer enterprise operating budget for FY 2025.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to operate the Integrated Solid Waste Management Program, or take any other action in relation thereto.
Sponsor – Select Board

MOTION: *We move the sum of $12,289,397 be authorized to be expended for the operation of the Integrated Solid Waste Management Department for the fiscal year starting on July 1, 2024, to and including June 30, 2025, as follows:*

Salaries & Wages	*$2,416,219*
Expenses	*$8,348,178*
Reserve Fund	*$ 600,000*
Host Community Fee	*$ 925,000*

And we further move that the sum of $2,503,413 be transferred to the General Fund to offset ISWM Enterprise indirect expenses, and in order to meet this appropriation, we move that the sum of $14,792,810 be raised from ISWM Enterprise Receipts.

Vote Required: Simple Majority
Designated as an Essential Article

EXPLANATION

A YES or AYE vote in favor of the motion would approve the ISWM enterprise operating budget for FY 2025 from July 1, 2024 through June 30, 2025.

A NO or NAY vote opposed to the motion would mean that there would be no approved ISWM enterprise operating budget for FY 2025.

Finance Committee Recommendation:

Select Board Recommendation

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

***MOTION**: We move that the Town vote to appropriate $4,367,200 to pay costs of the capital outlay projects listed in the schedule printed below and to meet this appropriation, we move to: (1) transfer the sum of $978,200 from Free Cash; (2) transfer the sum of $52,000 from Sewer Retained Earnings; (3) transfer the sum of $1,012,000 from ISWM Retained Earnings; and (4) transfer the sum of $225,000 from Waterways Improvement Fund. We further move to authorize the Town Treasurer, with the approval of the Select Board, to borrow the sum of $2,100,000 under and pursuant to Chapter 44, Sections 7 of the General Laws as amended and supplemented, or any other enabling authority and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.*

	Capital Budget – Fiscal Year 2025				
	Department	**Category**	**Purpose**	**Amount**	**Source**
1	Police	Transportation	ATV replacement	$35,000	Free Cash
2	Police	Transportation	5 Police vehicles	$434,800	Free Cash
3	Police	Equipment	Rifle replacement	$147,900	Free Cash
4	Facilities	Infrastructure	Town Hall elevator	$200,000	Free Cash
5	Facilities	Infrastructure	Interior/exterior doors & ADA controls	$70,000	Free Cash
6	Natural Resources	Equipment	Replace Y-57 Carolina skiff 60 HP engine	$15,500	Free Cash
7	Public Works	Equipment	Trash & recycling carts	$18,000	ISWM Retained Earnings
8	Public Works	Infrastructure	Traffic signals at Academy Dr & Main St	$35,000	Free Cash
9	Public Works	Equipment	Vehicle refurbishment for sanitation & recycling trucks	$114,000	ISWM Retained Earnings
10	Schools	Equipment	BMS compressor replacement	$40,000	Free Cash
11	Schools	Planning	Jackson Field bleachers design & engineering	$30,000	Free Cash
12	Schools	Infrastructure	WWTP repairs	$2,100,000	Borrowing
13	Shore & Harbor	Infrastructure	Annual Dredging/Ramp/Pier Repair	$225,000	Waterways Improvement Fund
14	Sewer	Transportation	Replace M9 – Ford F250	$52,000	Retained Earning
12	ISWM	Equipment	2020 CAT bulldozer	$646,000	Retained Earning
13	ISWM	Infrastructure	Replace paper net – East Road	$174,000	Retained Earning

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14	ISWM	Infrastructure	CCTV camera upgrade	$60,000	Retained Earning

Vote Required: 2/3 Supermajority
Designated as an Essential Article

EXPLANATION

A YES or AYE vote in favor of the motion would approve the capital expenditures recommended by the Capital Outlay Committee for FY 2025.

A NO or NAY vote opposed to the motion would mean that the capital expenditures recommended by the Capital Outlay Committee would not be funded and these needs would not be addressed in FY 2025.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 6: To see if the Town will vote to hear Reports and Recommendations of Committees and State or Town Officers, or take any other action in relation thereto.
Sponsor – Select Board

MOTION: *We move that the Town vote to hear reports and recommendations of Committees and State or Town Officers.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would allow communities to address Town Meeting and provide an update on their work.

A NO or NAY vote opposed to the motion would not allow the committee representatives to provide a report to Town Meeting.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 7: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money to fund a feasibility study to rehabilitate the outdoor recreation areas at Pocasset, Chester Park, Keith Field, and Clark Field, and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto.
Sponsor – Community Preservation Committee

MOTION: *We move that the Town vote, upon recommendation of the Community Preservation Committee, to raise and appropriate and reserve the sum of $150,000 for the outdoor recreation feasibility study, and to transfer $150,000 from Open Space/Recreation Reserves.*

Vote Required: Simple Majority

EXPLANATION
Addressing a top FY25 priority within the Recreation Committee's Facility Needs Assessment, Article 7 proposes allocating existing available CPC funding towards a comprehensive strategic long term planning opportunity, by collectively determining the optimal use for Chester, Clarke, Keith, and Pocasset Recreational Areas through community input, inclusivity considerations, and maintaining future evolving recreational needs over the next 20+ years.

A YES or AYE vote in favor of the motion provides funding for the proposed project, as recommended by the Community Preservation Committee.

A NO or NAY vote opposed to the motion means that the funding would not be provided, and the project cannot proceed at this time.

Finance Committee Recommendation:

Select Board Recommendation:
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ARTICLE 8: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money to fund construction an all-wheel skate park and to redesign the softball field at the Veterans Community Memorial Center, and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto.
Sponsor – Community Preservation Committee

MOTION: *We move that the Town vote, upon recommendation of the Community Preservation Committee, to raise and appropriate and reserve the sum of $500,000 for the construction of an all-wheel skate park and to redesign the softball field at the Veterans Community Memorial Center, and to transfer $500,000 from Open Space/Recreation Reserves.*

Vote Required: Simple Majority

EXPLANATION

Addressing a top FY25 priority within the Recreation Committee's Facility Needs Assessment, Article 8 proposes allocating existing available CPC funding towards redesigning the existing closed skatepark at the Community Building Recreational Area, and constructing an expanded new all-wheel skatepark. Supporting a wide range of non-motorized wheeled activities, including skateboarding, rollerblading, BMX/free-style biking, scootering, and specialized equipment for individuals with disabilities the revitalized public space will activate a fostering inclusivity and encouraging people of diverse abilities and ages to come together and enjoy recreational activities as a community.

A YES or AYE vote in favor of the motion provides funding for the proposed project, as recommended by the Community Preservation Committee.

A NO or NAY vote opposed to the motion means that the funding would not be provided, and the project cannot proceed at this time.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 9: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money to fund roof repairs at the Anna's Pals Beach House for Immunocompromised Children (former Hoxie Schoolhouse) and to meet said appropriation, to transfer from available funds or reserve from the FY2025 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto.
Sponsor – Community Preservation Committee

MOTION: *We move that the Town vote, upon recommendation of the Community Preservation Committee, to raise and appropriate and reserve the sum of $135,000 to fund roof repairs at the Anna's Pals Beach House for Immunocompromised Children (former Hoxie Schoolhouse), and to transfer $135,000 from Historic Preservation Reserves.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion provides funding for the proposed project, as recommended by the Community Preservation Committee.

A NO or NAY vote opposed to the motion means that the funding would not be provided, and the project cannot proceed at this time.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the Town vote, upon recommendation of the Community Preservation Committee, to raise and appropriate and reserve the sum of $80,000 to fund affordable housing units at 9 Sandwich Road, and to transfer $80,000 from Affordable Housing Reserves.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion provides funding for the proposed project, as recommended by the Community Preservation Committee.

A NO or NAY vote opposed to the motion means that the funding would not be provided, and the project cannot proceed at this time.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the Town vote, upon the recommendation of the Community Preservation Committee, to raise and appropriate and reserve the sum of $2,010,354.23 for the Community Preservation Fund Projects and Special Purpose Reserves listed in the Community Preservation Fund Committee report as printed below; and to meet the appropriations and reserve, to appropriate the sum of $1,681,854.23 from FY2024 Estimated CPA Revenues, transfer $29,000 from Historic Preservation Reserves, and transfer $99,500 from Community Housing Reserves, and transfer $200,000 from FY2025 Community Housing Revenues.*

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
A	Cataumet Schoolhouse Preservation Group	Cataumet School Fumigation	Historic Preservation	$29,000 from Historic Preservation Reserves
B	Bourne Affordable Housing Trust	Bourne Affordable Housing Services and Support	Community Housing	$99,500 from Community Housing Reserves
C	Bourne Housing Authority	Windswept Acres: Certain Repairs to Buildings 78, 79-81, 80, 82 & 84 Waterhouse Road	Community Housing	$200,000 from Community Housing Revenues
			SUBTOTAL REQUESTS	**$328,500**
D	Community Preservation Committee	Reserve for Open Space	Open Space	$1,274,597.73
E	Community Preservation Committee	Reserve for Community Housing	Community Housing	$203,628.25
F	Community Preservation Committee	Reserve for Historic Preservation	Historic Preservation	$203,628.25
			SUBTOTAL RESERVES	**$1,681,854.23**
			TOTAL REQUESTS & RESERVES	**$2,010,354.23**

Vote Required: Simple Majority

EXPLANATION
A YES or AYE vote in favor of the motion provides funding for the proposed projects, as recommended by the Community Preservation Committee.

A NO or NAY vote opposed to the motion means that the funding would not be provided, and the projects cannot proceed at this time.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 12: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the administrative and operating expenses of the Community Preservation Committee, or take any other action in relation thereto.
Sponsor – Community Preservation Committee

MOTION: *We move that the Town vote, upon the recommendation of the Community Preservation Committee, to appropriate the sum of $75,000 for the purposes of administrative and operating expenses of the Community Preservation Committee for FY 2025 and to meet this appropriation to transfer the sum of $75,000 from the Community Preservation Undesignated Fund Balance.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would fund the annual operating and administrative expenses of the Community Preservation Committee.

A NO or NAY vote opposed to the motion would mean that the CPC would not have funding to pay expenses related to administration and regular operations.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the Town vote to appropriate the sum of $200,000 for the purposes of this article and to meet this appropriation to transfer the sum of $200,000 from free cash.*

Vote Required: Simple Majority
Designated as an Essential Article

EXPLANATION

The financial policy guideline for stabilization reserves establishes a target of 6% of General Fund Operating Budget expenses to be held in reserve. At the time of this writing, there has been some market volatility that is impacting the Town's investment revenue in the short term. By the end of the Fiscal Year, it is anticipated that the fund will be within the stated financial policy guideline.

As of February 29, 2024 the balance in the stabilization fund is $4,792,647.

A YES or AYE vote in favor of the motion would authorize additional funds to be placed in the Stabilization Fund.

A NO or NAY vote opposed to the motion would mean that no additional funds would be deposited into the Stabilization Fund and would not be consistent with stated financial policies.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the Town vote to appropriate the sum of $296,000 for the purposes of this article and to meet this appropriation to transfer the sum of $296,000 from free cash.*

Vote Required: Simple Majority
Designated as an Essential Article

EXPLANATION

The goal of the Capital Stabilization Fund is to maintain 3-5 years of debt payments in reserve, and the Town is currently exceeding 5-years at the current level of debt service.

As of February 29, 2024 the balance in the capital stabilization fund is $3,165,818.

A YES or AYE vote in favor of the motion provides funding to increase the capital stabilization fund. This will help ensure that funds continue to be set aside for the long-term maintenance of the town's capital assets.

A NO or NAY vote opposed to the motion would not provide additional funding for the capital stabilization fund, and would not be consistent with stated financial guidelines.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the Town vote to appropriate the sum of $20,000 for the purposes of this article and to meet this appropriation to transfer the sum of $20,000 from free cash.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would provide funding for the Human Services Grant Program for FY 2025, consistent with prior years.

A NO or NAY vote opposed to the motion would mean that the Human Services Grant Program would not have funds to use in FY 2025.

Finance Committee Recommendation:

Select Board Recommendation:

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

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would reduce the number of members on the Cultural Council.

A NO or NAY vote opposed to the motion would maintain the status quo.

Finance Committee Recommendation:

Select Board Recommendation:

DRAFT

ARTICLE 17: To see if the Town will vote to amend the Town of Bourne Bylaws by deleting references to "thirty (31) days" and replacing the same with "thirty (30) days" wherever said "thirty (31) days" appears in the following sections of the Bylaws: Sections 2.2.7; 2.9.1; 3.1.17; 3.1.24; 3.1.43; 3.14.3; 3.15.1; 3.15.9; 8.1.6.
Sponsor – Select Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would correct 11 instances of scriveners' errors in the General Bylaw.

A NO or NAY vote opposed to the motion would maintain the status quo and not correct the errors.

Finance Committee Recommendation:

Select Board Recommendation:

DRAFT

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

Section 1.5.6
Capital Outlay Items Defined. Any proposed article meeting the definition of a capital outlay item as herein defined shall be presented to the Capital Outlay Committee for review as a Capital Outlay item. A Capital Outlay item will refer to any activity that meets one or more of the following criteria:

a. The acquisition of land or buildings.

b. The new construction, reconstruction, repair, replacement, or improvement of buildings or other public facilities, drainage facilities, streets, sidewalks, parks or improvements of land with a cost in excess of ~~$20,000~~ **$25,000**.

c. The purchase of major equipment, including motor vehicles, with a cost in excess of ~~$10,000~~ **$25,000**.

d. The planning and design studies for any Capital Outlay item as defined.

e. And those items referred to the Capital Outlay Committee by the Finance Committee.

or take any other action in relation thereto.
Sponsor – Select Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would amend the General Bylaw to raise the threshold for a "capital project" to at least $25,000.

A NO or NAY vote opposed to the motion would maintain the status quo and the threshold would not be increased.

Finance Committee Recommendation:

Select Board Recommendation:

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DRAFT

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

Section 3.7.9
Consultant Fees. ~~The Commission is authorized to impose reasonable fees require the applicant, to pay the reasonable costs and expenses borne by the Commission (Town) for specific expert engineering and consultant services deemed necessary by the Commission to review the notice of Intent and/or the Request for Determination of Applicability, up to a maximum of two thousand and five hundred dollars ($2,500.00).~~

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

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

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

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

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

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: Simple Majority

EXPLANATION
This article removes an outdated monetary limit and restrictive language, providing the Conservation Commission with the ability to hire a consultant to review any Notice of Intent or Request for Determination of Applicability as deemed necessary by Commission vote.

A YES or AYE vote in favor of the motion would amend the Wetland Protection Bylaw.

DRAFT

A NO or NAY vote opposed to the motion would maintain the status quo and the Wetland Protection Bylaw would not be changed.

Finance Committee Recommendation:

Select Board Recommendation:

DRAFT

ARTICLE 20: To see if the Town will vote to authorize the granting of licenses by the Select Board, pursuant to G.L. c. 10, § 38, for the operation, holding, or conducting of the game known as "beano", or take any other action in relation thereto.
Sponsor – Select Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would allow the Select Board to issue local licenses.

A NO or NAY vote opposed to the motion would mean that the Select Board would not be able to issue any local licenses.

Finance Committee Recommendation:

Select Board Recommendation:
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DRAFT

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

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

or take any other action in relation thereto.
Sponsor – Planning Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: 2/3 Supermajority

EXPLANATION

This article is to amend section 1238A.4.b of the Zoning Bylaw relative to Site Plan Review for traffic and internal circulation for fire equipment access. The amendment would delete "25" from the "527 CMR 25." Several years ago the Massachusetts Fire Code was rearranged and chapter 25 is not chapter 18. It is recommended to delete the chapter language and keep the CMR to encompass the entire fire code.

A YES or AYE vote in favor of the motion would amend the Zoning Bylaw.

A NO or NAY vote opposed to the motion would maintain the status quo and the Zoning Bylaw would not be changed.

Finance Committee Recommendation:

Select Board Recommendation:

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DRAFT

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

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

or take any other action in relation thereto.
Sponsor – Planning Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: 2/3 Supermajority

EXPLANATION

Under the current Zoning Bylaw, a special permit lapses within two years if substantial completion of the project has not taken place. This article would change from a two year to a three year timeframe for consistency with Chapter 40A of the Zoning Act.

A YES or AYE vote in favor of the motion would amend the Zoning Bylaw.

A NO or NAY vote opposed to the motion would maintain the status quo and the bylaw would not change.

Finance Committee Recommendation:

Select Board Recommendation:

DRAFT

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

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

a) Access separation. No new street, driveway, or other means of vehicular access to an arterial street shall be created unless it is separated from all other means of vehicular access on the same side of the street by at least 1,000 feet, measured centerline to centerline along the edge of the street right-of-way, unless granted a special permit under Section 3344 authorizing less separation. However, each lot or set of contiguous lots held in ownership separate from that of all abutting land as of the date of adoption of this provision shall be allowed a single access to an abutting arterial street, provided that the access shall be located so as to minimize movement conflicts with all other accesses to the same road.

b) Land division and sale. No land in the Traffic Management District shall hereafter be divided into separate lots or ownerships unless each resulting building lot will be entitled to vehicular access under these provisions, through one or more of the following:

- having location and configuration making it feasible to meet the requirements of Section 3343(a), or

- having an alternative means of access, such as an authorized shared driveway (see Section 3342), or

- having frontage on a non-arterial street, or

- having been granted a special permit under the provisions of Section 3344.

c) Other requirements. The standards of the table in Section 3341 (except for the required driveway centerline separation) must be met by all uses, regardless of trip generation level.

or take any other action in relation thereto.
Sponsor – Planning Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: 2/3 Supermajority

EXPLANATION

This article would remove the expired sunset date from the Interim Egress Control section. The purposes of this section is to aid in reducing the impacts of new access points on Scenic Highway and Sandwich Road until the opening of a limited-access highway connecting Route 6 with MacArthur Boulevard or Route 25. Both Scenic Highway and Sandwich Road are impacted significantly by traffic and new access points should be limited. This section was originally adopted in 1996 with an original expiration date of 2006, and extended to 2020.

DRAFT

A YES or AYE vote in favor of the motion would amend the Zoning Bylaw.

A NO or NAY vote opposed to the motion would maintain the status quo and the Zoning Bylaw would not change.

Finance Committee Recommendation:

Select Board Recommendation:

DRAFT

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

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

or take any other action in relation thereto.
Sponsor – Planning Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: 2/3 Supermajority

EXPLANATION

A "Home Occupation" is listed as a use in the Downtown District. The functional standards and special permit criteria for the home occupation had an incorrect section reference for the home occupation as "4120," however, the correct section is "4110."

A YES or AYE vote in favor of the motion would amend the Zoning Bylaw.

A NO or NAY vote opposed to the motion would maintain the status quo and the Zoning Bylaw would not change.

