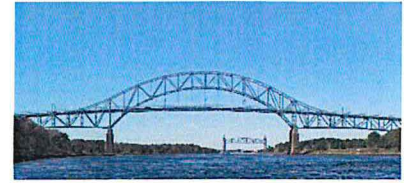


Select Board and Board of Sewer Commissioners Meeting Agenda - **AMENDED**



Date

May 30, 2023

Time

7:00 PM

Location

Bourne Community Center – room 2
239 Main St., Buzzards Bay
Or virtually (see information below)

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

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

Zoom Meeting ID: 869 5775 5505 Password: BOURNE

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

7:00 P.M. Call Public Session to Order in Open Session

1. Moment of Silence to recognize our troops and our public safety personnel
2. Salute to the flag
3. Reading of the Vision and Mission Statements
4. Public comment on non-agenda items: Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

5. Board of Sewer Commissioners Business

- a. Reorganization of Officers after annual Town Election
 - i. Discussion – proceeding with combined Sewer Commissioner/Select Board meetings
- b. Overage Abatement Request – 178 Main Street
- c. Preliminary allocation request for **49-Holt Road 46 Holt Road**
- d. Discussion – Wastewater Treatment Plant upset of Sunday, May 21, 2023
- e. Discussion – next steps for the Comprehensive Wastewater Management Plan (CWMP) and pending Title 5 revisions
- f. Discussion – Municipal Water Infrastructure Investment Fund (MGL Ch. 40, sec. 39M)
- g. Wastewater Advisory Committee – discussion of membership and charge
- h. Amend “Sewer Use Rules and Regulations” dated August 30, 2022 to correct a scrivener’s error in Section 10.1.8(6) – changing the citation from M.G.L. Ch. 40 §210 to M.G.L. Ch. 40 §21D
- i. Approval of Sewer Commissioner Minutes: 02/28/23; **04/25/23**

6. Select Board Business

- a. Consent Agenda
 - i. Renewal of annual special events as listed on attachment labeled “Special Events”
 - ii. Discussion and possible vote to accept two donations to the Council on Aging totaling \$45.00
 - iii. Discussion and possible vote to declare the second Sunday of June to be Race Amity Day

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- iv. Approve the Purchase and Sales agreement for the disposal of the Hoxie School and authorize the Town Administrator to sign on behalf of the Select Board
- v. Approve pending Ch 90 reimbursements and authorize the Town Administrator to sign on behalf of the Select Board
- vi. Approval of Select Board Minutes: 04/18/23; 04/25/23; 05/01/23; 05/09/23
- b. Mass-DOT Advisory Group for the Cape Cod Bridges Program – Update
- c. Marijuana Zoning – Debrief on Planning Board Meeting of 5/25/23 and Select Board Comments
- d. Annual appointment of Select Board representatives and liaisons

7. Future agenda items

8. Town Administrator report

9. Committee reports

- a. CCMPO

10. Correspondence

11. Next meeting date: June 5 - Select Board
 June 6 – Select Board
 June 13 – Select Board

12. Adjourn

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Special Events

Date	Event	Location
6/24	Amity Race Day Celebration	Buzzards Bay Park
7/6 to 8/31 on Thursdays	Concerts by the Canal	Buzzards Bay Park
9/16	Cape Cod Canal Day Festival	Buzzards Bay Park
9/16	Cape Cod Canal Day One Day Liquor License	Buzzards Bay Park

**Select Board and
Board of Sewer Commissioners
Minutes of Tuesday, May 30, 2023
Bourne Veterans' Community Center
Buzzards Bay, MA
Or Virtually**

**TA Marlene McCollem
ATA Liz Hartsgrrove**

Select Board

Mary Jane Mastrangelo, Chair
Melissa Ferretti, Vice Chair
Anne-Marie Siroonian, Clerk (7:04)
Peter Meier
Jared MacDonald

Sewer Commissioners (as of votes taken at 7:22 PM)

Jared MacDonald, Chair
Melissa Ferretti, Vice Chair
Mary Jane Mastrangelo, Clerk
Peter Meier
Anne-Marie Siroonian

Others: Tim Lydon, Michael Rausch, Gary Maloney, Bob Dwyer, John York (virtual), and a Weston & Sampson representative (virtual).

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Michael Rausch, Bourne Enterprise, acknowledged that he is recording the meeting.

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Chair Mastrangelo said that with suggestions from the administrative staff, they are trying an experiment with this agenda. She said that the meeting has been posted for both the Select Board and the Board of Sewer Commissioners and there are separate agenda items for each. She said that they also are going to try a consent agenda item to combine items that are either renewals of special events that they approve every

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year, or some minor donations, or a declaration for Race Amity Day, and they will take one vote for these things.

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

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Reading of the Vision and Mission Statements.**

Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to its citizens a healthy, active lifestyle.

Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

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

Bob Dwyer of Pocasset said that the Cable Advisory Committee is drafting a letter to the Select Board to re-activate the committee and to expand its charge and interest to cover broadband and telecommunications in general. He said that time is of the essence here because the Select Board and the Administration need very rapid advice on opportunities that are popping up very quickly that are coming under the infrastructure bill, and other state funded mechanisms. He said that on June 13th, the Mass. Broadband Institute is holding a workshop in Worcester to discuss the terms and rules for identifying and serving digital equity needs in the towns.

5. Board of Sewer Commissioners Business

- a. Reorganization of Officers after annual Town Election.**
 - i. Discussion – Proceeding with Combined Sewer Commissioner/Select Board Meetings.**
- b. Overage Abatement Request – 178 Main Street.**
- c. Preliminary Allocation Request from 46 Holt Road.**
- d. Discussion – Wastewater Treatment Plant Upset of Sunday, May 21, 2023.**
- e. Discussion – Next Steps for the Comprehensive Wastewater Management Plan (CWMP) and Pending Title 5 Revisions.**
- f. Discussion – Municipal Water Infrastructure Investment Fund (MGL Ch. 40, sec. 39M).**
- g. Wastewater Advisory Committee – Discussion of Membership and Charge.**

- h. Amend “Sewer Use Rules and Regulations” dated August 30, 2022, to correct a Scrivener’s Error is Section 10.1.8(6) – Changing the Citation from M.G.L. Ch.40 §210 to M.G.L. Ch.40 §21D.**
- i. Approval of Sewer Commissioner Minutes: 02/28/23.**

5.a. Reorganization of Officers after annual Town Election.

Chair Mastrangelo said that in their packet there is an example from the Town of Acton. She also said that she has been the Chair of the Board of Sewer Commissioners for the last two years, and there has been a lot of overlap. She said that given that the wording in the Charter changed from the Board of Selectmen will serve as Sewer Commissioners to the Board of Selectmen will act as Sewer Commissioners, she thought it was a good time to have this discussion.

Jared MacDonald said that he is open to having them together in a meeting, especially when it is necessary. He said it still manages well if they do one a month for sewer agenda items unless something comes up.

Anne-Marie Siroonian said that in her opinion she thinks that Sewer should be taken off the table altogether with respect to the Select Board. She thinks that it is an exorbitant amount of work and focus, especially with all the things coming forth with DEP and how it is all going to play into the plan. She feels that they should remain separate entities, at least for a year because it is a lot of work for one person to Chair. Chair Mastrangelo responded by saying that she suggested at the last meeting that the Vice Chair be the lead on Sewer and run that portion of the meeting. There was more discussion about the toles of each board.

Mr. MacDonald said that he is fine with having the two in a singular meeting, although he thinks that directly having the Sewer Commissioners tied into being the same officers as the Select Board is not a good idea. He said that he thinks it is good to keep the officers separate to do their own work because it can be a lot of work with Sewer. He said that he does like the fact that Chair Mastrangelo would like to tie them together while putting the agendas together.

Melissa Ferretti said that she is all about efficiency and she agrees with Jared that having the meetings the same evening is efficient. She is not convinced about the Vice Chair of the Select Board automatically becoming the Chair of the Sewer Commission because she does not know if she wants to take that role. She feels that the officers should be separate for each board.

Voted: Peter Meier moved, and Anne-Marie Siroonian seconded to nominate Jared MacDonald as Sewer Chair.

Vote: 5-0-0.

Select Board Chair Mastrangelo turned the meeting over to newly elected Board of Sewer Commissioners Chair MacDonald.

Voted: Anne-Marie Siroonian moved, and Peter Meier seconded to nominate Melissa Ferretti as Sewer Vice Chair.

Vote: 5-0-0.

Voted: Peter Meier moved, and Melissa Ferretti seconded to nominate Mary Jane Mastrangelo as Sewer Clerk.

Vote: 5-0-0.

Gary Maloney asked if there would be more discussion at this meeting or a future meeting about combining the meetings of the two boards. Chair MacDonald said that that it would be the next item discussed.

i. Discussion – Proceeding with Combined Sewer Commissioner/Select Board Meetings.

Chair MacDonald said that they did discuss combining the two boards in one meeting while the meeting was under the Select Board side. The Board agreed that they would move forward with combined meetings for both boards.

Mr. Maloney said he was surprised that everyone agrees with having combined meetings because there are going to be times when it is going to be confusing about who the Chair is and it is easier to delineate who is in charge in separate meetings. He said that it is easier for the public to know who has set the agenda.

Mr. MacDonald said that they will move forward being almost as they have been by discussing sewer business on the 4th Tuesday of the month, and the rest will be Select Board, unless there is an agenda item that needs to be added. Mary Jane Mastrangelo said that this will be worked out to make it be clear. There was more discussion about how to delineate the two boards.

5.b. Overage Abatement Request – 178 Main Street.

The property owner of 178 Main Street said that they had a leak for a few months that was going into the ground, and not into the sewer. She said that they could not find the leak, and they were charged for 300,000 gallons. This leak happened at the end of 2021, into 2022.

Mary Jane Mastrangelo said she would like to hear a recommendation from the Town Administrator. She said she spent some time looking at the numbers and wanted to hear what the credit would be and how it would get figured out. There was some discussion about the significant rises in water for 2021 and 2022.

Town Administrator Marlene McCollem said that she does not recommend the Town abate bills unless the property has been disconnected from the sewer or the structure has been taken down. She said that she fully understands that the water did not go into the sewer, however the Town of Bourne does not meter sewerage. She said the billing is based on water usage, and she does not recommend abating based on leaks.

Ms. Mastrangelo said that in 2018 the Sewer Commissioners granted an 80% abatement to a property owner at 121 Main Street because there had been a leak and the building was vacant. She said there is some precedent for some relief. She also said that there was a lot of communication from the Water Department in this case. She also said that she is willing to grant an abatement of

\$1,687.50 and base the 2022 usage on the 2021 due to the leak, although she would like the rest of the commissioners to discuss.

Voted: Mary Jane Mastrangelo moved, and Peter Meier seconded, for discussion, to grant an abatement of \$1,687.50 for the calendar year of 2022 billing and base their billing on the 2021 usage at the new rate of 1.125 cents per gallon for a sewerage bill of \$3,362.50

After further discussion about who can vote there was an affirmative vote.

Vote: 4-1-0.

5.c. Preliminary Allocation Request from 46 Holt Road.

Mr. Ladd from Ladd Homes said he was there for an allocation request for 46 Holt Road. He said that it was for 3 units which each have 3 bedrooms. There was discussion about site plans and zoning research.

Voted: Mary Jane Mastrangelo moved, and Peter Meier seconded, for discussion, to reserve a preliminary sewer allocation of 990 gallons per day to the benefit of 46 Holt Road on the request of Ladd Homes LLC. All fees are due and payable in accordance with the Sewer Use Rules and Regulations, Attachment C, "Sewer Use Rates, Fees and Fines", dated March 1, 2023.

Gary Maloney asked what are the exact current numbers that are available in allocation and if they were three separate hook-ups, or one billing unit. Ms. Mastrangelo said that it is 3 separate units. Ms. McCollem said that there is a considerable amount left, and 990 is not a concern. She said that she will have the allocation spreadsheet updated and brought to the next meeting.

Vote: 5-0-0.

5.d. Discussion – Wastewater Treatment Plant Upset of Sunday, May 21, 2023.

A representative from Weston & Sampson said that there was an interruption with the communication from the computer and it is not clear exactly what happened, and they were able to reset it and it went back into operation, once they were on site. He said that it should not have overflowed the area that it did as it should have sensed a high level, and it did not, and it did not call out to them at the time. He said that they have since rectified all the communication issues and it is working currently. There was some discussion on who monitors the system and how it is monitored.

5.e. Discussion – Next Steps for the Comprehensive Wastewater Management Plan (CWMP) and Pending Title 5 Revisions

Ms. McCollem said that the town has done the first two phases of a Comprehensive Wastewater Management Plan (CWMP). She said that Phase 2 is the Alternative Analysis, which identifies a route for the Town of Bourne to meet their TMDL's and impaired water bodies targets for reducing nitrogen, by using onsite innovative alternative septic systems. She said that this is a very big change or DEP. She said that most other towns have had to identify a traditional sewer

alternative. She said that the only watershed that may not be able to meet the targets is Buttermilk Bay, and it may be a combination of traditional sewerage and IA's. She said that DEP released proposed regulations that change Title 5 for the communities on Cape Cod. She said that their draft mandated IA systems within TMDL watersheds within 5 years. She said that at some point they must talk about how the Sewer Commissioners want to proceed with their CWMP.

There was some more discussion about when the CWMP should be worked on. Mr. Maloney asked how long the contract with Environmental Partners was good for and Ms. McCollem said that right now the Town of Bourne is not being billed because they are not doing any work. She said that the funding remains available because it is in an article and they are under contract with the town to do that scope of work for that amount of money.

Chair MacDonald said that they need more information before moving forward with the CWMP. Ms. Mastrangelo said that there has been a lot of progress in the last five years and in the town, there are only two watersheds that are subject to TMDL's. Chair MacDonald said that this item will be on the agenda again in two months.

5.f. Discussion – Municipal Water Infrastructure Investment Fund (MGL Ch. 40, sec. 39M).

Ms. Mastrangelo said that she has some email communication from Steve Mealy who has been very interested in seeing the town work on a Municipal Water Infrastructure Investment Fund and she agrees with him. She said that she had some conversation with the Community Preservation Act Committee (CPA), and it was clear to her that to have a substantive conversation about it, the town needs to be further along with their CWMP. Chair MacDonald said that this agenda item should be a future Select Board agenda item.

5.g. Wastewater Advisory Committee – Discussion of Membership and Charge.

Ms. Mastrangelo said that this committee came up at their retreat last year. She said that the charge is good, but when they originally put this committee together there were a lot of staff as ex-officio positions placed as members of the committee. She said that it is not necessary for all of them to come to all the meetings. She said that having the 3 water district commissioners come to every meeting is not needed as well. She also thinks that Ms. McCollem should be a voting member of the committee.

Ms. McCollem added that she thinks that this committee should be advisory to the Select Board and not the Board of Sewer Commissioners. There was some discussion on who this committee should report to and discussion regarding the changes to be made.

5.h. Amend "Sewer Use Rules and Regulations" dated August 30, 2022, to correct a Scrivener's Error in Section 10.1.8(6) – Changing the Citation from M.G.L. Ch.40 §210 to M.G.L. Ch.40 §21D.

Voted: Mary Jane Mastrangelo moved, and Peter Meier seconded, to amend Section 10.1.8(6) of the Sewer Use Rules and Regulations by revising the citation to read M.G.L. Ch.40 §210 to M.G.L. Ch.40 §21D, in order to correct a Scrivener's error.

Vote: 5-0-0.

5.i. Approval of Sewer Commissioner Minutes: 02/28/23; 04/25/23

Voted: Mary Jane Mastrangelo moved, and Melissa Ferretti seconded, to approve the Sewer Commissioner minutes of February 28th, 2023, with a change in item 8 from reviews until May to reviews until March and in item 10 to add a notation that Stanley Andrews also resigned from the Wastewater Facility Design and Building Committee.

Vote: 4-0-1. Anne-Marie Siroonian abstained.

Peter Meier asked to go back to the discussion about the CWMP. He said that the comment period ended a few months ago and there is legislation in place that will help with funding and there will be a new round of public comment on the DEP regs.

Voted: Mary Jane Mastrangelo moved, and Melissa Ferretti seconded, to approve the Sewer Commissioner minutes of April 25th, 2023.

Vote: 4-0-1. Anne-Marie Siroonian abstained.

6. Select Board Business

a. Consent Agenda

- i. Renewal of annual special events as listed on attachment labeled "Special Events"**
- ii. Discussion and possible vote to accept two donations to the Council on Aging totaling \$45.00.**
- iii. Discussion and possible vote to declare the second Sunday of June to be Race Amity Day.**
- iv. Approve the Purchase and Sales agreement for the disposal of the Hoxie School and authorize the Town Administrator to sign on behalf of the Select Board.**
- v. Approve pending Ch. 90 reimbursement and authorize the Town Administrator to sign on behalf of the Select Board.**
- vi. Approval of Select Board Minutes: 04/18/23; 04/25/23; 05/01/23; 05/09/23.**

b. MassDOT Advisory Group for the Cape Cod Bridges Program – Update.

c. Marijuana Zoning – Debrief on Planning Board Meeting of 5/25/23 and Select Board Comments.

d. Annual appointment of Select Board Representatives and Liaisons.**6.a. Consent Agenda****i. Renewal of annual special events as listed on attachment labeled “Special Events”**

Chair Mastrangelo read aloud the list of Special Events:

June 24th - Amity Race Day Celebration, Buzzards Bay Park.

July 6th to August 31st, Thursdays – Concerts on the Canal, Buzzards Bay Park.

September 16th – Cape Cod Canal Day Festival, Buzzards Bay Park.

September 16th – Cape Cod Canal Day, one day liquor license, Buzzards Bay Park.

She said that these are recurring events at the park.

Voted: Melissa Ferretti moved, and Jared MacDonald seconded, to approve consent items i, and iii-v inclusive.

Vote: 5-0-0.

ii. Discussion and possible vote to accept two donations to the Council on Aging totaling \$45.00.

Voted: Peter Meier moved, and Jared MacDonald seconded, to accept the amount of \$25.00 from Miss Constance Paulhus to benefit the Council on Aging.

Vote: 5-0-0.

iii. Discussion and possible vote to declare the second Sunday of June to be Race Amity Day.**iv. Approve the Purchase and Sales agreement for the disposal of the Hoxie School and authorize the Town Administrator to sign on behalf of the Select Board.****v. Approve pending Ch. 90 reimbursement and authorize the Town Administrator to sign on behalf of the Select Board.****vi. Approval of Select Board Minutes: 04/18/23; 04/25/23; 05/01/23; 05/09/23.**

Voted: Jared MacDonald moved, and Peter Meier seconded, to approve the minutes of April 18th, April 25th, May 1st, and May 9th, 2023.

Vote: 4-0-1. Anne-Marie Siroonian abstained.

6.b. MassDOT Advisory Group for the Cape Cod Bridges Program – Update.

Peter Meier said that he was at the meeting the first night with Ms. McCollem and Ms. Siroonian and he said the second night was basically the same meeting. He said that it was difficult to hear at the meeting. He said that this meeting was a chance to voice the town's main concerns. He said at the next meeting in September, they will be discussing underground utilities and the gas easements. Ms. McCollem said that the focus at the September meeting is also going to be on the bike path and pedestrian connections.

6.c. Marijuana Zoning – Debrief on Planning Board Meeting of 5/25/23 and Select Board Comments.

Chair Mastrangelo said that she went to the Planning Board meeting, and she related the vote that the Select Board had taken. She said that there was a good discussion at the meeting, and they are looking for people to go to their meeting to give input. She told the rest of the Select Board that they should think of anything that they would want to recommend that the Planning Board consider in terms of zoning. She said that she thinks the Select Board should say that Special Permit is important, and the rest of the Select Board concurred.

