



Town of Bourne Select Board Policy Subcommittee



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24 Perry Ave, Bourne, MA 02532

Public Meeting Minutes

Members Present: Chair Mary Jane Mastrangelo; Clerk Anne-Marie Siroonian

Staff Present: Town Administrator Marlene McCollem; Assistant Town Administrator Liz Hartsgrove; Administrative Assistant Maria Simone

CALL MEETING TO ORDER

The Bourne Select Board Policy Sub-Committee Public Meeting was called to order at approximately 9:34 a.m. on **Friday, August 11, 2023** and was held in person at Bourne Town Hall – 2nd Floor Conference Room at 24 Perry Ave, Bourne MA.

1. APPROVAL OF MINUTES

a. July 21, 20223

Motion: To move the Select Board Policy Sub-Committee approve the June 30 and July 14 minutes as submitted

Motion by: Siroonian

Seconded by: Mastrangelo

Vote: Yea – 2

Nay - 0

Abstain -0

2. SELECT BOARD POLICY SUBCOMMITTEE WORKSHOP

a. Temporary Repairs of Private Ways

Discussion on how Town Bylaw Section 3.1.28, Temporary Repairs of Private Ways ("Bylaw") and MGL Chapter 332, Section 6M Acts of 1975, relative to Repair of Private Ways, accepted by the 1976 Annual Town Meeting, Article 14 ("Section 6M") along with MGL Chapter 551, Acts of 1975, Section 6N, relative to Repair of Private Ways by Cities and Towns, accepted by the 1976 Annual Town Meeting, Article 15 ("Section 6N") are not fully in line. The "Bylaw" currently references "Section 6N" and not "Section 6M". Marlene McCollem believes that "Section 6M" and "Section 6N" should not be combined into one bylaw, which is how it currently reads. There needs to be a clear difference between the types of repairs on private roads (temporary, emergency, permanent) and who covers the costs of these repairs. It is suggested that the best route would be to create one umbrella bylaw that covers private roads and is then broken down into different categories detailing who will be paying for repairs. Part B of the "Bylaw" was intended to allow the town to do emergency repairs, however it does not make any mention of who will cover these costs. There was funding appropriated at town meeting but the authority of town meeting to appropriate funding for that purpose is in question. "Section 6M" and "Section 6N" are clear in that abutters on the road pay

for repairs on private ways. TA Marlene McCollem suggests filing special legislation to allow funds to be used to do repairs on private ways and that the "Bylaw" should be rewritten to reflect "Section 6N" to be more defined on what the town can do. General discussion on how to move forward with proposing special legislation and potentially striking a section of the "Bylaw". Concerns were brought up regarding the timing of these changes and how things will be handled should the town decide to remove part B of the "Bylaw" until special legislation is filed. Discussion continued around the goal of "Section 6M" and "Section 6N", and whether the goal of the repair is for the private road to remain private or the goal of the repair is to have the road be accepted by town meeting. Currently, private roads do have a route to become accepted but are not guaranteed to pass at town meetings.

b. Rules of Procedures

TA McCollem would like to have the procedures settled and voted upon. General consensus is that a first reading shall be scheduled for the Select Board. Discussion continued on committee appointments. TA McCollem suggested that there should be clear procedures regarding contested seats, the nomination process and appointments of committee liaisons/designees. Brief discussion regarding attendance for committee members and the process for when a member does not show. Section 2.4.4 of the Town Bylaws is clear on the process. The meeting closes with discussion on setting a deadline for finishing rules and procedures so as to bring a 2nd reading draft to the Select Board.

3. NEXT MEETING DATE

- a. August 31

4. FUTURE AGENDA ITEMS

August 31: Focus on Rules of Procedure ;

5. ADJOURN

Motion: To move to adjourn the meeting at 11:00 am

Motion by: Mastrangelo

Seconded by: Siroonian

Vote: Yea – 2 Nay - 0

Respectfully submitted,

Maria Simone

Maria Simone

Administrative Assistant