

Board of Selectmen Meeting Notice AGENDA



Date
October 19, 2021

Time
7:00 PM

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

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

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

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

1. Moment of Silence to recognize our Troops and our public safety personnel
2. Salute to the Flag
3. **Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. **Public Comment on Non-Agenda Items**
 - a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Minutes: None
7. **Appointments and Licenses**
 - a. 16 Settler's Way – deed rider
8. Town Clerk's presentation on re-precincting the Town of Bourne based on 2020 Census results.
9. **Interviews conducted for Town Administrator Search Committee applicants.**
 - a. Applicants will be interviewed in alphabetical order by last name. Each interview will last approximately 5 minutes: two (2) minutes for an introduction and three (3) minutes for follow-up questions from the Board.
10. Adjourn

RECEIVED
2021 OCT 15 PM 3:09
TOWN CLERK BOURNE

Bourne Housing Partnership
Town Hall
24 Perry Ave.
Bourne, Massachusetts, 02532
Tel. 508 457 1005 email: affordablehomes@townofbourne.com

10/5/2021

Peter Meier, Chair, and Members of the Town of Bourne Board of Selectmen

Re: Right to purchase affordable deed restricted property at 16 Settlers Way, Buzzards Bay.,

Dear Chairperson Meier and Members of the Board of Selectmen,

The Town of Bourne received notice on September 22, 2021 from the owner of 16 Settlers Way, Buzzards Bay, that it is the owner's intent to sell the property. The Town of Bourne is granted the right to purchase the deed restricted property at 16 Settlers Way in the Town of Bourne under Section 4 of the Affordability Deed Rider for the property signed and recorded on April 29, 2016 in the Barnstable County Registry of Deeds in Bk. 29616 Pg. 252. The Town of Bourne Housing Partnership is designated as Monitoring Agents and the Partnership has determined the maximum resale price to be \$210,524 (which includes a 2.5% monitoring fee). The maximum resale price is the price at which the Town has the right to purchase property. The Town has 30 days from the notice from the owner to determine whether it wishes to purchase the property. The Town received notice of intent to sell on September 22, 2021. It is noted that the Town seldom exercises its right of first refusal unless there is a threat of loss of the deed restricted property by foreclosure (as is the case in some of the older deed riders) or there is some other threat to the continued protection of the property as an affordable property. Neither of those conditions is present in this case.

The Housing Partnership, as directed in the Deed Rider, has begun the marketing process and recommends that the Town not exercise its right to purchase the property at 16 Settlers Way. The Partnership is currently working with its Resale Ready Buyer List and believes it has identified an eligible buyer for the property.

Susan Ross Date 10/05/2021

Susan Ross, Chairperson
Bourne Housing Partnership

Timothy King, Town Administrator
Nancy Sundman, Executive Assistant

Frequently Asked Questions Regarding Reprecincting

Q: What is the Data Release Packet?

- A. The Data Release Packet is an electronic packet sent via email, containing information and instructions regarding the reprecincting process.

Q. What is in the Data Release Packet?

- A. The Data Release Packet contains materials needed to complete the reprecincting process. It also contains clear instructions and step-by-step guidance to take you through the process.

Q. When will I receive my packet?

- A. Emails containing the Data Release Packets are sent on a rolling basis as our office processes your materials and packages them.

Q. Where can I read more about the attachments you send me?

- A. Included within the zip folder attached to your packet are brief instructions on each document included.

Q. How do we request changes to the draft map we received?

- A. If you have selected Option A and are seeking technical assistance from this office, any revisions or requests for consultation must be sent in writing to ma.reprecincting@sec.state.ma.us.

If you have selected Option B, you will need to work within your own municipality to generate any revisions.

Q. Do we have to have a public hearing on the proposed map?

- A. No. State law does not require a public hearing on the new precinct boundaries. Some municipalities may have by-laws or ordinances that require a public hearing or may want to have a public hearing, but it is not required under state law.

Q. Do we have to have a public meeting on the proposed map?

- A. Yes. The local approving body must vote at a public meeting, posted in accordance with the open meeting law, to adopt the map and approved the required paperwork, including the legal description and block report.