6.d. Annual appointment of Select Board Representatives and Liaisons.

There was some discussion about the various groups and who is or will be representing the Select Board on each. The new appointments are:

Community Engagements Committee – Anne-Marie Siroonian
Joint Base Cape Cod – Melissa Ferretti
Roadway Traffic Safety Committee – Jared MacDonald
MassDOT Bridge Advisory Committee – Anne-Marie Siroonian
Mass Maritime Liaison – Melissa Ferretti
Policy Subcommittee – Anne-Marie Siroonian

Voted: Peter Meier moved, and Anne-Marie Siroonian seconded, to approve the list that was discussed.

Vote: 5-0-0.

7. Future Agenda Items.

Chair Mastrangelo reminded all that there is a meeting next Monday at 5:00, and it will not be televised.

8. Town Administrator Report.

Ms. McCollem said that the two new ambulances have arrived. She also said regarding the bridges, that Enbridge Energy is coordinating the location of the natural gas mains and Overland

is conducting sub service utility exploration and both companies are staying in communication with her and other staff.

Ms. McCollem said that Barnstable County has announced a funding opportunity to address homeless shelter and medical respite and affordable and workforce housing needs.

Ms. McCollem also said that EPA is accepting public comment on their proposed decision regarding the Joint Base Cape Cod machine gun range until June 26th, 2023. There was a public hearing at the Sandwich Center for Active Living on May 24th.

Ms. McCollem said that the Bourne High School Commencement Ceremony for the class of 2023 is scheduled for June 3rd at 10 AM. She also said the Police and Fire Chiefs will be attending a Co-Responder Conference in June, and she thanked Chief Esip for his leadership. Ms. McCollem also said that the lottery for the 12 affordable apartments at Calamar will be held on July 18th. She said that there will be 12 lifeguards on duty this summer and she thanked Krissanne Caron for her hard work securing the necessary staff.

Ms. McCollem said that Assistant Town Administrator Liz Hartsgrove has been working with the Town Engineer and the Building Inspector to bring that last few properties in compliance with FEMA's Flood Insurance programs.

9. Committee Reports.

Chair Mastrangelo said that there was a report included in the packet from Judith Froman on the CCMPO.

Chair Mastrangelo said that she went to a Bike Path Committee meeting last week and they received an extension on a grant.

10. Correspondence

Anne-Marie Siroonian read aloud the correspondence:

- 3 DEP Letters
- ABCC Repeal Hearing Letter, MB Spirits
- Email from J. York – Bike Pathway
- Email from M. O'Donnell – Reef Naming
- Resident Letter – D. Osterhill
- Talent Bank – BCCL Sharpe
- Talent Bank – BCCR Sharpe
- UCCRT Committee minutes of 4/10/23
- Mass State Eagles Convention Invitation
- Talent Bank – Cape Light Compact – W. Doherty
- UCCRTS Operating Budget

These are all on the Town's website.

- 11. Next Meeting Date:** June 5 – Select Board
June 6 – Select Board
June 13 - Select Board

12. Adjourn

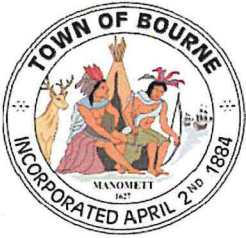
Voted: Jared MacDonald moved, and Peter Meier seconded to adjourn.

Vote: 5-0-0.

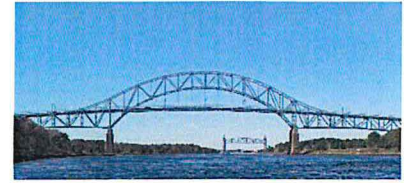
This meeting of the Bourne Select Board was adjourned at 9:26 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



Select Board and Board of Sewer Commissioners Meeting Agenda - **AMENDED**



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May 30, 2023

Time

7:00 PM

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a. CCMPO

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 June 13 – Select Board

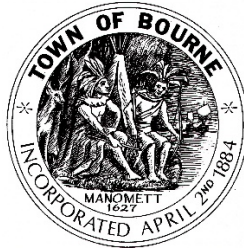
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Special Events

Date	Event	Location
6/24	Amity Race Day Celebration	Buzzards Bay Park
7/6 to 8/31 on Thursdays	Concerts by the Canal	Buzzards Bay Park
9/16	Cape Cod Canal Day Festival	Buzzards Bay Park
9/16	Cape Cod Canal Day One Day Liquor License	Buzzards Bay Park

TOWN OF BOURNE



Vision

Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

Mission

Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.



SELECT BOARD AND SEWER COMMISSIONERS AGENDA - *Amended*
SEPTEMBER 12, 2022
7:00 PM
ACTON TOWN HALL, ROOM 204
472 MAIN STREET

REMOTE PARTICIPATION: **From a computer**, use the link to join the public meeting: actonma.gov/meeting/bos or **from a telephone**, dial (646) 876-9923 and enter Webinar ID: 503-918-785. Telephone users may dial *9 to request to speak. Computer and app users may use the “raise hand” feature to request to speak.

I. Regular Business

1. Resident Concerns
2. Chair Update/Town Manager Update/Members Minute

II. Public Hearing

3. 7:10 PM Site Plan Special Permit #7/12/2022-487, 100 Discovery Way
<http://doc.acton-ma.gov/dsweb/View/Collection-15376> (Applicant has requested to continue to ~~September 26~~ October 3, 2022 at 7:10 PM)
4. 7:30 PM Class II Auto Dealership License, The Fifth Element, LLC, 448 Great Road

III. New/Special Business

5. Discuss Select Board Liaison to the 250 Committee
6. Discuss Indigenous Peoples Day and Proclamation
7. Listening Session – Comments on Revised American Rescue Plan Act Investment Plan
8. Discuss Next Steps for Affordable Housing Trust ~~Funding Approval Rates Study~~ *Approved* at Town Meeting Under Article 52
9. Approve Memorandum of Understanding (MOU) for Participation in MBTA Youth Pass Program
10. Discuss Proposed Changes to Cross Town Connect and Transportation
11. Discuss Town Hall and Library Parking Lot Design

IV. Sewer Commissioners Business

12. Approve FY23 Sewer Operation and Maintenance (O+M) Rates

V. Consent Items

13. Approve Hawk Ridge Memorandum of Understanding (MOU)
14. Approve Meeting Minutes, August 22, September 7, 2022
15. Approve Executive Session Minutes, August 22, 2022
16. Approve Letter of Support for McManus Manor Funding by the Department of Housing and Community Development

17. Approve a One Day Alcoholic Beverage License, Nashoba Valley Neighbors Club, Village of Nagog Woods Clubhouse, October 29, 2022
18. Approve a One Day Alcoholic Beverage License, Emily Robbins, NARA Park Picnic Pavilion, September 30, 2022
19. Approve a One Day Alcoholic Beverage License, Solar on Earth, NARA Park, September 15, 2022
20. Committee Appointments, Roxy Weber, Leo Fochtman, Danny Factor, Madeline Cruz, and Boris Klevanov, At Large Members, Human Services Committee (terms to expire June 30, 2025)
21. Committee Appointment, Michaela Moran, Associate to Full Member, Planning Board (to fill unexpired term of Derrick Chin, June 30, 2024)
22. Accept Gifts to Support Production Costs for the Kelley's Corner Block Party
 - Acton Conservation Trust
 - Acton Lions Club
 - Barret Sotheby's International Realty
 - Benjarong Restaurant
 - Danny's Place
 - Enterprise Bank
 - Hansen's autobody
 - Middlesex West Chamber of Commerce
 - Pedal Power Bike & Ski
 - Penguin Coding
 - Sal's Auto and Truck Repair
 - Santa Fe Burrito Grill
 - Sorrento's Pizza
 - Sutherland Realty
 - TD Bank Acton
 - The Bees Knees
 - Village Pediatric Dental
 - Visiting Angels

Additional materials can be found online: <http://doc.acton-ma.gov/dsweb/View/Collection-15641>

The listed agenda items are those reasonably anticipated by the Chair. Not all items may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail as you can and include a way we can contact you if we need more information. Please allow advance notice. Send an e-mail to manager@actonma.gov or call Town Manager's Office (978)929-6611

For more information about the Select Board contact manager@actonma.gov or 978-929-6611



SELECT BOARD
MEETING MINUTES
SEPTEMBER 12, 2022

7:00 PM

ACTON TOWN HALL, ROOM 204
472 MAIN STREET

Present: Dean Charter, Jim Snyder-Grant, Fran Arsenault, David Martin, Town Manager John S. Mangiaratti, and Assistant Town Manager Mark Hald
Remote: Himaja Nagireddy

I. Regular Business

Mr. Charter opened the meeting at 7:00 PM.

1. Resident Concerns

Jim Wood, Redwood Road - commented on the statement he had made at the previous Select Board meeting and felt his comment was disrespected and read from a prepared statement included in the Docushare meeting packet.

Leo Fochtman, Wright Terrace – agreed with Jim Wood’s statement and that the response of Select Board members was not interpreted correctly regarding his statement and suggests that the Select Board take into account why any registered voters that may feel uncomfortable voting and come up with a solution to improve relations with the police presence at polling locations.

Alissa Nicol, School Street – noted a Docushare issue with expiring or exceeding concurrent user licenses, inhibiting public access to documents particularly before public meetings, and asked that the matter be addressed. Asked whether questions would be accepted for a public hearing for 100 Discovery Way – Mr. Charter noted it will be continued.

Bill Klauer, Piper Road – questioned about the use of the properties on School Street and feels there is more to the property than creating more congestion in the area and that it serves a purpose in the community.

Amber Klauer, Piper Road – concerned about a recent serious accident at the intersection of Piper Road and Route 2 and suggested adding a medical call box on both sides of Piper Road.

Anping Liu, Monument Place – commented on battery storage warehouse facility proposed on Discovery Way and was encouraged to comment when the public hearing is held.

Cheryl, Harris Street – commented on the needs of renters and the intimidation practices of landlords towards tenants occurring for renters requiring maintenance updates on the properties.

Stella – wish they could acknowledge the harm the residents comment caused, supports the work of Housing and Climate Justice for Acton

Martin Benson, Deacon Hunt Drive – commented on requesting a records request regarding emails and items surrounding a former Select Board member and stated he did not receive a response within the required amount of time per the request from the Secretary of State and requests an answer from the Town Manager.

Daniel Gilfix, Vanderbelt Road – commented on the renter advocate position and hiring a person that would advocate for renters or a volunteer committee that renters to go to and air their grievances.

Linda Vieira, Great Elm Way – thanks Select Board to allow for residents to speak about their issues or concerns not related to items on the agenda. Noted resident's comment at a previous Select Board meeting was targeted, people's experiences matter, and the Chair should ensure people are respectful.

Barbara Lang, Nagog Woods – questioned if there was information available about the sale of the commercial property at Nagog Park.

2. Chair Update/Town Manager Update/Members Minutes

Mr. Mangiaratti thanked Julie Pierce and other volunteers for the Kelley's Corner Block Party kickstarting the upcoming Kelley's Corner construction. The Finance Department received a DOER award and a ceremony was held in Somerset regarding the Baker-Polito Administration awarding a grant to the Town of Acton for the 53 River Street Dam removal and historical park project starting within a year. Town offices will be closed on Friday, September 16th for an Employee Professional Development Day. On Thursday, September 15th at 7:00 PM there will be a Complete Streets public meeting regarding Great Road. The State will be sending out thousands of COVID tests and the Health Division will be distributing them throughout the school district and town offices. The town recently logged the 5,000th call to the Town Services Hotline that originated during the beginning of the pandemic. On September 27th there will be an open house at the Human Services and Senior Center Facility at 30 Sudbury Road from 4-6 PM. Mr. Mangiaratti will follow up with the resident that questioned the status of a public records request and will look into it and get back to him. Mr. Martin updated on the school building project and that the two older school buildings will be torn down. The opening of the school was marred with anti-semitic marking on the first day of school and reminded that the Select Board has an antisemitism policy and apologizes if anyone was upset by the discovery. Ms. Nagireddy commented on the antisemitic markings and thanked the school for addressing it so quickly and thanked people who offered support for the comment made by the resident at a previous Select Board meeting. Ms. Arsenault commented that she felt Ms. Nagireddy was targeted as a new Board member regarding the comment read by a resident at the previous Board meeting, and that

her comment regarding police officers at polling locations was regarding her perspective and a suggestion towards the Town Manager. Mr. Charter commented on the 9/11 ceremony that was held at the Public Safety Facility this past Sunday and how fortunate the community is to have such outstanding members of the Fire and Police Departments and encourages people to respect individual opinions.

II. Public Hearings

3. SPSP #7/12/2022-487, 100 Discovery Way

Mr. Charter read the public hearing notice. **Mr. Snyder-Grant moved and seconded by Mr. Martin to open the hearing and to continue to October 3, 2022 at 7:10 PM in Room 204 at Acton Town Hall and by Zoom.**

Mr. Snyder-Grant questioned what would be most helpful to mitigate questions regarding the hearing, Mr. Mangiaratti noted questions can be sent to the Town Manager Office. **Ms. Nagireddy called roll and was approved unanimously.**

4. Class II Auto Dealership License, the Fifth Element, LLC, 448 Great Road

Representing The Fifth Element, LLC was Ravil Abilkadyrov.

Mr. Martin questioned what was previously located on the site; it was previously Buttons to Bows. Mr. Martin questioned on how many cars will be located on the site. There will be originally 10 cars, up to 25, and there will be no auto repair on the site. Mr. Snyder-Grant questioned if there will be any changes to the (interior) building. No changes will be made.

Mr. Martin moved, seconded by Mr. Snyder-Grant to close the hearing and approved unanimously by roll call vote. Mr. Snyder-Grant moved, seconded by Mr. Martin to approve a Class II Auto Dealership License at 448 Great Road and approved unanimously by roll call vote.

III. New/Special Business

5. Discuss Select Board Liaison to the 250 Committee

Mr. Charter is committed in serving as liaison to the committee and is passionate about local and national history, and was one of the Select Board Goals set for FY23 that was supported by the Board. As liaison, he would make sure Board members were generally supportive for Mr. Charter to serve as liaison for the 250 Committee.

Nijan Datar, Wyndcliff Drive - commented on Mr. Martin's request for revising the charge and noted concern that the committee would be potentially seated with people who may be anti-American, or inhibit immigrants from joining, or people being on the committee who are offended by the former Colonial school mascot and lose the meaning behind who fought in the Revolutionary war.

Terra Friedrichs, Mass Ave – hopes that people keep the 1619 project in perspective, and focus on that the two parties (Colonials and Great Britain) were fighting over land that was not theirs.

Janet Adachi, Simon Hapgood Lane – the 250th anniversary ceremony is a celebration of all regardless of ancestry and a great opportunity to learn about the people at that time and educate those that are resistant to change.

6. Discuss Indigenous Peoples Day and Proclamation

Ms. Nagireddy updated the Board regarding a resolution for Indigenous Peoples Day and reached out to Dan Boudillion – a local historian on Indigenous People who is not indigenous himself and has connections with indigenous tribes in the area - and sent it to Nashobah Tribe leadership. Ms. Nagireddy is requesting the Board more time for the tribe to review the resolution and return it to the Board on October 3rd meeting. A ceremony is planned for October 8th and currently working with Maria Palacio for a ceremony and performance from the Nashobah Tribe honoring Indigenous Peoples Day which falls on October 10th. Mr. Snyder-Grant questioned if anyone had reached out to members of the Nipmuc tribes, Ms. Nagireddy noted she was working to keep the resolution as broad as possible, but welcomes reaching out to a member of the Nipmuc Tribe. Mr. Charter suggested making the document open for public comment, editing the document down, and focusing on how this affects Acton and Middlesex County. Mr. Charter noted the history of Columbus Day and doesn't want groups such as Italian-Americans to feel discriminated against by removing Columbus Day

Terra Friedrichs, Mass Ave – appreciates the efforts for the resolution and to only reach out to the tribal leader and to include findings of the 250 Committee.

Cheryl Kennedy-Perez, Harris Street – encourage to be true to the name and definition of (the title) and to have correct history represented.

Scott Smyers, Central Street – questioned about why there needs to be another holiday to replace a holiday if there is already an Indigenous Peoples Day on August 9th, Ms. Nagireddy noted that August 9th is a UN day of recognition, not recognized by the US gov, and Indigenous Peoples Day would be held on October 10th (currently known as Columbus Day). Mr. Smyers cautions replacing holidays.

John Dawson – concerned driving a wedge between people regarding Columbus Day vs. Indigenous Peoples day and noted there is already a month dedicated to Indigenous Peoples.

Alissa Nicol, School Street – noted the August 9th event is a UN event – not a recognized US holiday, and the indigenous peoples are requesting this change.

7. Listening Session – Comments on Revised American Rescue Plan Act Investment Plan

Mr. Mangiaratti updated the Board on the ARPA Investment Plan. Last year the Board allocated \$7 million with \$2 million left in reserves and \$1.5 million were earmarked and is now before the Board as a listening session for recommendations on ARPA funding requests, then a second meeting on October 3rd, with a final hearing of recommendations at the end of October. Mr. Mangiaratti noted recent project funding requests that have come forward from

Acton Water District, Acton-Boxborough Regional School District and Acton Housing Authority. Mr. Mangiaratti read a list of projects slated for funding with ARPA funding and provided an update for all projects originally slated for ARPA funding, and recent submissions of requests for additional funding from internal stakeholders. Acton Water District Commissioner Stephen Stuntz presented a request for \$1.3 million for PFAS removal.

Terra Friedrich, Mass Ave –proposing ARPA funding for a renter advocate position and funding for Acton Water District PFAS removal.

Erika Amir-Lin – president of the Board of the Nagog Treatment Facility, noted that they received \$150,000 in ARPA funding (with an original request of \$300,000), and are now requesting an additional \$150,000 to update the plant and address infiltration issues.

Mr. Martin represented the School District’s request for an upgraded telephone system to connect the buildings and an expansion of mental health services for the school system.

Bettina Abe, School Street – commented on the Jenks culvert project and the need to fund engineering services.

Franny Osman, Half Moon Hill – commented on the Transportation funding request to add a second CAT bus and hire an additional driver.

Catherine Usoff, Maddy Lane – chair of the Economic Development Committee – commented to send money to local business and support infrastructure to attract more businesses to Acton to help reduce the tax burden on the residents of Acton. Cheryl Kennedy-Perez, Harris Street – relies on the CAT for transportation and supports funding for an additional bus.

The Board will revisit Town proposals at their October 3rd meeting.

Mr. Snyder-Grant suggested ARPA funding for the Climate Action Plan. Mr. Mangiaratti will have a finalized list for the Board to discuss at the October 3rd meeting.

8. Discuss Next Steps for Affordable Housing Trust Study Approved at Annual Town Meeting Under Article 42

Planning Director Kristen Guichard presented the next steps for the affordable housing trust study approved at Town Meeting under article 42. Town Meeting voters approved \$2,500 for the study. Ms. Guichard suggested the overview of the scope of work for the study.

Mr. Martin questioned if the consultant would be asking for information or if a specific proposal would be put and questioned what the pros and cons are for who manages the trusts. Mr. Snyder Grant feels that if the public sees how much work a private group has put into passing the article at Town Meeting and supports for increasing the amount towards the study.

Ms. Nagireddy questioned the timeline for the study, Ms. Guichard stated it would be a combination of a public hearing with information listed on the town website and social media networks within the next six months.