Finance Committee Recommendation:

Select Board Recommendation:

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DRAFT

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

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

Amend the following sections:

2220. Use Regulation Schedule

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

~~*(BA = Board of Appeals)*~~

4120. Accessory Dwelling.
The purpose of the accessory dwelling bylaw is to broaden the range of housing choice by increasing the number of small dwelling units available in Bourne's housing supply. The Building Commissioner/Chief Zoning Enforcement Office shall administer and enforce the provisions of this section. ~~A special permit authorizing one.~~ **An** accessory dwelling may be granted only if consistent with the following:

4121. Development Requirements.

a) **One accessory dwelling is permitted as a by right use to a lawful single-family use on the same lot.** ~~In conformance with Section 2450.~~

b) **Septic capacity or sewerage deemed satisfactory.** ~~The Board of Health must have documented to the Board of Appeals that sewage disposal will be satisfactorily provided for, including provision for an appropriate reserve area on the site.~~

c) Parking as required ~~at~~ **per** Section 3320 shall be provided either in a garage or **designated area** ~~on paved surfaces~~ not located within any required yard. **One parking space shall be designated per bedroom. Refer to section 2853 for parking requirements in the Downtown District (DTD).**

d) Minimum lot size is 5,000 square feet. Less than 5,000 square feet requires conformance with section 2450.

e) The maximum size of an accessory dwelling is 1,500 square feet and contains no more than two bedrooms.

f) An ADU is attached or detached to the primary structure and designed to maximize the appearance of a single-family residential property. It is subordinate to and no greater than 50% of the existing primary single-family dwelling floor area calculated as first floor, second floor, basements 50% above-grade, attics over 6'6" floor to ceiling height, and garages.

g) The following types of properties or developments are not eligible for an accessory dwelling: deed restricted affordable housing units; all lots developed under a Comprehensive Permit (Chapter 40B); lots with more than one single-family dwelling unit; and lots created under section 4600 Open Space Community.

h) Accessory dwelling units lawfully created prior to adoption of this section may continue to be used, maintained, and occupied.

4122. Occupancy Requirements

a) Either the principal or the accessory unit must be owner-occupied. ~~, except for temporary absences.~~ **Fractional ownership is prohibited.**

b) An accessory ~~unit~~ **dwelling and primary dwelling** authorized under these provisions shall not be used for **short-term rental,** summer rental, boarding and lodging, or other commercial use **except for a home occupation according to Section 4110.**

c) The ADU and primary dwelling may not be rented for periods shorter than 90 days at a time, and are prohibited from any use as rental units on a weekly or daily basis.

d) The primary dwelling and ADU must remain in common ownership which cannot be severed.

~~**4123. Procedural Requirement**~~

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

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

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

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

DOWNTOWN DISTRICT

2820. ALLOWABLE USES

2821. Table of Allowable Uses

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

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

2853. Table of Required Parking Spaces

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

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

SECTION V D E F I N I T I O N S

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

Accessory Building

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

Accessory Dwelling Unit (ADU)

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

Accessory Use

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

Dwelling Unit

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

Fractional ownership

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

or take any other action in relation thereto.
Sponsor – Planning Board

MOTION: *We move that the Town vote to approve this article as set forth in the Warrant.*

Vote Required: 2/3 Supermajority

EXPLANATION

One of the zoning strategies identified in the Town of Bourne Local Comprehensive Plan and Housing Production Plan is to revise the current Accessory Dwelling Bylaw and encourage the creation of "in-law" and/or year-round accessory dwellings that can provide significant year-round housing opportunities for residents. An accessory dwelling unit (ADU) is a separate unit within an owner-occupied home, typically as part of a surplus space in a single-family home. ADUs are separate from the principal dwelling and have their own kitchen, bathroom, and living facilities.

A YES or AYE vote in favor of the motion would amend the Zoning Bylaw.

A NO or NAY vote opposed to the motion would maintain the status quo and the Zoning Bylaw would not be changed.

Finance Committee Recommendation:

Select Board Recommendation:

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

THE MOTION FOR ARTICLE 26 WILL BE MADE AT TOWN MEETING.

Vote Required: 2/3 Supermajority

EXPLANATION

A YES or AYE vote in favor of the motion would allow the Select Board to acquire the necessary easements to construct the Rail Trail.

A NO or NAY vote opposed to the motion would mean that the Town could not acquire the easements and could not move forward with construction.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 27: To see if the Town will vote to authorize the Select Board, on its behalf, to petition the General Court for passage of a special law authorizing the Commissioner of Capital Asset Management and Maintenance, in consultation with the Adjutant General, to convey to the Town a permanent easement on land under the care and custody of the Massachusetts Armory Commission and identified on Bourne Assessor's map as Parcel 181 on Map 19.4, and referenced at Barnstable County Registry of Deeds at Book 877, Pages 67 and 68, for purpose of replacing a subsurface municipal water line and all necessary supporting appurtenances and consistent with the terms of the temporary license originally granted in January 2019, and further, to authorize Town Officials to take any action in relation thereto.
Sponsor – Select Board

MOTION: *We move to authorize the Select Board to petition the General Court for special legislation as set forth below:*

An Act authorizing the commissioner of Capital Asset Management and Maintenance to grant certain easements to the town of Bourne.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of certain easements by the commonwealth to the town of Bourne, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the adjutant general, may convey to the town of Bourne permanent and temporary easements in lands of the commonwealth used for armory purposes located on Armory road, in the town of Bourne and shown on a plan on file with the clerk of the town of Bourne, entitled "Proposed Utility Easement Plan in Bourne, Mass. prepared for town of Bourne #31 Armory Road Map 19.4 Parcel 181" dated October 15, 2018 and prepared by Bracken Engineering, Inc. The exact boundaries of the easement areas shall be determined by the commissioner based upon a survey. The easements shall be granted solely for the purposes of installation, use, maintenance, repair and replacement of a subsurface waterline. The grant of the easements shall be subject to sections 2 to 4, inclusive, and such additional terms and conditions as the commissioner of capital asset management and maintenance, in consultation with the adjutant general, may reasonably require consistent with this act.

SECTION 2. The town of Bourne shall assume all costs associated with engineering, surveys, appraisals, deed preparation and other expenses necessary to execute the conveyances authorized in this act.

SECTION 3. An independent appraisal of the fair market value and value in use of the easements described in section 1 shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser commissioned by the commissioner of capital asset management and maintenance. Consideration for the grants of the easements pursuant to section 1 shall be the full and fair market value or the value in proposed use, whichever is greater, as determined by the

commissioner of capital asset management and maintenance. The commissioner of capital asset management and maintenance shall submit the appraisal to the inspector general for review and comment. The inspector general shall review and approve the appraisal and the review shall include an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report of such review and file the report with the commissioner of capital asset management and maintenance. After receiving the report, the commissioner shall submit copies of the report to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight at least 15 days prior to the execution of documents affecting the conveyances authorized in said section 1.

SECTION 4. No instrument executed pursuant to this act shall be valid unless it provides that the easements shall be used solely for the purposes described in section 1. The instruments authorized in said section 1 shall include a reversionary clause that stipulates the easements shall terminate, upon such terms and conditions as the commissioner of capital asset management and maintenance may determine, if the property ceases to be used for the express purposes authorized in this act. Prior to any reversion, the commissioner shall provide notice of any violations to the town of Bourne and the town may cure the violation to the satisfaction of the division. If any interest reverts to the commonwealth, any further disposition shall be subject to sections 34 to 37, inclusive, of chapter 7C of the General Laws and the prior approval of the general court.

Vote Required: Simple Majority

EXPLANATION

The Town is seeking to acquire rights in a permanent 40' wide utility easement within the State Armory property located on the Buzzards Bay Bypass. This easement is for the same area of covered by a 2020 construction license used during construction to install necessary telecommunication and water lines to service the Police Station at 35 Armory Road.

A YES or AYE vote in favor of the motion would allow the Town to file special legislation to acquire a utility easement from the Commonwealth to serve the newly constructed Police Station.

A NO or NAY vote opposed to the motion would mean that the Town could not seek the necessary easement from the state.

Finance Committee Recommendation:

Select Board Recommendation:

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ARTICLE 28: To see if the Town will vote to authorize the Select Board to convey an easement in a portion of the land under or near Worcester Ave., approximately 262 square feet, or less or more, as more specifically described in the plan on file with the Town Clerk's Office titled "Exhibit 'A' Plan Sewage Disposal System Easement in Bourne, MA, Prepared for Town of Bourne, Monument Avenue," prepared by Bracken Engineering, Inc. and dated March 21, 2024, said easement to be used for a sewage disposal for the benefit of the parcel known and numbered as 1 Monument Ave., upon such terms and conditions as the Select Board may deem to be in the Town's best interests or take any other action relative thereto.

Sponsor – Select Board

MOTION: *We move to authorize the Select Board to convey an easement in a portion of the land under or near Worcester Ave., approximately 262 square feet, or less or more, as more specifically described in the plan on file with the Town Clerk's Office titled "Exhibit 'A' Plan Sewage Disposal System Easement in Bourne, MA, Prepared for Town of Bourne, Monument Avenue," prepared by Bracken Engineering, Inc. and dated March 21, 2024, said easement to be used for a sewage disposal system for the benefit of the parcel known and numbered as 1 Monument Ave., upon such terms and conditions as the Select Board may deem to be in the Town's best interests.*

Vote Required: Simple Majority

EXPLANATION

A YES or AYE vote in favor of the motion would allow the Select Board to grant an easement to the homeowner so that they could build a portion of their septic system in the public road layout.

A NO or NAY vote opposed to the motion would mean that the homeowner could not use any are located within the public road layout to construct a new septic system.

Finance Committee Recommendation:

Select Board Recommendation:

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Appendix A

Finance Committee Report and Roll Call Votes

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Appendix B

Fiscal Year 2025 Operating Budgets

B. 1. Sources and Uses

B.2. Free Cash & Enterprise Fund Retained Earnings Analysis

B.3. Article 2 – General Fund Operating Budget

B.4. Articles 3 & 4 – Enterprise Fund Operating Budgets

B.5. FY 2025 Long Term Plan

B.6. Revolving Fund Expenditure Report

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Appendix C

Fiscal Year 2025 Capital Budget

FY 2025 Funding Profile

FY 2025 Infrastructure

FY 2025-2029 Requests

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Appendix D

Supporting Information

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Appendix E

Bourne Rule

Annual Town Meeting
May 6, 2024

RESOLUTION – BOURNE RULE

Ms. Moderator, on behalf of the Select Board, I move the following Resolution:

RESOLUTION: Be It Resolved that, at the commencement of this annual town meeting, the Moderator shall ask the Finance Committee and the Board of Selectmen to certify whether or not the total of all Finance Committee funding recommendations on all matters to be voted at the May 6, 2024 annual town meeting, and contained in the warrant for this town meeting if voted are equal to the maximum property tax levy limit for the Town of Bourne established by law for FY 2025. If the answer is in the negative, the Finance Committee and the Select Board shall certify the dollar amount which exceeds the Finance Committee dollar recommendations on all of the articles in the warrant, but is less than the maximum tax levy limit, which certified dollar amount shall be available for appropriation by this annual town meeting. If the answer is in the affirmative, then during this annual town meeting any motion to raise and appropriate funds in order to increase any appropriation recommended by the Finance Committee must state an equal dollar reduction in another recommended appropriation or appropriations. A recommendation of indefinite postponement by the Finance Committee shall be construed as a zero dollar funding recommendation.

Respectfully submitted,
SELECT BOARD

DRAFT

B. Capital Improvement Planning Target Worksheet (P12)

FY23 GFOB	74,073,179.98

FY24 Targets

5% Target - Debt Financed Projects		
5% of PY GFOB	3,703,659.00	5.00%
FY24 Non-exempt Debt Appropriation	2,513,200.00	3.39%
FY24 Non-exempt Debt Appropriation over (under) policy	(1,190,459.00)	-1.61%
2% Target - Building renewal and replacement/acquisition of existing equipment (pay-as-you-go capital)		
2% of PY GFOB	1,481,463.60	2.00%
FY24 ATM Capital P1	1,103,181.00	
FY24 STM Capital P2	580,250.00	
Total Capital	1,683,431.00	2.27%
FY24 Pay-as-you go capital under (over) policy	201,967.40	0.27%

FY24 GFOB	77,587,218.00

FY25 Targets - prelim appropriations

5% Target - Debt Financed Projects		
5% of PY GFOB	3,879,360.90	5.00%
FY25 Non-exempt Debt Appropriation	1,780,300.00	2.29%
FY25 Non-exempt Debt Appropriation under (over) policy	(2,099,060.90)	-2.71%
2% Target - Building renewal and replacement/acquisition of existing equipment (pay-as-you-go capital)		
2% of PY GFOB	1,551,744.36	2.00%
FY25 ATM Capital P1	1,042,200.00	
FY25 STM Capital P2	-	
Total Capital	1,042,200.00	1.34%
FY25 Pay-as-you go capital over (under) policy	(509,544.36)	-0.66%

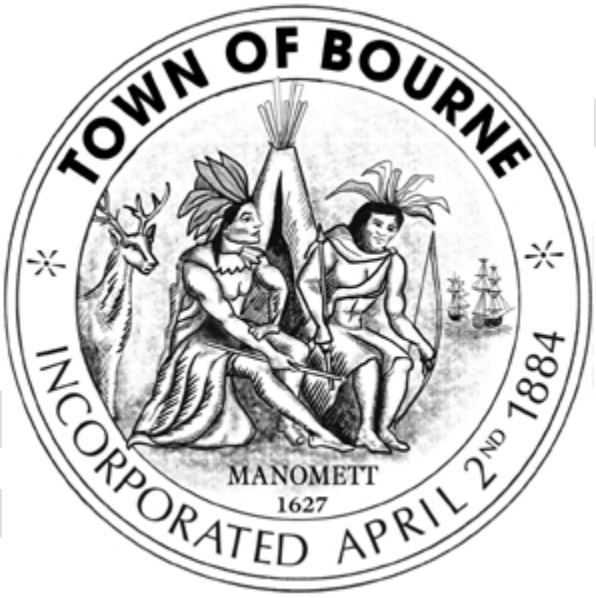
FY25 GFOB	79,148,959.00

FY26 Targets (forecasted)

5% Target - Debt Financed Projects		
5% of PY GFOB	3,957,447.95	5.00%
FY26 Non-exempt Debt Appropriation	-	0.00%
FY26 Non-exempt Debt Appropriation under (over) policy	(3,957,447.95)	-5.00%
2% Target - Building renewal and replacement/acquisition of existing equipment (pay-as-you-go capital)		
2% of PY GFOB	1,582,979.18	2.00%
FY26 ATM Capital P1	-	
FY26 STM Capital P2	-	
Total Capital	-	0.00%
FY26 Pay-as-you go capital over (under) policy	(1,582,979.18)	-2.00%

***Once 7% target is reached, the amount in subsequent years under target shall be appropriated to the capital stabilization fund**

TOWN OF BOURNE



FINANCIAL MANAGEMENT POLICIES

XX 2024

UMASS BOSTON

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INTRODUCTION

The Town of Bourne engaged the services of the Edward J. Collins. Jr. Center at the University of Massachusetts Boston to develop proposed financial policies and procedures to guide the Town in its decision-making and financial management. In addition to guiding local decision makers, the proposed policies and procedures are intended to provide local officials with a means to demonstrate to townspeople their commitment to stewardship of the Town's municipal assets and to demonstrate to bond rating agencies that the Town recognizes the need to identify the impact of current decisions on the future and plan accordingly.

Further, these policies and procedures are intended to be complementary to any existing acts, laws, or by-laws that govern the operations of the Town. They are not proposed as substitutes for such acts, laws, or by-laws. It is recognized that circumstances may arise that may require action that might deviate from any given policy or procedure and that any decision to deviate from them – to the extent allowed under existing state law and regulation, or local by-law - is the purview of the Town and its local officials.

It is important to point out that this is not a static document; conditions and the environment in which municipalities operate can change. Consequently, these policies and procedures should be reviewed periodically to determine if modifications are warranted.

OBJECTIVES

The objectives of the proposed Financial Management Policies included herein are as follows:

1) To guide elected and appointed officials in evaluating and implementing decisions that have significant impact on the Town;
2) To set forth planning and operating principles which require that the cost of government be clearly identified, and that financial risk be minimized;
3) To regularly evaluate the Town's financial capacity to meet present and future needs;
4) To promote credible and sound financial management by providing accurate and timely information on the Town's financial condition to elected officials, staff, the public and external interests;
5) To ensure that current and future capital needs are addressed in a comprehensive and financially-sound manner;
6) To promote improvement in the Town's credit rating and provide financial resources sufficient to meet the Town's obligations on all municipal debt and other long-term obligations.

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A. THE ANNUAL OPERATING BUDGET PROCESS

PURPOSE

The purpose of this policy is to articulate the principles to be followed in the formulation of the recommended annual budget, formalize the steps that culminate in the adoption of the annual budget, and identify the parties responsible for preparing and presenting the budget.

APPLICABILITY

This policy applies to the Town Administrator, the Select Board, Finance Committee, the Finance Director/Treasurer-Collector, the Town Accountant, the Director of Assessing, Bourne Public Schools, Upper Cape Cod Regional Technical School, Town boards and committees, Department Heads, and Town Meeting.

DEFINITIONS

Annual Operating Budget - comprised of requests for funding for general fund operations, including Town boards and committees, and enterprise fund operations.

Available Funds: Funds established through previous appropriations or results of favorable operating results at fiscal year-end (e.g., Free Cash and Enterprise fund Retained earnings), and including but not limited to General and Specialized Stabilization Fund(s), CPA Reserves and Overlay Surplus

Capital Improvement Plan and Capital Budget –A plan updated annually consisting of capital requests from all departments, including the Bourne Public Schools and the CPA Committee, for the next five (5) fiscal years. The Capital Budget shall constitute the subset of Year 1 capital requests that are recommended for funding at the upcoming annual town meeting. (See Bourne Capital Improvement Planning Policy)

Enterprise Fund - a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. Revenues and expenses of the service are segregated into a fund with financial statements separate from all other governmental activities.

General Fund - the primary fund used by a government entity to account for general government services. This fund is used to record all revenues and expenditures that are not associated with special-purpose funds, e.g., enterprise funds and grant funds. The activities being paid for through the general fund constitute the core administrative and operational tasks of a municipality.

A-1. POLICY

The following principles shall guide town officials in the preparation of the recommended annual operating budget for presentation to Town Meeting:

- As required by Massachusetts General Law (M.G.L. c.44, §31 and M.G.L. c.59, §§ 21C-23), the recommended annual operating budget shall be balanced; that is, total recommended appropriations shall be supported by estimates of revenue equal to those appropriations.

- Recommended appropriations shall be realistically budgeted, and revenues shall be conservatively estimated.