Q. Do the new precinct lines need to be adopted as a by-law or city ordinance?

A. No. State law does not require the new precinct lines be adopted as a by-law or ordinance. The state laws require the local body vote to approve the new precincts. However, some municipalities may have a charter, ordinance or by-law that requires the new precinct lines be adopted as a by-law or ordinance. If a municipality does require the new precinct lines be adopted as a by-law or ordinance (which generally has more notice requirements), we recommend waiting until after the LEDRC has approved the new precincts before incorporating them into a by-law or ordinance. If you have the local approving authority vote to approve the new precincts and submit them to the LEDRC, the municipality can adopt them as a by-law or ordinance AFTER the municipality has the approval of the LEDRC.

Q. What documents need to be submitted to the LEDRC?

- A.** The following items must be submitted to the LEDRC (checklist is included in your Data Release Packet):
- ✓ Certified copy of the vote of the local approving authority (Select Board, Town Council, City Council or Board of Alderman)
 - ✓ Official legal description for each precinct and ward (where applicable)
 - ✓ Official block listing (for each precinct and ward, where applicable)
 - ✓ Approved map

Q. Do you have a sample vote?

A. Yes. A sample vote is included with your Data Release Packet.

Q. When will the LEDRC meet to review maps?

A. The LEDRC will begin meeting once locally approved maps are received. Meetings are posted in accordance with the open meeting law and you will be notified of the meeting at which your submission will be considered.

Q. Do we have to attend the LEDRC meeting when our map is considered?

A. Probably not. While you are welcome to attend, it is not required. If you have chosen Option A, this office will present your map and supporting paperwork to the LEDRC on your behalf. If you have chosen Option B, you may need to attend to present the map and materials and answer any questions the LEDRC may have.

Q. How will we be notified if the map is approved or rejected by the LEDRC?

A. The LEDRC will send a formal letter of approval or rejection.

Q. What happens if our map is rejected by the LEDRC?

A. If the LEDRC rejects the map, you will be notified in writing of the reasons why and will be provided with an opportunity to revise the map and resubmit. If LEDRC

rejects the map again or no revisions are received, the LEDRC will appoint a master to draw your precinct lines.

Q. When do the changes in precincts go into effect?

A. These changes go into effect on December 31st, 2021.

HOW DOES THE CENSUS AFFECT ME?

Census affects funding in your community • Census data directly affects how more than \$675 billion per year in federal and state funding is allocated to communities for neighborhood improvements, public health, education, transportation, and much more. Spending just a few minutes to fill out your census form will help ensure your community gets its fair share of federal and state funding.

Census affects your voice in Congress • The number of representatives in Congress is determined by the number of residents in Massachusetts in relation to the number of residents in the United States. Currently we have 9 U.S. Representatives – in order to preserve our representation, we must ensure that everyone is counted so Massachusetts maintains its strong voice in Congress.