Mr. Charter expressed reluctance to provide additional funding in excess of what was voted at Town Meeting.

Terra Friedrichs, Mass Ave – requests the Town Manager use the previous research the group has conducted, and fund to hire the specialist and use a market rate analysis of housing not close to town and also close to town.

Alissa Nicol, School Street – commented that SHI should be focused on not building new affordable housing but rehabbing current buildings to keep them affordable, and hire the specialist after completing the economic feasibility analysis.

Mr. Charter feels the proper procurement needs to be followed and to come back to the Board with an updated proposal at a future meeting in October. Ms.

Arsenault asked if the goal was to put out a bid to several, and the Town Manager noted that yes, the plan here is to establish scope and that scope can then be used to solicit proposals. Mr. Snyder-Grant suggests setting up a meeting with the suggested professional and possibly people from RHSO and ACHC and come back to the Board at a future meeting.

Michaela Moran, School Street – feels that the scope developed by the Planning Division was expanded and should be scaled back compared to the economic feasibility study.

9. Approve Memorandum of Understanding for Participation in MBTA Youth Pass Program

Austin Cyganiewicz, Director of Intergovernmental Affairs presented the MOU seeking authorization from the Chair or his designee to approve the Youth Pass Program with the MBTA for reduced fares. There is no cost to the town to enroll with the program. Mr. Cyganiewicz will also reach out to the School District to notify the enrollment and encourage schools to work with the MBTA to develop their own program.

Mr. Snyder-Gran moved, seconded by Mr. Martin for the Chair to sign the memorandum of understanding for reduced MBTA fares and approved unanimously by roll call vote.

10. Discuss Proposed Changes to Cross Town Connect and Transportation

Austin Cyganiewicz, Director of Intergovernmental Affairs summarized the separation of utilizing a Transportation Management Association model for the CTC and step back as a fiscal agent and look into reorganizing the operation of the CTC and the use of shared regional dispatch (we would still pay for dispatch and work with our other municipal partners)

Franny Osman, Half Moon Hill – feels it is a good idea to separate the businesses from the municipality, but wants to make sure Acton does not lose voice in the decision-making. Agrees that we need to have more ride sharing options for longer trips outside of Acton, expand sharing dispatch to increase hours of operations including weekends and nights; encourages the town to work with other communities to make our transportation system more robust.

Danny Factor, Davis Road – concerned about communication and work being conducted in concert with the Transportation Advisory Committee and encouraged the people working on this project formally present to the Transportation Advisory Committee and accept comments and suggestions before finalizing changes.

11. Discuss Town Hall and Library Parking Lot Design

Mr. Mangiaratti presented plans for a redesign of the parking lot, the Town just awarded a contract for the re-design of the Town Center and added additional requests to include improvements to the Town Hall and Memorial Library parking lot. Mr. Charter suggested that the plan not decrease the number of parking spaces, be reviewed for ease of snow plowing purposes, and feels it is a good plan with the added pedestrian plaza in front of the library, and has been recommended as part of a capital plan many years ago. Mr. Martin suggested to consider relocating the book drop off and ballot drop off

Mike Gowing, Harris Street – made suggestions regarding changing the designated entrances and exits.

Mr. Mangiaratti will work with the architects for an updated design and present to the Board at a future meeting.

IV. Sewer Commissioners Business

12. Approve FY23 Sewer Operations and Maintenance Rates

Stephen Barrett, Finance Director presented the proposed FY23 Sewer O+M rates. Mr. Barrett recommends a 5% increase which facilitates FY23 sewer initiatives with inflow and infiltrations and PFAS testing. Mr. Snyder-Grant questioned if the Sewer Commissioners set the rate hike too low, would it tap into the 1.1 million in reserves, and if the Finance Director is comfortable with the requested rate hike percentage, Mr. Barrett confirmed with his recommendation, and comfortable with the reserve levels. Mr. Snyder-Grant asked if our reserve was low and Mr. Barrett mentioned that our operating reserve is ok / stable. Ms. Nagireddy questioned if the I&I control will continue – Mr. Barrett confirmed the budget allows for that.

Alissa Nicol, School street asked about the offset of the Powder Mill Place and residential, and requesting an audit for sewer.

Mr. Martin question about the amount of the budget on the debt service.

Mr. Snyder-Grant expressed that he was unsure of the rationale for why the proposal calls for a 5% raise over another number

Mr. Martin moves to approve a 5% sewer O+M rate increase, seconded by Ms. Arsenault 4-1-0 (Mr. Snyder-Grant abstain).

V. Consent Items

Ms. Arsenault held consent item 20. Ms. Arsenault requested to remove Roxy Weber for consideration as she has not been interviewed by the Volunteer Coordinating Committee. **Mr. Martin moved, seconded by Mr. Snyder-Grant to approve**

consent item 20 as amended and approved unanimously by roll call vote. Mr. Martin moved, seconded by Mr. Snyder-Grant to approve consent items 13-19, and 21-22 inclusive and approved unanimously by roll call vote.

Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved unanimously by roll call vote. Meeting adjourned at 10:45 PM.

Documents Used

- Agenda, Select Board, September 12, 2022
- Public Hearing Notice for Site Plan Special Permit #7/12/2022-487, 100 Discovery Way
- Class II Auto Dealership License Application, The Fifth Element, LLC, 448 Great Road
- Indigenous Peoples Day Proclamation
- Email from John Mangiaratti from August 18, 2022 regarding an update on Housing Trust Feasibility Study
- Memorandum of Understanding for Participation in MBTA Youth Pass Program
- Memo from Director of Intergovernmental Affairs regarding proposed changes to Cross Town Connect and Transportation dated August 31, 2022
- Memo from Stephen Barrett Regarding FY 2023 Sewer O+M Bill Recommendations Dated September 12, 2022
- Hawk Ridge Memorandum of Understanding
- Meeting Minutes, August 22, and September 7, 2022
- Executive Session Minutes, August 22, 2022
- Letter of Support for McManus Manor
- One Day Alcoholic Beverage License Application, Nashoba Valley Neighbors Club
- One Day Alcoholic Beverage License Application, Emily Robbins
- One Day Alcoholic Beverage License Application, Solar on Earth
- Email from Fran Arsenault requesting appointments to the Human Services Committee Dated August 24, 2022
- Email from Jim Snyder-Grant requesting a Committee Appointment from Associate to Full Member of the Planning Board dated August 24, 2022
- Memo from Julie Pierce Onos requesting to accept gifts to support production costs for the Kelley's Corner Block Party dated September 7, 2022

From: [Janine Becker](#)
To: [Maria Simone](#)
Cc: [DENNIS BECKER](#)
Subject: Abatement request
Date: Wednesday, May 24, 2023 3:43:07 PM

To: Town of Bourne Sewer Commissioner

From: Dennis and Carol Becker (property owners)

Property address: 178 Main Street, Buzzards Bay, Ma 02532

We request an abatement to the 2022 sewer bill for 178 Main Street due to a water line leak and the reported usage was not used for purposes of the town sewer. Please see supporting documents related to the leak, payments made to the buzzards bay water district. We request the abatement reflect a comparable usage to previous years, where the amount paid was under \$1,500.

Sincerely,
Dennis and Carol Becker

Janine Becker - Sent from my iPhone

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



paid application
fee 5/22

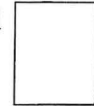
BOURNE BO OF SELECTMEN
ROUD 2023 MAY 22 PM 2:19

Sewer Service Application Form Town of Bourne, Massachusetts

Section 1: General Information

- A. Applicant Name Ladd Homes LLC
- B. Applicant Address and Phone: P. O. Box East Falmouth MA 508-294-8367
- C. Is the Applicant the Property Owner? Yes _____ No X
- D. Property Owner Name Bell Point LLC Gramoz Mema (manager)
- E. Property Owner Address 1535 Maim Street
- F. Property Owner Mailing Address Glastonbury CT 06033
- G. Property Owner Phone/Email 860-999-4985 info@bellpoontbuuers.com
- H. Building Contractor Name, Address, Phone, and License Number Merlin Ladd III CS-076480
P. O. Box 175 East Falmouth MA 508-294-8366
- I. Licensed Drain Layer or Master Plumber Name, Address, Phone, and License Number Michael Golden, Golden Plumbing and Heating 46 Charles Street West Brisgewater MA. 02379
- J. Source of Property Water Supply Buzzards Bay Water Dist.
- K. Number of Residential Bedrooms 3 units each with 3 bedrooms Total 9 bedrooms
- L. Types of Plumbing Fixtures
- | | | | |
|--------------|-----------------------------|--------------|-----------------------|
| Kitchen Sink | <u>1 each 3 total</u> | Water Closet | <u>2 each total 6</u> |
| Lavatory | <u>0</u> | Bath Tub | <u>1 each total 3</u> |
| Laundry Tub | <u>0</u> | Shower | <u>1 each total 3</u> |
| Urinal | <u> </u> | Disposal | <u>0</u> |
- M. Dig Safe # 20232006229
- N. Water District/Department Connection (if applicable) Buzzards Bay Water District

- O. Plans and Specifications for the proposed building sewer, as required, by the Planning Board checklist, are attached hereto (Refer to the Bourne Planning Board Department for the updated checklist)



- P. Connection Request:

Residential Connection less than 500 Gallons per Day (GPD)

Residential Connection greater than 500 GPD

Mixed Use/Commercial Change of Use or Increase in Flow

Industrial User

Skip to Section 5.

Complete Sections 2, 3, and 5

Complete Sections 2, 3, and 5

Complete Sections 2 through 5

Section 2: Wastewater Allocation Form

- A. Location of Proposed Project (Address)

46 Holt Road Buzzards Bay

- Location of Proposed Project (Map and Parcel)

Map 23.2 Parcel 156

- B. Is Applicant Leasing or Buying?

If buying, attach Purchase & Sale

Leasing _____ Buying X

- C. Is there an existing connection to the sewer system?

Unknown

- D. Description of Proposed Project

Three single family homes

- E. Financing is in Place

Copy of Documentation Attached

- F. Applicant has a letter of intent to finance

X Copy Attached

- G. Allocation Requested

- H. Any unusual characteristics of projected flow?

Yes _____ No X

If Yes, describe type of wastewater flow:

- I. Requested Amount Exceeds Available Allocation

Yes _____ No X

Section 3: General Commercial/Mixed Use

A. Company Name	<u>Ladd Homes LLC</u>
B. Facility Address and Phone:	<u></u>
C. Property Owner Name	<u>Bell Point LLC. Gramoz Mema (manager)</u>
D. Property Owner Address	<u>1535 Maim Street Glastonbury CT 06033</u>
E. Property Owner Mailing Address	<u>1535 Maim Street Glastonbury CT 06033</u>
F. Property Owner Phone/Email	<u>860-999-4985 info@bellpoontbuuers.com</u>
G. Name and Title of Corporate Officer Signing Application	<u>Merlin Ladd Jr. manager</u>
H. Name and Title of Facility Manager	<u>Merlin Ladd III</u>
I. Name and Title of Employee Responsible for Wastewater Discharge	<u></u>
J. Type of Business:	<u>Residential homes (3 homes)</u>
K. Principle Product or service:	<u>Residential homes (3 homes)</u>
L. Describe Operation and Activities of Facility	<u>Three Single family 3 bedroom homes .</u> <u>No operations or activities just what is typically associated with a single family residence.</u>
M. Describe any factors affecting operation (Seasonal production, scheduled shutdown, peak operation, batch operation, etc.)	<u>N/A</u>
N. Number of Employees	<u>N/A</u>

Section 4: Industrial Users

A. Standard Industrial Classification Code (SIC) and/or North American Industry Classification System (NAICS) Code _____

B. List all raw materials used in the operation
Attach additional pages if necessary _____

C. List any flammable, combustible, or explosive substances which are stored, utilized, or produced at this facility: *Attach additional pages if necessary* _____

D. List any hazardous substances, SDS sheets (as defined in 310 CMR 30.00), which are stored, utilized, or produced at this facility: *Attach additional pages if necessary* _____

E. Describe all measures which are taken to isolate those areas of the facility where the substances listed in Item C. and D. are stored, utilized, or produced. In particular, list efforts to prevent the discharge of these substances to the sewer system (*attach additional pages if necessary*): _____

F. Is there a Spill Prevention Plan? Yes _____ → **Attach Copy** No _____

G. Attach copies of Statement of Violation Penalties issued to the Industrial User Attached _____ Not Applicable _____

H. Name and Title of Employee Responsible for Wastewater Discharge _____

I. List the size, location, average daily flow and maximum daily flow of all connections to the sewer system. *Note: The maximum daily flow listed will be considered the maximum day permitted flow, if this application is accepted; attach additional pages if necessary* _____

- J. List all other methods of wastewater disposal (e.g. direct to waterbody or ground, waste hauling service). *Attach additional pages if necessary.*

K. Baseline Monitoring Report

Attached _____ Date Completed _____

Note: The Department requires that an applicant for an industrial connection permit submit a "Baseline Monitoring Report" which shall be prepared by a Professional Civil Engineer, registered in the Commonwealth of Massachusetts, in accordance with the U.S. EPA "General Pretreatment Regulations for Existing and New Sources of Pollution" (40 CFR 403, as amended). The completed Baseline Monitoring Report shall be reviewed by the Manager of the facility from which the wastewater is discharged and the Manager of the facility shall certify in writing that "all sampling for the Report was performed under normal operating conditions at the Facility, particularly with regard to the quantity and characteristics of the wastewater which was generated during the sampling."

- L. Operating Parameter Ranges of Wastewater Effluent (% ranges if not operational yet):

	Effluent Range	Efficiency Removal (%)
pH		
Temperature		
BOD (mg/L)		
TSS (mg/L)		
Oil & Grease (mg/L)		

- M. Attach copies of the results of all analyses conducted on the wastewater (raw and pretreated) over the past two years.


Attached _____ Not Applicable _____

- N. Describe any proposed or existing pretreatment which this wastewater will receive prior to discharge. If this is a proposed process or modification to an existing process, attach a copy of the design report prepared by a Professional Civil Engineer, registered in the Commonwealth of Massachusetts, including a detailed flow schematic, plans, and specifications.

Section 5: Certification

In consideration of granting this permit, the undersigned agrees:

1. To accept and abide by all provisions of "Sewer Use Regulations" of the Town of Bourne, Massachusetts and of all other pertinent rules and regulations that may be adopted in the future.
2. That no person shall excavate, construct, effect, maintain, modify, or use any sewer connection or extension without a currently valid permit from the Town of Bourne. The permit must be "in-hand" before work can commence.
3. To pay all the cost of said particular sewer and its connection with the public sewer in said street, including all labor and materials or any other expense incurred necessary for proper construction of said particular sewer as determined by the Sewer Commission.
4. To maintain the building sewer at no expense to the Town.
5. For himself, his heirs, devisees and assigns, that the said Department of Public Works shall have access at all reasonable hours, to the said premises, to see that all the laws, rules, and regulations relating to the sewer are complied with.
6. To notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered. Notice of two (2) business days shall be provided to the Superintendent.
7. That construction of the sewer connection will be completed within ninety (90) days of issuance of this permit.

Signed: 

Applicant's Name: Ladd Homes LLC Date: 05/18/2023

DO NOT WRITE BELOW THIS LINE – OFFICE USE ONLY

Total Fee Paid: _____

Street Opening Permit _____ Valid Bond and Insurance _____

Approved _____ Not Approved _____

Permit Number _____ Expires _____

Signed: _____ Title: _____

Date: _____



Office of The Commissioners
BUZZARDS BAY WATER DISTRICT
P. O. Box 243 - 15 Wallace Avenue
Buzzards Bay, MA. 02532
Tel: (508) 759 - 4631
Fax: (508) 759 - 1866

May 22, 2023

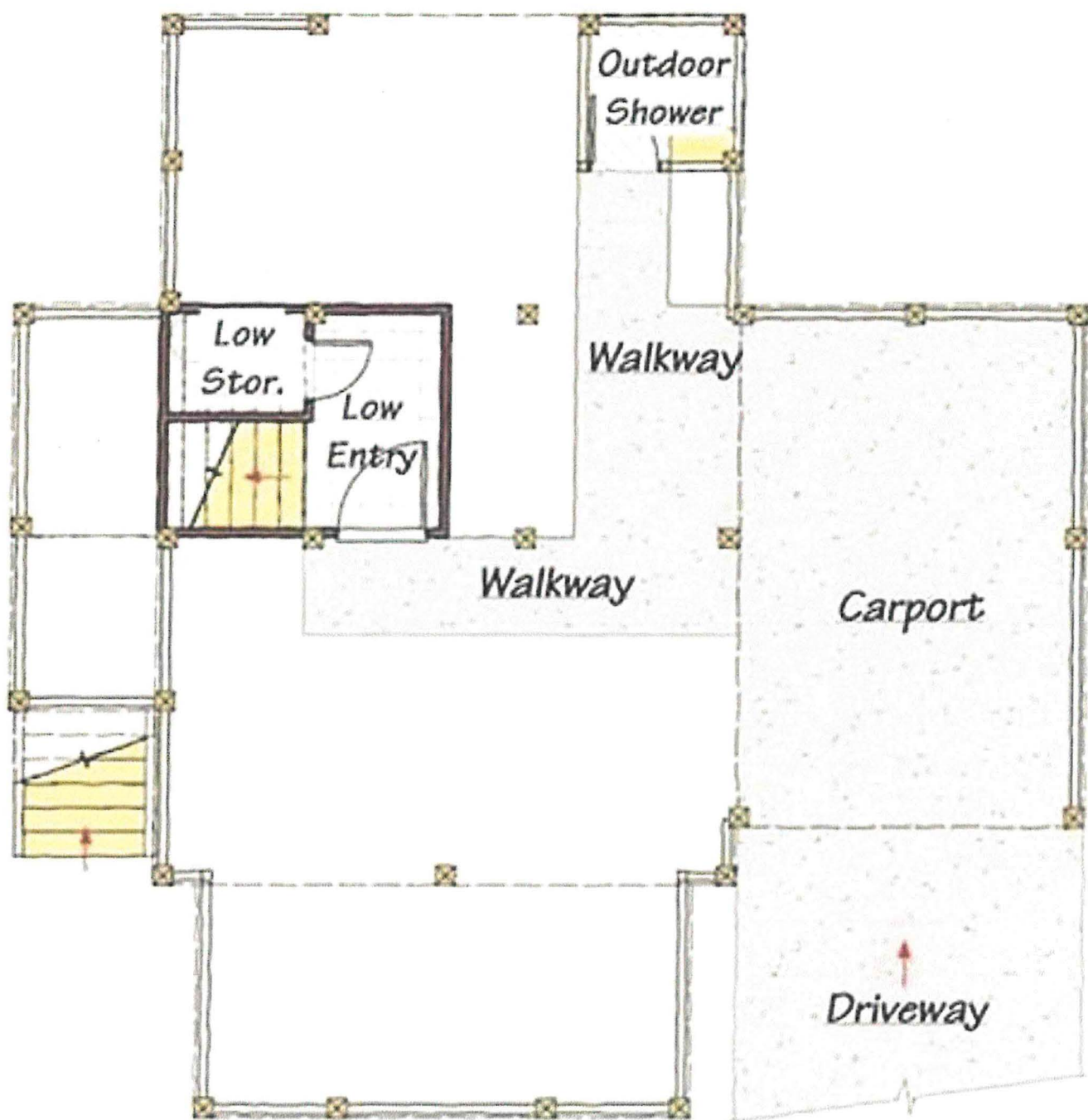
This is to confirm that Buzzards Bay Water District has water mains and supply available on Holt Road.