- Sources of estimated revenue shall be reasonably expected to recur annually to sustain recurring annual expenditures. Sources of funding that are not recurring such as Free Cash or Stabilization Funds shall not be used for the purpose of balancing the operating budget unless extraordinary circumstances require it. Should one-time revenue be used to balance the budget, a plan shall be developed that would eliminate the use of one-time revenue in future years.

- The document transmitting the recommended annual budget shall include a presentation of estimated revenues proposed to finance the recommended budget and the assumptions underlying the estimates. (See Long Range Forecasting Policy)

- The document transmitting the recommended annual operating budget shall include a disclosure of any grant funds that are being applied to enhance existing services or initiate new services; the term of each grant; and the estimated impact on future annual operating budgets to maintain those services at the expiration of the grant.

- The Town will seek to avoid using budgetary relief offered by statute or regulation that balances the budget at the expense of future years, such as amortizing deficits over multiple years.

- The Town shall maintain reserves for emergencies and other purposes (See Financial Reserves Policy) and shall maintain liquidity sufficient to pay bills on time to preclude the need to borrow in anticipation of revenue.

A-2. PROCEDURES

The following procedures shall be followed in the development and presentation of the recommended annual operating budget:

1. On or before September 1st of each year, the Town Administrator shall transmit to all Department Heads, Town boards and committees, the Bourne Public Schools, and Upper Cape Cod Regional Technical School a schedule for submittal of annual operating budget and capital improvement plan requests for the ensuing fiscal year. This schedule shall include, at a minimum, the following dates/elements:

a. On a date determined by the Town Administrator, submission by departments including Bourne Public Schools and the CPA Committee of capital budget requests to the Town Administrator on forms approved by the Town Administrator.

b. Submission of operating budget requests to the Town Administrator by departments including Bourne Public Schools, Upper Cape Cod Regional Technical School, and Town boards and committees on or before November 15th of each year on forms approved by the Town Administrator. It is recognized that the budget submissions of the Bourne Public Schools and Upper Cape Cod Regional Technical School are preliminary and will not be finalized until their respective boards have voted to approve them.

c. At the beginning of the budget process, on a date determined by the Town Administrator, submission by Town Administrator of a Long-Term Financial Forecast to the Select Board and Finance Committee.

d. On or before December 30th of each year, submission by Town Administrator and the Capital Outlay Committee to the Select Board and the Finance Committee the proposed capital improvement plan for all Town departments including the Bourne Public Schools and the CPA Committee. (see Capital Improvement Planning Policy)

e. On or before January 15th of each year submission by Town Administrator to the Select Board a proposed operating budget for all town departments including the Bourne Public Schools and Upper Cape Cod Regional Technical School, and Town boards and committees.

f. A minimum of one scheduled joint meeting of the Select Board, School Committee, and the Finance Committee to review the proposed operating and capital budget.

g. On or before February 1 of each year submission by the Select Board to the Finance Committee its proposed operating and capital budget.

h. Date(s) of at least one (1) or more public hearings to be conducted by the Finance Committee on the proposed operating and capital budgets.

i. The date, which must be not less than twenty (20) days prior to the scheduled date of the Town Meeting, that the Finance Committee will issue its report to the voters.

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Operating Budget:

2. The Town Administrator's Recommended Budget shall include the following:

    a. Budget Recommendations for all departmental operations, including the Bourne Public Schools the Upper Cape Cod Regional Technical Schools, Town boards and committees, and non-departmental expenditures accounted for in the General Fund and each Enterprise Fund including the adopted budgets for the current fiscal year, year-end projections for the current fiscal year, and actual expenditures for the prior two fiscal years.

    b. Estimated operating revenues and the proposed use of other available funds to finance the recommended operating budgets including budgeted and year-end projections for the current year and actual revenue for the prior two fiscal years.

    c. An explanation of the budget both in fiscal terms and in terms of expected outcomes, delivery of services and initiatives.

    d. A summary of the Town's debt position and projections.

    e. Such other material deemed to be appropriate and/or required by the Select Board.

3. At least 20 days prior to the Annual Town Meeting, the Finance Committee shall issue in printed form its recommendations and explanations. Copies of the printed recommendations and explanations shall be available in accordance with Section 7-4 of the Town Charter.

4. The budget to be acted upon by the town meeting shall be the budget approved by the Select Board.

REFERENCES

M.G.L. c. 41, §108
M.G.L. c. 44, §31
M.G.L. c.59, §§ 21C-23

Bourne Town Charter, Article 7, Finance and Fiscal Procedures
Town of Bourne By-laws, Section 1.2.7 Time Limit for Filing Annual Operating Budgets

Town of Bourne Financial Policy: Capital Improvement Planning
Town of Bourne Financial Policy: Long Range Financial Forecasting
Town of Bourne Financial Policy: Financial Reserves Policy

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B. CAPITAL IMPROVEMENT PLANNING

PURPOSE

Capital assets – roads and bridges, utility infrastructure, equipment, vehicles, parks, buildings, and technology – are critical components in supporting the delivery of municipal services and contributing to the quality of life in the town.

The purpose of this policy is to define an annual capital improvement planning process to identify the need for the acquisition of new Town owned capital assets, the replacement of existing Town owned assets, and the proposed financing of each.

APPLICABILITY

This policy applies to all town departments, boards, and committees that maintain an inventory of Town owned capital assets Including the Bourne Public Schools and the Community Preservation Act (CPA) Committee; to the Town Administrator with responsibility for creating an annual Capital Improvement Plan (CIP); to the Capital Outlay Committee and the Select Board with responsibility to review and, if appropriate, modify the Town Administrator's recommended CIP; and the Finance Committee in its role to review and take positions on capital projects proposed for funding and to make recommendations to Town Meeting.

DEFINITIONS

Annual Operating Budget: comprised of requests for funding for general fund operations and enterprise fund operations.

Annual Levy Limit: The amount of property taxes a municipality can raise in a given fiscal year governed by rules promulgated under Proposition 2 ½. Any amounts raised over and above the annual levy limit to fund additional operating costs (override) or capital spending (debt exclusion or capital outlay exclusion) are subject to approval by town wide referendum.

Available Funds: Funds established through previous appropriations or results of favorable operating results at fiscal year-end, e.g., Free Cash, Stabilization Fund(s), Overlay Surplus, and Enterprise Fund Retained Earnings. Available Funds also includes money derived through the Community Preservation Act (CPA).

Capital Improvement Plan and Capital Budget: A plan updated annually consisting of capital requests from all departments, including the Bourne Public Schools and the CPA committee, for the next five (5) fiscal years. The Capital Budget shall constitute the subset of Year 1 capital requests that are recommended for funding at the upcoming annual town meeting.

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Capital Project: a major, non-recurring expenditure that generally meets the following criteria:

1) Massachusetts General Law permits the Town to issue bonds to finance the expenditure;

2) Project costs $25,000 or greater;

3) Proposed project or asset to be acquired has a useful life of five (5) years or more including:

    a. New public buildings, or additions to existing buildings, including land acquisition costs and equipment needed to furnish the new building or addition for the first time;
    b. Alterations, renovations, or improvements to existing buildings;
    c. Land acquisition and/or improvements, unrelated to public buildings, but necessary for conservation, recreation, or off-street parking;
    d. Major equipment acquisition, replacement, or refurbishment, including but not limited to vehicles, furnishings, and information technology systems' hardware and software or other items that combined in purpose together make it a Capital Project;
    e. New construction or major improvements to Town's physical infrastructure, including streets, sidewalks, stormwater drains, landfill and the sanitary sewer system. Infrastructure improvements must extend the useful life of the infrastructure by at least ten (10) years to be appropriately classified as a Capital Project;
    f. Feasibility studies, engineering design services, or consultant services which are ancillary to a future Capital Project.

Exempt debt: authorized by MGL c 59, sec. 21C(j) is General Fund debt financed outside the limits of Proposition 2 ½ pursuant to a debt exclusion vote approved by a majority vote of the registered voters in the town.

Pay-As-You-Go Financing: When a capital asset is paid entirely or partially from current operating budget revenue or available funds in the year that it is acquired.

Non-Exempt debt: General Fund debt financed within the limits of Proposition 2 ½.

B-1. POLICY

The following shall be the policy of the Town:

- To maintain its physical assets by providing funding in the annual operating budget to protect its capital investments and minimize future maintenance and replacement costs.

- To pursue a program of preventive maintenance as a cost-effective approach to protecting its capital investments and maximizing the useful life of its capital assets including the procurement of outside

services where Town staff capacity or expertise appears insufficient to perform such preventive maintenance.

- To endeavor to provide and preserve the infrastructure and equipment needed for achieving the highest levels of public services and quality of life possible by annually developing a five-year Capital Improvement Plan to ensure adequate investment in the Town's capital assets.

- The Capital Improvement Plan submitted by the Town Administrator shall at a minimum consist of the following elements:

    1) A clear summary of its contents

    2) A list, together with supporting data, of all capital improvements proposed to be undertaken in the next five years; such list to include all capital improvements of the Bourne Public Schools and the CPA committee and those resulting from any inter-municipal or regional agreements. Such list shall detail proposed:

        - Acquisition of new land, facilities, vehicles, and equipment;
        - Construction and expansion of existing facilities;
        - Major maintenance and repairs of facilities, vehicles, and equipment;
        - Replacement program for existing equipment and vehicles;
        - Cost estimates, methods of financing and recommended timetables;
        - All projects requested to be funded in the first year shall be accompanied by a written quote and/or estimate from a qualified vendor;
        - All projects requested to be funded in the five year the Capital Budget shall be accompanied by a proposed source of funding (see Town of Bourne's Financial Reserves Policy and Debt Management Policy);
        - A debt schedule that shows existing debt service, estimated debt service on authorized but yet to be issued debt, and projected debt service for requested capital projects identified as candidates for debt financing. The schedule shall also include the existing and projected ratio of debt service to General Fund Revenue.

- To the extent possible, feasibility studies, engineering design services or consultant services ancillary to a capital project shall be completed prior to the submission of the capital project;

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- The following shall be considered as sources of financing of capital:

    1) Town Budgeted General Operating Revenues, Enterprise Fund revenues, and CPA revenues; Available Funds, (e.g., Special Purpose Stabilization Funds, Free Cash, Retained Earnings, CPA reserves and Overlay Surplus), and grant funds from the federal and state governments.

    2) Long-term debt shall be considered an appropriate funding source for capital requests whose costs cannot be accommodated with current revenue within the annual operating budget without adversely affecting the financing of services. Debt Service payments shall be structured based on annually declining debt service (level principal and declining interest payments) in order to create future capacity to finance future projects with new debt service unless unique circumstances related to a capital project(s) financing require alternative debt structures.

    3) For projects other than those related to enterprise fund programs, grant programs and the CPA, the target for spending for General Fund capital projects (exclusive of those projects financed outside the limits of Proposition 2 ½) shall be 7% of the prior fiscal year General Fund budget; The source of funding to be any combination of projected General Fund operating revenue or Available Funds. The 7% shall be comprised of the following:

        a. 2% targeted for building renewal, and the replacement of existing or acquisition of new equipment on a pay-as-you-go basis.

        b. 5% targeted for debt service on debt-financed projects.

- This policy recognizes that meeting the above capital financing spending targets may take multiple years to achieve. To that end, a plan for achieving these goals shall be incorporated into the Town's Long-Range Financial Forecast.

- No specific spending target is established for enterprise fund projects. Through the long-range capital planning process, future capital costs will be identified. The Town will strive to include in proposed rates – subject to an evaluation of their impact on rate payers - a component to generate revenue that can be set-aside in a reserve to fund future project costs on a pay-as-you-basis or to underwrite future debt service costs.

- Upon reaching the general fund target of 7 % described above, If - in the development of the annual operating budget in any following fiscal year - funds needed for the Capital Budget recommended to Town Meeting are below the target , the difference in revenue allocated for capital and the 7 % target shall, to the extent practicable, be appropriated into a capital stabilization fund to offset the costs of future capital projects.

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- The term for which debt is issued shall comply with the limits in Massachusetts General Law. Notwithstanding these limits, debt maturities should be equal to or less than the useful life of the asset being financed.

- To the extent practicable, assets with short useful lives that are replaced regularly, or are under the capital project dollar amount threshold shall be funded in departmental operating budgets.

B-2. PROCEDURES

1. The Town Administrator in conjunction with the Capital Outlay Committee shall have responsibility for coordinating the development of a proposed five-year Capital Improvement Plan, to be delivered on a timeline that supports the Annual Budget Process and in compliance with the Town Charter. The Town Administrator shall create the forms on which capital project requests are submitted. On or about September 1st, the Town Administrator shall develop and transmit to the Select Board and the Finance Committee a calendar identifying dates in the development of the plan including:

    a. Submission by departments and town committees of capital budget requests to the Town Administrator including the Bourne Public Schools and potential town owned projects being considered by the CPA committee.

    b. Dates for departments requesting capital projects to appear before the Town Administrator and the Capital Outlay Committee to respond to questions about project proposals, and to provide and answer questions regarding cost estimates and scope for any projects proposed for the Capital Budget.

    c. Submission by the Town Administrator of the Long-Term Financial Forecast to include projections of capital to be financed with cash and/or debt.

    d. Submission by the Town Administrator to the Capital Outlay Committee of the Town Administrator's recommended Capital Improvement Plan and Capital Improvement Budget.

    e. On or before December 30th of each year submission by Town Administrator, in conjunction with the Capital Outlay Committee, to the Select Board the proposed Capital Improvement Plan and Capital Improvement Budget for all Town departments including the School Committee and the CPA Committee.

    f. A joint meeting, if it is determined to be needed, of the Select Board, School Committee, Capital Outlay Committee, and the Finance Committee to review the proposed capital improvement plan and capital budget.

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g. On or before February 1st of each year submission by the Select Board to the Finance Committee its proposed capital budget.

h. Date(s) of at least one (1) or more public hearings to be conducted by the Finance Committee on the proposed capital budget.

i. Not less than twenty (20) days prior to the scheduled date of the Annual Town Meeting, the Finance Committee will issue its report to the voters.

On a date established by the Select Board that will provide sufficient time for the public to review prior to the Town Meeting, the Select Board shall make available a printed copy of the proposed five-year capital plan to all voters at the Annual Town Meeting.

2. In prioritizing capital requests, the Town Administrator shall determine how the project addresses the following criteria:

a. Overall Fiscal Impact: limited resources for competing projects require that each project's full impact on the Town's budget be considered in evaluating projects. Projects that are self-funded or have a substantial proportion of external funding may receive higher ratings than those that do not.

b. Legal obligations and in the furtherance of the Town's strategic goals: Some projects are unavoidable due to court orders, federal mandates, or state laws that require their completion. In addition, projects that advance an approved Town plan such as Select Board Policy Goals, School Department Strategic Plan or the Town's Local Comprehensive Plan should receive higher consideration than those that do not.

c. Impact on service to the public: Consideration will be given to capital projects that address public health, safety, or accreditation issues and improved service by an agency to the public.

d. Urgency of maintenance needs: Capital projects that are essential to maintain service, protect assets, or restore service that has been interrupted due to failure of capital assets should be considered in prioritizing projects.

e. Prior Phases: Some projects need to be developed in phases due to their complexity or size. In such cases that need has already been established by prior commitment of funds to existing projects. Therefore, continuation and/or completion of the project should be a consideration.

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f. Economic Base: Directly benefits the Town's economic base by protecting and increasing property values.

g. Community Values: Provides Capital projects that support social cultural, historic, economic, or aesthetic value.

h. Department priority: The requesting department's indication of which projects are most important to their mission should be recognized in the prioritization of projects.

3. Only Town owned projects that have gone through the annual capital planning process will be considered for funding unless required by an emergency, which may be determined based on hazard to public safety, potential damage to people or property, regulatory requirement, grant availability, or other factors. Emergency requests shall be submitted to the Town Administrator, in a form prescribed by the Town Administrator, for review and consideration. If the Town Administrator deems the request constitutes an emergency, he/she shall transmit the request, including a recommendation of the source of funding, to the Select Board and Finance Committee for consideration. Furthermore, it is recognized that opportunities for the acquisition of land may present themselves on a timeline that may not dovetail with the annual capital planning process and that disclosure of such opportunities during the normal capital planning process may jeopardize the sensitivity of active negotiations for the acquisition of such property. Consequently, notwithstanding the requirements of this policy, consideration of such acquisitions and requests for funding may occur at any time within a given fiscal year.

4. In consultation with the Town Administrator, within six months after the completion of a capital project or acquisition financed through a special article, the Town Accountant shall close out the project so any unexpended balance financed with cash or bond proceeds can be re-deployed for other purposes pursuant to Massachusetts General Law or regulation.

REFERENCES

M.G.L. c. 41, § 106B
M.G.L. c. 44, §§ 7-8
M.G.L. c. 44, § 20
M.G.L. c. 44, § 33B

Massachusetts Department of Revenue, Division of Local Services: Division of Local Services Best Practice: Presenting and Funding Major Capital Projects

Bourne Town Charter, Section 7-2, Capital Improvement Plan and Capital Improvement Budget
Town of Bourne By-Law Section 1.2.7 Time Limit for Filing Annual Operating Budgets
Town of Bourne By-law Section 1.5 Capital Outlay Committee

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Town of Bourne Financial Policy: Annual Budget Process Policy
Town of Bourne Financial Policy: Financial Reserves Policy
Town of Bourne Financial Policy: Debt Management Policy

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C. LONG RANGE FINANCIAL FORECASTING

PURPOSE

Annual budget proposals can have significant implications for subsequent fiscal years. Prudent financial management calls for an evaluation of the future impact of those proposals by decision-makers before they are recommended for a vote by Town Meeting. A tool for such an evaluation is a multi-year revenue and expenditure forecast.

It is important to emphasize that a forecast is not a proposed or recommended budget. It is a tool for planning, not budgeting. A forecast is intended to facilitate discussion among community "stakeholders" with the hope that it will result in the identification of issues that call for further discussion and analysis as each annual budget cycle unfolds.

The purpose of this policy is to describe the methodology for forecasting revenues and expenditures, the timing for completion of an annual forecast, and the identification of the parties to be involved in the process.

This policy is a companion to the provisions of the Bourne Town Charter, Section 7-3 Long Term Financial Forecast that requires a 5-year financial forecast of town revenues, expenditures, and general financial condition.

APPLICABILITY

This policy applies to the Town Administrator, the Finance Director, the Select Board, and the Finance Committee.

DEFINITIONS

Available Funds - balances available for expenditure established through previous appropriations (e.g., stabilization funds or overlay surplus) or from a Fund's positive operating results at fiscal year-end (e.g., free cash or retained earnings).

Indirect Costs - those expenses that are part of the annual operating budget accounted for in the General Fund, a portion of which can be identified as supporting the operations of an enterprise.