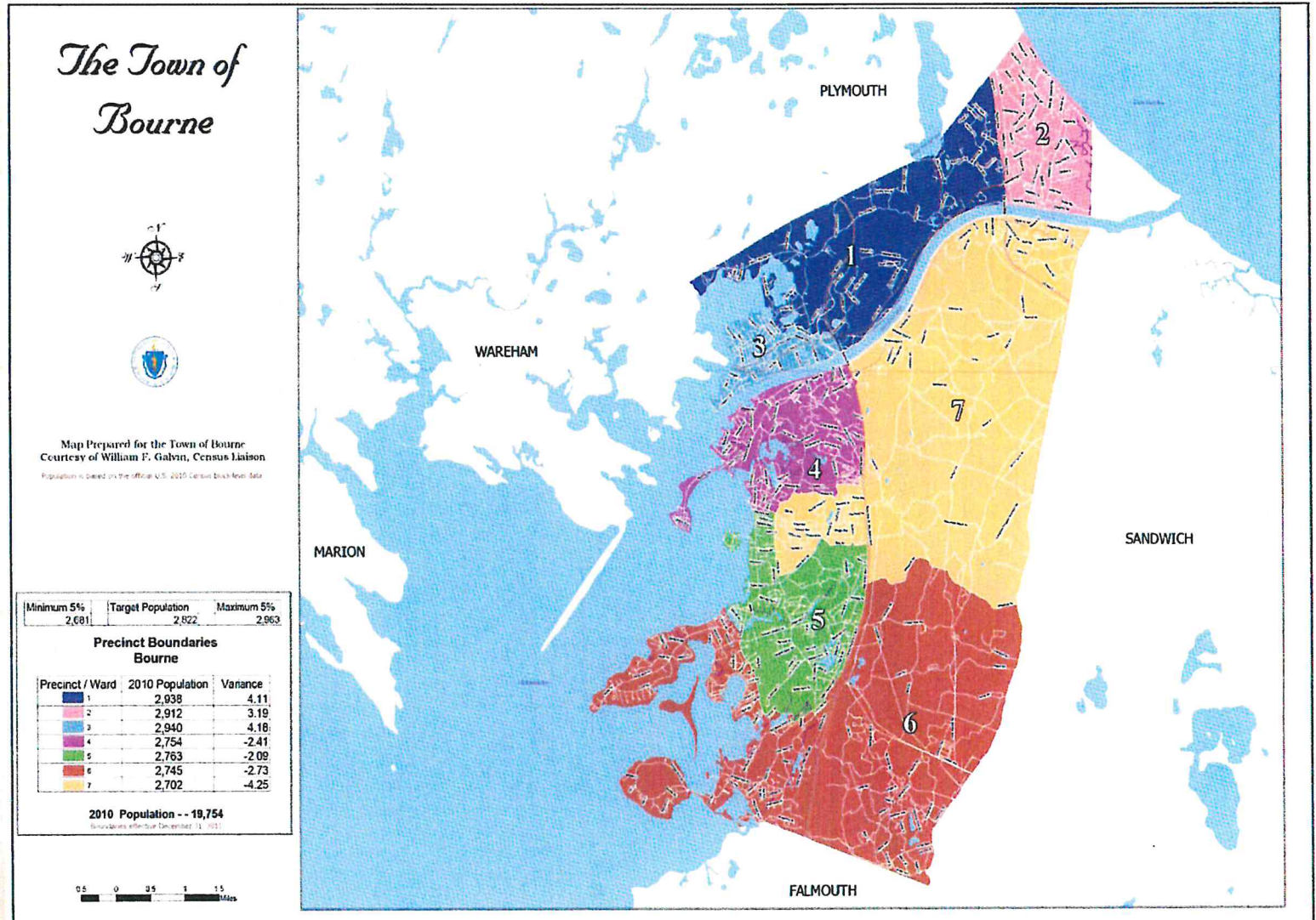
The census affects your power in the Electoral College • The population count, as determined by census data, affects how many votes Massachusetts has in the Electoral College.

The census affects your representation in state and local government • Federal census data is used to define legislative districts, school district assignment areas and other important areas of government.

Census provides important information used for local decision-making • The census is a snapshot that helps define who we are as a nation. Data about changes in your community are crucial to many planning decisions, such as where to provide services for the elderly, where to build new roads and schools, or where to locate job training centers.

Final 7 Precinct Map

old
Map from
2010



No voters have to cross the canal to vote

Precinct lines are clear and distinct

Sagamore (South Sagamore) voters polling location is at the Middle School

Polling Locations are located within one of the corresponding precincts

DK



Draft Map 2

Map Prepared for the Town of Bourne
 Courtesy of William F. Galvin, Census Liaison
 Secretary of the Commonwealth

2020 Population - - 20,452

Minimum 5%	Target Population	Maximum 5%
2,776	2,922	3,068

Precinct Boundaries Bourne

Precinct		2020 Population	Variance
1		3,050	4.38
2		2,943	0.72
3		2,985	2.16
4		2,839	-2.84
5		2,951	0.99
6		2,793	-4.41
7		2,891	-1.06

Population is based on the official U.S. 2020 Census block-level data.

Boundaries effective December 31, 2021

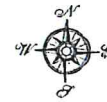
Legend

- Municipal Boundary
- Geographical Features**
- Major Road
- Local Road
- Railroad
- Other Municipal Features
- Streams, Rivers
- Coastal Water, Lakes, Ponds, Major Rivers



Preferred Configuration

Town of Bourne



DRAFT
2

Map Prepared for the Town of Bourne
Courtesy of William F. Galvin, Census Liaison
Secretary of the Commonwealth

