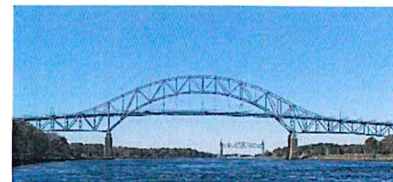


Board of Selectmen Meeting Notice AGENDA



Date

October 11, 2022

Time

7:00 PM

Location

Bourne Veterans' Community Building – Rm 2
239 Main St., Buzzards Bay
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.

Zoom Meeting ID: 869 5775 5505

Password: 529740

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

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

RECEIVED
2022 OCT -6 PM 12:00
TOWN CLERK BOURNE

1. Moment of Silence to recognize our Troops and our public safety personnel
2. Salute to the Flag
3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. Public Comment on Non-Agenda Items - Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Appointments and Licenses
 - a. Discussion and possible vote to appoint K. Riley to the Human Services Committee
 - b. Discussion and possible vote to appoint W. Perry to the Bylaw Committee
7. Selectmen's Business
 - a. Military Civilian Community Council update by George Slade
 - b. Joint Base Cape Cod Annual Update
 - c. Cape Cod Regional Transit Authority Annual Update by George Slade
 - d. Discussion and possible vote on motions for the October 24, 2022 Town Meeting
 - e. Discussion and possible vote on surplus dredge materials
 - f. Designate any *Essential* and *Contingent* Articles for the October 24, 2022 Town Meeting.
 - g. Discussion and possible vote to approve the Warrant for the 2022 State Election Warrant.

- h. Debrief annual retreat, held on August 12, 2022, and vote to confirm annual goals.
- i. Discussion and possible vote to accept donation to Library.

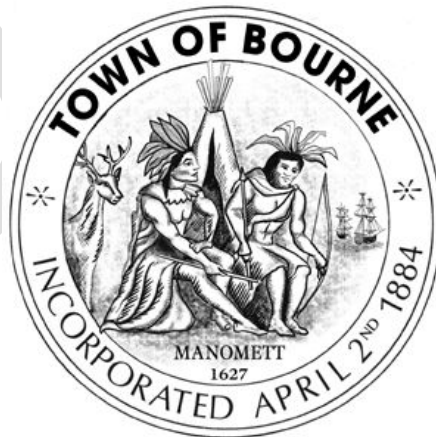
- 8. Town Administrator Report
- 9. Minutes: 7/19/22 (regular session); 8/12/22; 9/20/22
- 10. Correspondence
- 11. Committee Reports
- 12. Other Business
- 13. Upcoming meetings, October 18, 2022
- 14. Adjourn

RECEIVED

2022 OCT -6 PM 12:00

TOWN CLERK BOURNE

Articles and Motions
For the Bourne
Special Town Meeting
Monday, October 24, 2022
7:00 P.M.
Bourne High School Auditorium



SPECIAL TOWN MEETING

ARTICLE 1: To see if the Town will vote to hear Reports and Recommendations of Committees and Town Officers, or take any other action in relation thereto.

Sponsor – Board of Selectmen

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

Vote Required: Simple Majority

ARTICLE 2: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of supplementing and/or reducing the FY2023 Regular Annual Expenses of the departmental expenses as voted under Article 2 (Fiscal Year 2023 Budget) of the 2022 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: *We move that the Town vote to amend the action taken under Article 2 (Fiscal 2023 Budget) of the 2022 Annual Town Meeting by (1) appropriating monies in the total amount of \$458,784 as specified in the chart entitled “Funding Sources,” below; and (2) by increasing expenses by \$458,784 as specified in the chart entitled “These Amounts are to be Voted,” below:*

Funding Sources:

Raise and Appropriate from the FY22 Tax Levy and other General Revenues from the Town	\$ 258,784
Ambulance Fund	<u>200,000</u>
Total	<u>\$ 458,784</u>

These Amounts are to be Voted:

General Government	\$ 65,300
Public Safety	352,994
Public Works	10,490
Shared Costs	<u>30,000</u>
Total	<u>\$ 458,784</u>

Vote Required: Simple Majority

ARTICLE 3: To see if the Town will vote to appropriate, borrow or transfer from available funds, as sum of money for the purpose of supplementing and/or reducing the FY 2023 Sewer Department Budget as voted under Article 3 (Sewer Department) of the 2022 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

MOTION: *We move that the Town vote to amend the action taken under Article 3 (Sewer Budget) of the 2022 Annual Town Meeting by increasing expenses by \$32,500 from \$1,095,110 to \$1,127,610 and increase the amount raised from Sewer Enterprise Receipts from \$1,414,138 to \$1,446,638.*

Vote Required: Simple Majority

ARTICLE 4: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of funding the Town's Other Post-Employment Benefits (OPEB) Liability, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: *We move that the Town vote to appropriate the sum of \$872,538 for the purposes of funding the Town's Other Post-Employment Benefits (OPEB) Liability and to meet this appropriation, to transfer to the OPEB Trust Fund the sums of \$582,538 from free cash; \$30,000 from Sewer retained earnings; and \$260,000 from ISWM retained earnings.*

Vote Required: Simple Majority

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund costs related to payments of accrued contractual compensated absences, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: *We move that the Town vote to appropriate the sum of \$150,000 for the purposes of this article and to meet this appropriation to transfer the sum of \$150,000 from free cash.*

Vote Required: Simple Majority

ARTICLE 6: To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money for the purpose of funding the Fiscal Year 2023 Capital Budget, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

MOTION: *We move that the Town vote to appropriate \$215,000 to pay costs of the capital outlay projects listed in the schedule printed below, and to meet this appropriation, to: (1) transfer the sum of \$165,000 from Free Cash and (2) transfer the sum of \$50,000 from the Climate Resiliency and Infrastructure Stabilization Fund.*

Department	Category	Purpose	Amount	Source
Engineering	Planning	Sagamore Beach Access Ramp	\$ 50,000	Climate Resiliency and Infrastructure Stabilization Fund
Engineering	Transportation	Vehicle – shared with conservation department	40,000	Free Cash
Engineering	Planning	Stormwater Improvement Projects	30,000	Free Cash

Police	Transportation	Undercover Vehicle	45,000	Free Cash
Public Works	Infrastructure	Lighting at Queen Sewell Pond/Park	50,000	Free Cash
			<u>\$ 215,000</u>	

Vote Required: Two-thirds Majority

ARTICLE 7: To see if the Town will vote to appropriate or transfer from available funds including but not limited to Integrated Solid Waste Management (ISWM) Enterprise Fund Retained Earnings, a sum of money for the purpose of funding an Amendment to Article 6 voted at the November 16, 2020 Special Town Meeting for the purpose of funding development, installation and operational costs associated with a Pilot Leachate Treatment System to be installed at the ISWM Facility, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

MOTION: We move that the Town vote to appropriate the sum of \$225,000 for the purposes of this article and to meet this appropriation to transfer the sum of \$225,000 from ISWM Retained Earnings.