Retained Earnings - any operating surplus (actual revenues in excess of estimates and appropriations in excess of expenses) is retained in the enterprise fund rather than closed to the General Fund at fiscal year-end. Surplus of an enterprise certified by the Massachusetts Department of Revenue, Division of Local Services as available is called "retained earnings." Use of retained earnings requires appropriation by Town Meeting.

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Enterprise Fund - a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. Revenues and expenses of the service are segregated into a fund with financial statements separate from all other governmental activities.

General Fund - the primary fund used by a government entity to account for general government services. This fund is used to record all revenues and expenditures that are not associated with special-purpose funds, e.g., enterprise funds and grant funds. The activities being paid for through the general fund constitute the core administrative and operational tasks of a municipality.

C-1. POLICY

The following principles shall guide town officials in the preparation of an annual, multi-year forecast of revenues and expenditures:

- The forecast shall be for 5 fiscal years, not including the base year which shall be the current adopted budget.

- A separate forecast shall be developed for General Fund operations and each Enterprise Fund operation.

- The forecasting methodology shall be a maintenance budget approach; that is, the projected costs needed to maintain the "current level of services" reflected in the base-year budget and the revenues available to support projected maintenance budgets. The difference between projected revenues and expenditures, if positive, shall be characterized as the "available balance;" that is, the excess of projected revenues over projected expenditures, which can be used to fund service or program enhancements, future collective bargaining agreements, add to reserve balances, or finance capital on a pay-as-you-go basis.

- Revenues shall be projected conservatively as follows:

    a. projections of the property tax shall be based on the growth of the levy limit pursuant to Proposition 2 ½; that is, growth in the prior years' levy limit of 2 1/2 % plus an increase attributable to new growth. Forecasts of new growth shall be based on a review of a 10-year history of growth by class with adjustments based on current information that calls for deviations from such averages.

    b. projections of each category of local receipts shall generally be based on the history of actual collections and projections of 5-year historical averages with adjustments made based on current information that calls for deviations from such averages, e.g., newly adopted fees or charges, termination of a fee-based program, etc.

c. projections of state aid shall be based on a 5-year historical average of actual receipts by Cherry Sheet program with adjustments made based on current information that calls for deviations from such averages.

d. Projections of Available Funds shall be based on current balances in each Fund and an assessment of the reliability of their recurrence in each year of the forecast, and the advisability of their use to support operating budgets.

e. Projections of increases in Enterprise Fund transfers to the General Fund to cover indirect costs shall be based on projected increases in the components that comprise indirect costs (see the Town's Enterprise Fund policy).

- Expenditure projections shall be based on increases driven by estimated inflationary pressures, current collective bargaining agreements, and escalators in other existing service contracts. Projections of expenditures not requiring appropriations (Other Amounts to be Raised), shall be based on a review of historical patterns of expenditures - an example being the Overlay account - and historical annual average increases for Cherry Sheet assessments.

C-2. PROCEDURES

The following procedures shall be followed in the development and presentation of the annual revenue and expenditure forecast:

1. Revenue and expenditure forecasts by Fund shall be prepared annually by the Finance Director and approved by the Town Administrator prior to submission to the Select Board and Finance Committee and shall include narrative or annotations describing the assumptions driving the forecasts.

2. The initial presentation of the Town Administrator's financial forecast shall be by the date set forth in the Town Administrator's budget/town meeting calendar pursuant to the Town's policy on the Annual Operating Budget Process and shall also be included in the Town Administrator's annual budget message.

3. The Select Board shall make the forecast available to the public for inspection.

REFERENCES

M.G.L. c.59, §§ 21C-23

Bourne Town Charter, Section 7-3 Long Term Financial Forecast

Town of Bourne Financial Policy: Annual Operating Budget Process
Town of Bourne Financial Policy: Capital Improvement Planning

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D. DEBT MANAGEMENT POLICY

PURPOSE

Pursuant to Massachusetts General Law, municipalities may issue debt to finance capital projects and, under extraordinary circumstances, for non-capital purposes. The purpose of this policy is to guide the Town in making decisions regarding the issuance of debt needed to maintain capital assets, yet at a level that recurring revenue can support without adversely affecting the delivery of local services.

APPLICABILITY

This policy applies to the Select Board, Town Administrator, Finance Committee and Capital Outlay Committee in their capacity as budget decision makers, and to the Finance Director/Treasurer-Collector with responsibility to manage the issuance of debt.

DEFINITIONS

Annual Budget: comprised of requests for funding for general fund operations, enterprise fund operations and capital projects.

Arbitrage: investing funds borrowed at a lower interest cost in instruments providing a higher rate of return.

Betterment or Special Assessment: a special property tax that is permitted where real property within a limited and determinable area receives a special benefit or advantage, other than the general advantage to the community, from the construction of a public improvement.

Bond anticipation note (BAN): a short-term note issued to provide cash for initial project costs. BANs may be issued for a period not to exceed five years but require a reduction of principal after two years. At maturity, a BAN can be retired in full or converted to a long-term bond.

Bond counsel: special legal counsel with expertise in the issuance of municipal bonds hired to ensure that all aspects of a bond issue - from town meeting authorization to bond sale to post-sale reporting and disclosure - conform to all applicable state and federal law and regulation.

Capital Outlay Expenditure Exclusion: authorized by Massachusetts General Laws (M.G.L. c. 59, § 21C (I ½)) is a mechanism that allows a community to raise the total dollar cost of a capital purchase or capital project through a one-year increase in the tax levy. In this way, the municipality avoids long-term interest costs, if it were to borrow the needed funds. A capital outlay expenditure exclusion can only be used to fund purposes, specified in Ch. 44 Sec. 7 and Sec. 8, for which a community may incur debt.

Debt service: the annual amount of principal and interest paid on a bond, typically twice a year with one payment for principal and interest and the other for interest only.

Enterprise Fund: a separate accounting and financial reporting mechanism for which revenues and expenditures are segregated into a fund with financial statements separate from all other governmental activities. An enterprise fund identifies the total direct and indirect costs to provide the service and the sources and amounts of revenues that support a service for which a fee is charged in exchange for the service, an example being the delivery of sewer services.

Exempt debt: authorized by Massachusetts General Laws (M.G.L. c. 59, § 21C (j)) is General Fund debt financed outside the limits of Proposition 2 ½ pursuant to a debt exclusion vote approved by a majority vote of registered voters in the town.

Financial Advisor: hired by a municipality to advise on the structure of a bond issue, finalize bond financing plans, develop offering documents, prepare for any rating agency and investor presentations, market the bond offering to investors, price the bonds, close the transaction and assist with any post-closing disclosure requirements.

General Fund: the primary Fund used by a governmental entity. This Fund is used to record all revenues and expenditures that are not associated with special-purpose Funds. e.g., enterprise funds, grant funds and revolving funds. The activities being paid for through the general fund constitute the core administrative and operational tasks of a municipality.

Non-exempt debt: General Fund debt financed within the limits of Proposition 2 ½.

Official Statement: a document containing information about a prospective bond issue or a bond anticipation note issue which contains information about the issue and the issuer and is intended for the potential investor. The official statement is sometimes published with a notice of sale. It is sometimes called an offering circular or prospectus.

Pay-As-You Go Financing: When a capital asset is paid entirely or partially from current operating budget revenue or available funds in the year that it is acquired.

Proposition 2 ½: pursuant to Massachusetts General Law (M.G.L. c. 59, § 21C (f)), a limit in the annual increase in a municipality's property tax levy to 2 ½ percent plus an increase attributable to new construction in the town. In addition, upon voter approval property taxes may increase beyond the limits of Proposition 2 ½ on a permanent basis to fund increases in the operating budget or on a temporary basis to fund capital improvements.

Revenue Anticipation Note (RAN): pursuant to authority granted by MGL Ch. 44 s 4, a short-term loan issued to provide operating cash in anticipation of estimated revenue yet to be received. such as tax collections and state aid.

D-1. POLICY

The Town's policy regarding debt management shall be as follows:

- The means of identifying projects that are candidates for debt financing shall be part of an annual capital planning process (see the Town's Capital Improvement Planning policy and Financial Reserves policy).

- It is recognized that multiple capital investments may not be able to be financed on a pay-as-you go basis in a given fiscal year without the risk of adversely affecting general fund or enterprise fund operating budgets. Therefore, it shall be policy that capital projects may appropriately be financed through the issuance of debt.

- Major new construction projects or significant renovations and capital expenditures to be funded with General Fund revenue may be candidates for funding through a Proposition 2 ½ debt exclusion.

- The Town will endeavor to structure non-exempt, exempt and enterprise fund debt in a manner that will minimize the impact on taxpayers and ratepayers.

- Projects recommended for funding through the issuance of debt shall not be approved without an estimate of the annual debt service that will result from bonds issued and consideration of the impact the debt service will have on the Town's annual budget. In this regard, the Town will endeavor to manage debt so as not to exceed the following target:

    a. Total General Fund, non-exempt, long-term debt service as a percentage of the Town's projected General Fund revenue shall not exceed 7 percent with a target of 5 percent. In addition, as a general rule, the Town shall strive to maintain a debt service floor of 3% percent of projected General Fund revenue representing a commitment to maintaining its capital assets from recurring revenue.

- The target for growth in annual debt service in any fiscal year shall be no greater than the rate at which General Fund revenue is projected to grow.

- Notwithstanding the maximum terms allowed by Massachusetts General Law (M.G.L. c. 44, §§ 7-8) for the issuance of bonds, the Town will (1) seek to limit the term so that it is equal to or less than the Town's estimate of the useful life of the asset being financed; (2) for a given purpose, strive to issue debt for a shorter period than the maximum term allowed when that term exceeds 10 years; and, (3)

except for major buildings, sewer projects, Integrated Solid Waste Management (landfill) projects and land acquisition, seek to limit bond maturities to no more than 10 years.

- In an effort to free up capacity within the annual general fund debt service budget to accommodate proposed capital projects to be financed through the issuance of debt, The Town will (1) attempt to maintain a long-term debt schedule so that at least 50% of the outstanding principal will be retired at the end of 10 years; and, (2) where possible, issue debt on a level principal/declining interest basis (so that annual debt service will decline over the term of the bond).

- The Town, with advice from its financial advisor, shall endeavor to issue debt with call dates to facilitate refunding if the interest rate environment changes to the Town's advantage.

- The Town will strive to maintain, if not enhance, its bond rating through the development of policies and procedures that address the following evaluative criteria used by rating agencies in evaluating a municipality's creditworthiness:

    a. Debt Factors: debt per capita, debt as a percentage of equalized valuation, rate of debt amortization and the amount of exempt versus non-exempt debt.

    b. Financial Factors: Operating surpluses or deficits, free cash as a percentage of revenue, state aid reliance, property tax collection rates, unfunded pension liability.

    c. Economic Factors: property values, personal income levels, tax base growth, tax and economic base diversity, unemployment rates and population growth.

    d. Management Factors: governmental structure, the existence of a capital improvement plan, the quality of accounting and financial reporting, etc.

- Short-term financing for capital projects, reimbursable grants or in anticipation of property tax collections through internal borrowing or the issuance of bond, grant or tax anticipation notes is appropriate. Internal borrowing shall be in compliance with Massachusetts General Laws (M.G.L. c. 44, § 20A} based on the Treasurer's assessment of the Town's cash flow position and the availability of surplus cash, and the current interest rate environment for (1) the investment of Town funds, and (2) rates for short and long-term borrowing, with the understanding that an internal borrowing not retired by June 30 of a fiscal year through the issuance of a short-term note, a bond or the receipt of grant funds may adversely affect the Department of Revenue's certification of the Town's free cash.

- Notwithstanding the maximum terms for the issuance of debt prescribed by Massachusetts General Laws (M.G.L. c. 44, §§ 7-8), it shall be the policy of the Town to limit the term of a bond issued to finance a project that yields a special benefit or advantage to property owners within a limited and

determinable area, and whose costs will be recovered through the assessment of a betterment pursuant to Massachusetts General Laws (M.G.L. c. 80, § 13), to 15 years or less.

D-2. PROCEDURES

It shall be the responsibility of Finance Director/Treasurer-Collector to:

1. Work with bond counsel to draft motions for review by the Town Administrator and the Select Board for transmittal to town meeting for approval of debt authorizations.

2. Work with the Town Administrator to project the cash flow needs of individual projects and schedule bond and/or BAN sales accordingly.

3. Coordinate the compilation of information from town departments and, where applicable, regional school districts and other regional entities for transmittal to the Town's financial advisor for inclusion in the Official Statement.

4. Identify town staff to participate in presentations to bond rating agencies, lead the presentation, and coordinate timely responses to any questions raised by a rating agency.

5. Work with bond counsel and the Town's financial advisor to draft motions required to be voted by the Select Board at the time of the award for the sale of bonds.

6. For capital projects authorized to be funded through the issuance of debt, in order to avoid arbitrage penalties, ensure that the amount borrowed at any given time for individual bond authorizations can be expended on a schedule that complies with Internal Revenue Service requirements.

7. To ensure that bond proceeds are segregated and ensure that they are expended for the purpose for which they were borrowed.

8. To ensure that the investment of bond proceeds complies with limitations imposed by the Internal Revenue Service.

9. In consultation with the Town's financial advisor, ensure that all debt-related filings with the federal government (the Internal Revenue Service and the Municipal Securities Rulemaking Board) and the Massachusetts Department of Revenue be done timely.

10. To prepare and maintain a schedule, segregated by Fund, of (1) each debt authorization voted by town meeting and the debt service schedule for each bond issued pursuant to the authorization and (2) for each authorization the amount of debt yet to be issued and an estimate of when it is to be issued and the projected debt service schedule upon issuance.

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REFERENCES

M.G.L. c. 41, § 59
M.G.L. c. 41, § 61
M.G.L. c. 44, § 4
M.G.L. c. 44, § 6
M.G.L. c. 44, § 6A
M.G.L. c. 44, § 7
M.G.L. c. 44, § 8
M.G.L. c. 44, § 17
M.G.L. c. 44, § 19
M.G.L. c. 44, § 20
M.G.L. c. 44, § 20A
M.G.L. c. 44, § 21A
M.G.L. c. 59, § 21C (f)
M.G.L. c. 59, § 21C (i1/2)
M.G.L. c. 59, § 21C (j)
M.G.L. c. 80, § 13
26 USC § 148

Massachusetts Department of Revenue, Division of Local Services: DLS Best Practice: Understanding Municipal Debt
Massachusetts Department of Revenue, Division of Local Services: DLS Borrowing Guidelines: Asset Useful Life - Borrowing Limits
Massachusetts Department of Revenue, Division of Local Services: DLS Informational Guideline Releases 17-21: Borrowing and 17-22: Premiums and Surplus Proceeds for Proposition 2½ Excluded Debt

Government Finance Officers Association Best Practice: Refunding Municipal Bonds

Internal Revenue Service Guidance: Arbitrage Guidance for Tax-Exempt Bonds

Town of Bourne Financial Policy: Capital Planning Policy
Town of Bourne Financial Policy: Financial Reserves Policy

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E. FINANCIAL RESERVES

PURPOSE

The creation and maintenance of financial reserves is a critical component of sound and prudent financial management. Reserves serve multiple functions:

1) As a source of funding for selected, planned future capital expenditures to reduce the need to issue debt thus avoiding interest and borrowing costs.
2) As a source of funding for significant and extraordinary, unforeseen expenditures.
3) As a source of funding to substitute for lost revenue during a time of economic downturn thus precluding, or minimizing, cuts to municipal and educational services.
4) As evidence to credit rating agencies of a municipality's strong financial management in that the maintenance of significant reserves indicates a commitment to comprehensive long-term planning, a positive factor in credit rating determinations.

APPLICABILITY

This policy pertains to the Select Board, Finance Committee, Town Administrator and Finance Director/Treasurer-Collector to guide them in their roles in making short and long-term budget recommendations and is intended to be advisory to Town Meeting.

DEFINITIONS

Enterprise Fund: Pursuant to Massachusetts General Law (M.G.L. c. 44, § 53F½), municipalities can establish enterprise funds to account for services that are delivered on a business-type basis, e.g., water, sewer, trash disposal, golf courses, etc. A municipality adopts an enterprise by a vote of Town Meeting. The enterprise fund establishes a separate accounting and financial reporting mechanism for a municipal service for which a fee is charged in exchange for goods or services. Under enterprise accounting, the service's revenues and expenditures are segregated into a separate fund with its own financial statements, rather than being commingled with the revenues and expenses of all other governmental activities. The Town of Bourne currently has two enterprise funds: the I Integrated Solid Waste Management Enterprise Fund and the Sewer Enterprise Fund.

Finance Committee Reserve Fund: Pursuant to Massachusetts General Law (M.G.L. c. 40, § 5A), a fund created annually by appropriation or transfer at an annual or special town meeting to provide for extraordinary or unforeseen expenditures in each fiscal year. –The appropriation or transfer cannot exceed in the aggregate five percent of the levy of the fiscal year preceding the fiscal year for which the fund is established. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the Finance Committee. At the end of each fiscal year, any unused amount of the Reserve Fund is closed to the surplus of the general fund.

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Free Cash: Also known as Unassigned Fund Balance, it represents the surplus of the General Fund operating budget at the close of a fiscal year resulting from revenues realized in excess of estimates and expenditures less than appropriations plus unused free cash resulting from the prior fiscal year. Use of free cash to support appropriations requires a vote of Town Meeting. The amount of free cash must be certified by the Massachusetts Department of Revenue before it is available for appropriation. Unpaid property taxes and certain deficits reduce the amount of surplus that can be certified as free cash.

General Fund: The primary fund used by a government entity. This fund is used to record all revenues and expenditures that are not associated with special-purpose funds. The activities being paid for through the General Fund constitute the core administrative and operational tasks of a municipality.

General Fund Operating Budget: Includes the Salaries and Wages, operating expenses, shared costs and debt services. It does not include individual appropriation articles, off budget expenses, enterprise funds or capital expenditures.

Other Post Employee Benefits (OPEB): Other post employee benefits are benefits, other than pension distributions, paid to employees during their retirement years. The major post-employment benefit in Massachusetts is health insurance.

Overlay Reserve/Surplus: Overlay Reserve is an amount of annual General Fund revenue set aside annually to cover prospective abatements and exemptions of property taxes. Overlay Surplus is excess Overlay Reserve that is determined to be over and above the amount that was initially estimated to be needed. It is determined, certified, and transferred by vote of the Board of Assessors. The use of overlay surplus as a funding source is subject to appropriation by Town Meeting and can be used for any lawful purpose. Any unused balance of overlay surplus at the end of a fiscal year is closed to General Fund balance and becomes part of free cash available for appropriation in the subsequent fiscal year.