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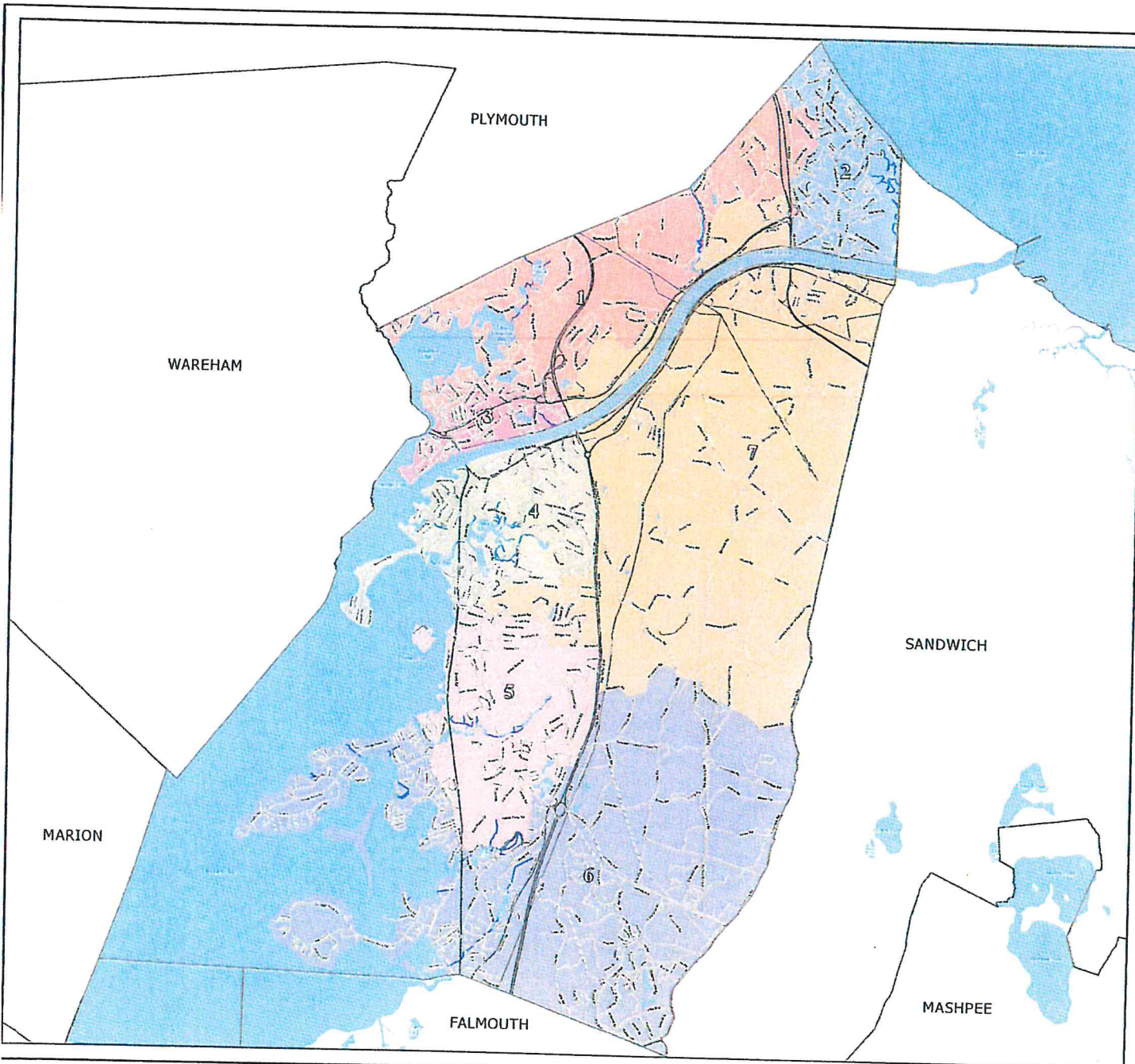
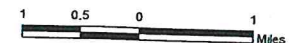
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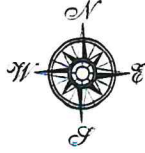
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Legend	
	Municipal Boundary
Geographical Features	
	Major Road
	Local Road
	Railroad
	Other Municipal Features
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	Coastal Water, Lakes, Ponds, Major Rivers