Regards,

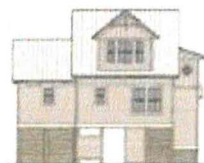
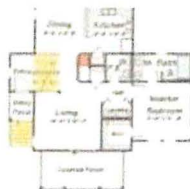
A handwritten signature in cursive script, appearing to read "Louise Warren".

Louise Warren
Account Manager

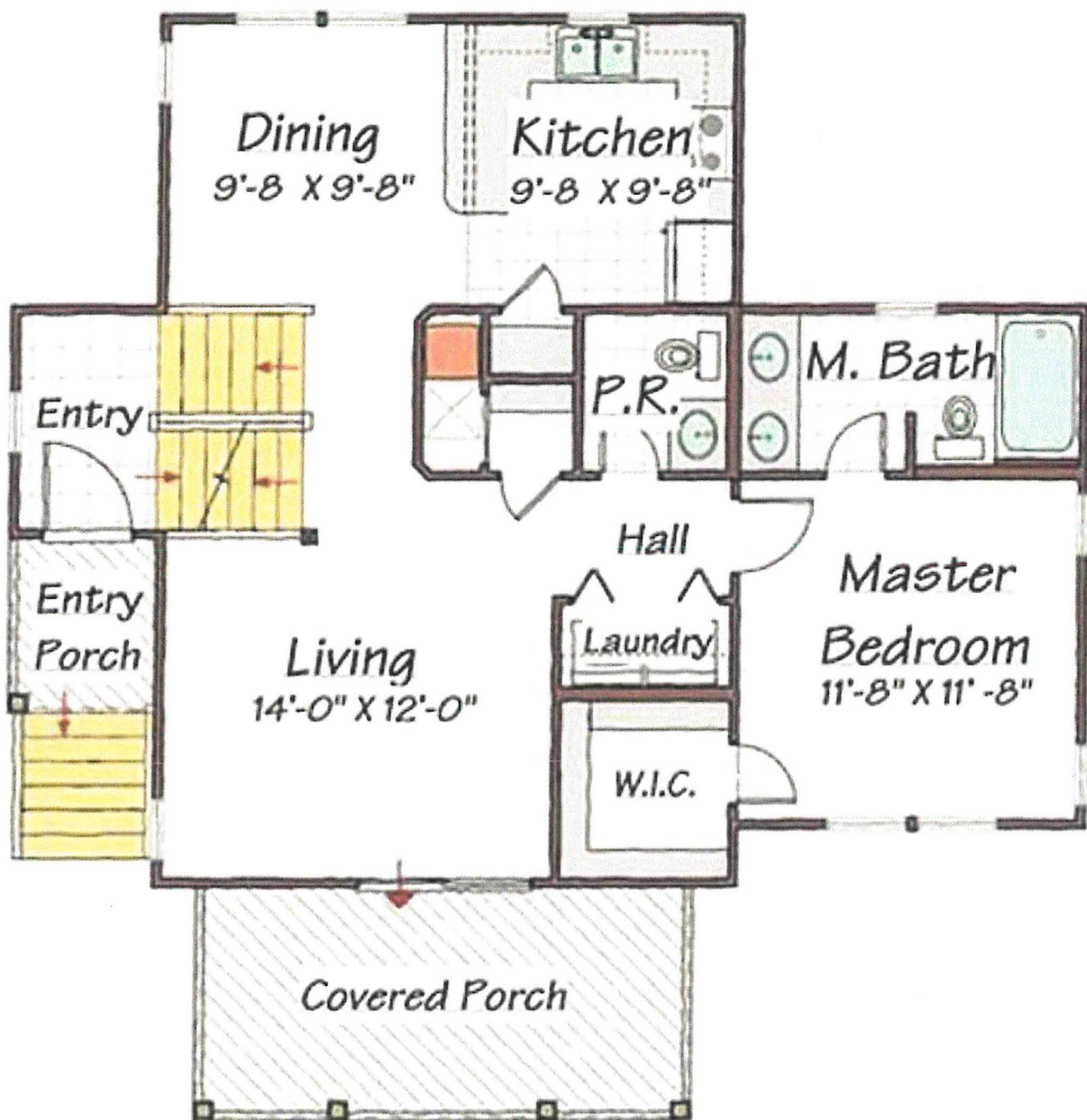




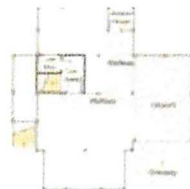
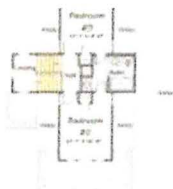
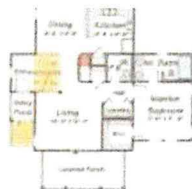
GROUND FLOOR PLAN



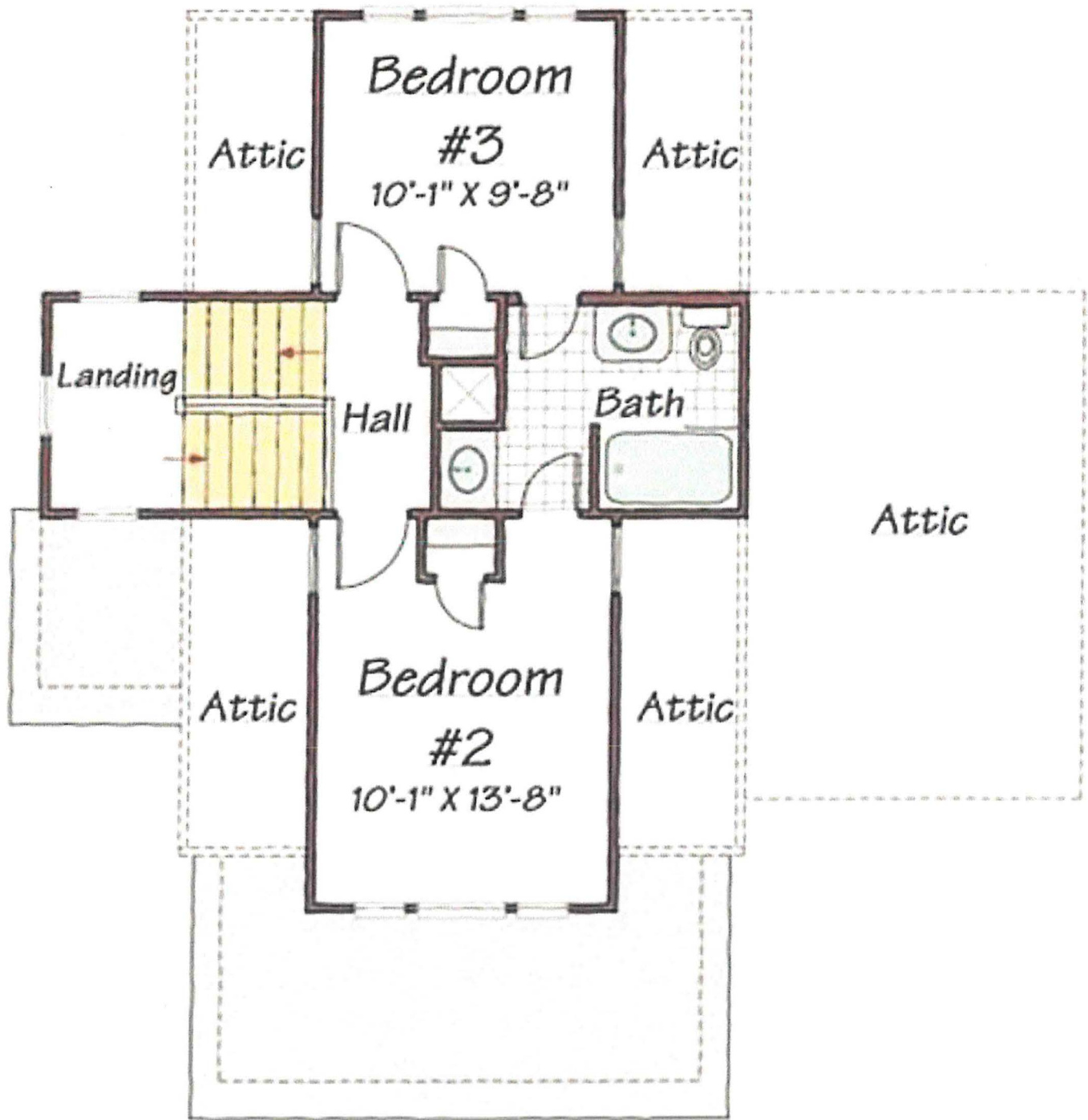
REAR



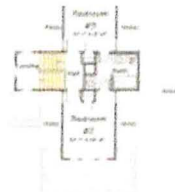
FIRST FLOOR PLAN

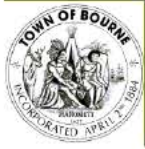


REAR



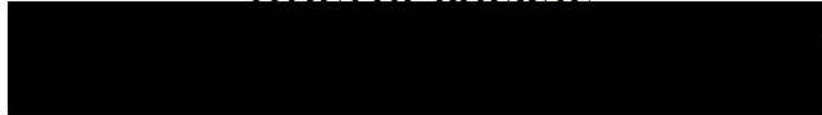
SECOND FLOOR PLAN





TIMOTHY P LYDON, SIT,
CFM
ENGINEERING TECHNICIAN

TOWN OF BOURNE



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



May 24, 2023

RE: Preliminary Allocation Fee for pending sewer application
LOCUS: 46 Holt Rd, Map 23.2 Parcel 156.00
TO: Board of Sewer Commissioners (BOSC)
Ladd Homes, LLC
Bell Point, LLC

Subject: Preliminary Allocation

Based on the most recently adopted Town of Bourne Sewer Use Rules & Regulations dated August 30, 2022 and outlined under Section 5.3 and 6.1 and further described in Attachment C (the fee schedule) the Engineering Department has provided the following fee breakdown.

Application and Design Review Fee: *COMPLETE (received May 22, 2023)*

Preliminary Allocation Fee: Per the Bourne Sewer Regulations Sewer System Fee Structure, the proposed 990 gallons per day (GPD) is assessed to cost \$4,950 using the following formula:

$$990 \text{ gpd} \times \$5.00 \text{ per GPD} = \$4,950$$

Per Section 5.3, projects not complete but have been granted Allocation by vote of the Board, shall be considered Preliminary Allocations. Per Section 5.3.4 §1b, the preliminary allocation fee is due within 30 days of the Boards approval. The developer or owner of such projects should have come before the Board within six months to meet the requirements for a Preliminary Allocation as stated in Section 5.3 herein and to pay the Preliminary Allocation Fee described herein minus the amount of fees paid previously.

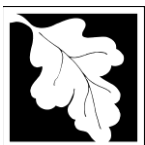
Residential Connection: *\$300 (\$100 per unit) due prior to Building Permit issuance*

Sewer System Development Charge: *\$21,846.75 (\$75 x 254.49' frontage plus \$11,500 x 0.2389 Acres)*

Please see the relevant sections of the Sewer Regulations if you may have any questions.

Respectfully,

Timothy Lydon
Engineering Department



Massachusetts Department of Environmental Protection
Bureau of Water Protection – Wastewater Management Program
**Sanitary Sewer Overflow (SSO)/Bypass
Notification Form**

FOR DEP USE ONLY

Tax Identification Number

A. Reporting Facility

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Facility Information

Buzzards Bay WWTP

Reporting Sewer Authority

974-0

Permit #

2. Authorized Representative Transmitting Form:

Laura

First Name

Johnson

Last Name

508-838-8403

Telephone No.

Lead Operator

Title

johnson.laura@wseinc.com

E-mail Address

B. Phone Notifications:

See DEP Regional Office telephone and fax numbers at the end of this form.

1. MassDEP staff contacted:

Message Left

first name

last name

Date/Time contacted:

5/21/2023

2:58

Date

Time

☐ am

☒ pm

2. EPA staff contacted:

David

first name

Turin Left Message

last name

Date/Time EPA contacted:

5/21/202

4:34

Date

Time

☐ am

☒ pm

3. Board of Health contacted:

BOH

First Name

Left Message

Last Name

Date/Time contacted:

5/21/23

12:55

Date

Time

☐ am

☒ pm

4. Others notified (select all that apply);

☐ Conservation Commission

☐ Harbormaster

☐ Shellfish Warden

☐ Division of Marine Fisheries

☐ Downstream Drinking Water Supplier

☐ Watershed Association

☐ Beach Resource Manager

☐ Other:

(specify)

C. SSO Information

1. SSO Discovered:

5/21/2023

Date

12:45

Time

☐ am

☒ pm

By: Bourne Police Department

2. SSO Stopped:

5/21//2023

Date

1:00

Time

☐ am

☒ pm

3. SSO Discharge from:

☒ Sanitary Sewer Manhole

☐ Pump Station

☐ Backup into Property

☐ Other:

(specify)

4. SSO Discharge to:

☒ Ground Surface (no release to surface water)

☐ Direct to Receiving Water

(surface water)

☐ Catch basin to Receiving Water

(surface water)

☐ Backup into Property Basement



Massachusetts Department of Environmental Protection
Bureau of Water Protection – Wastewater Management Program
**Sanitary Sewer Overflow (SSO)/Bypass
Notification Form**

FOR DEP USE ONLY

Tax Identification Number

C. SSO Information (cont.)

Location: 35 Armory Road Bourne MA
(Description of discharge site or closest address)

5. Estimated SSO Volume at time of this Report: _____

Method of Estimating Volume: _____

6. Cause of SSO Event:

☐ Rain Event ☐ Pump Station Failure ☐ Insufficient Capacity in System

☒ Treatment Unit failure

☐ Sewer System Blockage: ☐ Pipe Collapse ☐ Root Intrusion ☐ Grease Blockage

☒ Other: Alarm communications system failed.
(Specify)

7. Corrective Actions Taken:

Lift station placed on Bypass to Wareham. System brought back online. One load of sewage pumped from the trash trap to reduce loading on the system. Pelletized lime to ball field and caution taped off the ball field.

Impact Area cleaned and/or disinfected: ☒ Yes ☐ No

Area was limed to neutralize the waste. Any standing liquid was removed by a septic truck for disposal.

Corrective Actions Completed: ☒ Yes ☐ No

D. Comments/Attachments/Follow-up

I wish to provide (select all that apply):

☐ Attachment ☐ Additional comments below: ☐ No additional comments or attachments

Additional comments and planned actions:



Massachusetts Department of Environmental Protection
Bureau of Water Protection – Wastewater Management Program
Sanitary Sewer Overflow (SSO)/Bypass
Notification Form

FOR DEP USE ONLY

Tax Identification Number

E. Certification Statement

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

5/24/2023

Signature of Authorized Representative

Date Signed

Please keep a copy of this report for your records. When submitting additional information, include the MassDEP Incident Number from this report.

MassDEP Regional Office and EPA Telephone and Fax Numbers:

Northeast Region	Phone: 978-694-3215	Fax: 978-694-3499
Southeast Region	Phone: 508-946-2750	Fax: 508-947-6557
Central Region	Phone: 508-792-7650	Fax: 508-792-7621
Western Region	Phone: 413-784-1100	Fax: 413-784-1149
EPA	Phone: 617-918-1510	
EPA for Southeast Region, David Turin	Phone: 617-918-1598	Fax: 617-918-0598
EPA for Northeast, Central and Western Regions, Douglas Koopman	Phone: 617-918-1747	Fax: 617-918-0747
DEP 24-hour emergency	Phone: 888-304-1133	

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 40	POWERS AND DUTIES OF CITIES AND TOWNS
Section 39M	WATER INFRASTRUCTURE SURCHARGE ON REAL PROPERTY; EXEMPTIONS; APPEAL; MUNICIPAL WATER INFRASTRUCTURE INVESTMENT FUND

Section 39M. (a) Notwithstanding chapter 59 or any other general or special law to the contrary, any city or town, which accepts this section in accordance with subsection (f), may impose a water infrastructure surcharge on real property at a rate up to, but not exceeding, 3 per cent of the real estate tax levy against real property, as determined annually by the board of assessors. The amount of the surcharge shall not be included in a calculation of total taxes assessed for purposes of section 21C of said chapter 59.

(b) All exemptions and abatements of real property authorized by said chapter 59, or any other law for which a taxpayer qualifies as eligible, shall not be affected by this section. A taxpayer receiving an exemption of real property under a clause of section 5 of said chapter 59 specifically listed in section 59 of said chapter 59 shall be exempt from any surcharge on real property established under this section. The surcharge to be paid

by a taxpayer receiving any other exemption or abatement of tax on real property authorized by said chapter 59 or any other law shall be reduced in proportion to the amount of such exemption or abatement.

(c) Any amount of the surcharge not paid by the due date shall bear interest at the rate per annum provided in section 57 of said chapter 59.

(d) A person claiming an exemption provided under this subsection may apply to the board of assessors, in writing, on a form approved by the commissioner of revenue, on or before the deadline for an application for exemption under section 59 of chapter 59. Any person aggrieved by a decision of the assessors or by their failure to act upon such application may appeal, as provided in sections 64 to 65B, inclusive, of said chapter 59. Applications for exemption under this section shall be open for inspection only as provided in section 60 of said chapter 59.

(e) Notwithstanding section 53 of chapter 44 or any other general or special law to the contrary, a city or town that accepts this section shall establish a separate account to be known as the Municipal Water Infrastructure Investment Fund. All monies collected from the surcharge, under this section, shall be deposited into said fund. The municipal treasurer shall be the custodian of the fund. The treasurer may invest the monies of the fund in separate accounts in the manner authorized by sections 55 and 55A of said chapter 44. Any interest earned thereon shall be credited to and become part of such separate account. The authority to approve expenditures from the fund shall be limited to the local legislative body and the municipal treasurer shall pay such expenses in accordance with chapter 41. The expenditures of revenues from the fund

shall be exclusively used for maintenance, improvements and investments to municipal drinking, wastewater and stormwater infrastructure assets.

(f) This section shall only take effect in a city or town upon the approval of the legislative body and the acceptance of the voters of a city or town on a ballot question at the next regular municipal or state election; provided, however, that this section shall take effect on July 1 of the fiscal year after such acceptance or a later fiscal year as the city or town may designate.

(g) Upon acceptance of this section and upon the assessors' warrant to the tax collector, the accepted surcharge shall be imposed.

(h) After receipt of the warrant, the tax collector shall collect the surcharge in the amount and according to the computation specified in the warrant and shall pay the amounts so collected, quarterly or semi-annually, according to the schedule for collection of property taxes for the tax on real property, to the city's or town's treasurer. The tax collector shall cause appropriate books and accounts to be kept with respect to the surcharge, which shall be subject to public examination upon reasonable request.

(i) The remedies provided by chapter 60 for the collection of taxes upon real estate shall apply to the surcharge on real property pursuant to this section.

(j) A city or town that has accepted this section may revoke its acceptance, or amend the amount of the surcharge, in the manner outlined in subsection (f); provided, however, that it may not amend the applicable

surcharge rate more often than once in any 12 month period. Any monies remaining in the fund upon revocation shall be expended in a manner consistent with this section.

Wastewater Advisory Committee Composition and Charge

Overview of Purpose

The Wastewater Advisory Committee is appointed by and reports to the Board of Sewer Commissioners. The purpose of the Wastewater Advisory Committee is to assist with the Comprehensive Wastewater Management Plan (CWMP) and to advise the Board of Sewer Commissioners (BOSC) during the CWMP process. The goal would be for the Committee to provide feedback during the vetting of the CWMP assessment of options and recommendations and to facilitate communication with the public, community groups and various boards, committees and departments that will be involved in the approval and/or implementation of the CWMP. Since the resulting recommended plan is a town plan it is imperative that the community understand the goals and are kept up to date on the process. Communication and participation are important to gain consensus for the Recommended Plan as it moves forward ultimately to Town Meeting for acceptance and funding. The Wastewater Advisory Committee will make recommendations to the BOSC and the Board of Health on the CWMP before it goes to Town Meeting and on the implementation of the CWMP Plan of Study as approved by the Town Meeting and MassDEP.