Retained Earnings: Similar to free cash, retained earnings is the surplus of an enterprise fund budget at the close of a fiscal year resulting from revenues realized in excess of estimates and expenditures less than appropriations plus unused retained earnings carrying over from the prior fiscal year. The use of retained earnings is subject to appropriation by Town Meeting for expenditures related to the enterprise. The amount of retained earnings available for appropriation must be certified by the Massachusetts Department of Revenue before it can be voted by town meeting.

Special Education Reserve Fund: Pursuant to M.G.L c. 40, Section 13E, a school district, with the approval of Town Meeting, may establish and appropriate or transfer money to a reserve fund to pay for unanticipated or unbudgeted costs of special education. The balance in this reserve fund shall not exceed 2% of the annual net school spending of the school district. Funds can only be distributed from this fund by a majority vote of the school committee and the Select Board.

Stabilization Funds: Pursuant to Massachusetts General Law (M.G.L. c. 40, § 5B), a municipality, through a vote of Town Meeting, may establish one or more stabilization funds and designate the purpose for which each fund is established. The creation of a stabilization fund requires two thirds vote of Town Meeting. Appropriation of funds into a stabilization fund is by majority vote. Appropriation of funds out of a general purpose stabilization fund requires a two-thirds vote of town meeting while an appropriation from a special purpose stabilization fund requires a majority vote. Any interest that is earned from the investment of stabilization fund monies accrues to the stabilization fund. There is no limit on the cumulative balance of all stabilization funds in a municipality.

E-1. POLICY

It shall be the general policy of the Town to:

- Maintain reserves to provide the capacity to respond to the costs of unanticipated and extraordinary events, significant reductions in annual revenue streams due to economic disruption, and to provide a source of available funds for future capital expenditures.

- Maintain and manage multiple types of reserves, including stabilization funds, free cash, retained earnings, and overlay surplus.

- Maintain overall general fund reserves including the Town's combined stabilization funds and free cash at an amount not less than 8% of the Town's projected General Fund operating budget.

The following policies shall govern the administration of the following reserves.

- **Finance Committee Reserve Fund** - Annually, the annual operating budget recommendation shall include an appropriation into the Finance Committee Reserve Fund in an amount not more than $350,000. Every year, the Finance Committee shall review the history of Finance Committee transfers to determine if the annual appropriation into the Finance Committee Reserve is adequate.

- **Free Cash** – In the development of the proposed annual general fund operating budget, the Town shall strive to estimate revenue and recommend appropriations at a level that will generate free cash at fiscal year-end equal to approximately 3 to 5 % of the Town's Prior Year's General Fund operating budget.

  As a general rule, the use of free cash will be limited to funding non-recurring operating and capital budget expenditures; transfers to stabilization funds; funding of unfunded liabilities (e.g., OPEB); and funding of extraordinary or unforeseen costs that cannot be financed from the Finance Committee Reserve Fund or through transfers between line items in the operating budget.

- **General Purpose Stabilization Fund** - The Town shall maintain a General Purpose Stabilization Fund whose primary purpose is to replace declines in general fund revenue due to economic downturns. The Town shall endeavor to maintain a minimum balance of 6% to 10% of the General Fund Operating Budget. Once the target level of the fund is reached, if any use of the fund reduces the balance below the target levels, a plan for replenishment of the Fund shall be developed per the procedure described below.

- **Special Purpose Stabilization Fund(s)** – The Town shall maintain one or more Special Purpose Stabilization Funds to finance future needs. Sources of financing appropriations into such funds shall include each, or some combination of: taxation; available funds including but not limited to free cash and overlay surplus; and other non-recurring or potentially inconsistent revenue sources. Such Stabilization Funds shall include but not be limited to the following:

  a. Capital Stabilization Fund - to finance selected future capital needs as identified through the Town's annual capital planning process (see Capital Planning policy) on a pay-as-you-go basis or to subsidize debt service of large capital projects, (e.g., municipal or school construction) to mitigate the impact on taxpayers. Use of a Capital Stabilization Fund(s) to finance projects on a pay-as-you-go basis can serve to preserve the Town's debt capacity for major capital projects.

  b. School District Reserve Fund: To pay for unanticipated or unbudgeted costs of special education and recovery high school programs, out of district tuition or transportation. The balance in this reserve fund shall not exceed 2% of the annual net school spending of the school district. Funds can only be distributed from this fund by a majority vote of the school committee and the Select Board.

  c. Climate Resiliency and Infrastructure Stabilization Fund: To finance selected projects to mitigate or eliminate potential problems associated with climate change.

  d. Future Landfill Closure Stabilization Fund: To accumulate funds to offset the loss of revenue from host community fees and indirect cost allocations when the landfill closes so as to pay for any outstanding debt or other obligations that remain after the closure.

  e. Sewer Capital Stabilization Fund: To finance large equipment needs or projects related to the town's sewer infrastructure. Funding will come from Sewer Retained Earnings.

- **Overlay Surplus** Overlay surplus shall be reserved for non-recurring costs such as direct capital expenditures, contributions to the general stabilization fund or a special purpose stabilization fund, or to finance unfunded liabilities, e.g., OPEB

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- **Sewer Enterprise Fund Retained Earnings** - In the development of the proposed annual budget for the Sewer Enterprise Fund, the Town shall strive to estimate revenue and recommend appropriations at a level that will generate retained earnings at fiscal year-end to address the following:

    - To cover potential revenue shortfalls in any given fiscal year.
    - To finance unanticipated, extraordinary expenditures not provided for in the adopted annual budget.
    - To provide cashflow for the fund to preclude the use of the Town's pooled cash to fund sewer operations which would have a negative impact on general fund interest income.
    - For rate stabilization.

In addition, the Town shall consider - consistent with guidance from the Department of Revenue (DLS Departmental Procedure Manual: Enterprise Funds) - adding to Enterprise Fund budgets a line-item ('budget surplus") whose unexpended balance at fiscal year-end would accrue to retained earnings and be available to finance selected future capital needs as identified through the Town's annual capital planning process. These amounts could accumulate as unappropriated retained earnings until the capital need arises or could be appropriated annually into a Special Purpose Stabilization Fund created to fund capital projects.

E-2. PROCEDURES

The following procedures are adopted pursuant to this policy.

1. **Finance Committee Reserve Fund** - requests of the Finance Committee for Reserve Fund transfers shall be based on requests from department heads submitted to the Town Administrator for initial review, who will then bring those requests to the Finance Committee for review and approval.

2. **General Stabilization Fund** - Pursuant to the policy governing the General Stabilization Fund, if use of the Fund results in a balance that falls below the target of 6 to 10%% of the Prior Year's General Fund operating budget, the Town Administrator, in consultation with the Select Board and the Finance Committee, shall develop a plan for to bring the balance of the Fund back to its target level.

3. **Overlay Surplus** - Pursuant to the policy governing the use of overlay surplus, the Select Board shall periodically request that the Board of Assessors conduct an analysis of the overlay reserve accounts to determine the amount, if any, that can be declared overlay surplus. The analysis shall consider the following:

    a. Current cumulative balance in the overlay accounts of all fiscal years after reconciling with the Town Accountant's records.
    b. Balance of property tax receivables, which represents the total real and personal property taxes still outstanding for all levy years.

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c. Estimated amount of potential abatements, including any cases subject to State Appellate Tax Board hearings or other litigation.
d. Upon determining any excess in the overlay account, the Board of Assessors shall present the analysis to the Select Board for its review. If the Select Board determines that the excess is needed to support proposed spending, it shall, pursuant to Massachusetts General Laws (M.G.L. c. 59, § 25), formally request that the Board of Assessors convene to consider a vote to transfer overlay to overlay surplus within 10 days of such request. Notification of that vote shall be made to the Selectboard, Town Administrator, Town Accountant, and Finance Committee.

4. **Appropriations from Reserves** - The overall level of financial reserves is critical to maintaining the Town's bond rating and ensuring sufficient funds to manage unanticipated needs. Funds shall be recommended for appropriation from reserves only after an initial review by the Town Administrator and Finance Director and their presentation to the Select Board and Finance Committee. Consideration of the use of reserves shall include an assessment of whether the balance of relevant reserve accounts after their proposed appropriation does not have an adverse effect on the Town's financial condition.

5. **Annual Reporting:** The Town Accountant shall annually prepare a report for inclusion in the annual town meeting warrant book that will compare the actual amounts in the various reserve accounts to the target amounts provided for in this policy.

REFERENCES

M.G.L. c. 40, § 6
M.G.L. c. 40, § 5B
M.G.L. c. 44, § 53F½
M.G.L. c. 40, § 5A
M.G.L. c. 59, § 25
M.G.L. c 40, Section 13E

Massachusetts Department of Revenue, Division of Local Services: DLS Best Practices: Free Cash and Special Purpose Stabilization Funds
Massachusetts Department of Revenue, Division of Local Services: DLS Departmental Procedure Manual: Enterprise Funds
Massachusetts Department of Revenue, Division of Local Services: DLS Informational Guideline Releases 17-20: Stabilization Funds and 17-23: Overlay and Overlay Surplus
Government Finance Officers Association Best Practices: Fund Balance Guidelines for the General Fund and Working Capital Targets for Enterprise Funds

F. SEWER ENTERPRISE FUND POLICY

PURPOSE

Massachusetts General Law provides for municipalities to establish – for accounting purposes – a separate fund (or funds) classified as Enterprise Funds to record the revenues and expenditures of municipal operations that deliver services on a business-like basis; that is, the users of the service are charged fees intended to cover most if not all of the costs of delivering the service.

The purpose of this policy is to establish principles that govern the accounting and financing of operations that deliver these kinds of services. At the time of adoption of this policy, the Town of Bourne operates two enterprise funds, one for the Integrated Solid Waste Management (ISWM) program and one for the delivery of sewer services. Due to its uniqueness, the former is governed by separate ISWM Enterprise Fund Financial Polices and Guidelines while the latter will be addressed though this policy.

APPLICABILITY

This policy is applicable to the Town Administrator, the Finance Director and the Superintendent of Public Works with responsibility for estimating annual enterprise fund revenue, recommending annual user charges and annual operating and capital budgets; the Finance Committee with responsibility for recommending annual enterprise fund budgets; the Select Board acting in their capacity as the Town's Sewer Commissioners with responsibility for setting sewer user charges; and, the Capital Outlay Committee, which bears responsibility in conjunction with the Town Administrator for recommending enterprise fund capital projects to the Finance Committee and Select Board.

DEFINTIONS

Direct costs –expenses that comprise the recommended budget of an enterprise and are voted as appropriations by Town Meeting to finance the operations of the enterprise. These expenses are accounted for in the Enterprise Fund.

Enterprise Fund - An enterprise fund gives communities the flexibility to account separately for all financial activities associated with a broad range of municipal services. It establishes a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. Revenues and expenses of the service are segregated into a fund with financial statements separate from all other governmental activities.

Fund – a separate accounting entity used to segregate the revenues and expenditures of a single municipal activity or multiple activities, record the annual financial results of that operation, segregate any resulting surplus and facilitate financial reporting of the Fund's assets and liabilities.

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General Fund - the primary fund used by a government entity. This fund is used to record all revenues and expenditures that are not associated with special-purpose funds, e.g., enterprise funds and grant funds. The activities being paid for through the General Fund constitute the core administrative and operational tasks of a municipality.

Indirect Costs – those expenses that are part of the annual operating budget accounted for in the General Fund, a portion of which can be identified as supporting the operations of an enterprise.

Retained Earnings - any operating surplus (actual revenues in excess of estimates and appropriations in excess of expenses) is retained in the enterprise fund rather than being closed to the General Fund at fiscal year-end. Surplus of an enterprise certified by the Massachusetts Department of Revenue, Division of Local Services as available is called "retained earnings". Use of retained earnings requires appropriation by Town Meeting.

F-1. POLICY

The town will adhere to the following policies regarding the Sewer Enterprise Fund:

- The Town has established a Sewer Enterprise fund for the following purposes:

    a. To clearly identify the total cost of providing sewer collection services– direct, indirect and capital - and the source(s) of funding of the service.
    b. To make important financial and management information readily accessible for rate setting purposes and financial reporting.
    c. To provide a mechanism for the segregation of any surplus at fiscal year-end that is generated by the sewer operation and to reserve that surplus for future use in support of the operation, subject to appropriation by Town Meeting.

- The annual budget of the Sewer Enterprise shall be included in the Finance Committee's annual recommended budget as described in the Town's Annual Budget Process policy.

- Capital requests of the Sewer Enterprise Fund for the ensuing fiscal year and future years shall be included in the Town Administrator's recommended annual Capital Improvement Plan as described in the Town's Capital Improvement Planning policy.

- User charges shall be set at a level to cover all costs, direct and indirect and capital-related.

- The Sewer Enterprise's share of the Town's annual cost of financing its Other Post Employment Benefits (OPEB) liability shall be included in the total costs to be financed by user charges as described in the Town's Other Post Employment Benefits policy.

- Sewer Enterprise Fund user charges shall be reviewed annually and presented by the Town Administrator or his/her designee to the Select Board acting in their capacity as Sewer Commissioners for review and approval. If rate changes are recommended, the Select Board acting in their capacity as Sewer Commissioners, pursuant to its fee-setting duties, shall act on such recommendations. If new rates are approved, they shall take effect upon a date in the motion approving such rates.

- A reserve of retained earnings shall be maintained at a level described in the Town's Financial Reserves policy, including an amount to cover emergency circumstances.

- Mid-year adjustments of rates will be sought only under extraordinary circumstances in response to emergencies that cannot be accommodated through an appropriation of available retained earnings.

F-2. PROCEDURES

1. Determination of Indirect Costs – Indirect costs of an enterprise shall be updated annually to serve two purposes:

    a. As part of the budget process, to identify the amount of Sewer Enterprise Fund revenue proposed to be transferred to the General Fund to finance those costs to be incurred by the General Fund in support of the operations of the enterprise.

    b. To include as a component of total annual cost of the Sewer enterprise – in addition to direct and capital costs – for the purpose of determining rates that will result in the enterprise being self-supporting; that is, total estimated revenue equal to total costs.

2. Indirect costs (those costs borne by the General Fund in support of the enterprise) shall include but not be limited to a portion of the salaries and expenses of the following as determined by the Town Accountant:

    - Finance Staff (Finance Director, Town Accountant, and assistants)
    - Audit (Contracted Service)
    - Information Technology (IT)
    - Town Engineer
    - Town Administrator
    - Legal Services
    - Postage & Copying
    - Benefits for active and retired employees, including insurances, Medicare tax, unemployment, and worker's compensation
    - Pension costs- The Town's share of its annual pension assessment attributable to employees of the enterprise

- Vehicle Insurance
- Property and liability insurance covering buildings, equipment, and operations of the enterprise

Note that the following are not included as indirect costs because Town Meeting appropriates them as direct costs included in the enterprise budgets.

- Debt service

3. The Town Administrator or his/her designee shall develop in writing methodologies for identifying any recommended changes relative to attribution of indirect costs.

REFERENCES

M.G.L. c. 44, § 53F½

Massachusetts Department of Revenue, Division of Local Services: Enterprise Fund G.L. c. 44, § 53F½ Manual

Town of Bourne Financial Policy: Annual Budget Process Policy
Town of Bourne Financial Policy: Financial Reserves Policy
Town of Bourne Financial Policy: Capital Improvement Planning Policy
Town of Bourne Financial Policy: ISWM Enterprise Fund Financial Polices and Guidelines
Town of Bourne Financial Policy: Other Post Employment Benefits Policy

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G. HEALTH INSURANCE TRUST FUND

PURPOSE

In lieu of providing premium-based health insurance for its current employees and retirees, a municipality, pursuant to Massachusetts General Laws (MGL) Chapter 32B, Section 3A can elect to self-insure employee health care through the creation of a Health Insurance Trust Fund. Financing of the Trust Fund comes from employee/retiree and employer contributions, and the cost of employee health care and other related costs are paid from the Trust Fund. This policy provides direction and guidance on how the self-insurance program and the Health Claims Trust Fund will be operated and managed.

APPLICABILITY

This policy applies to the Town Administrator who, with the assistance of the Finance Director and the Human Resources Director shall manage the self-insurance program including setting the amounts (working rates) to be paid by the Town, employees and retirees in support of the self-insurance program; to the Select Board and the Finance Committee who will recommend the town meeting appropriation to pay for the Town's annual contribution to the Trust; and, the Town Accountant who ensures that the annual audit of the Fund is conducted.

DEFINITIONS

Claims - Actual health care claims incurred by the plans' subscribers (and their dependents) payable under the terms of the applicable health plans.

Incurred but not reported (IBNR) reserve - Established to cover the anticipated liability of incurred claims not yet paid due to lags in claims processing.

Plan Advisor - A qualified consultant hired by an organization to provide consultation and advice on establishing working rates, stop loss coverage, and plan design.

Plan Design – A detailed description of benefits offered, percentage of costs paid by the employee/retiree and the town, co-pays, and deductibles.

Self-Insured Health Claim Trust - A self-insured plan is one in which the employer and employees assume the financial risk for providing health care benefits to employees, retirees, and other covered members. For accounting purposes, the Trust is operated as an internal service fund separate and apart from the General Fund.

Stop Loss Coverage (Re-insurance) - Caps the amount of money an employer must pay out, protecting the plan against catastrophic claims by shifting the rise of low probability, high consequence events to a third-party insurer. It can be in the aggregate where the town's total claims expenses are capped at a

predetermined amount or individual stop loss where the cap applies to claims by individual members of the plan.

Third Party Administrator - A qualified health care manager who is responsible for adjudicating and paying claims under the terms of the applicable health plans.

Working Rates - The amounts, per employee, paid by the employee and the Town sufficient to pay for claims, reinsurance premiums, service fees charged by the plan advisor and third-party administrator and other related expenses of the fund. These payments are made on a shared basis according to predetermined ratios.

G-1. POLICY

The Town's policy regarding the Health Insurance Trust Fund shall be as follows:

- The Fund will maintain a fund balance, with reserves, sufficient to:

    a. Make prompt payment of claims and related liabilities.
    b. Maintain an "incurred but not reported" (IBNR) reserve to cover the anticipated liability of incurred claims not yet paid due to lags in claims processing.
    c. Maintain an additional claims reserve to cover unanticipated claims and related liabilities including extraordinary claims not covered by stop loss coverage. This additional reserve shall be set at the average of four months of the prior year's claims.

- Working rates will be set at a sufficient level to pay for anticipated claims, stop loss reinsurance premiums, service fees charged by the plan advisor and third-party administrator, other related expenses of the Fund, and to provide for fund balance to meet the IBNR and Additional Claims reserves described above.

- The working rate ratio between the town and plan subscribers shall be in adherence to town personnel policies and collective bargaining agreements.

- Should the Fund's fund balance exceed the recommended fund balance above, consideration may be given to issuing a rate 'holiday' whereby payment of the working rates is suspended for a specific period of time, to reduce the fund balance. Any reduction in rates or granting a rate holiday should be evaluated based on its potential impact on rate stability.