Town of Bourne



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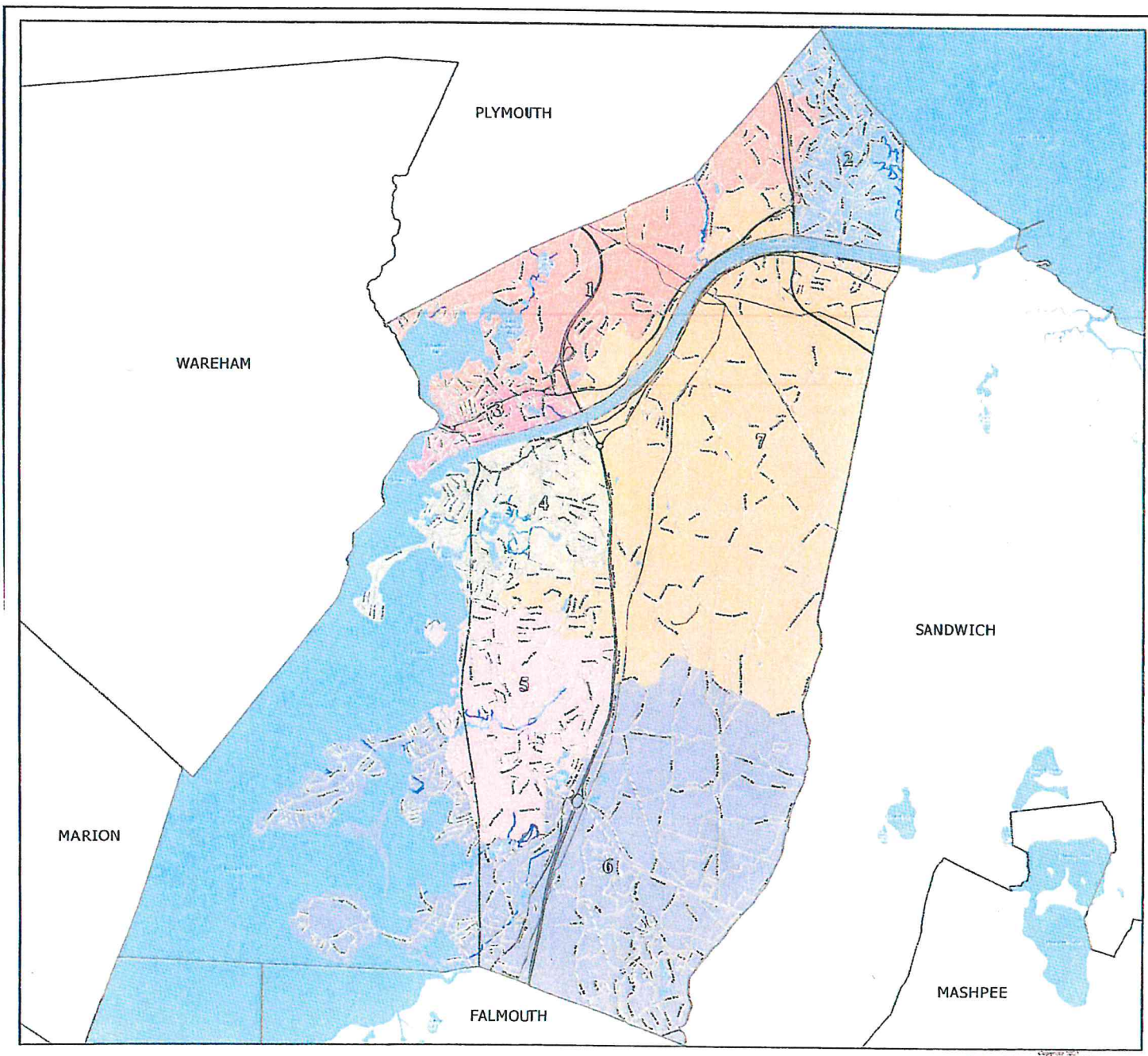
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Boundaries effective December 31, 2021

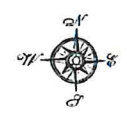
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Town of Bourne



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Legend

	Municipal Boundary
Geographical Features	
	Major Road
	Local Road
	Railroad
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	Coastal Water, Lakes, Ponds, Major Rivers



[illegible]

3 REPRESENTS THE
PEOPLE IN THE BLOCK

Part of the considerations in re-districting is Senior Citizens
not having easy access to poll locations. Deterrents such as access to
locations could result in voter suppression.