Vote Required: Simple Majority

ARTICLE 8: To see if the Town will vote to appropriate or transfer from available funds including but not limited to Integrated Solid Waste Management (ISWM) Enterprise Fund Retained Earnings, a sum of money for the purpose of funding an Amendment to Article 5 voted at the May 3, 2021 Annual Town Meeting for the purpose of adding additional funding to the ISWM FY 2022 Capital Budget Request, 1-ton Container Truck Line Item, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

MOTION: We move that the Town vote to appropriate the sum of \$50,000 for the purposes of this article and to meet this appropriation to transfer the sum of \$50,000 from ISWM Retained Earnings.

Vote Required: Simple Majority

ARTICLE 9: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Capital Stabilization Fund**, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

MOTION: *We move that the Town vote to appropriate the sum of \$306,034.87 for the purposes of this article and to meet this appropriation to transfer the sum of \$306,034.87 from free cash.*

Vote Required: Simple Majority

ARTICLE 10: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds or reserves from the FY2023 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto:

Sponsor - Community Preservation Committee

MOTION: *We move that the Town vote, upon the recommendation of the Community Preservation Committee, to appropriate the sum of \$33,500 for the Community Preservation Fund projects as shown below and to meet this appropriation to transfer the sum of \$13,500 from Community Housing Reserves, transfer \$20,000 from Historic Preservation reserves.*

<i>Item</i>	<i>Sponsor</i>	<i>Project Description</i>	<i>CPA Purpose</i>	<i>Amount</i>
<i>A</i>	<i>Bourne Housing Partnership</i>	<i>Housing Planned Production Program</i>	<i>Community Housing</i>	<i>\$13,500 From Community Housing Reserves</i>
		<i>Total Community Housing Reserves Requested</i>		<i>\$13,500</i>
<i>C</i>	<i>Bourne Historical Society</i>	<i>Restoration of Joseph Jefferson Windmill Museum at Aptucxet</i>	<i>Historic Preservation</i>	<i>\$20,000 From Historic Reserves</i>
		<i>Total Historic Reserves Requested</i>		<i>\$20,000</i>
			<i>Total Requests</i>	<i>\$33,500</i>

Vote Required: Simple Majority

ARTICLE 11: To see if the Town will vote to appropriate a sum of money to pay costs of energy efficiency improvements to be made pursuant to an energy services contract (ESCO) between the Town and TRANE; to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing, including the use of a lease-purchase financing agreement, or otherwise, or to take any other action relative thereto.

Sponsor – Board of Selectmen

MOTION: *That the Town appropriates \$_____ to pay costs of energy efficiency improvements to facilities throughout the Town to be made pursuant to an energy services contract (ESCO) between the Town and TRANE, and that to meet this appropriation, the Selectmen are authorized to raise said amount by entering into a lease-purchase financing agreement with Bank of America, or any subsidiary thereof, under and pursuant to G.L. c. 44, §21C, or any other enabling authority, borrowing said amount under and pursuant to G.L. c. 44,*

§7(1), or any other enabling authority, or through any combination thereof.

Vote Required: Two-thirds Majority

ARTICLE 12: To see if the Town will vote to amend the Town of Bourne Bylaws, Article 3.1 Public Safety and Good Order, Section 3.1.29 – Licensing and Control of Dogs, Paragraphs (a) and (f) as follows:

- a. Licensing Provisions. Except as may otherwise be provided by bylaw, all owners or keepers of dogs over six (6) months of age within the Town of Bourne must obtain from the Town Clerk between January 1st and ~~June 30th~~ **March 31** for each year, an annual dog license and pay an annual license fee to the Town as required by bylaw...

f. Dog Licensing Fees.

...~~On or before June 15 of each year, the Town Clerk shall notify the owner or keeper of record of any unlicensed dog of the requirements to license the dog.~~ Any owner or keeper who fails to obtain a license by ~~June 30~~ **March 31st** of each year shall be subject to an additional charge of \$5.00 for any dog licensed after ~~June 30~~ **March 31st**.

or take any other action in relation thereto.

Sponsor – Town Clerk and Department of Natural Resources

MOTION: *We move Article 12 as set forth in the Warrant.*

Vote Required: Simple Majority

ARTICLE 13: To see if the Town will vote to amend Section 3210 and Section 2888 of the Bourne Zoning Bylaws as follows:

Amend Section 3210 General Sign Regulations by inserting subsection (i) and Section 2888 Downtown District - Signs Not Permitted by inserting subsection (e) by adding the following language:

Flag signs or fabric devices attached to curved plastic or fiberglass poles intended to move or swing in a breeze – commonly called “feather signs” - are prohibited. Similarly, signs or devices that consist of an inflatable stick figure created from fabric tubing attached to a fan that causes the figure to move in a rhythmic, flailing motion – commonly called “sky dancers” or “tube men” – are prohibited.

or to take any other action in relation thereto.

Sponsor – Planning Board

MOTION: *Possible revised motion by the Planning Board?*

Vote Required: Two-thirds Majority

ARTICLE 14: To see if the Town will vote to amend Section 2854, subsection b) of the Bourne Zoning Bylaws, relative to the Downtown Parking Regulations, as follows:

SECTION 2854. Parking Reduction Methods

b) Off-Site Parking Credit - Parking requirements may be reduced by up to fifty percent (50%) with a Special Permit by the Planning Board if an off-street public parking lot of 20 spaces or more exists within ~~300~~ **1000** feet of the principal land use, and the public parking lot has ample spaces available to serve the immediate area as determined by a survey of peak hour occupancy and usage. If this rule cannot be met, the applicant can secure private off-site parking within ~~500~~ **1000** feet of the site by ownership or lease with another landowner with the following conditions:

1. The off-site parking will be shared by more than one landowner; and
2. The greater distance is justified because of pedestrian traffic patterns and the vitality of the area that would be part of the walk.

or take any other action relative thereto.

Sponsor – Planning Board

MOTION: *We move Article 14 as set forth in the Warrant.*

Vote Required: Two-thirds Majority

ARTICLE 15: To see if the Town will vote to amend the Bourne Zoning Bylaw Section 2842, Performance Standards for Residential Uses, by clarifying subparagraphs (3)(a) and (b) by adding those words identified in red and indicated herein:

- a) General Residential Use Performance Standards
 - 3) Affordable Housing
 - a. Residential developments whether new construction, alteration or expansion that results in a net increase of 10 (ten) or more dwelling units shall include a minimum of 10% of the total number of units available to low and moderate-income residents in accordance with the Commonwealth of Massachusetts Department of Housing and Community Development (*DHCD*) standards for affordable housing *except where inclusion of affordable housing units is prohibited by DHCD.*
 - b. Residential of mixed-use developments (rental or ownership) with 55 or more total units are required to meet all standards set forth by the Department of Housing and Community Development (*DHCD*) to ensure all affordable units are placed on the Commonwealths Subsidized Housing Inventory (*CSHI*) *unless otherwise prohibited for inclusion in the CSHI.* The Developer is responsible for incurring all costs and is also responsible for administering the process associated with attaining the affordable units on the Commonwealths Subsidized Housing Inventory, or take any action in relation thereto.