Creation of Committee

The BOSC will appoint nine members to the Wastewater Advisory Committee with terms expiring June 30th of each year. In addition, ex-officio members will be appointed to serve on the committee with terms expiring June 30th of each year. The committee will vote to appoint a Chair, a Vice-Chair and a Clerk. The Clerk will prepare meeting minutes if a recording secretary cannot be provided.

Committee Membership

Members must be residents of the Town of Bourne and be duly sworn by the Town Clerk and adhere to regulations of the Open Meeting Laws of the Attorney General's Office.

Members:

1. BOSC Representative
2. Finance Committee/Capital Outlay Committee Representative
3. Planning Board Representative
4. Conservation Commission Representative
5. Board of Health Representative
6. Two At Large Member(s) of North of the Canal
7. Two At Large Member(s) of South of the Canal

Ex-officio (non-voting) members:

Health Agent
Engineering Department representative
Conservation Agent
Town Administrator or designee
DPW and/or Sewer Department representative

Planning Department representative
Water District Superintendents or designees (total of 3 representing each district)
Mass Maritime representative

Committee Charge

The Committee will have responsibility for advising the BOSC in the areas of public policy and long-range planning as it relates to the implementation of the CWMP.

- The Committee will advise and facilitate the development of a Comprehensive Wastewater Management Plan by:
 - Providing comments on the Needs Assessment
 - Providing input on the evaluation criteria to be used in the analysis of alternatives phase of the CWMP
 - Providing input on alternatives for town-wide wastewater management which will be further refined into a recommended plan
 - Providing input on the final recommendations
 - Providing input on storm water management recommendations to protect and improve water quality in Buzzards Bay
- The Committee shall work diligently to protect the Town's Water Resources, both groundwater and surface waters.
- The Committee shall review proposals for enhanced wastewater systems that mitigate or eliminate nitrogen loading and other contaminants from entering groundwater and surface water resources.
- The Committee shall facilitate the coordination of efforts with Town officials and the public.
- The Committee may identify and pursue grand opportunities.
- The Committee shall receive comments and suggestions from the public, hold public meetings/hearings as appropriate, post agendas and publish minutes of their proceedings and file an Annual Report.
- To facilitate effective stakeholder engagement during the CWMP the Committee may hold meetings at the locations where the local stakeholder meetings are held.

Users and owners shall permit authorized representatives of the DPW to inspect and review, upon reasonable notice and during normal business hours, any and all of the records maintained pursuant to this section.

10.1.6.3 Consequences of Denial of Access to Records

Where an owner or user, after having received reasonable notice from the DPW, refuses to permit DPW personnel to have access to records in accordance with this section, the DPW may give written notice of its intent to notify the Board of Sewer Commissioners to assess fines and/or terminate sewer service to such user.

10.1.7 Monetary Liability

10.1.7.1 Penalties

- a. Any person who violates any provision of these Regulations shall forfeit and pay to the Town an amount not exceeding five thousand dollars (\$5,000) as set by the Board of Sewer Commissioners, pursuant to attached Schedule of Penalties, in accordance with Massachusetts General Laws Chapter 83, Section 10, as then in effect. For purposes of this section, each day of a continuous violation shall be deemed to be a separate violation. If a violation is intermittent, each occurrence shall be deemed to be a separate violation.

10.1.7.2 Reimbursement for Costs to DPW

- b. Failure to comply with any portion of these Regulations, or with any permit or order issued thereunder, shall be sufficient cause for the DPW to levy on and collect from each violator any additional cost for any expense, loss, or damage occasioned by such violation, including assessment of penalties or fines levied or imposed on the DPW pursuant to Bourne's Sewer Policy and Regulations, or the United States Environmental Protection Agency.

10.1.8 Enforcement Actions

Any person found to be violating any provision of these regulations shall be served by the BOSC or their designee, with written notice stating the nature of the violation and providing a time limit of ten calendar days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.

Multiple Alternatives exist when the DPW determines that a violation of these Regulations, or any permit, or any damage to the Town's collection system, is threatened or has occurred. The DPW shall take the following actions, in any sequence or simultaneously:

1. The DPW may issue a request or an order to cease and desist any such violation, and/or an implementation schedule for undertaking specific actions or practices.
2. The DPW may require the user in question to submit a detailed time schedule setting forth specific actions to be taken in order to prevent or correct a violation. The DPW may issue an implementation schedule to the user containing or modifying such specific actions within such times as the DPW deems appropriate.
3. The DPW may issue an order directing the user to pay to the Town penalties and fines, and/or discontinue sewer service to the property.
4. The DPW may request that the Sewer Commissioners take direct enforcement action by filing suit in any court of competent jurisdiction pursuant to Massachusetts General Laws Ch. 83, or any other applicable statute or regulation.
5. The DPW may take any other action available to it under any applicable statute or regulation.
6. The DPW may issue citations pursuant to M.G.L. Ch. 40 § 210, non-criminal disposition, to the extent allowed by law.
7. Any person who shall continue any violation beyond the time limit provided herein, shall be charged with a misdemeanor.
8. Any person who shall be charged with a misdemeanor and on conviction, shall be fined in the amount not exceeding Five Hundred Dollars (\$500).

Any person violating any of the provisions of these regulations shall become liable to the BOSC or Town for any expense, loss, or damage occasioned the BOSC or Town by reason of such violation.

**Board of Sewer Commissioners
Minutes of Tuesday, February 28, 2023
Bourne Community Center
239 Main Street, Buzzards Bay**

**TA Marlene McCollem
ATA Liz Hartsgrove**

Board of Sewer Commissioners

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

Others: Gary Maloney, Jim Miko, Erica Flemming, Finance Director, (remote), Mike Ellis, Town Accountant, (remote), and Tim Lydon, Engineering Department (remote).

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

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

Zoom Meeting ID: 838 3616 9923 Password: SEWER

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

7:10 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.

The reading of the vision and mission statements was deferred to the Select Board meeting by Chair Mastrangelo.

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. **Board of Sewer Commissioners Business**

- a. **Public Hearing:** to discuss and set fines and penalties for violations of the Sewer Use Rules and Regulations, Sections 6.2.3 and 6.3, and Attachment C.
- b. Discussion and possible enforcement action – grease trap compliance at 300 Main Street.
- c. Review of Allocation Spreadsheet
 - i. Hampton Inn.
 - ii. Actual water meter reading data.
 - iii. Date of next 6-month project update.
- d. Discussion and possible amendments to the FY24 proposed operating budget for the Sewer Enterprise Fund.
- e. Discussion – financial policies for the sewer enterprise fund.

6.a. **Public Hearing:** to discuss and set fines and penalties for violations of the Sewer Rules and Regulations, Sections 6.2.3 and 6.3, and Attachment C. Uses

Town Administrator Marlene McCollem said that as the Board of Sewer Commissioners knows, they put together these interim rules and regulations with the understanding that there would be pieces that they would have to go back and re-visit. She said that rates, fines, and fees need to be looked at.

Ms. McCollem said that the ones that she would like to discuss at this meeting are in red in the Sewer Commissioners packet. She proposed to institute a grease trap interceptor permit fee of \$200. This fee would be paid upon hooking up a new grease trap to the system. The second one is a grease trap interceptor inspection fee of \$50. per visit. She also proposed instituting a fine for operating a grease trap interceptor without a FOG (Fats, Oils & Greases) Maintenance Plan or permit. She said she is recommending a \$50. per day fine and for each day to be considered a separate offense.

There was some discussion about the current Attachment C and the maximum daily fines.

Gary Maloney asked why the Town isn't charging what it really costs for inspections, and he asked who can void any fines that are set and by what vote would it be required. He also asked who on the staff was going to track all the inspections. His last question was if this fee schedule is enacted tonight, does that mean that the next agenda item is subject to those fees?

Chair Mastrangelo then asked if in the future the Board votes to assess a fine, does the fine start once the vote is taken or is the fine retroactive or does it depend on the vote. Ms. McCollem said that it would have to be voted to have it be retroactive, but typically she would recommend that

the fine start the day of the vote. Jared MacDonald asked if this was going to have an effective date on it. Ms. McCollem said that if they vote this, that she recommends that they make it effective with the current day's date. Judith Froman said she would like to see Mr. Maloney's questions addressed about who will be tracking and about the costs of inspections. Ms. McCollem said her office does the tracking and she said she cannot tell how much the inspections cost because they are all different and the inspection program is being created from the ground up and the fees can always be re-evaluated. There was some discussion about the rate sheets and the bills.

Voted: Jared MacDonald moved, and Melissa Ferretti seconded to adopt the recommendation for the grease trap interceptor permit fee of \$200., the grease trap interceptor inspection fee of \$50. per visit, the fine for operating a grease trap interceptor without a FOG (Fats, Oils & Greases) Management plan or permit of \$50. per day and each day should be considered a separate offense, with an effective date of March 1, 2023, and to update the Attachment C. The annual user fee is going to be updated for the period of 1/1/23 to 6/30/23. The annual overage charge is going to be updated to reflect the 2023 calendar year rate and it will be effective March 1st and will include the other changes in red.

Vote: 5-0-0.

6.b. Discussion ad possible enforcement action – grease trap compliance at 300 Main Street.

Tim Lydon, Engineering Department, said that he hasn't heard back from the Way-Ho restaurant since January when he left the ball in their court. Ms. McCollem said that at the Board of Sewer Commissioners December 2022 meeting they discussed the November 14th, 2022 site visit that was conducted by the Town staff. After that meeting, Ms. McCollem said she sent a letter to the property owner dated December 6th. She said the pertinent part of this letter states "prior to taking enforcement action, the Town is requesting that you bring the property into the full compliance with the Rules and Regulations by February 28th, 2023, including the installation of all necessary grease traps and developing a FOG Maintenance Plan. In the meantime, the existing grease trap must be pumped at least every other week with a log available for inspection."

Ms. McCollem said that it has not been pumped regularly and no permits have been pulled to upgrade the greases trap and the Town has not received a FOG Management Plan. The next steps were discussed, and Ms. McCollem said that the Board can hold an enforcement hearing. Mr. Maloney asked if the Sewer Commission is obligated to provide a non-compliant user with sewer service. There was more discussion about the hearing process and what is written in the Rules and Regulations about enforcement. It was decided that the Way-Ho Restaurant will be fined for their lack of compliance according to the voted fine structure.

6.c. Review of Allocation Spreadsheet.

i. Hampton Inn.

Chair Mastrangelo said that the date of review had been previously set for January 2023, which was the 3-year point as written in the Rules and Regulations. COVID altered the last few years of data, therefore the Board feels that they should give an extension in this case.

Voted: Jared MacDonald moved, and Peter Meier seconded to move the review of the Hampton Inn allocation to February 2024.

Vote: 5-0-0.

ii. Actual water meter reading data.

Mr. Lydon explained water readings for the Buzzards Bay Water District.

iii. Date of next 6-month project update.

Ms. McCollem said that September of 2022 was the last time there was an update. It was decided that the next 6-month project update will be in May.

Chair Mastrangelo said that she would like to look at the allocation fees that have been collected and when they were used against sewer rates. She said that there is some good money in the queue. She said that the sewer development fees are now collected at the time of the building permit, although there are several properties that do not have identified sewer development charges, some of which are not yet been issued a building permit. She feels that these property owners should be notified about the sewer development charges. There was some discussion about these properties and that it is important to keep track of them.

6.d. Discussion and possible amendments to the FY24 proposed operating budget for the Sewer Enterprise Fund.

Ms. McCollem said that at the last meeting she was asked to look at the Capital Outlay and O&M lines. She said that for FY24, while they are trying to absorb the debt for the one year where there is a spike, that she recommends a revised budget with some cuts. She said she is recommending a one year cut in the Capital Outlay line, which was originally recommended to be funded at \$95,000, be cut by 50% to \$47,500.

Ms. McCollem said that the O&M line, which is the wastewater facilities operating cost line was originally \$246,000. She said that she would like to make a budget adjustment to \$92,800. which is for the service contract with Weston & Sampson. She said she would like to break out lines for chemicals and sludge removal and hold \$12,000 in those lines, and this could change over time. She said that \$28,900. is for the Open Cape line, and she will explore options for this service that is a must. She said that with these reductions, there would be a rate increase for FY24 of \$156., which is not nearly as severe without the reductions.

Ms. McCollem said that they have bumped up the reserve fund as funded through retained earnings. Chair Mastrangelo said she understands the concept although she does not agree with increasing the reserve fund in the Spring and she doesn't think it should be increase until the Fall unless there is a demonstrated need for it, for two reasons. One reason is that they have been consistent with the reserve fund, and she wants more clarity, and she thinks that they have to use some of the allocation money to help pay for the debt service. She said that there will not be a vote tonight, and they do need to talk about the budget.

Jim Mika of Hideaway Village said he was there to take back information to other residents of Hideaway Village regarding the increases in their sewer bills. Chair Mastrangelo said that she believes that the jump in rates is the result of using the initial \$135,000. of allocation fees to reduce the rates before the new plan came on. Mr. MacDonald said that there is a large amount of debt that has come on board all at once. There was some discussion about the ARPA funding and the bid process.

Voted: Jared MacDonald moved, and Judith Froman seconded to accept the budgetary changes as presented with an adjustment to the reserve fund to \$100,000.

Vote: 5-0-0.

6.e. Discussion – financial policies for the sewer enterprise fund.

Chair Mastrangelo said that sometime after Town Meeting there will be a financial policy discussion. She said she has asked for some information be brought to the Sewer Commissioners on retained earnings policy and there was a brief discussion about it.

7. Minutes: 1/31/23

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the minutes of January 31st, 2023, as presented

Vote: 5-0-0.

8. Future Agenda Items

Chair Mastrangelo said that they have moved the reviews until May.

9. Town Administrator Report

Ms. McCollem said that she gave the Board a report on the low pressure system. She said that she hopes to have the final design of stormwater improvements for the wastewater treatment plant soon.

10. Committee Reports

Chair Mastrangelo said that Stanley Andrews resigned from the Board of Health, therefore he is resigned from the Wastewater Advisory Committee, which is on hold right now. Peter Meier said that they will call a meeting for the purpose of dissolving. Chair Mastrangelo said that if the Board meets in March, that they should review the condition of accounts for the Wastewater Treatment Plant.

11. Correspondence

Ms. Froman said that there were 4 pieces of correspondence all regarding seasonal reduction in rates. They were from Charles Knoll, Valerie Lane, John DiFrancesco, and Lisa Doherty.

12. Next meeting date: March 28, 2023.

13. Adjourn

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

Vote: 5-0-0.

The Board of Sewer Commissioner's Meeting ended at 8:47 PM

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

**Board of Sewer Commissioners
Minutes of Tuesday, April 25, 2023
Bourne Community Center
239 Main Street, Buzzards Bay
Or Virtually (see information below)**

**TA Marlene McCollem
ATA Liz Hartsgrrove**

Board of Sewer Commissioners

Mary Jane Mastrangelo, Chair
Judith Froman, Clerk
Peter Meier (7:16)
Jared MacDonald
Melissa Ferretti

Others: Tim Lydon, Engineering Department, Ryan Correia, Irene Carbone, and Shawn Patterson, DPW Director.

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

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

Zoom Meeting ID: 838 3616 9923 Password: SEWER

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

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** – 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. Board of Sewer Commissioners Business

- a. **In person update for 2 Kendall Rae.**
- b. **Email update from 227R Main – all fees paid.**
- c. **Email update from 140 Main Street.**
- d. **Review of allocation spreadsheet – all projects 6 month-update.**
- e. **Sewer Allocation Request – 260 Main Street.**
- f. **Manhole ARPA project update & grease trap enforcement at 300 Main Street – Shawn Patterson, DPW Director.**
- g. **Update on the low-pressure system upgrade project – Timothy Lydon.**
- h. **WWTP - stormwater control and project close out.**
- i. **Discussion – Select Board acting as Sewer Commissioners.**

6.a. In person update for 2 Kendall Rae.

Ryan Correia, Owner, and Developer of 2 Kendall Rae, said that the plan passed through the Planning Board although the plan that was given to Conservation was different. He said that they showed Conservation the new plan about a week ago and they are currently in the 21-day appeal period. Mr. Correia said that before construction can start, the contract for parking for the playground needs to be done.

6.b. Email update from 227R Main – all fees paid.

Chair Mastrangelo gave the update that was received by email. The email said that work has been started and the foundation has been installed for the first and second building and the projected completion timeline for operation is mid-2024.

6.c. Email update from 140 Main Street.

Chair Mastrangelo gave the update that was received by email from Keith Galizio. The email said that they recently received their approval to demo the building from the Historic Society. The contractor and engineer are reviewing the project and they will notify the Select Board once they have the schedule for the demolition, which is expected to be this summer.

6.d. Review of allocation spreadsheet – all projects 6 month-update.

Tim Lydon, Engineering Department, said that he filled in a lot of the gaps of the allocation spreadsheet. He said that he wanted to point out what has been assessed and paid to date. He talked about some of the projects on the spreadsheet. He said that for some of the projects, plans have not been received yet.

Irene Carbone of the Bay Motor Inn said that their situation is the same. They have a purchase and sales agreement and should be closing in mid-June.

Town Administrator Marlene McCollem said that the check from EAV Solutions came in today.

Judith Froman asked why there are not 6-month updates from everyone. Ms. McCollem said that not everyone responded. There was some discussion about projects that have not provided updates and Chair Mastrangelo said that something should be sent to them to have them send an email update on their projects.

6.e. Sewer Allocation Request – 260 Main Street.

Jeff Derouen of 260 Main Street and EAV Solutions, said that this is the last stop before they get their permit issued. Chair Mastrangelo said that they have been allocated 200 gallons per day and there will be a preliminary allocation fee of \$1000. based upon the 200 gallons per day.

Voted: Jared MacDonald moved, and Peter Meier seconded to reserve a preliminary sewer allocation of 200 gallons per day to the benefit of 260 Main Street, on the request of Curious Charlie, LLC. All fees are due and payable in accordance with the August 30, 2022, Sewer Use Rules, and Regulations.

Vote: 5-0-0.

6.f. Manhole ARPA project update & grease trap enforcement at 300 Main Street – Shawn Patterson, DPW Director.

Shawn Patterson, DPW Director, said that one of the projects is almost completed and both will be totally complete within 2 weeks. He explained how the project was done. He said that the grease trap at Way-Ho has been installed.

6.g. Update on the low-pressure system upgrade project – Timothy Lydon.

Mr. Lydon said they put an RFQ out in February and received responses from BETA Group and Environmental Partners. After reading the technical proposals, it was apparent that they did not put out the best RFQ for them to respond to, so they decided to put the RFQ back out with the scope refined to be task by task.

6.h. WWTP - stormwater control and project close out.

Mr. Lydon said that they are finally closing out the Wastewater Facility Building project. He said that the stormwater control project is the last pertinence. He said it has been difficult obtaining bids and estimates for the project. He said that there are a few things to still work out with the project to be able to get a bidder.

Ms. McCollem said that regarding the building project, at the end of last week she informally received some outstanding invoices from the project manager (OPM) that she had not received at the Town of Bourne address. She has asked that they be sent to the Town of Bourne. She said that there are funds available for the outstanding invoices. She said that her biggest concern is that the project manager has not secured the credit from Kubota yet, and this needs to be

resolved. She said that this is probably going to be a difficult close out. She said she hopes to be able to close out the project and disband the committee in July.