- The town shall proactively work with the third-party administrator and plan advisor to design health care plans that contain costs as much as possible without compromising services, including but not limited to providing a robust wellness plan, more cost-effective ways to access care and pharmaceutical alternatives.

- The Town of Bourne, through its Select Board, has adopted the provisions of MGL, Chapter 32B, Sections 21-23 which provides for an alternative to traditional collective bargaining procedures to make changes to health insurance benefits. The Town will continue to use the provisions of MGL Chapter 32B, Section 21-23 when implementing future changes to the Town's health insurance benefits.

- Stop Loss (Reinsurance) levels shall be reviewed annually to ensure that the optimum attachment point (when stop loss insurance becomes effective), is obtained.

- An audit of the Fund shall be conducted annually to ensure that the Fund follows accepted accounting principles and is in compliance with this policy and state law. The audit will be performed as part of the town's annual audit provided that the auditor will issue a separate report on the Health Claims Trust Fund.

- At least every five years, the Town shall solicit proposals for third party administration and plan advisory services.

G-2. PROCEDURES

1. On or before March 15th, the Town Administrator, Finance Director and Human Resources Director shall meet with the Plan Advisor and the Third-Party Administrator to review their projected working rates for the upcoming fiscal year.

2. On or before May 1st, the Town Administrator shall set the working rates for the upcoming fiscal year.

3. On or before June 1st, the Town Administrator and Finance Director shall meet with the Plan Advisor to determine stop loss insurance carrier and insurance amounts for the upcoming fiscal year.

4. The Plan Advisor shall monthly provide the Town with a report that shows plan expenses and revenues for the prior month and cumulatively year-to-date including comparisons to budget projections. The Town Administrator shall inform the Select Board should the Trust Fund activity vary significantly from projections or if other areas of concern arise.

5. The Town Accountant will provide the required plan information to the Town's outside auditor when requested.

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REFERENCES

MGL Chapter 32B, Section 3A
MGL Chapter 32B, Sections 21-23

Government Finance Officers Association (GFOA) publication: Smart Practices for Self-Funded Employee Health Insurance by Shayne Kavanagh.

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H. OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST

PURPOSE

At retirement, in addition to eligibility for a pension - funded in whole or in part by an employee's regular contributions to a pension fund while an active employee - municipal employees in the Commonwealth are entitled to receive what is referred to as Other Post Employment Benefits (OPEB) which include post-retirement health insurance and may also include dental and life insurance. The Town's share of this future benefit for current retirees, as well as the future benefit for current active employees (future retirees), if not funded annually results in an ever-increasing unfunded liability, that when it comes due can have severe impacts on a municipality's operating budget.

To ensure fiscal sustainability, this policy sets guidelines for a responsible plan to meet the Town's obligation to provide other post-employment benefits for current and future retirees.

APPLICABILITY

This policy encompasses OPEB-related budget (funding) decisions, accounting, financial reporting, and investment for the Town's OPEB Plan and applies to the Select Board in its role to recommend the proposed annual budget; to the Finance Committee in its role as participant in the annual budget development process; the Finance Director pursuant to M.G.L. c. 32B, § 20, as custodian of the Town of Bourne OPEB Trust Fund; the Board of Trustees of the Town of Bourne OPEB Trust Fund and, to the Town Administrator and Town Accountant with responsibility for OPEB-related activities.

DEFINITIONS

Annual Required Contribution – an actuarially calculated amount which if appropriated annually will retire a municipality's unfunded OPEB liability over a prescribed schedule.

Governmental Accounting Standards Board (GASB) - is an independent, private-sector organization that establishes accounting and financial reporting standards for U.S. state and local governments that follow Generally Accepted Accounting Principles (GAAP).

OPEB Liability Trust Fund - a trust fund established by a governmental unit for the deposit of appropriations, gifts, grants and other funds for the benefit of retired employees and their dependents; payment of required contributions by the governmental unit for the group health insurance benefits provided to employees and their dependents after retirement; and reduction and elimination of the unfunded liability of the governmental unit for those benefits. It is an expendable trust fund, subject to appropriation, that is managed by a trustee or board of trustees. The Town of Bourne created this trust fund under Article 15 of the 2011 Annual Town Meeting.

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The State Retiree Benefit Trust Fund (SRBTF) - an investment vehicle established by Massachusetts law that enables political subdivisions of the Commonwealth to invest funds set aside to fulfill other-post-employment-benefits (OPEB) for retirees such as healthcare or dental coverage in retirement. Governmental accounting regulations prevent commingling these assets with traditional retirement investment funds, but the SRBTF allows for these eligible state and municipal entities a "turnkey" option to set aside money to be invested through the Pension Reserves Investment Management Board (PRIM).

H-1. POLICY

It shall be the policy of the Town as follows:

- The Town is committed to a disciplined and methodical annual funding of the long-term cost of OPEB due to its current and future retirees.

- The Town will engage the services of an actuary every two years as a participant in the Barnstable County Group Valuation program to perform an updated actuarial valuation of its OPEB liability as a source of information for decision makers about progress toward funding of the liability and to comply with reporting requirements promulgated by GASB.

- The Town will have its OPEB liability as presented in the biannual actuarial valuation disaggregated, at a minimum, among the General Fund, the Integrated Solid Waste Management (ISWM) Enterprise Fund and the Sewer Enterprise Fund.

- The Town will seek to have the share of its OPEB liability attributable to the ISWM Enterprise Fund funded in as short a time frame as practical.

- The Town will periodically assess strategies to mitigate its OPEB liability by evaluating the structure of benefits offered and their cost drivers while at the same time avoiding benefit reductions that would place undue burdens on employees or risk making the Town an uncompetitive employer.

H-2. PROCEDURES

1. Accounting for and Reporting the OPEB Liability

Every two years, the Finance Director/Treasurer-Collector will engage the services of an actuary to conduct a valuation or interim update of the Town's OPEB liability for the General Fund, the Sewer Enterprise Fund, and the ISWM Enterprise Fund to be transmitted to the Town's independent auditor for integration into the Town's annual financial statements in compliance with guidelines of the Governmental Accounting Standards Board.

Upon completion of an actuarial valuation, the Finance Director shall transmit the document to the Town Administrator, which in turn shall be transmitted to the Select Board, Trustees of Town of Bourne OPEB Trust Fund and Finance Committee for their information and consideration.

2. Trust Management and Investment

Appropriations by Town Meeting into the Town's OPEB Liability Trust Fund are to be invested by the Finance Director in consultation with the Trustees of the Town of Bourne OPEB Trust Fund. The Finance Director and the Trustees of the Town of Bourne OPEB Trust Fund will manage the Fund in conformance with the Town's OPEB Liability Trust Investment Policy and the state's prudent investor laws.

The Trustees of the Bourne OPEB Liability Trust Fund shall meet at least once a year to conduct its business. All meetings of the Trustees shall comply with MGL Chapter 30A, Sec. 18-25, the Commonwealth Open Meeting Law.

On an annual basis, the Town will evaluate its option to invest the OPEB trust with the State Retiree Benefits Trust Fund.

3. Mitigation

On an ongoing basis, the Town will assess health care cost containment measures and evaluate strategies to mitigate its OPEB liability. The Town Administrator will monitor proposed laws affecting OPEBs and Medicare and analyze their impacts.

The Finance Director will regularly audit the group insurance and retiree rolls and terminate any participants found to be ineligible based on work hours, active Medicare status, or other factors.

4. OPEB Funding Strategies

To address the Town's OPEB liability, the Town Administrator and Finance Director will annually recommend a funding schedule for the Town OPEB Plan to the Select Board and Finance Committee based on the most recent actuarial valuation. To the extent that funds are available, annually, the Town shall endeavor to transfer to the Town of Bourne OPEB Trust Fund an amount not less than $250,000.

Potential sources of funding for the annual appropriation to the OPEB Liability Trust Fund may include, but not be limited to general fund revenue, free cash, overlay surplus Sewer Enterprise fund and ISWM Enterprise Fund.

To move toward full funding (beyond the current $250,000 minimum annual funding) of the actuarially derived Annual Required Contribution to the OPEB Trust Fund, the Town Administrator with the assistance

of the Finance Director shall periodically evaluate the potential of the following and make recommendations to the Select Board and Finance Committee on annual appropriations to the OPEB Trust Fund:

- An accelerated funding schedule from the ISWM Enterprise Fund
- Transfer unexpended funds from insurance line items to the OPEB Trust Fund.
- Appropriate amounts equal to any Medicare Part D Reimbursements received by the Town.
- Appropriate a percentage of any new revenue stream(s) identified and adopted after the establishment of the Trust.
- Determine and commit to appropriating an annual portion of free cash.
- Appropriate an annually increasing percentage of the General Fund Operating Revenues
- At a future time when the pension reserve for Town of Bourne employees as managed by the Barnstable County Retirement Board is fully funded, direct any reduction in the Town's annual pension assessment to the Trust Fund.
- Increase the annual contribution to the Trust by an amount to be determined, for each new, permanent, full-time employment position created and staffed.

REFERENCES

M.G.L. c. 32B, § 20
M.G.L. c. 32B, § 20A
M.G.L. c. 44, § 54
M.G.L. c. 44, § 55
M.G.L. c. 203C

Town of Bourne Other Post-Employment Benefits (OPEB) Trust, adopted under Article 15 of the 2011, Annual Town Meeting.

Town of Bourne Other Post Employment Benefits Trust Agreement dated April 7, 2015.

Town of Bourne OPEB Liability Trust Investment Policy Statement signed April 14, 2015.

Town of Bourne Financial Policy: Financial Reserves Policy

GASB Statements 75: Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions and 74: Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans Government Finance Officers Association Best Practices: Ensuring Other Postemployment Benefits (OPEB) Sustainability and Sustainable Funding Practices for Defined Benefit Pensions and Other Postemployment Benefits (OPEB)

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I. ISWM ENTERPRISE FUND FINANCIAL POLICIES AND GUIDELINES

INTRODUCTION

The following financial management policies and guidelines set forth the framework for overall planning and management of the Town of Bourne, Integrated Solid Waste Management Enterprise Fund, overseen by the General Manager of the Town of Bourne, Department of Integrated Solid Waste Management. The policies are intended to be advisory in nature and serve as a point of reference for all policy-makers, administrators and advisors.

Responsibility for maintaining safe and environmentally sound operation of the Department of Integrated Solid Waste Management, that is in compliance with all Federal, State and local laws and regulations, is by the Charter, the responsibility of the ISWM General Manager. For each Fiscal Year, the General Manager shall prepare an overall financial management plan that includes an annual budget, administrative fee structure, capital outlay and debt management plan, and contributions to all funds within Retained Earnings. The ISWM General Manager will work closely with the Town Administrator and the Finance Director in the annual budget planning process and the implementation of the Financial Policies.

The policies are designed to ensure the sound financial condition of the ISWM now and in the future. Sound financial condition may be defined as:

- Cash Solvency: The ability to pay bills in a timely fashion and have a reserve to address unexpected increases in operational expenses.
- Long-Term Solvency: The ability to pay future costs including all debt service and benefit costs beyond the life of the landfill.
- Service Level Solvency: The ability to provide needed services for the residents and customers of the ISWM facilities in a safe and environmentally sound manner.
- Infrastructure Solvency: The ability to maintain infrastructure, plan for future development and meet long term obligations.

ANNUAL BUDGET

Components: The annual Operating Budget of ISWM shall include the salaries and wages, expenses, host fee; and the administrative fee.

Administrative Fee: Administrative Fee represents contributions from the ISWM Enterprise Fund, in a manner compliant with the MA Department of Revenue guidelines for Enterprise Funds, for Administrative expenses of the Town. The administrative fee shall include ISWM fringe benefits, DPW expenses associated with the curbside collection program and other miscellaneous expenses such as accounting, management, postage and legal counsel.

OPEB: ISWM will make contributions to the OPEB Trust Fund in accordance with the Town's Financial Policy on OPEB contributions.

FISCAL RESERVE GUIDELINES

ISWM's accumulation of prudent reserves is critically important to the fiscal health of the community for many reasons. The Town will endeavor to establish and maintain the following accounts as part of Retained Earnings. The undesignated balance of Retained Earnings will be reviewed as needed and applied in a manner to enhance the financial stability of the Enterprise Fund, including reducing debt.

Working Capital: Retained Earnings should be maintained at a minimum balance of 3 months operating expenses in cash. A month's operating expenses shall be calculated as the 12-month average from the previous fiscal year. The Finance Director shall be consulted and will make the annual determination of the amount required.

Reserve Fund: The ISWM Reserve Fund will be budgeted at 5% of the ISWM Annual Operating Budget. Access to the Reserve Fund shall be for emergencies or other unanticipated budgetary needs that may arise as a result of unexpected circumstances and must be approved by a vote of the Finance Committee upon request of the ISWM General Manager. Any funds expended during the fiscal year may be replenished at a Special Town Meeting if recommended by the General Manager and the Town Administrator. The minimum annual allocation shall be $600,000.

Closure and Post-Closure Funds: To maintain closure accounts in compliance with state regulations that set aside adequate funds to close the landfill and/or transfer stations and further to maintain an account for the long-term post-closure care and monitoring required by regulations. Any annual calculation shall be done, in accordance with regulations, to determine the contributions from Retained Earnings into these accounts. Costs for closure and post-closure will be reviewed and updated at least every two years. Withdrawals from closure accounts shall be made on the recommendation of the General Manager and in consultation with the MA DEP. These funds are not to be used for any other purpose and are required to receive operating permits.

Host Fee: ISWM shall contribute to the General Fund, in accordance with law, the minimum required annual host fee based on a per ton fee per qualifying ton. Said fee shall be calculated in accordance with the law utilizing the cited inflation factor published by the Federal Government. The fee shall be part of the annual operating budget and will be based on projected qualifying tons and revenue for the coming Fiscal Year. The total qualifying tons multiplied by the established rate per ton is the determining factor for the host fee. If the General Manager determines that the qualifying tons in any Fiscal Year will not be sufficient to cover the budgeted Host Fee, the General Manager will notify the Town Administrator and the Finance Director as soon as the determination is made but no later than April 1 before the Fiscal Year end.

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FINANCAL PLANNING & MONITORING GUIDELINES

Long-term financial forecasting and constant monitoring of current revenue and expenditure trends are vitally important to maintain quality service levels and fiscal discipline. As a result it is the policy of the Town that ISWM undertake the following:

Multi-Year Financial Forecasting: Establish and maintain an on-going financial planning model that projects revenues and expenses over the next five (5) years by using five (5) years of historical data and other fiscal trend analysis. ISWM shall endeavor to secure long-term contracts and other business arrangements to ensure that it has a steady source of revenue to meet its obligations.

Monitor and Track Current Year Financial Activities: Constantly monitor revenue and expenditure activities and publish periodic reports for policy-makers, the Town Administrator and Finance Director. To meet this objective, ISWM should implement improved financial management systems to create the required revenue and expenditure reports, reduce duplication of effort, and maximize productivity of finance department staff.

CAPITAL PLANNING & DEBT SERVICE MANAGEMENT GUIDELINE

ISWM's ability to address its capital needs (infrastructure, facilities, equipment, etc.) is critical to meet contractual and regulatory obligations to provide safe and environmentally compliant facilities. ISWM is a unique operation in the state of MA for a municipal government and consideration must be given to the General Manager that ISWM has substantial expenditures for the purposes of keeping its facilities in good working order and to plan for the future. Therefore, ISWM shall undertake the following:

Capital Improvement Plan: In accordance with the Town of Bourne Charter, as amended, ISWM shall establish and maintain a five (5) year capital improvements plan, update the plan annually, develop capital financing strategies consistent with these policies, and integrate any new operating costs associated with capital projects into the annual operating budget. ISWM should capitalize expenditures of at least $20,000 and have a useful life of more than five years.

Debt Maturity Guidelines: The Treasurer will strive to limit the maturity of ISWM's debt according to Mass General Laws and within the overall active life of the specific project or the landfill. A debt management plan will be developed for each fiscal year as part of the Operating Budget. This plan shall take into account the Fiscal Reserves that have been identified and that must also be fully funded.

Alternative Financing Strategies: ISWM will continually pursue opportunities to acquire capital by means other than conventional borrowing such as grants, and other programs as may be available.

Reconciliation & Record Keeping: ISWM will annually reconcile debt-related records with the Finance Director/Treasurer and the Town Accountant before April 1 of each fiscal year to determine if any unissued bond authorizations need to be rescinded at the Annual Town Meeting.

Debt Issuance: ISWM will work closely with the Finance Director and the Town's Financial Advisor and Bond Counsel to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained.

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Capital Budget: The Capital Budget for ISWM shall be determined on an annual basis and shall include replacement of ISWM funded equipment utilized by the Department of Public Works to fulfill the duties of curbside MSW and recyclables collection. ISWM will include a 5-year capital plan as part of the annual capital outlay review.

Revenue Enhancement Guidelines: ISWM will rapidly move to collect all receivables and close accounts of customers who do not pay. Further ISWM will notify the Town Administrator of accounts that require the Town to pursue full payment by all legal means.

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Select Board
Minutes of Tuesday, March 19, 2024
Bourne Veterans' Community Center
Buzzards Bay, MA
Or Virtually

TA Marlene McCollem
ATA Liz Hartsgrove

Select Board

Mary Jane Mastrangelo, Chair
Melissa Ferretti, Vice Chair
Anne-Marie Siroonian, Clerk

Others: Bob Dwyer, Attorney Bryan Bertram, Attorney Chris Brown, Jordan Geist, Business Manager, Bourne Public Schools, Dr. Kerri Anne Quinlan-Zhou, Superintendent, Bourne Public Schools, Maureen Fuller, Roger Forget, Superintendent, Upper Cape Cod Regional Technical High School, David Sampson, Michael Degan, Dan Barrett, General Manager, Erica Flemming, Finance Director (remote), and Michael Ellis, Town Accountant (remote), ISWM, Stevie Fitch, Conservation Agent, (remote), and Priscilla Harcourt (remote).

Note this meeting is being televised, streamed, or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time. Use of flash photography during Select Board meetings is prohibited.

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

Zoom Meeting ID: 869 5775 5505 Password: BOURNE

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

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

Chair Mastrangelo said that Peter Meier and Jared MacDonald are excused from this meeting.

7:12 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. **Reading of the Vision and Mission Statements:**

   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 its citizens a healthy, active lifestyle.

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.

4. **Public Comment on Non-Agenda Items –** Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. (Board members are unable to respond due to posting requirements of the Open Meeting Law).

   Bob Dwyer, Chair of the Cable, Internet, and Telecommunications Advisory Committee (CITAC) said that there was an article in the Enterprise saying that Falmouth is entertaining an offer from a company called Boundless LLC, to build their entire fiber optic network, and operate it at no cost to the town. He said that he was on a call and he identified himself as being the Chair of this committee, and a representative from Boundless said they will be contacting Bourne very soon.