Sponsor – Barbara Johnston, et al

MOTION: *We move*

Maria Simone

From: Christopher Southwood
Sent: Wednesday, September 28, 2022 8:05 AM
To: Marlene McCollem
Subject: RE: Pocasset River Dredge project surplus materials

Hi Marlene,
Original costs were approximately \$15,000.
They funds came from the dredge grant 50% and town funds 50%.
That said, all the materials that were not used are just deteriorating as time goes on.
They are a geotech mesh bag system and the chemical polymers that I was told loses it's usefulness over a year.
Thanks,
Chris

From: Marlene McCollem
Sent: Wednesday, September 28, 2022 7:46 AM
To: Christopher Southwood <csouthwood@townofbourne.com>
Subject: Re: Pocasset River Dredge project surplus materials

Yes, definitely! We probably just need to surplus the materials. What is the approximate value?

Sent from my iPhone

On Sep 28, 2022, at 7:39 AM, Christopher Southwood <csouthwood@townofbourne.com> wrote:

Hi Marlene,
I hope you are feeling better.
If you have any time this week I would like to discuss the possibility of donating some surplus dredge materials to Provincetown that we utilized for last year's Pocasset Dredge project.
They are considering doing a similar project and I don't believe we will be needing the materials for the future that were left over.
Thanks,
Chris

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2022 STATE ELECTION

Barnstable ,SS.

To the Constables of the Town of Bourne in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

Precincts 1,2,3
Bourne Veterans Memorial Community Center
239 Main Street

On **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

GOVERNOR and LIEUTENANT GOVERNOR	FOR THIS COMMONWEALTH
ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	NINTH DISTRICT
COUNCILLOR.....	FIRST DISTRICT
SENATOR IN GENERAL COURT.....	PLYMOUTH AND BARNSTABLE DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	FIFTH BARNSTABLE DISTRICT
DISTRICT ATTORNEY.....	CAPE AND ISLANDS DISTRICT
SHERIFF	BARNSTABLE COUNTY
COUNTY COMMISSIONERS	BARNSTABLE COUNTY
BARNSTABLE ASSEMBLY DELEGATES	
REGIONAL SCHOOL COMMITTEE	UPPER CAPE COD DISTRICT

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and

universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A YES VOTE would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A NO VOTE would make no change in the state Constitution relative to income tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner

would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for “all alcoholic beverages” and for “wines and malt beverages”) that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A YES VOTE would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers’ out-of-state identification.

A NO VOTE would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver’s license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 11th day of October, 2022.

Selectmen of Bourne

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Town Hall, Bourne Middle School, Bourne Veterans Memorial Community Center, St. John’s Parish Center, Sagamore Post Office, Sagamore Beach Post Office, Monument Beach Post Office, Cataumet Post Office, Bourne Post Office, Pocasset Post Office and Buzzards Bay Post Office.

Dated this day of 2022

_____, 2022.
Constable

Received in the Town Clerk’s Office _____

Barry H. Johnson, Town Clerk
Time: _____

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2022 STATE ELECTION

Barnstable ,SS.

To the Constables of the Town of Bourne in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

Precinct 4
Bourne Middle School
77 Waterhouse Rd

On **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

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ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	NINTH DISTRICT
COUNCILLOR.....	FIRST DISTRICT
SENATOR IN GENERAL COURT.....	PLYMOUTH AND BARNSTABLE DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	THIRD BARNSTABLE DISTRICT
DISTRICT ATTORNEY.....	CAPE AND ISLANDS DISTRICT
SHERIFF	BARNSTABLE COUNTY
COUNTY COMMISSIONERS	BARNSTABLE COUNTY
BARNSTABLE ASSEMBLY DELEGATES	
REGIONAL SCHOOL COMMITTEE	UPPER CAPE COD DISTRICT

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Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

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universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

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The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

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The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner

would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

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Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A YES VOTE would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers’ out-of-state identification.

A NO VOTE would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver’s license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 11th day of October, 2022.

Selectmen of Bourne

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Town Hall, Bourne Middle School, Bourne Veterans Memorial Community Center, St. John’s Parish Center, Sagamore Post Office, Sagamore Beach Post Office, Monument Beach Post Office, Cataumet Post Office, Bourne Post Office, Pocasset Post Office and Buzzards Bay Post Office.

Dated this day of 2022

_____, 2022.
Constable

Received in the Town Clerk’s Office _____

Barry H. Johnson, Town Clerk
Time: _____

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2022 STATE ELECTION

Barnstable ,SS.

To the Constables of the Town of Bourne in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

Precincts 5 and 6
St. John's Parish Center
841 Shore Rd

On **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

GOVERNOR and LIEUTENANT GOVERNOR	FOR THIS COMMONWEALTH
ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	NINTH DISTRICT
COUNCILLOR.....	FIRST DISTRICT
SENATOR IN GENERAL COURT.....	PLYMOUTH AND BARNSTABLE DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	THIRD BARNSTABLE DISTRICT
DISTRICT ATTORNEY.....	CAPE AND ISLANDS DISTRICT
SHERIFF	BARNSTABLE COUNTY
COUNTY COMMISSIONERS	BARNSTABLE COUNTY
BARNSTABLE ASSEMBLY DELEGATES	
REGIONAL SCHOOL COMMITTEE	UPPER CAPE COD DISTRICT

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and

universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A YES VOTE would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

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Dated this day of 2022

_____, 2022.
Constable

Received in the Town Clerk’s Office _____

Barry H. Johnson, Town Clerk
Time: _____

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2022 STATE ELECTION

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To the Constables of the Town of Bourne in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

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**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

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Bourne Middle School
77 Waterhouse Rd

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ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
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AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	NINTH DISTRICT
COUNCILLOR.....	FIRST DISTRICT
SENATOR IN GENERAL COURT.....	PLYMOUTH AND BARNSTABLE DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	FIFTH BARNSTABLE DISTRICT
DISTRICT ATTORNEY.....	CAPE AND ISLANDS DISTRICT
SHERIFF	BARNSTABLE COUNTY
COUNTY COMMISSIONERS	BARNSTABLE COUNTY
BARNSTABLE ASSEMBLY DELEGATES	
REGIONAL SCHOOL COMMITTEE	UPPER CAPE COD DISTRICT

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and

universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A YES VOTE would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A NO VOTE would make no change in the state Constitution relative to income tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner

would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for “all alcoholic beverages” and for “wines and malt beverages”) that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A YES VOTE would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers’ out-of-state identification.

A NO VOTE would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver’s license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 11th day of October, 2022.

Selectmen of Bourne

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Town Hall, Bourne Middle School, Bourne Veterans Memorial Community Center, St. John’s Parish Center, Sagamore Post Office, Sagamore Beach Post Office, Monument Beach Post Office, Cataumet Post Office, Bourne Post Office, Pocasset Post Office and Buzzards Bay Post Office.