THIS NUMBER REPRESENTS THE
NUMBER OF PEOPLE IN THE BLOCK

16

Senior Housing

THIS NUMBER REPRESENTS THE
NUMBER OF PEOPLE IN THE BLOCK

219

225

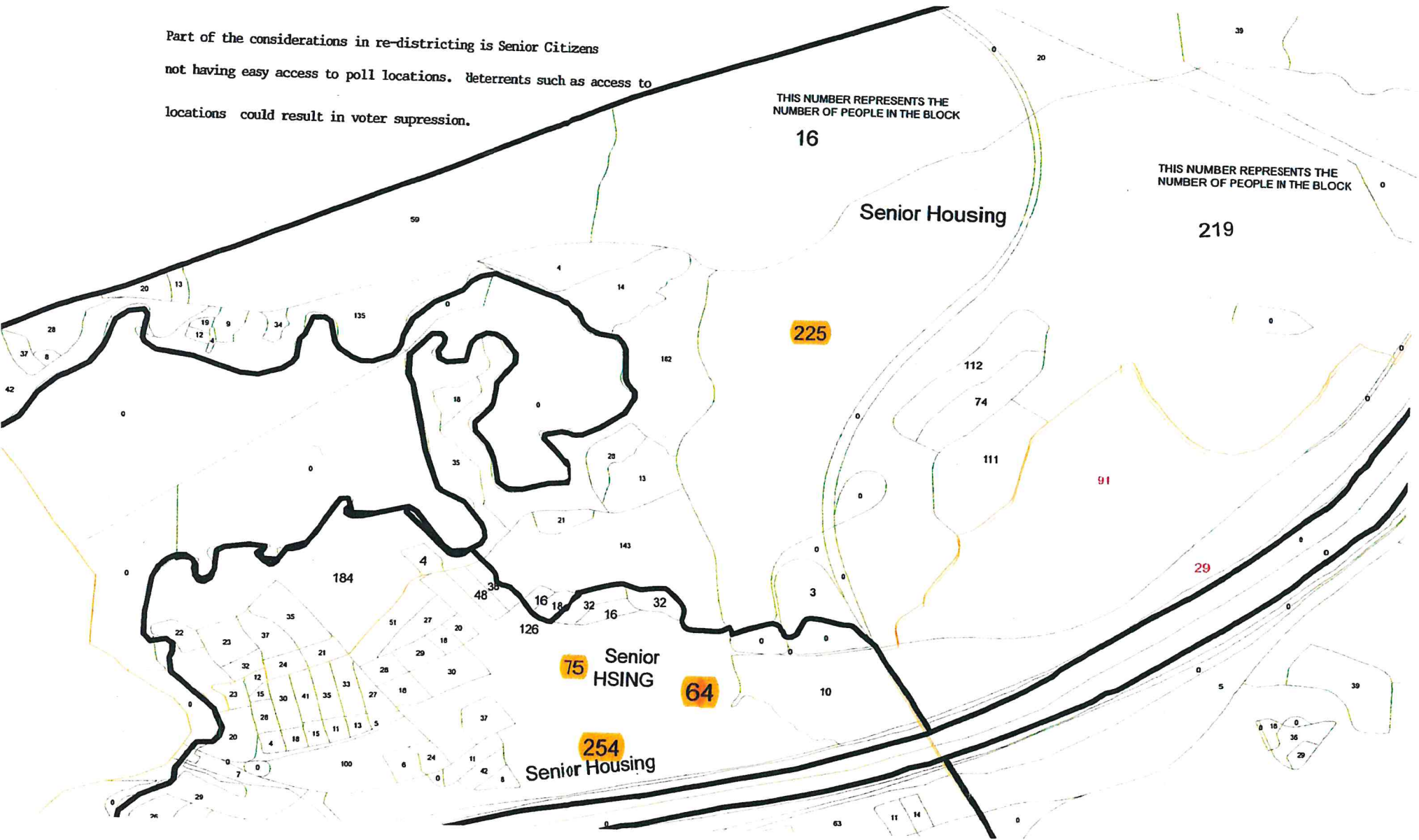
75 Senior
HSING

64

254
Senior Housing

91

29




Reprecincting in Massachusetts


OFFICE OF THE SECRETARY OF THE COMMONWEALTH
APRIL 14, 2021




Reprecincting Overview

- **What is reprecincting?**
 - Reprecincting is the drawing of new local district lines.
 - Wards and precincts in the cities and towns within which they are comprised, form the building blocks for the larger legislative districts.
 - Districts must be drawn so as to contain roughly equal numbers of residents
 - This is different from the number of registered voters.
 - Population is determined by the most recent federal census.
- 


Reprecincting Overview

- **When is reprecincting done?**
 - Every ten years, after each federal census.
 - **Why is reprecincting done?**
 - State law requires each city and town to create new precinct boundaries that take into consideration population, communities of interest, and state and federal constitutional requirements, among other considerations.
- 


Redistricting Overview

- The law requires that legislative districts be redrawn on a periodic basis so that shifts in population will neither unfairly increase nor diminish a particular voter's voice in government.
 - The new precinct lines form the building blocks of other districts, including congressional districts, state senator and state representative districts.
 - In Massachusetts, the Legislature is charged with creating new legislative districts.
 - When determining legislative districts, the government may not unfairly dilute minority voting strength, nor may it make race the predominant factor in redistricting absent a compelling state interest.
- 