   Chair Mastrangelo reported that during the Executive Session meeting that was held before this meeting that the only motions that they had were to approve and release the minutes of January 3rd, 2023, March 21st, 2023, and June 6th, 2023.

5. **Reintroduction of Town Counsel.**

   Attorney Bryan Bertram introduced himself as working at the Law Firm of Harrington Heep. Attorney Chris Brown introduced himself and said that he also works at Harrington Heep. Atty. Bertram explained that he is the lead on the services of their firm, they provide their services as a firm. He also talked about how they became Town Counsel for Bourne at a time of change for them, and for the Town. He talked about some staffing changes for the firm, and the reason for the firm's name change.

   Atty. Brown gave a brief overview of what he has done for the town so far. Atty. Bertram also talked about Attorney Ivria Fried, and how she will be working more with the Town of Bourne. There was some discussion about the training that the Harrington Heep firm offers.

   Chair Mastrangelo said that she would like to change the agenda order and address the Consent Agenda.

6. **Consent Agenda:**

   a. **Accept donations to COA.**
   b. **Seasonal food & liquor licenses – Chart Room.**
   c. **Appointment of Joseph Spinale to Bylaw Committee and ZBA.**
   d. **Friends of Bourne Psychic Fair requesting use of Community Building gym and kitchen – 4/27/24, with rain date of 5/4/24**
   e. **Authorize the Town Clerk to opt out of "vote by mail" for the May 21, 2024, annual Town election.**

Voted: Melissa Ferretti moved, and Anne-Marie Siroonian seconded to approve the consent agenda as presented.
Vote: 3-0-0.

7. Bourne Public School Department budget presentation.

Dr. Kerri Anne Quinlan-Zhou, Superintendent, Bourne Public Schools, gave a slide presentation on the Bourne Public Schools budget. She said that it is also on their website. She said that their budget is always developed involving multiple stake holders at the school level, and they also have a budget and facilities subcommittee, and they work hand-in–hand with Town Administration while going through the process. She said that this year they were asked to prepare the budget a little earlier, so they started meeting in late October. She talked about what they look for in preparing the budget and about the budget timeline.

Dr. Quinlan-Zhou talked about their revenue assumptions, including state and federal grants, and school choice. She talked about the ESSER funds that the schools received and planning assumptions, and about inclusion with Special Education. She then talked about the budgets for each school and about some staffing changes. She said that they are eliminating fees for extracurricular activities and for transportation fees for high schoolers. She also showed a few pie charts and ended the slide presentation with saying that the recommended operating budget is $26,652,537, which is a 2.83% increase over FY24.

Anne-Marie Siroonian said that they appreciate Dr. Quinlan-Zhou for being so diligent and fiscally responsible, and she likes that that fees are being eliminated. Melissa Ferretti said that she thinks that Bourne is very lucky to have such a wonderful school system, and she is happy with the work that Dr. Quinlan-Zhou has done. Chair Mastrangelo reiterated that it is great about the elimination of fees.

8. Upper Cape Technical High School budget presentation.

Roger Forget, Superintendent, Upper Cape Cod Regional Technical High School, also gave a slide presentation on the school's FY25 budget. He started by talking about their budget subcommittee. He then talked about the school's community involvement and about their enrollment. He said that many of their staff were students of Upper Cape Tech, and he talked about the retention.

Mr. Forget talked about Net School Spending and Budget Drivers. He explained the approved FY25 budget, that was approved by their School Committee, by going through each budget line. Mr. Forget then talked about transportation and about the LPN program. He also said that their capital and their stabilization funds have not changed since last year. He said that the FY25 Gross Foundation Budget is $18,957,842.

9. Update from CITAC – review draft comment letter re: Digital Equity Plan.

Bob Dwyer said that the Cape Cod Commission delivered their draft Digital Equity plan on March 5th and CITAC saw it at the end of that week. He said he called a meeting on March 14th to prepare this comments letter for the Select Board to review. He said that a big part of the whole report is that

they have identified several needs and several very general implementations/priorities that they think should go forward. He said they gave no details or instructions or guidance on how to do that. The letter says that more information is needed.

Ms. Siroonian asked what the next steps are, and Mr. Dwyer said that the report says that Mass. Broadband Institute (MBI) is going to come out with $100,000. implementation grants. He said that there is a meeting with MBI tomorrow, and a few members of CITAC will listen in on the meeting.

Ms. Siroonian asked if there was a next step with respect to implementation. Town Administrator Marlene McCollem said that the Commission will compile all comments that they receive, and they will come and meet with the Select Board. They will give the Select Board the comments and their plan and then the Select Board will need to set the direction on the priorities. There was discussion on being underserved, and about speed tests.

Voted: Anne-Marie Siroonian moved, and Melissa Ferretti seconded to authorize the Select Board Chair to sign this letter of comment.
Vote: 3-0-0.

10. **Discussion and possible vote for a request to hold a wedding at Barlow's Landing for over 20 people on April 5, 2024, and parking waiver.**

Chrysta Lanson said that she would like to use the beach on Barlow's Landing Road for a 10-minute wedding ceremony. Chair Mastrangelo said that she wanted to make sure that they know it is a public access beach and they cannot deny anyone to use the beach. Regarding parking she feels that they can waive the parking for the ceremony. Ms. McCollem said that if approved, she will let the Police Department know. Mr. Dwyer asked Ms. McCollem if she could possibly get the DPW to rake the beach before the ceremony, and Chair Mastrangelo said that they will rake the beach before the summer season.

Voted: Melissa Ferretti moved, and Anne-Marie Siroonian seconded to approve the request to hold a wedding at Barlow's Landing for over 20 people on April 5th, 2024, with a parking waiver.
Vote: 3-0-0.

11. **Consent Agenda:**

    a. **Accept donations to COA.**
    b. **Seasonal liquor license – Chart Room.**
    c. **Appointment of Joseph Spinale to Bylaw Committee and ZBA.**
    d. **Friends of Bourne Psychic Fair requesting use of Community Building gym and kitchen – 4/27/24, with rain date of 5/4/24**
    e. **Authorize the Town Clerk to opt out of "vote by mail" for the May 21, 2024 annual Town election.**

Previously discussed and voted.

12. **Review Town Meeting Articles**

    a. **Article 1 – Regular Required Authorization.**

Ms. McCollem said that Article 1 is the standard authorizations and appropriations that must be re-authorized every year. The only change is the COLA applied to the Town Clerk's salary.

b. Article 2 – FY 25 General Fund Operating Budget.

Ms. McCollem said that Article 2 is the General Operating Budget. She went through some of the changes to the budget. She said that this has been a challenging budget year and they had to re-balance a few times, and the budget is balanced.

Ms. McCollem said that they were able to restore the $10,000. that she had cut from the Recording Secretaries wages out of the Town Administrator office budget. She said that they also were able to restore the $10,000. that was cut for Professional Development out of the Human Resources budget. She said that they have reset the wages for the Facilities Manager after that vacancy. She said that they are anticipating a retirement this fiscal year in the Building Department, so the wages have been reset for FY25. Also, the Public Schools and Upper Cape Tech. both reduced their budgets, which further helped with balancing the budget.

Ms. McCollem said that they were also able to restore the $7,500. for Contracted Services for DPW. She said that they have reset the wages for staff turnover in the Health Department. She also said that they have received the final assessment for the Veterans Services Officer, and it was an increase of a little over $4,000. Adjustments also have been made after filling both positions in the Recreation Department.

Ms. McCollem said that they are budgeting for a slight reduction in Natural Gas costs, due to some upgrades from the ESCO upgrades that have been done. She also said that they are proposing to add more to the OPEB liability per the Financial Policy. She talked about the health insurance premiums and the health insurance consultant took a close look at Bourne's claims history, and the health of the trust fund balance, and they recommended to not increase health insurance premiums for FY25.

Chair Mastrangelo said that talking about the budget issues early helped to get it to this point, and she appreciates the work of the Finance Department and of Ms. McCollem.

c. Article 3 – FY 25 Sewer Budget – Joint Meeting with Bourne Sewer Commissioners.

Ms. McCollem said that there have been no adjustments since the Sewer Commissioners last voted.

Sewer Commissioners Vice Chair Ferretti called the meeting of the Board of Sewer Commissioners to order at 8:35 PM.

Mary Jane Mastrangelo said that she would like to discuss keeping the retained earnings for that budget level at $150,000. She said that she thinks it is important because the users that have been on the system for a long-time experienced dramatic increases in rates when the Wastewater Treatment plant came on. She explained the benchmark that she would like to work towards.

She said that they have increased retained earnings over the past few years, and she thinks they need to think about keeping retained earnings at $150,000. if there are allocation fees and sewer development fees to sustain that, and until they can get more users in the system.

Voted: Mary Jane Mastrangelo moved, and Anne-Marie Siroonian seconded that they apply $150,000. of retained earnings to the Fiscal Year 25 budget.
Vote: 3-0-0.

Voted: Anne-Marie Siroonian moved, and Mary Jane Mastrangelo seconded to adjourn the joint meeting with the Board of Sewer Commissioners.
Vote: 3-0-0.

The Board of Sewer Commissioners meeting was adjourned at 8:41 PM.

d. Article 4 – FY 25 ISWM Budget.

Ms. McCollem said that there are no adjustments for the ISWM operating budget. Chair Mastrangelo asked if there could be some possible future discussion about increasing the budget line item for host community expenses on the ISWM budget, to reflect the increase in rates. There was some discussion about the possibility of waiting until the fall.

Dan Barrett, General Manager, ISWM (Integrated Solid Waste Management), said that he agreed that raising the budget would help them. He talked about the revenues for the past few years at ISWM. There was some more discussion about increasing the budget. Ms. McCollem said that she will sit down with the Finance Department to discuss, and they will make an adjustment if needed.

e. Article 5 – FY 25 Capital Budget – Update from ISWM.

Mr. Barrett said that they are ready to move forward with the plans that were shown at an earlier date to the Select Board. He said that they would like to get it to construction bid stages by the Fall Town Meeting. He said to do that, they are looking at the schematic designs up to a 25% design level, design development up to 60%, and the final 100% level will be achieved by the time they get to the Fall Town Meeting. He said that this would be about $1,917,000. He also said that there is an additional 1.4 million left in that proposal for construction administration.

Chair Mastrangelo asked if there would be a building committee, and Ms. McCollem said that it is subject to the Designer Selection Law, so a building committee is required by law.

f. Article 9 – Stabilization Fund.

Ms. McCollem said that the Stabilization Fund is Article 13 on the warrant now. She said that this is the general rainy day stabilization fund. She said that they recommend funding it at $200,000. Finance Director Erica Flemming said that this amount is conservative and will keep it at its minimum of 6%.

g. Article 10 – Capital Stabilization Fund.

Ms. McCollem said that this article is now Article 14, and they recommend funding the Capital Stabilization Fund at an additional $296,000. from Free Cash. Ms. Flemming explained how they arrived at that amount.

h. Article 19 - Amending the Wetlands Bylaw

Ms. McCollem said that this article is to amend Conservation Consultant's Fees section of the Wetlands Bylaw. Stevie Fitch, Conservation Agent, said that she was there to represent the Conservation Commission and their request to amend section 9 of the Bourne Wetland Protection Bylaw, which is article section 3.7.

Ms. Fitch said that section 9 gives the Conservation Commission the right to impose reasonable fees for the employment of outside consultants. She said that the Commission would like to remove the $2,500. maximum, and replace it with the word "reasonable". She said that the $2,500. cap was passed at the Annual Town Meeting in 1989, and 35 years later it is nearly impossible to find a firm to review, and present, a project for that amount of money.

Ms. Fitch said that the second request is to remove the entire third paragraph that defines what type of application can be reviewed. She said that the intent of the bylaw is to allow the Commission the option to hire an expert to review either a Notice of Intent or a Request for Determination. She said that the Commission decided that the type or size of alteration should not have to be considered in the request for a consultant, and that it should be up to the Commission. There was some discussion about the questions that could be asked during Town Meeting.

13. Review draft motions for Town Meeting articles, assign articles to Select Board members.

Tabled until April 2nd.

14. Town Administrator's Report

Ms. McCollem said that the town has received a 2024 Cyber Security Awareness Training grant. She said that all town staff will be invited and encouraged to go through this training. Barnstable County IT did the leg work to obtain the grant and is supporting this training effort.

Ms. McCollem also said that the Massachusetts Broadband Institute has contacted her to enter into a reservation of funds agreement, to earmark funding under the Municipal Digital Equity Implementation Program. She has initiated the process to reserve $70,000., which may be subject to increase to $100,000.

Ms. McCollem also said that the Police Department will be rolling out the body worn and vehicle camera program for testing soon and if it goes well, full deployment is expected to be later this Spring. She also said that a very short window of time has opened for the town to apply for a Federal Safety

grant to increase staffing at the Fire Department. She talked about the importance of the grant, and of the Fire Department, and the number of calls received over the years.

Ms. McCollem said that her last announcement is that if anyone has not renewed their dog license, they are running out of time.

15. Policy

a. 1st reading for Financial Policies.

Ms. McCollem said that she has received no comments in writing. Chair Mastrangelo said that there was some discussion with the Finance Committee about having an executive summary review on the quantitative pieces of the Financial Policy.

Voted: Anne-Marie Siroonian moved, and Melissa Ferretti seconded to move the Financial Policy to 2nd Reading.
Vote: 3-0-0.

16. Minutes

None.

17. Committee reports

None.

18. Correspondence

Anne-Marie Siroonian read aloud the correspondence for March 19th, 2024:

- DEP letter – Final Community Involvement Plan RCL Comments.
- DEP letter – DD Property Munitions Response Site Plan.
- DEP letter – Remedial Investigation Report for Dioxane et al.
- Steamship authority parking burden.
- Cong Keating Partners – Affordable Housing Groundbreaking.

These are all on the Town's website.

19. Future Agenda Items.

20. Next meeting dates:

April 2, 9, 16 & 30. March 26 – Sewer Commissioners.

21. Adjourn

Voted: Anne-Marie Siroonian moved, and Melissa Ferretti seconded to adjourn.
Vote: 3-0-0.

This meeting of the Bourne Select Board was adjourned at 9:21 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

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

DRAFT

Select Board's Correspondence

April 9, 2024

A. DEP letter – Demolition Area 1 Environmental Monitoring

B. 198 North Road – Waterways Application

C. 66 Lake Drive – wall and walkway replacement

D. Xfinity channel changes - spring

E. Xfinity – March channel changes and payment of subscriber fee

F. Talent Bank – J. Grullon - Veterans' Graves Officer

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 2, 2024

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 Demolition Area 1 Environmental Monitoring Report for July 2022 through June 2023 - RCL, Comments

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Impact Area Groundwater Study Program (IAGWSP) response to comments letter (RCL) dated March 19, 2024, in response to MassDEP comments dated January 25, 2024, for the document **"Draft Demolition Area 1 Environmental Monitoring Report for July 2022 through June 2023"** dated January 2024 (EMR). MassDEP offers the following comment on the RCL.

Figure 5-6:
Page-specific Comment #7 refers to the lack of an East to West designation on Figure 5-6, *Demolition Area 1, Plume Cross Section A-A', Zones 3 and 4 Illustrating RDX Distribution in Groundwater as of August 2023*. Please label Figure 5-6 with an East to West orientation. The title of Figure 5-6 indicates that it is an A-A' cross-section, but the cross-section is labelled A'-A". Please correct Figure 5-6 so that the title and cross-section designation are the same.

Please incorporate this letter into the IAGWSP Administrative Record for the Demolition Area 1 groundwater. If you have any questions regarding this matter, please contact me at (617) 694-2644 or Elliott Jacobs at (857) 207-0815.

Sincerely,

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

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

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

BOURNE BD OF SELECTMEN
RCVD 2024 MAR 28 AM 11:17

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M. G. L. Chapter 91
Waterways License Application Number 24-WW01-0037-APP
John E. Sweeney, Buzzards Bay, 198 North Road, Bourne

NOTIFICATION DATE: March 29, 2024

Public notice is hereby given of the waterways application by John E. Sweeney to reconstruct and maintain a stone groin at 198 North Road in the municipality of Bourne, in the waters of Buzzards Bay. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the ten residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Project plans and documents for the Waterways application are on file for public viewing electronically at: https://eeaonline.eea.state.ma.us/EEA/PublicApp/ (enter "198 North Road" in the Search Page as the Location Address). If you need assistance, please contact vin.manfredi@mass.gov or if you do not have access to email, please leave a voicemail at (508) 946-2700 and you will be contacted with information on alternative options.