Dated this day of 2022

_____, 2022.
Constable

Received in the Town Clerk’s Office _____

Barry H. Johnson, Town Clerk
Time: _____

**Board of Selectmen
Minutes of Tuesday, July 19, 2022
Bourne Veterans' Community Center
Buzzards Bay, MA**

TA Marlene McCollem

Board of Selectmen

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

Others: Helen Gordon, Kate Roosa, Erica Flemming, Michael Rausch, Michael Ellis, Kathy Fox Alfano, Neil Langille, Keith Barber, and Melvin Peter Holmes.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen. Michael Rausch acknowledged that he is recording this meeting.

6:30 PM Call Public Session to Order in Open Session

1. Board of Selectmen Executive Session

Motion to enter into Executive Session pursuant to G.L. c.30A, §21 (a) (Purpose 2) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

- Collective Bargaining – LIUNA, Unit A.

Roll call vote to convene in Executive Session for the purpose stated. The Board of Selectmen will reconvene in open session at the end of the Executive Session. The Chair will report out a summary of any votes taken during the Executive Session.

Conduct Executive Session. Roll call vote to adjourn the Executive Session and re-enter Public Session.

Chair Meier said that Jared MacDonald is excused.

2. Selectmen's Business

- a. Discussion and possible ratification of LIUNA, Unit A memorandum of Agreement – FY22 and FY 23-25.
- b. Vote to open the October 24th, 2022, Special Town Meeting Warrant on Monday, August 1, 2022 at 9 AM and close the Special Town Meeting Warrant on Friday, September 9, 2022 at 4 PM.
- c. Discussion and possible vote to approve the request from the Bourne Police Department to host National Night Out at Buzzards Bay Park on 08.02.22.

- d. Discussion and possible vote to approve the request of the American Lung Association to hold a charity bike ride on 09.24.22 over various Bourne roadways.**
- e. Accept \$200 donation to the Fire Department from the Lion's Club.**

7.a. Discussion and possible ratification of LIUNA, Unit A memorandum of Agreement – FY22 and FY 23-25.

Town Administrator Marlene McCollem said that there is an error in the agenda, and it is for just FY23-25, not FY22.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded to ratify the FY23–25 Memorandum of Agreement between the Town of Bourne and LIUNA Unit A as discussed earlier in Executive Session. The material is to remain privileged while the Town Administrator continues bargaining with other groups

Vote: 4-0-0.

7.b. Vote to open the October 24th, 2022, Special Town Meeting Warrant on Monday, August 1, 2022 at 9 AM and close the Special Town Meeting Warrant on Friday, September 9, 2022 at 4 PM.

Ms. McCollem said that a few meetings ago a draft schedule was talked about for an October 24th Town meeting, and these are the dates that she has worked out. Chair Meier asked if she has an idea of how big the warrant will be. Ms. McCollem said that there should be some capital items and some supplemental budgets, and some zoning.

Voted: Judith Froman moved, and Melissa Ferretti seconded to open the warrant for the October 24th, 2022 Town Meeting at 9 AM on Monday, August 1st, 2022, and close the Special Town Meeting warrant at 4 PM on Friday, September 9th, 2022.

Vote: 4-0-0.

7.c. Discussion and possible vote to approve the request from the Bourne Police Department to host National Night Out at Buzzards Bay Park on 08.02.22.

Chair Meier is excited about this event. He said it is a great family event and the Police and Fire Departments do a great job with their demonstrations. Ms. Froman said she hopes that the word has been spread to the schools. Ms. McCollem said that food inspectors from the Health Department have warned about food spoilage and food poisoning.

Voted: Melissa Ferretti moved, and Mary Jane Mastrangelo seconded to approve the application of the Bourne Police Department, Lt. John Stowe, organizer, for the National Night Out at Buzzards Bay Park on August 2, 2022, from 6 to 8 PM, as presented and conditioned by the Health Department's comments.

Vote: 4-0-0.

7.d Discussion and possible vote to approve the request of the American Lung Association to hold a charity bike ride on 09.24.22 over various Bourne roadways.

Ms. McCollem said that everything is in order for this request.

Voted: Judith Froman moved, and Mary Jane Mastrangelo seconded to approve the application of the American Lung Association and Best Buddies International, Paul Curley, organizer, to hold a charity bike ride on September 24th, 2022, from 9 AM to Noon, as presented.

Vote: 4-0-0.

7.e. Accept \$200 donation to the Fire Department from the Lion's Club.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded to accept a gift in the amount of \$200.00 from the Lion's Club on behalf of the Bourne Fire Department.

Vote: 4-0-0.

14. Adjourn

Voted: Judith Froman moved, and Melissa Ferretti seconded to adjourn.

Vote: 4-0-0.

This meeting of the Bourne Board of Selectmen was adjourned at 7:01 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Selectmen
Minutes of Friday, August 12, 2022
Mass Maritime Academy
Buzzards Bay, MA**

TA Marlene McCollem

Board of Selectmen

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

Others: Karyn Rhodes, Meeting Facilitator and Kathleen Thut

Note this meeting was not televised, streamed or recorded by Bourne TV.

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

8:25 AM Call Public Session to Order in Open Session

1. **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.
2. **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.
3. A motion was made and seconded to approve the request of the Tahanto Association to have a fire truck lead their parade on 08.13.22. Vote 5-0-0.
4. There was no public comment and introductions were made.
5. Discussion of short-term (FY23) and mid-term (FY24 & 25) goals, objectives and priority of the Board(s), within the context of the larger Strategic Plan.

The conversation centered on the Board and what initiatives they wanted the Town Administrator Marlene to focus on. There is a preliminary list that Marlene created. The Board also focused on additional issues which are highlighted below.

ECONOMIC DEVELOPMENT

Economic development and recreation was discussed. The Board would like to see that continue more and to drive growth in Buzzards Bay. There is construction starting for housing and now, they need to bring development in to support that i.e., no grocery store in town. We are growing into a 55+

community. They have resources that they need right in Buzzards Bay. During COVID there was renovations to new buildings, there was revival and growth in Keystone – assisted living came in. 55+ communities constantly started and stopped. Both re-zoning and sewer are an issue – the limit has been reached on the sewer. A lot of things had to happen for growth to be available. Economic development never came to fruition.

Discussion surrounding a solar farm and underground treated sewer disposal. How do they vision things going forward?

COMMITTEES

A unified approach is needed and to look at the whole community. There are plans/ideas for the 10 different villages. They discussed being proactive – not reactive. Staff is integrated but the committees are very separate and independent.