6.i. Discussion – Select Board acting as Sewer Commissioners.

Chair Mastrangelo said that this is just for discussion tonight, and not for action to be brought. She said she brought this up at the last Select Board meeting. She gave some examples of agendas where the Select Board acts as the Sewer Commissioners and how to post the meeting and how to put it on the agenda.

Ms. McCollem said that she has worked in other communities where the Select Board are the commissioners, and she has worked in towns where there are separate boards of water commissioners. She does not think that there is a benefit in having the Select Board sitting in a separate meeting as a separate organization. She said that if there is the ability for the Select Board to deal with sewer commissioner work at every meeting, it can lead to some operational efficiencies. She said that there may be a flow and cadence to meetings that may be able to be achieved if these two boards are combined.

Jared MacDonald said that he feels that the two boards should be combined for efficiency. Melissa Ferretti said that she is not convinced that combining the boards is the right thing to do because of transparency and how it looks to the residents of Bourne. Ms. Froman said that she likes the idea of combining the two boards for efficiency, but she said that there should be different officers for each, for the checks and balance. Ms. Froman said that Town Counsel should be consulted on how to proceed about this and if there should be officers for each group.

Chair Mastrangelo said that she feels that they should have Town Counsel talk about what notification is required to have the Select Board act as Sewer Commissioners. She also feels that the ease of doing it is not to have different officers and to have it just be an agenda item for when they are doing Sewer Commissioner business. There was some more discussion about what the Charter says, and Chair Mastrangelo said that they will discuss it further at the next meeting.

7. Minutes: 3/28/23

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of March 28th, 2023.

Vote: 4-0-1. Jared MacDonald abstained.

8. Future Agenda Items

None were discussed.

9. Town Administrator Report - Calamar update

Ms. McCollem said that they are waiting for a couple of signoffs. She said the certificates of occupancy for Calamar are expected to be issued this week.

Ms. McCollem said that regarding the CWMP, Environmental Partners has been in touch with DEP, and they have had conversations about where they stand, and some answers were given that the administration is seating new officials and is taking some time to present the priorities of the administration. She said that this basically means that there is no schedule or timeframe for responding to comments that were submitted on the proposed regulations, issuing revised regulations, or moving forward with any changes in regulations.

10. Committee Reports

None.

11. Correspondence

None.

12. Next meeting date: May 30, 2023.

13. Adjourn

Voted: Peter Meier moved, and Judith Froman seconded to adjourn.

Vote: 5-0-0.

The Board of Sewer Commissioner Meeting ended at 5:54 PM

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

From: [Wandra Harmsen](#)
To: [Maria Simone](#)
Subject: Race Amity Day Proclamation and Celebration
Date: Monday, May 15, 2023 3:43:03 PM
Attachments: [Screen Shot 2023-05-15 at 3.28.07 PM.png](#)

Dear Bourne Select Board Members,

It is with warm greetings to you all that I am writing to request that the Bourne Select Board issue a Race Amity Day Proclamation for Sunday, June 11th, 2023 (Race Amity Day). Please note however, that this year we will be holding our Race Amity celebration on a different date - Saturday, June 24th from 11-12:30PM, (pending town approval of our request to use Buzzards Bay Park) - due to scheduling conflicts on our side.

As in past years, we look forward to having one or more of your members read the proclamation and attend the Race Amity Celebration on June 24th.

As you may recall, Race Amity promotes racial harmony and unity within our community. In a world where division and animosity often overshadow our shared humanity, we believe it is crucial for leaders like yourselves to continue to support initiatives that foster inclusivity and understanding. By marking your presence in our Race Amity Celebration, you will not only send a powerful message of solidarity, but also inspire others to embrace diversity and work towards positive change within our town. In this way we strengthen the bonds that hold us together and unite in our commitment to building a community that values and celebrates our differences while at the same time building lasting relationships with one another.

We hope you will join us on June 24th and we look forward to seeing you at that time.

With warm regards,
Wandra Harmsen
Bourne - Wareham Race Amity




**Use of Town Property Event
Application**

EA-23-29

Submitted On: May 15, 2023

Applicant

 Wandra Harmsen




[REDACTED]

Primary Contact Information

Name

Wandra Harmsen

Business/Organization Name (if applicable)

Bourne - Wareham Race Amity

Mailing Address

[REDACTED] Buzzards Bay, MA 02532

Cell Phone No.

Email

Event Information

Organization/Individual Hosting the event

Bourne - Wareham Race Amity

Type of Organization (LLC, non-profit)

non-profit

Type of Event (i.e. banquet/concert/fundraiser/party)

Celebration

Location of Event

Buzzards Bay Park - Pavillion Only

Date(s) of Event

Saturday, June 24, 2023

Set up/Clean up Dates

same

Hours (start and end times)

10:00AM - 12:30PM

Estimated overall attendance

25

Certain events taking place at Buzzards Bay Park may also require an additional permit from the U.S. Army Corps of Engineers. Based on your responses, you will be notified if you are required to apply.

Events held at Buzzards Bay Park are required to upload a site plan detailing where things will be set up. You will be able to upload this later in the application.

of Staff/Volunteers

7

Description of Event

Race Amity Celebration

Will your event impact traffic?

No

Will your event impact parking?

No

Is event open to the public?

Yes

Will admission be charged?

No

Will there be alcohol service/ on-premise consumption?

No

Will there be food?

No

Will there be vendors?

No

Will you be holding a raffle?

--

If Yes for what purpose

Microphones, music amps

Are you providing portable toilets?

No

Will a tent be used?

No

Use of Electricity/generators?

Yes

Electricity is not available or guaranteed at every location. Based on your responses and location you will be notified if you need a generator. If a generator is required, it is the responsibility of the event organizer.

Will you be placing a banner across Main Street?

No

Please Note:

Buzzards Bay Park Rules and Regulations

Copy of Liability Insurance with the Town named as additional insured

Hold Harmless Agreement

Signature

true

Signature

Signature

true



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/22/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER (WC) Heffernan Insurance Brokers 1350 Carback Avenue Walnut Creek CA 94596	CONTACT NAME Heffernan Church Department PHONE (A/C, No, Ext) 925-934-8500 E-MAIL ADDRESS churchams@heffins.com FAX (A/C, No) 925-934-8278
INSURED National Spiritual Assembly of Baha'is of the United States 1233 Central Street Evanston IL 60201	INSURER(S) AFFORDING COVERAGE INSURER A Church Mutual Insurance Company, S.I. INSURER B INSURER C INSURER D INSURER E INSURER F
License#: 0564249 NSABCRT-21	NAIC # 18767

COVERAGES

CERTIFICATE NUMBER: 180742168

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE L MIT APPL ES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			0418092-02-478180	11/1/2022	11/1/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCR PTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACC DENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Sexual Misconduct/Molestation			0418092-02-478180	11/1/2022	11/1/2023	Each Claim Limit \$3,000,000 Aggregate Limit \$3,000,000

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

Name of Local Assembly, Registered Group or Regional Council: Regional Baha'i Council of the Northeast States. RE: As respects use of facilities for Race Unity Event on June 24, 2023.

CERTIFICATE HOLDER**CANCELLATION**

Buzzards Bay Park
90 Main Street
Buzzards Bay MA 02532

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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EA-23-29

Use of Town Property Event Application

Status: Active

Date Created: May 15, 2023

Applicant

Wandra Harmsen

Buzzards Bay, MA 02532

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	May 15, 2023 at 1:56 pm	May 15, 2023 at 2:35 pm	Maria Simone	-
✓ Fire Department Comments	Complete	May 15, 2023 at 2:35 pm	May 15, 2023 at 2:37 pm	David Pelonzi	-
✓ Police Department Comments	Complete	May 15, 2023 at 2:35 pm	May 15, 2023 at 3:01 pm	Theodore Economides	05/22/2023
✓ DPW Comments	Complete	May 15, 2023 at 2:35 pm	May 16, 2023 at 7:21 am	Matthew Quinn	-
✓ Town Administrator's Comments	Complete	May 16, 2023 at 7:21 am	May 24, 2023 at 3:57 pm	Maria Simone	-
✓ Select Board Vote	Active	May 24, 2023 at 3:58 pm	-	Maria Simone	05/31/2023
📄 Temporary Event Permit Issued	Inactive	-	-	-	-

**Use of Town Property Event
Application**

EA-23-24

Submitted On: May 1, 2023

Applicant

 Marie Oliva
 5087596000
 moliva@capecodcanalchamber.org

Primary Contact Information

Name

Marie Oliva

Mailing Address

70 Main Street, Buzzards Bay, MA 02532

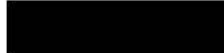
Email

moliva@capecodcanalchamber.org

Business/Organization Name (if applicable)

Cape Cod Canal Region Chamber of Commerce

Cell Phone No.



Event Information

Organization/Individual Hosting the event

Cape Cod Canal Region Chamber of Commerce

Type of Event (i.e. banquet/concert/fundraiser/party)

Concerts by the Canal

Certain events taking place at Buzzards Bay Park may also require an additional permit from the U.S. Army Corps of Engineers. Based on your responses, you will be notified if you are required to apply.

Events held at Buzzards Bay Park are required to upload a site plan detailing where things will be set up. You will be able to upload this later in the application.

Type of Organization (LLC, non-profit)

non-profit

Location of Event

Buzzards Bay Park

Date(s) of Event

Thursdays in July & August

Set up/Clean up Dates

Thursdays in July & August

Hours (start and end times)

6:30pm - 8:30pm

Estimated overall attendance

500

of Staff/Volunteers

8

Description of Event

Free Concerts by the Canal

Will your event impact traffic?

Yes

Any event that will impact parking or traffic must reach out to the Police Department four weeks prior to event.

Will your event impact parking?

Yes

Is event open to the public?

Yes

Will admission be charged?

No

Will there be alcohol service/ on-premise consumption?

No

Will there be vendors?

No

Will you be holding a raffle?

Yes

Use of Electricity/generators?

Yes

Electricity is not available or guaranteed at every location. Based on your responses and location you will be notified if you need a generator. If a generator is required, it is the responsibility of the event organizer.

Will there be food?

No

Will a tent be used?

No

Only a non profit organization who has been organized and functioning in the Commonwealth of Massachusetts for two years can hold a raffle. A separate Raffle Permit from the Clerk's Office is required.

If Yes for what purpose

electricity at Gazebo for bands

Are you providing portable toilets?

No

Will you be placing a banner across Main Street?

No

Please Note:

Buzzards Bay Park Rules and Regulations

Copy of Liability Insurance with the Town named as additional insured

Hold Harmless Agreement

Signature

true

Signature

Signature

true



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/05/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER C.L. HOLLIS INSURANCE 140 Marion Rd Wareham MA 02571		CONTACT NAME: Cheryl L. Hollis PHONE (A/C, No, Ext): (508) 295-9500 FAX (A/C, No): (508) 295-9898 E-MAIL ADDRESS: cherylee@insurehollis.com	
INSURED Cape Cod Canal Region Chamber of Commerce 70 Main St BUZZARDS BAY MA 02532		INSURER(S) AFFORDING COVERAGE INSURER A: Continental Casualty Co (cna) INSURER B: Travelers Insurance INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 20443	

COVERAGES**CERTIFICATE NUMBER:** CL2151805880**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			4017413446	04/24/2023	04/24/2024	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 BAIL \$ 1,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A		6HUB-9F46452-7-21	02/10/2023	02/10/2024
							EACH COMMONCAUSE AGGREGATE LIMIT

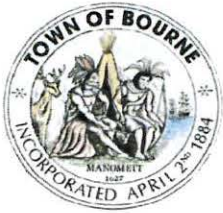
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

TOWN OF BOURNE ARE ADDITIONAL INSUREDS PER WRITTEN CONTRACT FOR CONCERTS BY THE CANAL, BUZZARDS BAY PARK, 90 MAIN STREET BUZZARDS BAY, MA 02532 ON THURSDAY EVENINGS IN JULY & AUGUST OF 2023.

CERTIFICATE HOLDER**CANCELLATION**

TOWN OF BOURNE 24 PERRY AVENUE BUZZARDS BAY MA 02532	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---

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BUZZARDS BAY PARK SITE PLANNING MAP

Legend

PavementMarkingLine

LandscapeArea

Other

Surface Type

Garden/Shrub

Mowed Lawn

Sports Turf

StreetPavement

Surface Type

Asphalt

Athletic Track

Brickpaver

Chip and Seal

Cobblestone

Concrete

Dirt

Gravel

Hardcourt

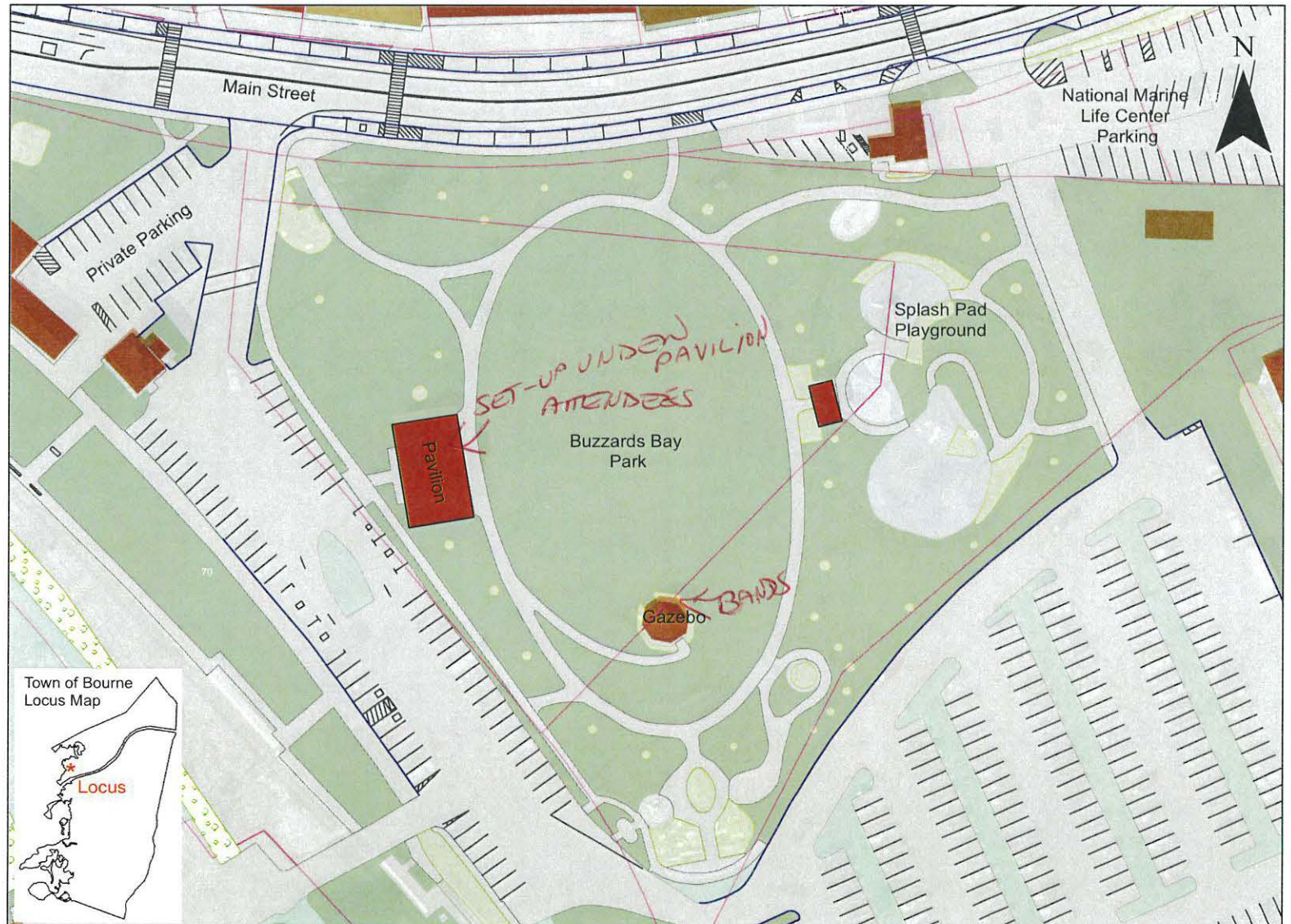
Other

Shell

Unknown

SidewalkPoly

0 25 50 100 Feet



Draft Mapping by Tim Lydon, Bourne Engineering, March 23, 2023

**EA-23-24****Use of Town Property Event Application****Status:** Active**Date Created:** May 1, 2023**Applicant**

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Timeline




Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	May 1, 2023 at 4:12 pm	May 2, 2023 at 2:22 pm	Maria Simone	-
✓ Town Clerk's Comments	Complete	May 2, 2023 at 2:22 pm	May 2, 2023 at 2:42 pm	Mary Fernandes	-
✓ Fire Department Comments	Complete	May 2, 2023 at 2:22 pm	May 2, 2023 at 4:41 pm	David Pelonzi	-
✓ DPW Comments	Complete	May 2, 2023 at 2:22 pm	May 3, 2023 at 7:06 am	Matthew Quinn	-
✓ Police Department Comments	Complete	May 2, 2023 at 2:22 pm	May 5, 2023 at 10:20 am	Theodore Economides	05/09/2023
✓ Town Administrator's Comments	Complete	May 5, 2023 at 10:20 am	May 5, 2023 at 10:26 am	Mary Rebello	-
✓ Select Board Vote	Active	May 5, 2023 at 10:26 am	-	Maria Simone	05/31/2023
📄 Temporary Event Permit Issued	Inactive	-	-	-	-

**Use of Town Property Event
Application**

EA-23-26

Submitted On: May 2, 2023

Applicant

 Marie Oliva
 5087596000
 moliva@capecodcanalchamber.org

Primary Location

90 MAIN ST
Bourne, MA 02532

Primary Contact Information

Name

Marie Oliva

Mailing Address

70 Main St

Email

moliva@capecodcanalchamber.org

Business/Organization Name (if applicable)

Cape Cod Canal Region Chamber of Commerce

Cell Phone No.

5087596000

Event Information

Organization/Individual Hosting the event

Cape Cod Canal Region Chamber of Commerce

Type of Event (i.e. banquet/concert/fundraiser/party)

Festival

Certain events taking place at Buzzards Bay Park may also require an additional permit from the U.S. Army Corps of Engineers. Based on your responses, you will be notified if you are required to apply.

Events held at Buzzards Bay Park are required to upload a site plan detailing where things will be set up. You will be able to upload this later in the application.

Type of Organization (LLC, non-profit)

non profit

Location of Event

Buzzards Bay Park

Date(s) of Event

9/16/23

Set up/Clean up Dates

9/15/23; 9/18/23

Hours (start and end times)

8am - 1pm

Estimated overall attendance

7000

of Staff/Volunteers

25

Description of Event

Annual Cape Cod Canal Day Festival

Will your event impact traffic?

Yes

Any event that will impact parking or traffic must reach out to the Police Department four weeks prior to event.

Will your event impact parking?

Yes

Is event open to the public?

Yes

Will admission be charged?

No

Will there be alcohol service/ on-premise consumption?

Yes

Will there be food?

Yes

Will there be vendors?

Yes

Informational Vendors

15

Will a tent be used?

Yes

of tents over 10x10

1

Size of tents

up to 10x10

No stakes are allowed at Buzzards Bay Park. No grills, propane tanks, space heaters, or smoking under tent. A clear exit and fire extinguisher is required. A separate tent application from the building department may be required.

If Yes for what purpose

music

Are you providing portable toilets?

Yes

Will you be placing a banner across Main Street?