Local Reprecincting

- Municipalities themselves have the initial responsibility of establishing ward and precinct boundaries, which become the building blocks in determining legislative and local government districts.
 - A precinct is the smallest geographically bounded unit used for state election purposes.
 - A ward is a geographically bounded unit for election purposes, which consists of one or more precincts.
- 

Establishment of Wards and Precincts

- **Each city and town is required to establish ward and precinct lines every ten years, following the federal census if:**
 - A town contains more than 6,200 residents; or
 - A precinct contains more than 4,000 residents; or
 - The wards of a city do not contain approximately equal numbers of residents so that each ward's population is within 5 percent of the average; or
 - A ward not divided into precincts contains more than 4,000 residents.
- 


Standards

- The law requires that voting precincts established by a city or town must meet the following requirements:
 - Each new precinct must be "composed of compact and contiguous territory" without protruding fingers or long tails to the extent possible.
 - **Precincts must be bounded by the center-line of streets or other well defined boundaries** such as streams or other bodies of water, railroad tracks, power lines or other clearly visible geographic figures.
 - No precinct may contain more than 4,000 residents.
 - Every precinct's population must be within five percent (5%) of the average precinct population for that ward or town.
 - Ward populations must be within five percent (5%) of the average ward population for the city.
- 


Minority Vote Dilution

- Redrawn precinct and ward boundaries must not result in the dilution of minority group members' votes.
- The Voting Rights Act prohibits any voting practice which "results in a denial or abridgement of the right... to vote on account of race or color" or membership in a language minority group.


Minority Vote Dilution

- Two examples of possible violations are known as “packing” and “fragmentation”:
 - “**Packing**” means concentrating a high proportion of minority group members in one or a few districts so that their votes cannot elect as many minority group representatives as another plan may potentially allow.
 - “**Fragmentation**” refers to spreading minority group members among many districts or submerging them in a district dominated by another group also resulting in the election of a smaller number of minority group representatives.
- 


Minority Vote Dilution

- Resources to obtain precise information about how many minority group members reside in which areas of a municipality:
 - “**Census of Population and Housing**” provided by the United States Census Bureau.
 - The data series “**Block Statistics**” contains basic race and ethnic information allowing aggregation of minority data from the block level up to the ward and precinct areas being redistricted for the community.
 - This and other statistical data will be posted on the U.S. Census Bureau’s website (www.census.gov) no later than September 30, 2021.
- 


Other Considerations

- Existing polling places
 - Potential new polling places
 - Communities of interest
 - New construction
- 


Local Approval Procedure

- Local reprecincting plans must first be approved locally and are generally adopted by a vote of the city council in a city and by a vote of the select board or town council in a town.
 - After local approval, the city or town clerk must give written notice of the division, submit maps and required paperwork to the Local Election Districts Review Commission (LEDRC).
- 


Local Election Districts Review Commission

- The LEDRC is an independent commission charged with the responsibilities of overseeing, supervising and approving the divisions of cities and towns into precincts.
 - The LEDRC consists of three members: the attorney general and the state secretary, or their designees, and a third member appointed by the governor.
 - Each member serves at the pleasure of their respective designating officer.
 - The LEDRC has the authority to reject submitted plans and to require local authorities to reconfigure their wards and precincts.
 - If a locality fails to submit a ward and precinct plan or fails to comply with a directive of the LEDRC following its review, then the LEDRC (or a master appointed by the LEDRC) is mandated to make local ward and precinct divisions itself.
- 


Submission to LEDRC

- Six (6) items must be certified and submitted to the LEDRC:
 1. Number and designation (numbers or letters) of wards and precincts and their population; and
 2. Official census map showing new wards and precincts designated by number and letter; and
 3. A physical boundary description of the new wards and precincts which includes the number of residents in each new ward and precinct; and
 4. A list of the census tract and block numbers and each block's population for each precinct; and
 5. A map with the precincts drawn on it; and
 6. Vote of adoption.
- 


LEDRC Procedures

- The LEDRC will review the submission and vote to accept or reject the submission.
 - Meetings of the LEDRC are public.
 - If the plan is accepted, the city or town will be so notified.
 - If the LEDRC determines there are problems with the submitted plan, the LEDRC must give specific written notice to the select board or town council in a town or the mayor or city manager of a city.
- 