- Discussion that there were too many committees competing for the same resources. And possibly too many people on the committees. The Board has the ability to analyze the number of committees they have. A process for a committee to do a project was also discussed – the committee should come to the Selectmen first.
- A culture shift needs to happen. Possibly too many standing committees? And the role of committees to spend money.
- Once a committee completes a project then it's done and there needs to be closure of the committee.
- Standing committees will always be needed. Ad-hoc should be considered for 1 discrete task.
- Need to get a committee list to review which are standing and which are ad-hoc. Review the rules and processes around it i.e., terms of engagement. However, the Building committee is an exception. Committees need an outline on process, and rules set for all members. Committees should be reporting to the Board and approvals sought as appropriate/required. **Policies, procedures, rules, regulations, terms, time limits for committees need to be established.** It was suggested that Town staff members not be put on a committees.
- There was discussion of having one sheet that specifies all of the above for each committee and asking each committee member to sign off on it. All committee's will need to report to the Board within a set time frame and will be held accountable (reporting status or results at subsequent meetings.)
- Determine how committees fit into the capital plan. Need financial framework to make these decisions.

SCHOOLS

There was a discussion about an upcoming large ask from the Selectmen. Will it be in capital repairs – or move forward on a 5 year rolling process? There is much deferred maintenance. Once borrowing capacity is determined, there is a need to stay the course and not change course later. Some town priorities are also bundled into the school upgrades. Some items have been let go for almost 20 years – almost due for a revamp of all the systems.

COMMUNITY BUILDING

It was agreed that taking care of others is a must and our facilities need to be used. Considerable discussion about this building including the wifi cutting out frequently. There needs to be one committee having oversight for the building. A 5- or 10-year capital plan is needed. It is a multi-use building and there is a need to hire more staff. Putting into place better policies/rules and having requests come through the Recreation Committee first.

CAPITAL PLANNING and FACILITIES

Capital Plan for Town and long term planning needs to be established as a 5- and 10-year plan (i.e., roof situation at middle school and projects prioritized. Facilities Management needs to be considered an ongoing issue. There is no overarching plan for Facilities and Capital.

Consider analyzing who we are servicing and the quality of service. Always asking;

- Who are the people impacted?
- Time required to fix and needs?
- Current relevance to community?
- For all generations and not just one generation?
- What are the values for the town?

A framework and priorities need to be created – do we need a new police station, fire station, library, school? A long term plan is critical and public input needed. We need to address who is going to be involved and how do we do it. We are at a starting point.

The Board needs to put together a solid 5 to 10 year capital plan. They need to direct the Town Administrator to come back with a draft of how to execute the strategic plan. They Board should then direct her to execute it.

A few additional items were discussed including:

- The reported slow response time of the departments getting back to community members.
- The Sewer Dept needing to be part of DPW since Bourne is operating a treatment facility and has permits. It was decided not to make changes to IMA currently.
- Replacement of marina.
- More recreational facilities areas are a must, especially for children. People should not feel ignored. And it was repeated that the Rec Committee should be bringing proposals to the board, not individuals. They should be advising the board, the board should be making decisions and then directing the Administrator. If necessary the Rec Committee could then do surveys, hold public meetings, etc.

The Town Administrator would like to hear about the priorities of the Board on a more frequent basis. The Board should be directing the Town Administrator at each meeting. The Board asked how they should, as a group, go to the Town Administrator with guidance.

This meeting of the Bourne Board of Selectmen was adjourned at _____.

Notes taken by Karyn Rhodes and Kathleen Thut.

Board of Selectmen
Minutes of Tuesday, September 20, 2022
Bourne Veterans' Community Center – Rm 2
Buzzards Bay, MA

TA Marlene McCollem

Board of Selectmen

Peter Meier, Chair

Jared MacDonald, Vice Chair

Mary Jane Mastrangelo

Others: Chief Brandon Esip, Eva Sheehy (virtual), Shari Marquis (virtual), Erica Flemming (virtual), Michael Ellis (virtual), Paul B (virtual), Chris Southwood, Shawn Patterson, Fire Chief David Cody, and Dan Barrett.

Note this Zoom videoconference 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.

Chair Meier took a point of personal privilege to recognize the new Police Chief in the Town of Bourne. Brandon Esip was sworn in as the new permanent Chief of Police on September 19th. He started as a patrolman in 2006 and has worked his way up through the ranks. Chair Meier publicly thanked and congratulated Chief Esip.

Zoom Meeting ID: 869 5775 5505 Password: 529740

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

Chair Meier said that Melissa Ferretti and Judith Froman are excused. Mary Jane Mastrangelo said that Melissa Ferretti is part of a special on GBH about women in politics.

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.**

Chair Meier said that regarding Executive Session, due to client/attorney privilege, they will not be disclosing any decisions made this evening.

- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of

residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

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

6. Selectmen's Business

- a. **7:05 public hearing for Shellfish (DNR) – 2023 Recreational and Commercial Shellfish Regulations.**
- b. **Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.**
- c. **Discussion and possible vote to allow Volleyball Spike Club to host a team picnic at Buzzards Bay Park on 09.24.22.**
- d. **Discussion and possible vote to accept a monetary donation to the library.**
- e. **Discussion and possible vote to transfer care and custody of the Bourne Bicentennial Quilt to the Board of Trustees of Jonathan Public Library.**
- f. **Update from the Department of Public Works – Curbside collection of trash & recycling – discussion of expanding the program to include condominium associations.**
- g. **DPW Presentation, discussion, and possible vote – proposed rates for snow & ice contractors.**
- h. **Presentation & Discussion – Articles for Fall Town Meeting.**
 - i. **Article 1 – Committee Reports**
 - ii. **Article 2 – General Fund Budget Adjustments**
 - 1. **Electronic Voting**
 - 2. **Move Police Station R&M to Facilities Division**
 - 3. **Fire Overtime**
 - 4. **Fire Inspector – new position**
 - 5. **Various departmental adjustments for personnel**
 - 6. **Liability Insurance**
 - 7. **Contractual Reserve**
 - 8. **DPW laborer to mechanic's position**
 - 9. **DPW – add 4 truck driver positions**
 - iii. **Article 4 - ISWM Budget Adjustment**
 - 1. **Indirect transfer for the addition of 4 new truck driver positions**
 - iv. **Article 5 – OPEB Liability**
 - v. **Article 6 – Compensated Absences**
 - vi. **Article 9 – ISWM Leachate Treatment Pilot Project**
 - vii. **Article 12 – Capital Stabilization Fund**
 - viii. **Article 15 – Acceptance of Sanderling Drive, Whimbrel Drive and Pintail Circle as public ways.**

- i. Proposal from the Town Administrator – Reorganization of the Facilities Division.**

Chair Meier said that they would go out of the agenda order because it is not time for item 6.a. yet.

6.b. Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.

Eva Sheehy was virtually at the meeting and said she is part of the booster club for the Bourne High School Field Hockey team, and they would like to hold a car wash because it can be a fun and good team-building event for the team.

Town Administrator McCollem said there were no issues.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the application of the BHS Field Hockey team, Eva Sheehy, organizer, for a car wash on September 24, 2022, from 8:45 am to 12:15 pm at the Sagamore Fire Station, as presented.

Vote: 3-0-0.

6.a. 7:05 public hearing for Shellfish (DNR) – 2023 Recreational and Commercial Shellfish Regulations.