Yes

Alcoholic beverages are not permitted on Town property without a One Day Liquor License issued by the Select Board. A separate application and fee is required.

Describe type of food

Food trucks

Type of Vendors

Both

of Retail Vendors

75

Size of tent

larger than 10x10

Will the vendors be using tents?

Yes

of tents up to 10x10

90

Will you be holding a raffle?

No

Use of Electricity/generators?

Yes

Electricity is not available or guaranteed at every location. Based on your responses and location you will be notified if you need a generator. If a generator is required, it is the responsibility of the event organizer.

Town portable toilets are not available in every location. Additional toilets may be required for your event based on expected attendance. These are the responsibility of the event organizer.

Please note: Street banners shall be hung in prescribed locations by the Town above Main Street, securely fastened to buildings or designated structures, maintain a minimum height of 16 feet above the street, constructed of durable materials, used solely for community events, and remain in place for no more than three (3) weeks prior to the event

Please Note:

Buzzards Bay Park Rules and Regulations

Copy of Liability Insurance with the Town named as additional insured

**EA-23-26**

Use of Town Property Event Application

Status: Active**Date Created:** May 2, 2023**Applicant**

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	May 2, 2023 at 2:34 pm	May 2, 2023 at 2:34 pm	Maria Simone	-
✓ Building Inspector Comments	Complete	May 2, 2023 at 2:34 pm	May 2, 2023 at 3:36 pm	Ann Gutterson	05/03/2023
✓ Health Agent Comments	Complete	May 2, 2023 at 2:34 pm	May 2, 2023 at 4:03 pm	Kaitlyn Shea	-
✓ Fire Department Comments	Complete	May 2, 2023 at 2:34 pm	May 2, 2023 at 4:43 pm	David Pelonzi	-
✓ DPW Comments	Complete	May 2, 2023 at 2:34 pm	May 3, 2023 at 6:59 am	Matthew Quinn	-
✓ Police Department Comments	Complete	May 2, 2023 at 2:34 pm	May 16, 2023 at 1:04 pm	Theodore Economides	05/09/2023
✓ Town Administrator's Comments	Complete	May 16, 2023 at 1:04 pm	May 24, 2023 at 3:59 pm	Maria Simone	-
✓ Select Board Vote	Active	May 24, 2023 at 3:59 pm	-	Maria Simone	05/31/2023
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

May 4, 2023

EA-23-26

Building Inspector Comments

Use of Town Property Event Application

Status: Complete

Became Active: May 2, 2023

Assignee: Ann Gutterson

Completed: May 2, 2023

Applicant

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Primary Location

90 MAIN ST
Bourne, MA 02532

Comments

Ann Gutterson, May 2, 2023

Any tents over 10x10 need a permit with a flame retardant certificate.



May 4, 2023

EA-23-26

Health Agent Comments

Use of Town Property Event Application

Status: Complete

Became Active: May 2, 2023

Assignee: Kaitlyn Shea

Completed: May 2, 2023

Applicant

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Primary Location

90 MAIN ST
Bourne, MA 02532

Comments

Kaitlyn Shea, May 2, 2023

Please provide a master list of all food vendors to dwills@townofbourne.com (mailto:dwills@townofbourne.com) as soon as possible as the event approaches so the Health Department can keep track of all food permits that will be required. Thank you.



May 4, 2023

EA-23-26

Fire Department Comments

Use of Town Property Event Application

Status: Complete

Became Active: May 2, 2023

Assignee: David Pelonzi

Completed: May 2, 2023

Applicant

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Primary Location

90 MAIN ST
Bourne, MA 02532

Comments

David Pelonzi, May 2, 2023

I will need to see a copy of the proposed site plan, including food truck locations.

David Pelonzi, May 2, 2023

Also, if any vendors will be using propane that is not attached to a food truck, a permit will be required for an aggregate amount over 42 lbs.

David Pelonzi, May 2, 2023

I reviewed the site plan from the liquor license application. Please note the food truck fact sheet that I attached regarding proper spacing of food trucks. Will need an inspection.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER C.L. HOLLIS INSURANCE 140 Marion Rd Wareham MA 02571		CONTACT NAME: Cheryl L. Hollis PHONE (A/C, No, Ext): (508) 295-9500 E-MAIL ADDRESS: cherylee@insurehollis.com FAX (A/C, No): (508) 295-9898	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Continental Casualty Co (cna)	
		INSURER B: Travelers Insurance	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CL2151805880 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			4017413446	04/24/2023	04/24/2024	EACH OCCURRENCE \$ 2,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000				
			MED EXP (Any one person) \$ 10,000				
			PERSONAL & ADV INJURY \$ 2,000,000				
						GENERAL AGGREGATE \$ 4,000,000	
						PRODUCTS - COMP/OP AGG \$ 4,000,000	
						BAIL \$ 1,000	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	6HUB-9F46452-7-21	02/10/2023	02/10/2024	<input type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTH-ER
			E.L. EACH ACCIDENT \$ 500,000				
			E.L. DISEASE - EA EMPLOYEE \$ 500,000				
			E.L. DISEASE - POLICY LIMIT \$ 500,000				
						EACH COMMONCAUSE AGGREGATE LIMIT	

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

TOWN OF BOURNE IS ADDITIONAL INSURED PER WRITTEN CONTRACT.

FESTIVAL 9/16/2023.

CERTIFICATE HOLDER TOWN OF BOURNE 24 PERRY AVE. BOURNE MA 02532	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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One Day Liquor License**ODLL-23-5****Applicant**

Marie Oliva
5087596000
@ moliva@capecodcanalchamber.org

Primary Location

90 MAIN ST
Bourne, MA 02532

Applicant Information**Contact/Manager Name**

Coor & Bites LLC

Contact/Manager Email**Contact/Manager Phone**

Erik Christenson

Type of Organization

Non profit

Name of Organization

Cape Cod Canal Region Chamber of Commerce

Type of License

Beer & Wine -\$25

Organization Address

70 Main Street, Buzzards Bay, MA 02532

Premises to be Licensed**Venue Name**

Buzzards Bay Park

Address

90 Main Street, Buzzards Bay, MA 02532

Venue Contact Person

Marie Oliva

Venue Phone Number

508-759-6000 X12

Is this event indoors or outdoors?

Outdoors

A site plan will be required for all events. The plan should indicate where alcohol will be served and consumed. Additional details should include parking, tents, food setup, guest seating, etc. A hand drawn plan is acceptable.

Event Information**Type of event**

Cape Cod Canal Day - Festival

Provide a brief description of event

Community Festival consisting of food trucks, arts & crafts, live entertainment, cornhole tournament, 5K Road Race

Date of Event

09/16/2023

Start Time

11am

End Time

6pm

Admission Charge

FREE

Estimated Hourly Attendance

1000

Describe how alcohol will be served and managed/monitored

Managed by a professional, tip-certified organization. Licenses required, wrist bands

Additonal Permits

Will there be food?

Yes

Brief description of food

10 Food Trucks

Will a tent(s) be used?

Yes

Size of tent(s)

up to 10x10

Number of tents

90

Will there be a raffle?

No

Will there be vendors?

Yes

Types of vendors

Both

Number of informational vendors

15

Number of vendors selling products

75

Will vendors be using tents?

Yes

Will there be entertainment?

Yes

Brief description of entertainment

Local bands, MMA Marching Band

Please Note

Liability Insurance

Liability Disclaimer

Signature

true

Signature

Signature

true



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/25/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER C.L. HOLLIS INSURANCE 140 Marion Rd Wareham MA 02571		CONTACT NAME: Cheryl Hollis PHONE (A/C, No, Ext): (508) 295-9500 FAX (A/C, No): (508) 295-9898 E-MAIL ADDRESS: cherylee@insurehollis.com	
INSURED Cape Cod Canal Region Chamber Of Commerce 70 Main Street Buzzards Bay MA 02532		INSURER(S) AFFORDING COVERAGE INSURER A: Mount Vernon Fire Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: CL2342506998

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	LIQUOR LIABILITY			SE2016403	09/16/2023	09/18/2023	COMMON CAUSE 1,000,000 AGGREGATE 2,000,000

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

CERTIFICATE HOLDER

CANCELLATION

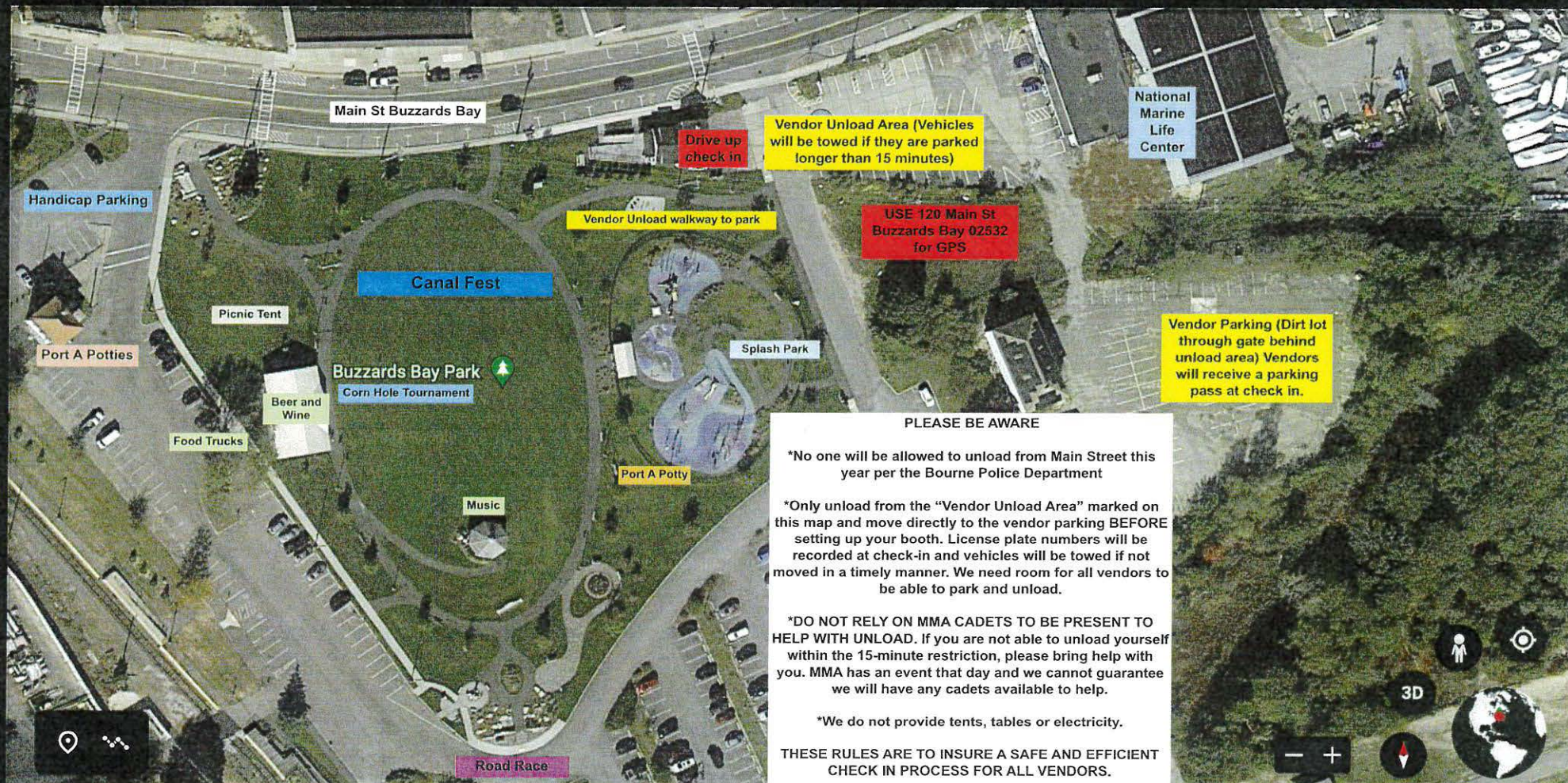
TOWN OF BOURNE 24 PERRY AVENUE BOURNE MA 02532	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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[Send feedback](#)



Google 100% Imagery date: 10/24/21-newer

50 m Camera: 313 m 41°44'41"N 70°36'55"W 2 m



eTIPS On Premise 3.0

CERTIFIED

Issued: 10/5/2021

Expires: 10/5/2024

ID#: 5568370

Erik J Christensen

[REDACTED]
Plymouth, MA 02360-3579

For service visit us online at www.gettips.com

**ODLL-23-5**

One Day Liquor License

Status: Active**Date Created:** May 1, 2023**Applicant**

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Original Submission	Issued	May 1, 2023 at 1:37 pm	May 1, 2023 at 1:37 pm	-	-
 Application Content and Attachments	Complete	May 1, 2023 at 1:37 pm	May 2, 2023 at 2:21 pm	Maria Simone	-
 Building	Complete	May 2, 2023 at 2:21 pm	May 2, 2023 at 3:37 pm	Ann Gutterson	-
 Board of Health	Complete	May 2, 2023 at 2:21 pm	May 2, 2023 at 4:01 pm	Kaitlyn Shea	-
 Fire Department	Complete	May 2, 2023 at 2:21 pm	May 2, 2023 at 4:42 pm	David Pelonzi	-
 Department of Public Works	Complete	May 2, 2023 at 2:21 pm	May 3, 2023 at 7:07 am	Matthew Quinn	-
 Police Department	Complete	May 2, 2023 at 2:21 pm	May 8, 2023 at 3:38 pm	Brandon Esip	-
 Town Administrator Approval	Complete	May 8, 2023 at 3:38 pm	May 24, 2023 at 4:00 pm	Maria Simone	-
 License Commission Board Vote	Active	May 24, 2023 at 4:00 pm	-	Maria Simone	05/31/2023
 Fee Payment	Inactive	-	-	-	-
 One-Day Liquor License	Inactive	-	-	-	-



Town of Bourne, MA

May 26, 2023

ODLL-23-5

Police Department

One Day Liquor License

Status: Complete

Became Active: May 2, 2023

Assignee: Brandon Esip

Completed: May 8, 2023

Applicant

Marie Oliva
moliva@capecodcanalchamber.org
70 Main Street
Buzzards Bay, MA 02532
5087596000

Primary Location

90 MAIN ST
Bourne, MA 02532

Owner:

Town of Bourne
90 Main Street BUZZARDS BAY, MA 02532

Comments

Brandon Esip, May 8, 2023

Must abide by all liquor laws. All alcohol must remain in the beer garden. Officer assigned to area at cost of applicant. Additional officers may be required for crowd/pedestrian traffic control under the Use of Town Land Application. Event staff responsible for checking IDs and ensuring compliance with liquor laws. Only one entrance to beer garden, second access point allowed as exit only.

From: [Debora Oliviere-Llanes](#)
To: [Kathleen Thut](#)
Subject: FW: AARP donation
Date: Monday, April 3, 2023 10:06:38 AM

Here is another AARP tax prep donation made to the COA.

Thank you.

From: Rush, Linda
Sent: Monday, April 3, 2023 10:05 AM
To: Debora Oliviere-Llanes <DOliviereLlanes@townofbourne.com>
Subject: AARP donation

Constance Paulhus \$25.00

Linda Rush
Town of Bourne - Council on Aging
508-759-0600 ext. 5222

From: [Debora Oliviere-Llanes](#)
To: [Kathleen Thut](#)
Subject: Donation
Date: Thursday, April 13, 2023 2:20:59 PM

Susan Blaauw \$20 Donation for AARP Tax Prep

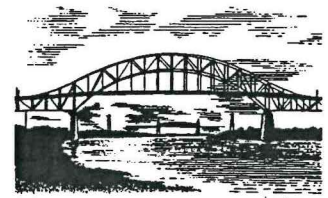
Debora Oliviere (she/her/hers)

Director
Bourne Council on Aging
508-759-0600 Ext. 5226
239 Main Street, Buzzards Bay, MA 02532
doliviere@townofbourne.com





**TOWN OF BOURNE
24 Perry Avenue
Buzzards Bay, MA 02532**



A Proclamation

- Whereas: The greatest asset of the Town of Bourne is its people;
- Whereas: The Town of Bourne holds dear the motto on the Great Seal of the United States, E Pluribus Unum, "out of many, one";
- Whereas: The Town of Bourne is comprised of multicultural, multiethnic, and multiracial citizens;
- Whereas: Friendship, collegiality, civility, respect, and kindness are commonly shared ideals of the people of the Town of Bourne;
- Whereas: Organizations and communities across the United States, motivated by the ideals behind the motto of E Pluribus Unum, have joined together in introspection and reflection on how the diversity of the people of the United States has been indispensable in creating the United States;
- Whereas: Chapter 163 of Acts of 2015 of the Commonwealth of Massachusetts establishes the second Sunday in June annually as Race Amity Day:

Now, Therefore, Be It Resolved that the Bourne Select Board do hereby proclaim the second Sunday in June to be,

RACE AMITY DAY

And encourage all the citizens of the Town of Bourne to join activities in support of the goals and ideals of racial amity; and encourages the people to observe the day with appropriate ceremonies and activities.

IN WITNESS THEREFORE, We the Bourne Select Board have hereunto set our hands and caused the OFFICIAL Seal of the Town of Bourne to be affixed this 11th day of June, 2023.



Bourne Select Board

**Mary Jane Mastrangelo
Melissa A. Ferretti
Anne-Marie Siroonian
Peter J. Meier
Jared P. MacDonald**

PURCHASE AND SALE AGREEMENT

This Purchase and Sale Agreement (the "Agreement") is entered into as of June ____, 2023 (the "Effective Date"), by and between the Town of Bourne, a municipal corporation, with an address of 24 Perry Avenue, Buzzards Bay, Massachusetts, acting by and through its Town Administrator (the "Seller") and Anna's Pals, Inc., a 501(c)(3) non-profit organization, with an address of 53 Addington Road, West Roxbury, Massachusetts 02132 (the "Buyer").

RECITALS

- A. The Seller owns property located at 30 Williston Road, Sagamore Beach, MA (Assessor's Map 12.1, Parcel 79) consisting of a former school and approximately 1.81 acres of land (the "Property").
- B. Pursuant to the votes taken by the Bourne Town Meeting on Article 27 of the May 6, 2019 Annual Town Meeting the Property has been declared surplus by the Town and offered for sale pursuant to a Request for Proposals issued in September of 2022 (the "RFP").
- C. The Property is generally depicted on a certain Plan of land taken by the Town of Bourne from Noble P. Swift for a public school building at Sagamore Mass., by vote of the Town at a town meeting held March 2nd A.D. 1908, E.S. Ellis, Surveyor. Bourne, Mass., April 2nd 1908," recorded at Barnstable County Registry of Deeds at Plan Book 23, Page 87 and is subject to a Historic Preservation Restriction, dated June 9, 2015, and recorded with the Barnstable Registry of Deeds at Book 28999, Page 39, which shall be amended, if appropriate, consistent with the obligations and expectations of this Agreement. A copy of the recorded Historic Preservation Restriction is attached hereto as **Exhibit 1** and incorporated herein (the "Hoxie PR").
- D. Reference to Buyer's response to the RFP. **Exhibit 2**

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, Seller agrees to sell the Property to Buyer, subject to the Hoxie PR and Buyer agrees to buy the Property from the Seller and convey the Hoxie PR to the Buyer, all in accordance with the following terms and conditions:

1. **PURCHASE PRICE.** The purchase price for said Property shall be ONE THOUSAND DOLLARS (\$1,000.00), to be paid at the time of delivery of the deed in cash, or by certified, cashier's, or treasurer's check(s) or wire transfer.
2. **TITLE DEED.** Said Property are to be conveyed by a good and sufficient quitclaim deed running to the Buyer, subject to a right of reverter and right of first refusal (the form of which deeds are attached hereto as **Exhibit 3**), or to the nominee designated by the Buyer by written notice to the Seller at least seven (7) days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except
 - (a) Provision of existing building and zoning laws;

- (b) Such taxes for the then current year as are not due and payable on the date of the delivery of such deed;
- (c) Any liens for municipal betterments assessed after the date of this Agreement so long as any such liens are released or extinguished by the Seller at the time of closing;
- (d) Easements, restrictions and reservations of record, if any, so long as the same do not prohibit or materially interfere with the current use of said Property.