Correcting Deficiencies

- In cities, upon receipt of notice of deficiencies, the mayor or the city manager must present their recommendations to the city council to revise the plan to bring it into compliance in a timely fashion after receiving notice from the LEDRC.
 - If the city council fails to timely adopt a plan, the mayor or city manager may give an executive order making the changes.
 - If corrections are not made and a new/revised plan submitted, the LEDRC can either make the division itself or appoint a master to make the division.
 - **If the LEDRC is required to appoint a master, all costs associated with the appointment will be the obligation of the municipality.**
- 

Timeline

- Now-September 30, 2021: Reviewing and evaluating current precinct lines using population estimates.
 - August 15, 2021: "Legacy files" released by Census Bureau.
 - September 30, 2021: Official 2020 Census numbers to be released.
 - *October 30, 2021: Deadline for cities and towns to vote to approve new precinct boundaries and submit to LEDRC
 - If the LEDRC notifies the city or town of a deficiency, the city or town shall have 7 days to correct.
- 

Notice to the Public and Local Officials

- Once a re-division has been approved by the LEDRC, the city council in a city or the select board or town council in a town must publish a map or description of the new precincts.
 - The map must clearly define the boundaries of the precincts.
 - Copies of the map or description of the precincts must be sent to the appropriate election officials and the board of assessors.
 - Copies are also posted in public places in every precinct as determined by the city council or the select board or town council.
 - Every registered voter whose polling place is changed by the reprecincting must be notified by mail of the new polling place.
- 

Effective Date of New Precincts

- Changes in wards and precincts are effective on December 31st of the year of their adoption.
- All regular municipal preliminaries, primaries and elections held in any community after it has been redivided shall be held in such community as redivided.

Individual Workshops

- Municipalities can sign-up for individual workshops following this link:
 - <https://www.sec.state.ma.us/CensusWeb/Registration.aspx>
- When a city/town registers for this workshop, only staff from the same municipality will be able to register.
- The schedules will change weekly.
 - Please visit the website frequently or reach out to the Census Division directly for scheduling questions.

Questions?

Contact the Census Division at:

www.ma2020census.org

617-878-3219

ma2020census@sec.state.ma.us



Legislative Redistricting

- Congressional District are set by the U.S. Congress based on the number of legal residents in that district as determined by the Decennial Census.
- Massachusetts Legislature is responsible for re-drawing state representative, state senatorial and governor's council districts.
- Redistricting is based in the number of legal residents in each district based on legal residents in the Decennial Census.
- The new legislative seats will go into effect for the Presidential Primary in the Spring of 2012.

LEDRC

Local Election District Review Commission

1. Three Member Committee (Attorney General, State Secretary or their designees and a governor appointee.)
2. Reviews each plan and may accept or reject plan. If the plan is disapproved, the LEDRC will spell out the deficiencies in the plan in writing and promptly notify the local officials.
3. If local officials fail to comply with LEDRC directive after its review, the LEDRC will make the Precinct divisions and the cost will be born by the locality. There is no appeal to the LEDRC Precinct Divisions.

Note: If not submitted to the LEDRC

October 30th“LEDRC can appoint a master to draw new precinct lines for the...town. In that situation, the...town will have NO say in the new lines and the costs associated with drawing the new lines will be borne by the municipality as provided for in sections 1 and 6 of chapter 54 of the General Laws.

Until the LEDRC approves the precinct maps, legal descriptions and block data; they are subject to review and change.

We must emphasize these maps *are not* final without LEDRC approval

Interview Schedule – Town Administrator Search Committee

The Town of Bourne Board of Selectmen would like thank you those that submitted their names to serve on the Town Administrator Search Committee. Due to the large response, interviews of all candidates will be conducted at the Tuesday, October 19, 2021 evening Board meeting.

Alfano, K.	7:15
Bergeson, D.	7:20
Bevilacqua, L.	7:25
Beyer, J.	7:30
Clegg, E.	7:35
Dumas Otis, J.	7:40
Ferreira, M.	7:45
Fuller, J.	7:50
Howe, R.	7:55
Hyldburg, C.	8:00
Lavoie, R.	8:05
Lowden, J.	8:10
McMaster, P.	8:15
BREAK	
Mealy, S.	8:30
Metcalf, Jr., A.	8:35
Oliva, M.	8:40
Pickard, D.	8:45
Potter, J.	8:50
Roth, C.	8:55
Siroonian, A.	9:00

Each interviewee will be given two (2) minutes to provide a self-introduction including the reason they have chosen to serve on the Committee. The Selectmen will ask three (3) minutes of follow up questions.