Chris Southwood, Director of Natural Resources, said he was there to ask for approval of the 2023 Town of Bourne Recreational and Commercial Shellfish Regulations. The only change for this year is the calendar date. He said that the Town of Bourne's Shore and Harbor Committee held a public meeting on September 13th and recommended the approval of these regulations. He is also requesting that they waive the third public reading due to it is just the calendar date being changed.

Ms. McCollem said that this is all set.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the request of the Department of Natural Resources to waive the 3rd reading of the *2023 Recreational and Commercial Shellfish Regulations* and to further approve the proposed changes of the applicable dates, as presented by the Department.

Vote: 3-0-0.

6.b. Discussion and possible vote to allow BHS Field Hockey Team to hold a car wash at the Sagamore Fire Station on 09.24.22.

Previously discussed.

6.c. Discussion and possible vote to allow Volleyball Spike Club to host a team picnic at Buzzards Bay Park on 09.24.22.

Ms. McCollem said that this is all set.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the application of the Bourne Volleyball Spike Club, Jenna Timo, organizer, for a team picnic on September 24, 2022, from 10 am to 2:30 pm at the Buzzards Bay Park, as conditioned by the DPW.

Vote: 3-0-0.

6.d. Discussion and possible vote to accept a monetary donation to the library.

Ms. McCollem said that Elaine Serota and Lewis Tilney from Winwood, Pennsylvania gave a check for \$150.00 to the library.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to accept a gift in the amount of \$150 from Lewis Tilney and Elaine Serota to benefit the Jonathan Bourne Public Library.

Vote: 3-0-0.

6.e. Discussion and possible vote to transfer care and custody of the Bourne Bicentennial Quilt to the Board of Trustees of Jonathan Public Library.

Deferred

6.f. Update from the Department of Public Works – Curbside collection of trash & recycling – discussion of expanding the program to include condominium associations.

Deferred

6.g. DPW Presentation, discussion, and possible vote – proposed rates for snow & ice contractors.

Shawn Patterson, DPW Director, said that with the current fuel prices and the economy, and with insurance going up, he said they thought it would be a good idea to raise the rates to attract some new contractors to fill the slots that are vacant. He proposes to go up \$10.00 an hour in each category. He also would like to offer a stipend of \$300.00 to \$500.00 with the \$500.00 being paid out if they have an over 90% attendance rate for the storms.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the proposed 2022 – 2023 rates for snow and ice removal contractors as presented by the DPW Director.

Vote: 3-0-0.

6.h. Presentation & Discussion – Articles for Fall Town Meeting.

Ms. McCollem said that what she is looking for tonight is feedback to include an article or not on the warrant. They will not be voted tonight as there are no motions tonight.

i. Article 1 – Committee Reports – Ms. McCollem said that she knows the South Side Fire Station will be giving a report, and there may be other committees too.

ii. Article 2 – General Fund Budget Adjustments

- **Electronic Voting** – Ms. McCollem said that this is to put electronic voting into the Town Meeting operating budget. This increase is \$10,000.

- **Contractual Reserve** - Ms. McCollem said that this is to put funds into the account for maximum amounts in contracts for annual incentive bonuses for the Town Administrator, the Fire Chief, and the HR Director.
- **Annual Audit** - \$10,000. increase costs for doing business.
- **Move Police Station R&M to Facilities Division** - Transfer of \$36,300. from Police to Facilities to consolidate Facilities Maintenance costs with the Facilities' budget.
- **Police Clerical and Administrative staff** – Ms. McCollem said that this is a result of settling the Unit A contract and the changes in staff and duties at the Police Station.
- **Communications** - Ms. McCollem said that this is for an upgrade to the communication towers and for the annual recurring costs charged by Verizon for the communications. Chief Esip said that Verizon has forced this upgrade on the Town by replacing the copper with fiber. He said that Verizon has agreed to cover the construction costs of the upgrades if the Town agrees to go with their annual service. He said that the hardware charge is about \$6,000. and the annual service charge is \$11,000. for all three towers.
- **Fire Department Overtime** – Ms. McCollem stated that this increase is \$140,000. And that it is a restoral of overtime that was cut from previous Town Administrator's budgets. Fire Chief David Cody said that they looked over the overtime for the past five years and this increase will put them in the range that they need to be.
- **Fire Department Clerical and Administrative staff** – Ms. McCollem said that this is due to a change in duties for clerical staff.
- **AIFF contract** - Ms. McCollem said that this is for the settling of the Firefighter contract.
- **Fire Inspector – new position** - Ms. McCollem said that this is for a new lieutenant position for fire inspections. Chief Cody said that they have not had a Fire Inspector for 12 years and the department has been struggling with keeping up with inspections. This position would also act as a Fire Prevention Officer.
- **DPW – add 4 truck driver positions** – Mr. Patterson said that they are looking to add 4 truck drivers to be on the rubbish and recycling team. He said that he wants to put together a full-time grounds team, and the drivers that will be replaced by the new drivers will be part of that team.

- **DPW – Position upgrade** – Ms. McCollem said that this is for an upgrade from a laborer position to a mechanic position. The request is for \$10,490. and this position has been filled out of grade consistently for a while.
- **Liability Insurance** – Ms. McCollem said that this is for the actual amount because when the budget was built, it was based on an estimate.

Finance Director Erica Flemming said that the total general fund budget adjustment that is requested is \$564,176. She said the way that they will offset this is: \$200,000. from annual receipts reserved appropriation, \$242,273. is the increase in state receipts, 78,849 is the indirect cost from ISWM for the truck drivers and \$43,054 is from a small adjustment to motor vehicle excise.

Ms. Flemming said that there have been some questions about increasing the amount of ambulance receipts reserved for the appropriations part of the budget. She said that as of June 30th, 2022, the balance in that fund is \$2,141,876. At the Annual Town Meeting, they appropriated 1.3 million dollars and that leaves a balance of 841,876. She said that revenues have increased over the last few years.

iii. Article 4 - ISWM Budget Adjustment

1. Indirect transfer for the addition of 4 new truck driver positions – Ms. McCollem said that this is for the indirect transfer of 75% for those 4 positions and the number is \$78,849.

iv. Article 5 – OPEB Liability – Ms. McCollem said that they are proposing that the general fund be an additional \$582,538., Sewer at \$30,000., and ISWM Enterprise at \$260,000. She said that all of these meet the financial policies.

v. Article 6 – Compensated Absences – Ms. McCollem said that this is a standing article, and it is to cover the time that is owed to employees upon resignation or retirement. This request is to replenish the fund with \$150,000.

vi. Article 9 – ISWM Leachate Treatment Pilot Project – Dan Barrett, General Manager of ISWM (Integrated Solid Waste Management), talked about the Leachate Treatment project that is ongoing at ISWM. He said he was requesting an increase to the original article because they are at a point where they need to come back to the Town to talk about where they want to go next. He explained the processes used to take out the PFAS and said they have come up with another technology called Surface Activated Foam Fractionation.