Written comments must be addressed to: Vin Manfredi, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Raul Lizardi-Rivera — NAME

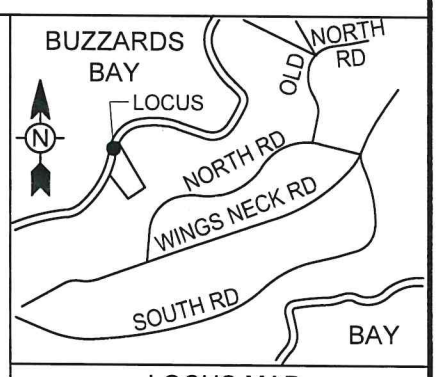
DECEMBER 29, 2023 — DATE

DRAWING INDEX

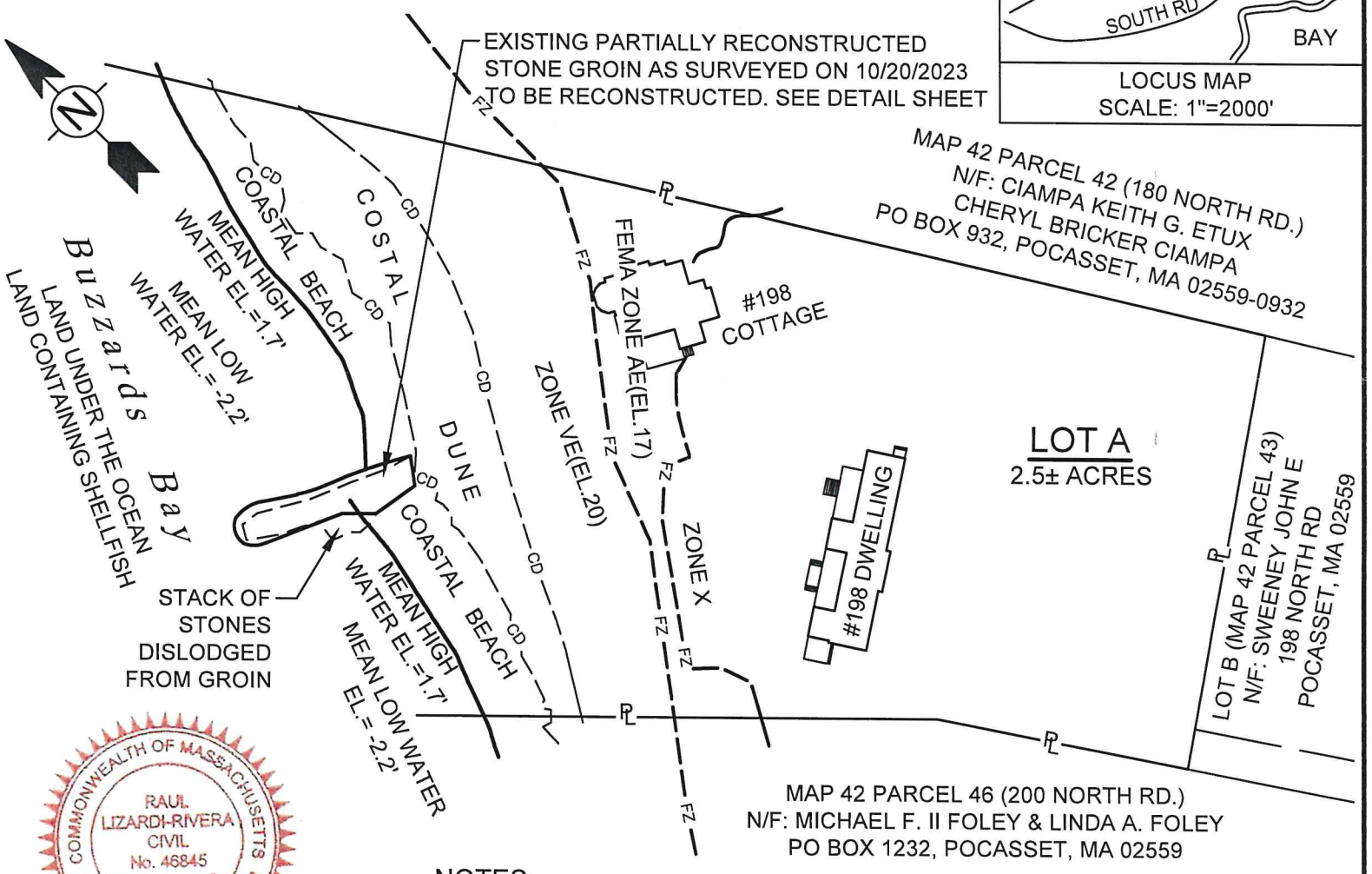
SHEET	TITLE
1	EXISTING CONDITIONS
2	STONE GROIN DETAIL PLAN
3	PROFILE DETAIL PLAN
4	STONE GROIN DETAIL

LEGEND

———	MEAN HIGH WATER (EL. 1.7 NAVD88) MEAN LOW WATER (EL. -2.2 NAVD88)
- - - FZ - - -	FEMA FLOODPLAIN BOUNDARY
——— PL ———	PROPERTY LINE



LOCUS MAP
SCALE: 1"=2000'



COMMONWEALTH OF MASSACHUSETTS
RAUL LIZARDI-RIVERA
CIVIL
No. 46845
REGISTERED PROFESSIONAL ENGINEER

0 40 80 160
SCALE: 1" = 80'

EXISTING CONDITIONS
SHEET 1 OF 3
DECEMBER 29, 2023

NOTES:

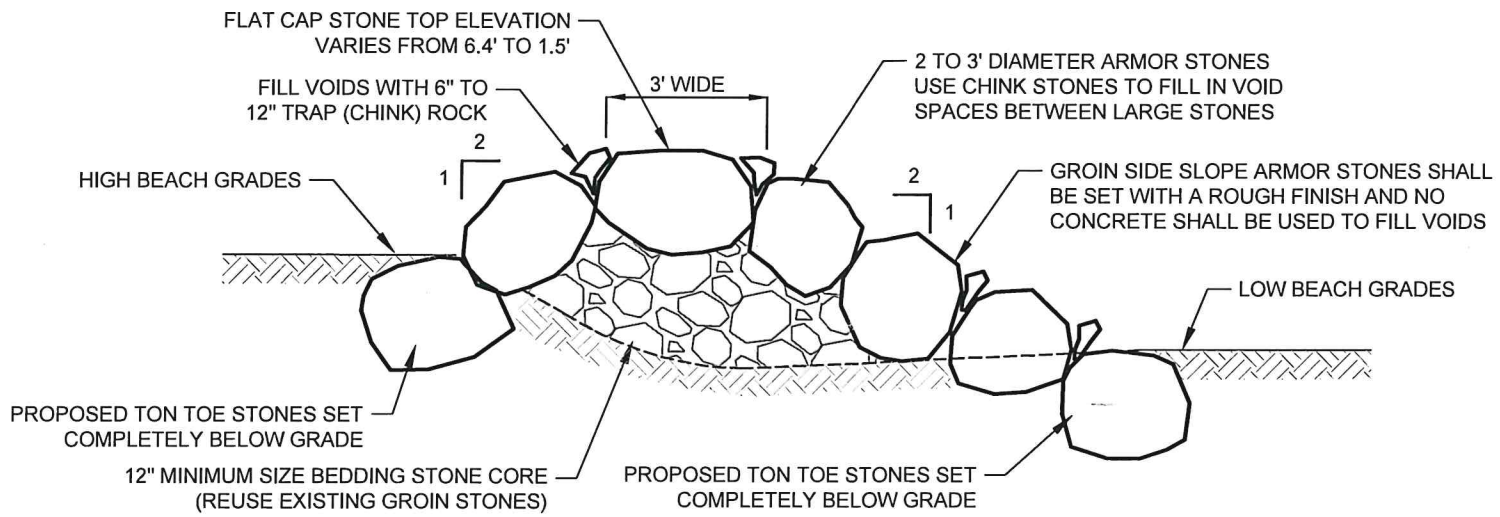
1. LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY.
2. HORIZONTAL DATUM: NAD83
3. VERTICAL DATUM: NAVD88
4. ZONE DESIGNATION OF VE (ELEV 20) AND AE (ELEV 17) AND MINIMAL FLOOD HAZARD ZONE X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 25001C0484J, WITH A MAP EFFECTIVE DATE OF JULY 16, 2014.
5. MEAN HIGH & MEAN LOW WATER DETERMINATION BASED FROM BUZZARDS BAY NATIONAL ESTUARY PROGRAM, TIDE GAUGE STATION POINT 1699 LOCATED IN BUZZARDS BAY (LAT. 41.68709, LON. -70.65609) WHERE MHW = 1.7' NAVD88 AND MLW = -2.2' NAVD88.
6. ABUTTER INFORMATION OBTAINED FROM THE TOWN OF BOURNE ASSESSOR'S ONLINE DATABASE ON 12/29/2023

PLAN ACCOMPANYING PETITION OF JOHN E. SWEENEY TO RECONSTRUCT AND MAINTAIN A STONE GROIN WITHIN BUZZARDS BAY AT 198 NORTH ROAD, BOURNE, BARNSTABLE COUNTY, MASSACHUSETTS

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
508.477.7272

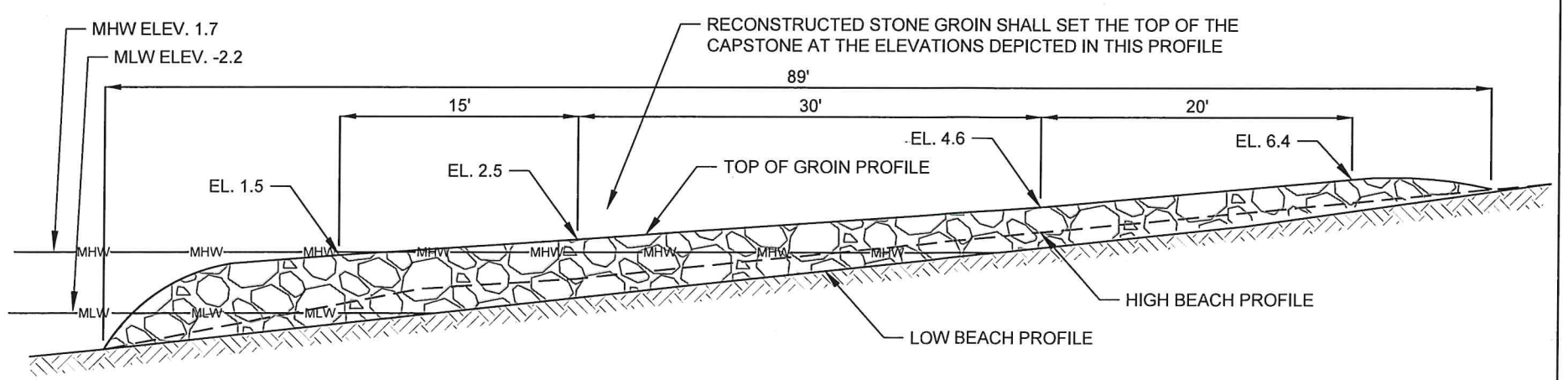
STONE GROIN PROFILE
& CROSS SECTION DETAIL
SHEET 3 OF 3
DECEMBER 29, 2023

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
508.477.7272



TYPICAL STONE GROIN CROSS-SECTION

NOT TO SCALE



STONE GROIN PROFILE DETAIL

SCALE: 1" = 10'

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

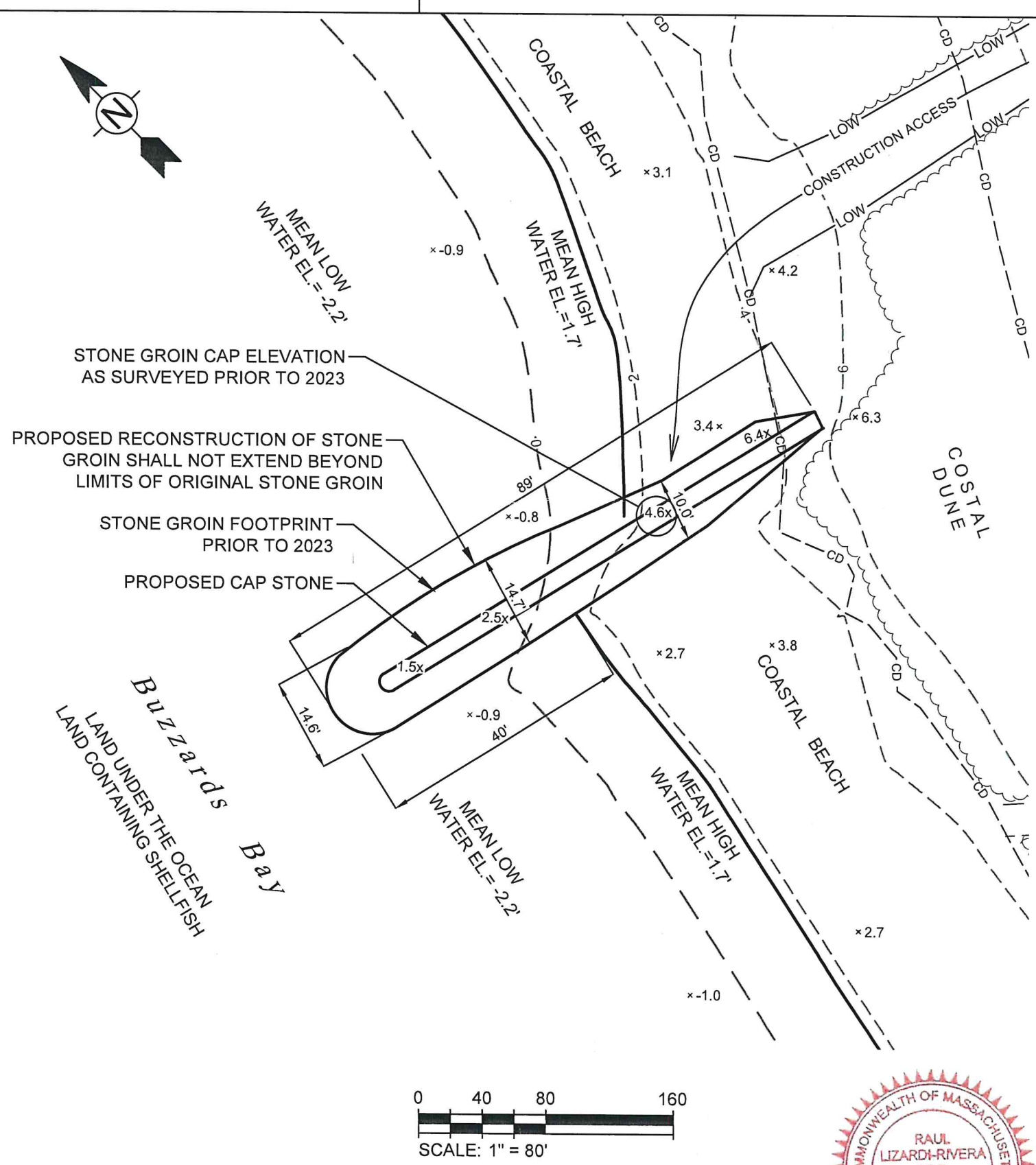
NAME

DECEMBER 29, 2023
DATE

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME

DATE: DECEMBER 29, 2023



COMMONWEALTH OF MASSACHUSETTS
RAUL LIZARDI-RIVERA
CIVIL
No. 46845
REGISTERED PROFESSIONAL ENGINEER

STONE GROIN DETAIL PLAN
SHEET 2 OF 3
DECEMBER 29, 2023

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
508.477.7272

PUBLIC MEETING NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT, CHAPTER 131, SECTION 40 AND THE TOWN OF BOURNE WETLANDS PROTECTION BYLAW ARTICLE 3.7

Please be advised that the BOURNE Conservation Commission will review the Request for a Determination of Applicability (RDA) application of:

(Applicants/owners) Glenn & Gail Redgate for work proposed at

Location: 66 Lake Drive
(Assessors Map-44.2 Parcel-117.00).

The purpose of this notification is to allow the public the opportunity to review and comment on the proposed work.

PROPOSED WORK: Replace existing landscape timber wall under side of back deck and timber walkway at back side of house with segmental block.

The *Abutters List was* prepared by the Assessor's Department of Bourne and the list indicates that you are one of the abutters to the locus. *We look forward to your participation in the review process.*

The PUBLIC MEETING on this matter is scheduled for:

Date: 04/18/2024

Time: **6:30 P.M.**

Place: **The meeting will be held in the Bourne Veteran's Community Building, 239 Main Street Buzzards Bay, MA 02532 and the agenda posted on the Town's website at least 48 hours prior to the meeting.**

The PLAN & the RDA application concerning this matter are on file with the Bourne Conservation Commission. They may be reviewed during normal business hours Monday-Friday from 8:30 AM to 4:30 PM. You may call the department at (508)-759-0600 X1344 to arrange an appointment or to ask questions. The plans can be viewed by emailing SFitch@townofbourne.com or AAmado@townofbourne.com.

Additional questions can be directed to: gredgate1@gmail.com

BOURNE BD OF SELECTMEN
RCVD 2024 APR 1 AM11:18

xfinity™

March 26, 2024

Town Council/Town Attorney
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532

Dear Town Council/Town Attorney:

We are committed to keeping you and our customers informed about changes to Xfinity TV. Please note the following changes to the Xfinity channel line-up in your community:

- Effective March 18, 2024, Enlace is no longer be available with Xfinity.
- Effective May 1, 2024, Marquee TV will increase the cost of its Subscription Video On Demand package from $8.99 per month, to $9.99 per month. If a customer subscribes to Marquee TV, they will see the new subscription cost reflected on their next bill.

Customers are receiving notice of this information in their bill.

Please do not hesitate to contact me should you have any questions. For your convenience I can be reached at **Michael_Galla@comcast.com**.

Very truly yours,

Michael Galla

Michael Galla, Sr. Manager
Government & Regulatory Affairs

February 27, 2024

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

Dear Members of the Board:

In accordance with M.G.L.c.166A §9, attached please find the 2023 license fee payment[1] for your community. This payment is equal to $0.50 per subscriber and reflects 6,004 subscribers as of December 31, 2023.

Additionally, as we are committed to keeping you and our customers informed about changes to Xfinity TV, please note the following of which Customers are receiving notice in their bill:

- On February 28, 2024, Hallmark Drama will be renamed Hallmark Family.
- On March 1, 2024, IMPACT Wrestling Channel will be renamed TNA Wrestling Channel.
- On March 6, 2024, Hallmark Movies & Mysteries will be renamed Hallmark Mystery.
- On March 25,2024, AXS will be renamed Anthem.

As always, please do not hesitate to contact me should you have any questions. For your convenience, I can be reached at **Michael_Galla@comcast.com**.

Very truly yours,

Michael Galla

Michael Galla, Sr. Manager
Government & Regulatory Affairs

cc: Town Council/Town Attorney (cover letter only)

[1] Attachment may be confirmation of payment via electronic funds transfer (EFT).

Payment Overview (AP_Inquiry_CCBL)

Operating Unit	Comcast Cable
Number	137316315
Currency	USD
Amount	3,002.00
Date	07-FEB-2024
Payment Process Request	Cable EFT Payment-07-F
Voucher	
Status	Reconciled
Cleared Amount	3,002.00
Cleared Date	08-FEB-2024
Void Date	
Maturity Date	

Payee

Paid To Name	BOURNE TOWN OF MA		
Taxpayer ID			
Supplier Number	263448	Site	24 PERRY AVE
Address	CHAIRMAN BOARD OF SELECTMEN TOWN HALL 24 PERRY AVE BUZZARDS BAY, MA 02532		

Bank

Name	CITIBANK, N.A.
Account	Cable AP Citi Bank-137336
Payment Document	Cable CITI EFT
Payment Method	Electronic
Payment Process Profile	Cable EFT

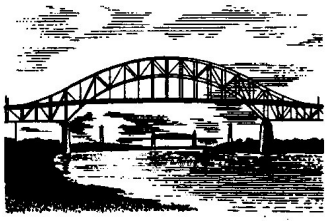
Invoices

Number	Amount Paid	GL Date	Description
23AssessmentFee23A	3,002.00	07-FEB-2024	MA 50 per6004Sub Payment

Invoice Overview | Bank | Supplier | Payments

Town of Bourne

www.townofbourne.com 24 Perry Ave, Bourne, MA 02532



TALENT BANK FORM

The success of any local government depends largely on the participation of its citizen volunteers

---

The Town of Bourne seeks interested residents to become involved as volunteer members of Town Boards, Committees or Commissions. Please fill out this form if you are interested in serving.

Name: John A. Grullón

Address: [redacted] Bourne, MA 02532-8310

Village: Monument Beach

Telephone: [redacted] **Email:** [redacted]

Occupation: Retired Military

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

Veterans Graves Officer

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

I have served 20+ years in the military. During my time in uniform I have had the honor to served in the Base Honor Guard. I am also a member of the Bourne American Legion Post 230, in which I am also a member of the Honor Guard.