Mr. Barrett said that they have \$429,597.66 left. They are asking for an additional \$225,000.00 which could be more than enough to get to wear the system needs to be with the new technology.

viii. Article 15 – Acceptance of Sanderling Drive, Whimbrel Drive, and Pintail Circle as public ways – Ms. McCollem said that this article on the warrant for the acceptance as public for Sanderling Drive, Whimbrel Drive, and Pintail Circle. She said there was an extensive conversation with the Finance Committee last night and they voted unanimously on an indefinite postponement of this article for this Town Meeting. Ms. McCollem said that she requests that the article gets withdrawn from this Town Meeting warrant to give them more time to work.

Ms. McCollem said that in 2013 this neighborhood was assessed a betterment of just under 1 million dollars, and they paid it. The roads were reconstructed, and drainage was installed. The Town Hall does not have any record of an inspection report or stamped reports at the end identifying what the Town standard is and that the roads were reconstructed to the Town standard. She said they do not have a clear process about how the nest neighborhood would or should do it, and they don't have steps lined out or a checklist to get a road taken as public.

Jared MacDonald said that this needs to be resolved, although it is not possible to resolve before this Town Meeting, so he feels it's better to take it off the warrant and try to resolve it somehow. Mr. Patterson said he has contacted some other Towns to get their design standards and required improvements and he will be working on it this winter. He said that they cannot find an asbuilt, although that does not mean that there is not one.

Chair Meier said that the Board of Selectmen would like this article removed from this warrant.

6.i. Proposal from the Town Administrator – Reorganization of the Facilities Division.

Ms. McCollem said there have been a lot of staff changes since she started, and she has discussed with Mr. Patterson the options of moving Facilities to the DPW. She said that the Town Administrator's office had been carrying all the HR and IT work and with the hiring of Directors for each of those departments, she has been allowed more flexibility to see where she should be focusing efforts.

Facilities is one of her biggest initiatives and she will be heavily involved with the changes and has looked at if it makes sense to be housed in DPW. She said she also needs to figure out how to focus on how to utilize the Assistant Town Administrator position. Ms. McCollem proposes that the ATA position will have built into their job description that facilities project management and facilities supervision will be a large role. She said that by embedding Facilities into the TA's office, they will be supported from above and by administrative and clerical assistance. She said there will be no need for a Facilities Department Director position, as the existing Facilities Manager will supervise the staff.

There was some discussion about the skills and experience that will be needed for the ATA position, and Ms. McCollem said that they will have to have government, municipal, procurement, and project management experience. The Board all said that they support Ms. McCollem's proposal.

7. Town Administrator Report

Ms. McCollem said that MassDOT and Newco are going to be doing some overnight gas main work on Trowbridge Road beginning the first week of October.

8. Minutes: 10/5/21 and 10/28/21.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the minutes of October 5th, 2021.

Vote: 3-0-0. Melissa Ferretti abstained.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to approve the minutes of October 28th, 2021.

Vote: 3-0-0. Judith Froman abstained.

9. Correspondence

Chair Meier read aloud the correspondence:

- Division of Marine Fisheries grant letter.
- Letter from Sue Baracchini and some Pocasset residents about the proposed changes at Shore Road and Barlow's Landing Road.
- Letter of resignation from a member of the South Shore Council.
- Minutes from Upper Cape Tech School Committee meeting of July 14, 2022.
- Barnstable County Ordinance of Public Hearing.

These are all on the Town's website.

10. Committee Reports

Ms. Mastrangelo said that they had a Policy Sub-committee meeting, and they reviewed the code of Conduct that had been reviewed by Town Counsel. She said they voted to move it back to the Board of Selectmen for review. She said that they also talked about a grant that Ms. McCollem has applied for that would bring in someone to help codify the policies and she was approved of the grant.

Chair Meier said that there was a South Side Fire Station meeting earlier in the day and they met the new OPM. They discussed the four sites that are being reviewed. They will be interviewing architects in October.

11. Other Business – None.**12. Upcoming Meetings – September 27 @ 6 PM (Articles only) before BOS; October 4, 2022.**

Ms. McCollem said that the minutes from the retreat, the Charter, and the warrant will be on the agenda for the October 4th meeting.

13. Adjourn

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to adjourn.

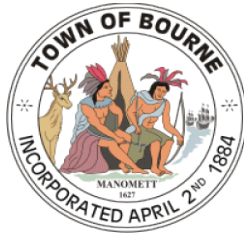
Vote: 3-0-0.

This meeting of the Bourne Board of Selectmen was adjourned at 8:41 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT



Selectmen's Correspondence

October 11, 2022

- A. DEP Letter – Draft Final J-2 Range Northern PFAS Work Plan
- B. Citizen Letter – Shore Road Proposal by Environmental Partners
- C. Response Letter – Holtec nuclear fuel discharge from MA Attorney General Office



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

October 4, 2022

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

RE: **BOURNE – BWSC**
Release Tracking Number: 4-0015031
Joint Base Cape Cod (JBCC)
Draft Final J-2 Range Northern PFAS Work Plan, Comments

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **“Draft Final J-2 Range Northern PFAS Work Plan”** (Work Plan) dated September 2022. The Work Plan presents the Impact Area Groundwater Study Program proposal to collect additional groundwater samples for per- and polyfluoroalkyl substances (PFAS) analyses within the J-2 Northern Range groundwater operable unit at Joint Base Cape Cod (JBCC). MassDEP offers the following comments on the Work Plan.

1. Page 2-2, Section 2.0, PFAS Sampling Results J-2 Range Northern:

The Work Plan states, **“Capture zones depicted on Figure 1 were developed using the MODFLOW-SURFACT groundwater model to predict hydraulic conditions at the J-2 Range Northern and fully described in prior EMRs and the most recent Technical Memorandum for the plume shell development (USACE 2022), using average extraction rates for J2EW0001, J2EW0002, J2EW0003, and WS-2 of 150 gpm, 100, gpm, 225 gpm, and 300 gpm, respectively.”** MassDEP notes that the capture zones depicted for the WS-2 public water supply well on the figures provided in the Work Plan were developed by the U.S. Army Corps of Engineers (USACE) for average WS-2 pumping conditions. Figure 1 indicates that the eastern edge of the WS-2 capture zone at Gibbs Road does not extend to Barlow Road based upon the USACE modeling. The approved MassDEP Zone IIs for WS-2 and WS-3 overlap, and the eastern edge of the Zone II extends well past Barlow Road and encompasses all the monitoring wells with PFAS6 detections greater than the Massachusetts Maximum Contaminant Level of 20 nanograms per liter along Gibbs Road. Please indicate in the Work Plan that these wells are all located within the Zone II for WS-2.

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

2. Page 2-3, Section 2.3, 2021 (August/September) PFAS Investigation:

The Work Plan indicates, **“Five groundwater samples collected from wells along Gibbs Road; MW-330M1/M2/M3, MW-340D, and MW-345M1 contained PFAS6 above MassDEP criteria (Figures 1, 3). Exceedances ranged from 20.9 ng/L (MW-33M2) to 70 ng/L (MW-345M1). In total, PFAS6 was detected in 20 monitoring/extraction wells. PFNA was the only other PFAS compound detected that exceeded the EPA May 2022 RSL. PFNA was detected in six wells located along Gibbs Road. Five of these wells also had PFAS6 exceedances. The wells containing PFNA exceeding the RSL of 5.9 ng/L were: MW-330M1/M2/M3, MW-340D and MW-345M1/M2. Exceedances ranged from 6.8 ng/L (MW-345M2) to 25 ng/L (MW-330M3). Of the exceedances, well MW-340D was the only well within the capture zone of WS-2.”** Please refer to Comment No. 1 in this letter. Cross-section B-B' provided as Figure 3, J-2 North Range Cross Section B-B' Measured PFAS6 and EPA RSL's Winter 2012-2022 Sample Results indicates that MW-340D is below and outside of the USACE modeled vertical capture zone for WS-2. Please note this in the text. Additionally, MassDEP recommends revising the title block for Figure 3 from **“Winter 2012-2022 Sample Results”** to **“Winter 2021-2022 Sample Results”**.

3. Page 2-5, Section 2.4, 2021/2022 (December/January) PFAS Investigation:

The Work Plan states, **“Sentry wells C-4 and C-7 part of the Upper Cape Water Supply CO-OP and located downgradient of Gibbs Road did not detect the presence of PFAS6, PFOS, PFOA, PFHxS, or PFBS. However, these wells have screen lengths of 40 feet except for C-4S (shallow) which is 50 feet. PFNA was detected in 3 samples at concentrations ranging from 0.9 ng/L to 1.9 ng/L (C-4S). Well C-4S is located outside the WS-2 capture zone.”** Sentry well C-4S is in the Zone II for WS-2. MassDEP recommends that the headings for the CS-4 and CS-7 sentry wells on the A-A' cross-section provided as Figure 2, J-2 North Range Cross Section A-A' Measured PFAS6 and EPA RSL's Winter 2021-2022 Sample Results be changed from CS-4, A, B, C and CS-7, A, B, C to CS-4, S, M, D and CS-7, S, M, D to be consistent with the designations of these sentry wells elsewhere in the Work Plan.

4. Pages 3-2 and 3-3, Section 3.4, Vertical Profile and Monitoring Well Installation:

The Work Plan indicates, **“To assess the nature and extent of PFAS contamination in groundwater, seven vertical profiles will be advanced. Two vertical profiles are located along Gibbs Road (New Well # 1 and New Well # 2), refer to Figure 1. New Well # 1 is within the capture zone of WS-2 and is the westernmost of the two profile borings along Gibbs Road. The boring is located between well cluster MW-330 to the east and well cluster MW-340D to the west, both well clusters have had exceedances of PFAS6 and PFNA. Similarly New Well # 2 is situated between well clusters MW-330 to the west and MW-345 to the east. Samples collected from MW-345M1/M2 have had exceedances of either PFAS6 or PFNA exceedances (Table 1-4). New Well # 2 is situated outside the capture zone of WS-2.**

The IAGWSP will also vertically profile three locations downgradient of Gibbs Road within the capture zone of WS-2. The profile samples will be collected using a Sonic Rig and will follow the sampling procedures/protocols outlined in the Dawson Work Plan/QAPP (Dawson, 2016), which references SOP: MMR-024 (Technical Procedure for Sonic Drilling (Water and/or Soil Sampling)). The QAPP Addendum (KGS-In Progress), will by reference incorporate this SOP. These profile borings are located approximately 900 feet downgradient of Gibbs Road. Two additional vertical profiles have been identified downgradient of monitoring wells MW-330 and MW-345 and are identified as North_MW-330 and North_MW-345. These profile borings form a swath of 5 vertical profile borings within and outside the capture zone of WS-2 to delineate the extent of PFAS contamination within

the aquifer.” MassDEP notes that all the profile borings proposed in the Work Plan are in the Zone II for WS-2. Please indicate this in the text.

Please incorporate this letter into the Administrative Record for the J-2 Northern Range Groundwater Operable Unit. If you have any questions regarding this matter, please contact me at (508) 946-2871 or Elliott Jacobs at (508) 946-2786.

Sincerely,

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

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

Date: Sunday 11 September 2022

To: Town of Bourne, Board of Selects

Subj: Shore Road proposal by Environmental Partners

Residents and Business in Pocasset appreciate the thorough report by Environmental Partners. We believe the Project Purpose slide and the Benefits slide are a good start for Pocasset Four Corners.

We believe the presentation to the Board of Selects deserves further review by a wider audience. We believe the 16 August hearing was held with short notice and little opportunity for residents and business interests to reach the meeting and participate. We have concerns with the cost and the implementation.

We request additional time to review and comment.

Melissa

[Signature]

Paul Truitt

Wlyce

John Canale

Sandra Gacson

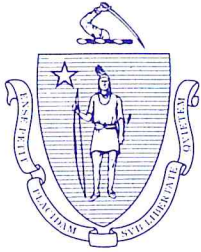
Susan Baracchini

Andrew T. Paul

Phil Austin

James L. Anderson

Joan Eulston



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

RECEIVED BY SELECTMEN
OCT 7 2022 10:15 AM

October 5, 2022

Dear Chair Meier and Bourne Board of Selectmen:

Thank you for your message expressing concerns about the fact that Holtec is considering discharging wastewater into Cape Cod Bay from, among other sources, the spent nuclear fuel pool at the Pilgrim Nuclear Power Station (Pilgrim).

We, like you and other members of the public, are concerned about this option for disposing of the wastewater, and we are working closely with our partner agencies to more fully understand it and the potential risks it would pose to the environment and public health, among other things. However, as you may know, the joint federal and state Clean Water Act permit for the facility expressly prohibits such a discharge and any such discharge would thus be unlawful under the current joint permit. For your reference, we have included the relevant text from the current permit next.

The joint federal and state Clean Water Act permit for Pilgrim expressly prohibits:

- (i) "[t]he discharge of pollutants in spent fuel pool water;"
- (ii) "[t]he discharge of pollutants in stormwater associated with construction activity, including activities, physical alterations, or additions associated with the dismantlement and demolition of plant systems, structures, and buildings;" and
- (iii) "[d]ischarges of pollutants associated with contaminated site dewatering, pipeline and tank dewatering, collection structure dewatering, or dredge-related dewatering, and including . . . physical alterations or additions resulting in the discharge or pollutants associated with the dismantlement and decontamination of plant systems and structures and/or demolition of buildings."

Thank you again for sharing your concerns with our Office. If you have any further questions or concerns that you would like to share with us, please do not hesitate to pass them along. To do so, please e-mail them to Carly Pusateri at carly.pusateri@mass.gov.

Sincerely,

Seth Schofield
Senior Appellate Counsel
Energy and Environment Bureau