Without limiting the requirement that Seller convey a good and clear record and marketable title as set forth herein, title to the Property shall not be deemed to conform with the requirements thereof unless:

- (a) Buyer's survey or mortgage plot plan (if any) indicates that no structures on the Property encroach upon adjacent properties;
- (b) No structures on abutting properties encroach upon the Property;
- (c) Buyer's mortgage plot plan (if any) shows that the Property do not violate the zoning bylaws of the Town of Bourne (the "Zoning Bylaws"); and
- (d) The Property have vehicular and pedestrian access to a public way.

3. **TIME FOR PERFORMANCE; DELIVERY OF DEED.** Such deed is to be delivered on or before **12:00 Noon** on the **31st day of August, 2023** at the **Barnstable District Registry of Deeds**, unless otherwise agreed upon in writing.

4. **RIGHT OF REVERTER.** The Seller shall have the right, at its option, to reenter and take, possession of the Property with all improvements thereon and revert in Seller the estate theretofore conveyed to the Buyer, if after conveyance of title to the Property and prior to recordation of the Certificate of Completion, the Buyer shall:

- (a) fail to utilize the building for the purposes authorized by the Bourne Town Meeting under its' vote under Article 27 of the Town Meeting Vote of May 6, 2019, Annual Town Meeting a copy of which is attached hereto and incorporated herein as **Exhibit 4**, or any subsequent Town Meeting authorization which may follow hereafter;
- (b) fail to secure 50% of the funds necessary to proceed with the proposal outlined in **Exhibit 2**, either through financing or fundraising, within two (2) years of deliver of the deed, **or** to secure 100% of necessary funds within four (4) years of the delivery of the deed;
- (c) fail to establish occupancy of the Property and operation of the proposed business for its intended purposes as described in **Exhibit 2**;
- (d) Fail to enter into an agreement with the Seller for payment in lieu of taxes (PILOT) within three (3) years of the delivery of the deed, which agreement shall commence after Grantee obtains a certificate of occupancy of the premises.

Such right of reverter shall be incorporated into the deed to Buyer as provided in the preceding paragraph 2.

The Buyer shall execute a Reverter Deed to the Town which shall be held in escrow by the Town pending satisfaction of any deed restrictions and this Agreement.

5. **RIGHT OF FIRST REFUSAL.** The Seller shall have a right of first refusal, such that in event the Buyer receives a *bona fide* offer to purchase the Property and intends to accept said offer, Seller may at its option purchase the Property on substantially the same terms provided in the offer to purchase. Such right of first refusal shall be incorporated into the deed to Buyer as provided in the preceding paragraph 2.
6. **HISTORIC PRESERVATION RESTRICTION.** The Property is subject to a perpetual historic preservation restriction, the Hoxie PR, dated June 9, 2015, and recorded with the Barnstable Registry of Deeds at Book 28999, Page 39, which is approved by the Massachusetts Historic Commission ("MHC") and is held and enforceable by the Seller. The Buyer understands that following the delivery of the deed as provided in this Agreement it may be necessary to amend the Hoxie PR to conform the preservation obligations to the present circumstances and conditions of Buyer's ownership of the Property as may be recommended by MHC. Buyer agrees to work with MHC and the Seller to amend the Hoxie PR, if necessary, and shall not unreasonably withhold approval of proposed amended terms which do not materially vary or increase the obligations of Buyer under the existing provisions of the Hoxie PR, attached hereto as **Exhibit 1**.
7. **PERMITTING.** The Buyer acknowledges that permits necessary for the proposal described in **Exhibit 2** shall not be issued in phases, that the entire project will be reviewed and permitted when all plans are prepared and necessary funding secured, and that permit fees will not be waived by the Seller.
8. **POSSESSION AND CONDITION OF PROPERTY.** Full possession of said Property free of all tenants and occupants except as herein provided, is to be delivered at the time of the delivery of the deed. The Buyer acknowledges and agrees they are purchasing the property in its "AS IS" condition and that the Sellers have no responsibility of any kind or nature to make the property conform to any federal, state or local statutes, regulations or bylaws, except as otherwise provided herein.
9. **EXTENSION TO PERFECT TITLE OR MAKE PROPERTY CONFORM.** If the Seller shall be unable to give title or to make conveyance, or to deliver possession of the Property, all as herein stipulated, or if at the time of the delivery of the deed the Property do not conform with the provisions hereof, the Seller shall use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said Property conform to the provisions hereof, as the case may be, in which event the time for performance hereof shall be extended for a period of not more than thirty (30) days.
10. **FAILURE TO PERFECT TITLE OR MAKE PREMSIES CONFORM.** If at the expiration of the extended time the Seller shall have failed so to remove any defects in title, deliver possession, or make the Property conform, as the case may be, all as herein agreed, or if at any time during the period of this agreement or any extension thereof, the holder of a mortgage on said Property shall refuse to permit the insurance proceeds, if any, to be used

for such purposes, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

11. **BUYER'S ELECTION TO ACCEPT TITLE.** The Buyer shall have the election, at either the original or any extended time for performance, to accept such title as the Seller can deliver to the said Property in its then condition and to pay therefor the purchase price without deduction, in which case the Seller shall convey such title, except that in the event of such conveyance in accord with the provisions of this clause.

12. **ACCEPTANCE OF DEED.** The acceptance and recording of a deed by the Buyer or its nominee as the case may be, shall be deemed to be full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed. Upon acceptance of the deed, BUYER acknowledges that BUYER has had an opportunity to make all inspections, including without limitation, radon, UFFI, asbestos, lead paint, mold, and hazardous waste, material, and substance inspections, is satisfied with the condition of the Property, and accepts the Property "as is" and with all faults. Seller has made no warranties or representations upon which Buyer has relied with respect to the Property, express or implied. Any statements which may have previously been made by the Seller, if any, are specifically hereby voided and are superseded by this Agreement. Buyer further acknowledges and agrees that this provision has been specifically negotiated between Seller and Buyer, that Buyer has been represented by counsel in said negotiation, and that Seller would not enter into this Agreement but for the inclusion of this acknowledgement and disclaimer herein. The provisions of this Paragraph shall survive the Closing and delivery of the Deed hereunder.

13. **USE OF MONEY TO CLEAR TITLE.** To enable the Seller to make conveyance as herein provided, the Seller may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed, or within a reasonable time thereafter in accordance with standard conveyancing practice.

14. **INSURANCE.** Until the delivery of the deed, the SELLER shall maintain insurance on said premise as follows:

Type of Insurance

Amount of Coverage

(a) Fire and Extended Coverage

as presently insured

15. **ADJUSTMENTS.** There shall be no adjustments of any kind or nature. Buyer shall be responsible for all real estate taxes after the date of delivery of the deed, water and sewer charges and outstanding financing relating to the Property.

16. **LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, ETC.** If the Seller or Buyer executes this agreement in a representative or fiduciary capacity, only the principal

or the estate represented shall be bound, and neither the Seller or Buyer so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

17. **WARRANTIES AND REPRESENTATIONS.** The Buyer acknowledges that the Buyer has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing, except for the following additional warranties and representations, if any, made by the Sellers: NONE.
18. **CONSTRUCTION OF AGREEMENT.** This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and enures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be cancelled, modified or amended only by a written instrument executed by both the Seller and the Buyer. If two or more persons are named herein as Buyer their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it.
19. **LEAD PAINT LAW.** The parties acknowledge that, under Massachusetts law, whenever a child or children under six years of age resides in any residential Property in which any paint, plaster or other accessible material contains dangerous levels of lead, the owner of said Property must remove or cover said paint, plaster or other material so as to make it inaccessible to children under six years of age.
20. **TITLE STANDARDS AND PRACTICES.** Any matter or practice arising under or relating to this agreement that is the subject of a practice standard of the Real Estate Bar Association of Massachusetts shall be governed by such standard to the extent possible. Any title matter that is the subject of a title standard of the Real Estate Bar Association at the time of the delivery of the deed shall be governed by said title standard to the extent applicable.
21. **NOTICE.** Whenever, by the terms of this agreement, notice shall or may be given either to Buyer or to Seller, such notice shall be deemed to have been given only if in writing and either delivered by hand or sent by registered or certified mail, postage prepaid, if intended for the Seller, to:

Town Administrator
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532

With a copy to:

Bryan F. Bertram

Miyares and Harrington LLP
40 Grove Street, Suite 190
Wellesley, MA 02482
bbertram@miyares-harrington.com

and, if intended for the BUYER, to:

Kristina Jerome, Founder/President
Anna's Pals, Inc.
53 Addington Road
West Roxbury, MA 02132
kjerome@annaspals.org

with copies to:

John P. Connelly, Esquire
Hinckley, Allen & Snyder LLP
28 State Street
Boston, MA 02109
jconnelly@hinckleyallen.com

or to such other address or addresses as may be specified by either party to the other by like notice. All notices shall be effective when deposited in the mail within the continental United States.

22. SELLER'S REPRESENTATIONS. All the representations set forth in this clause shall survive delivery of the deed.

- (a) Seller represents that there are no parties in possession at the Property, and no work has been done on the Property that would entitle anyone to claim a mechanic's lien or to file a notice of contract relating to the premise as of the date of this Agreement.
- (b) Seller represents and warrant that Seller has complete and unencumbered ownership of all fixtures, fittings in the Property and Seller shall transfer and assign, to the extent permitted by the terms thereof, all warranties in effect concerning the Property and its fixtures at closing.
- (c) Seller represents that the Property are not the subject of any outstanding agreements with any party pursuant to which any such party may acquire any interest in the Property.
- (d) Seller has no knowledge of any litigation or proceeding, pending or threatened, that would affect a transfer of title to the Property.
- (f) Seller has not used any portion of the Property, nor permitted any other person or entity to use the Property for the purpose of storage, generation, manufacture,

disposal, transportation or treatment of any substance that may be classified as a hazardous, toxic, chemical or radioactive substance, or a contaminant or pollutant (together, "Hazardous Substances") under applicable federal, state or local law, statute, ordinance, rule or regulation ("Applicable Laws") or which may require any cleanup, remediation or other corrective action pursuant to such Applicable Laws.

Buyer may, upon determination that any representation stated in this section is inaccurate, terminate this agreement prior to closing upon written notice to Seller. In the event of such termination, any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

23. **IRS FORM 1099-S DESIGNATION.** In order to comply with the information reporting requirements of Section 6045(e) of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder, the parties agree (1) to execute an IRS Form 1099-S Designation Agreement in form mutually satisfactory to the parties at or prior to the closing to designate SELLERS' attorney(s) (the "Designees") as the party who shall be responsible for reporting the contemplated sale of the Property to the Internal Revenue Service (the "IRS") on IRS Form 1099-S; (2) to provide the Designees with the information necessary to complete Form 1099-S; (3) that the Designees shall not be liable for the actions taken under this Agreement, or for the consequences of those actions, except as they may be the result of gross negligence or willful misconduct on the part of the Designees; and (4) that the Designees shall be indemnified by the parties for any costs or expenses incurred as a result of the actions taken hereunder, except as they may be the result of gross negligence or willful misconduct on the part of the Designee. The Designees shall provide all parties to this transaction with copies of the IRS Forms 1099-S filed with the IRS and with any other documents used to complete IRS Form 1099-S.
24. **BENEFICIAL INTERESTS DISCLOSURE.** The Seller's obligations under this Agreement shall be contingent upon Buyer filing a disclosure of beneficial interests with the Division of Capital Asset Management and Maintenance pursuant to M.G.L. c.7C, §38.
25. **ENTRY ON PROPERTY.** Seller agrees to permit Buyer access to the Property prior to the date of performance herein under the following terms and conditions:
- (a) Buyer shall give at least 72 hours' notice to the Seller.
 - (b) BUYER shall not perform any work at the property including but not limited to inspections or testing of any kind to the land or the structures without written notice detailing what work is to be performed.
 - (c) Buyer shall not perform any work as stated in item b., above before first obtaining the Seller's written authorization, such written authorization not to be unreasonably withheld.

- (d) If any said work is to be performed the Property shall immediately be put back to its previous condition.
- (e) Buyer or Buyer's agents, employees, licensees and or contractors shall indemnify and hold Seller harmless from any and all personal and or property damage resulting from the entry onto the Property.

26. **DUE DILIGENCE.** Buyer shall have the right, from time to time, at Buyer's sole cost, expense, risk and hazard and in all such manner as Buyer may reasonably determine, without material damage being imposed upon the Property and remaining unrepaired, to enter upon the Property to make, or cause to be made, inspection by a person(s) engaged in the business of conducting inspections within 30 days of the date of this agreement, engineering and development findings in respect thereto, including (without limitation) the making of tests to determine whether any portion of the Property contains any Hazardous Substances under Applicable Laws or which may require any cleanup, remediation or other corrective action pursuant to such Applicable Laws, and, in general conducting other soil tests, analyses, studies and inspections of the Property. In consideration of the foregoing Buyer agrees (a) to indemnify and save Seller harmless from and against all loss, claim, liability, or damage, including reasonable attorney fees, arising out of or with respect to any and all entries and activities as aforesaid by Buyer and/or Buyer's agents, employees, licensees and contractors; and (b) as soon as practicable after any excavation to restore the surface and subsurface of the Property to substantially the same condition as they were in immediately prior to such excavation. Buyer shall provide Seller with a copy of any and all studies performed at the Property.

Upon determination that any Hazardous Substance is present on or in the Property, the Buyer may terminate this agreement upon written notice to the Seller. If the results of an inspection conducted pursuant to this Paragraph are unsatisfactory to the Buyer, then the Buyer may terminate this agreement by written notice to the Seller prior to the expiration of this contingency, which runs 30 days from the date of this agreement. In the event of such termination due to a determination of the presence of any Hazardous Substance or an unsatisfactory inspection, any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

27. **SELLER'S CLOSING STATEMENT.** Seller agrees to execute at the closing a statement under oath to the Buyer or to any title insurance company issuing a policy to Buyer to the effect that: (1) there are no tenants, lessees or parties in possession of the Property; (2) Seller has no knowledge of any work having been done to the Property which would entitle anyone now or hereafter to claim a mechanics' or materialmens' lien on the Property; (3) Seller agrees to indemnify and hold harmless the Buyer and the title insurance company from any losses, costs, or damages sustained as a result of issuing a policy without exceptions covered by such representations; and (4) Seller is not a foreign person subject to the withholding provisions of the Internal Revenue Code of 1986, as amended (FIRPTA), as well as such other forms as are customary and reasonably necessary to satisfy the BUYER or the BUYER's counsel or its title insurer.

28. **TERMINATION.** In the event that this transaction has not closed within six months following the date hereof, either party can terminate this transaction, without further recourse to the parties hereto.
29. **SIGNATURES.** The Parties acknowledge and agree that this Agreement may be signed in counterparts, and for purposes of this Agreement, facsimile or electronically scanned signatures shall be construed as original.
30. **EXHIBITS.** The enumerated Exhibits 1 – XX, attached hereto, are incorporated herein by reference.

Exhibit 1 – Historic Preservation Restriction

Exhibit 2 – Buyer’s Response to the Town RFP

Exhibit 3 – Form of Deeds

Exhibit 4 – Town Meeting Votes

NOTICE: This is a legal document that creates binding obligations. If not understood, consult an attorney.

WITNESS the execution hereof under seal as of the day and year first above written.

SELLER

Town of Bourne

By its Town Administrator, duly authorized

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared Marlene McCollem, Town Administrator of the Town of Bourne, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed to the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:

_____, to be the person whose name is signed to the proceeding or
attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:

My Commission Expires:

BUYER

ANNA'S PALS

By: Kristina Jerome, its President

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this 23 day of MAY, 2023, before me, the undersigned notary public,
personally appeared Kristina Jerome, President of Anna's Pals
and proved to me through satisfactory evidence of identification, which was
Driver's License, to be the persons whose name are signed to the
proceeding or attached document, and acknowledged to me that they signed it voluntarily for its
stated purpose.

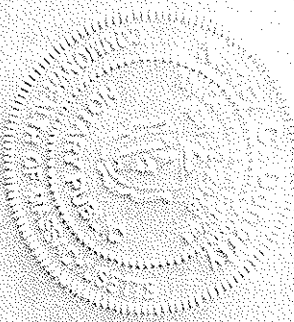
Nancy C. Doherty
Notary Public:

My Commission Expires:

May 12, 2028

The Commonwealth of Massachusetts
On this 23 day of MAY 2023 before me the,
undersigned notary public, _____
personally appeared before me, and proved to me through
satisfactory evidence of identification, which were _____
_____, to be the person whose name is
signed on the preceding or attached document in my presence.

Nancy C. Doherty
Nancy C. Doherty, Notary Public
My Commission Expires May 12, 2028





State Aid Reimbursable Programs Reimbursement Request

City/Town: Bourne Project Name: Pavement Management Support 2021

Contract # 50740

Program Type: Chapter 90 ☒ Complete Streets ☐ Shared Streets ☐ Small Bridge ☐ Other ☐

Project request was approved on 5/5/20 For \$ 25,000

at 100% Reimbursement Rate = \$ 25,000.

- 1) Attached are forms which document payment of approved expenditures totaling \$ 2,844.35 for which we are requesting \$ 2,844.35 at the approved reimbursement rate of 100%.
- 2) The amount expended to date on this project is \$ 24,963.85 Including this payment.
- 3) Is this request for a FINAL payment on this project? ☒ Yes ☐ No
If yes: Include a "Final Report"
- 4) Remarks:

100% complete

CERTIFICATION

- A. I hereby certify under penalties of perjury that the charges for labor, materials, equipment, and services itemized and summarized on the attached forms are true and correct, and were incurred on this project in conformance with the MassDOT Highway Division Policies and established Municipal Standards that were approved for this project.

(Signed) Director (Municipal Highway Official Title) _____ (Date)

- B. I/we certify under penalties of perjury that the items as listed or summarized on the attached forms were examined; that they are in conformity with our existing wage schedule, equipment rates, and all applicable statutes and regulations; that they are properly chargeable to the appropriation(s) designated for this work; and that Executive Order No. 195, dated April 27, 1981 and Chapter 11, Section 12 is acknowledged as applicable.

REVIEWED AND APPROVED FOR TRANSMITTAL

by _____ Signed: _____

Town Accountant
(Accounting Officer's Title)

Town Administrator

DATE _____

(Duly Authorized)

Submit this form to the District State Aid Engineer and Highway Director.



STATE AID REIMBURSABLE PROGRAMS - MATERIALS - HED 454 FORM

Updated 12/2017

City/Town of: Bourne

PROJECT NAME: Pavement Management Support 2021

PROGRAM TYPE: Chapter 90 ☐ Muni Bridge ☐ Complete Streets ☐ Other ☐

MATERIALS for period beginning February 2022 and ending April 2022
both inclusive, on account of Contract No. 50740 with MassDOT Highway Division,

VENDOR NAME	ITEM #	QTY.	UNIT	UNIT PRICE	AMOUNTS	CHECK #	REMARKS
				\$	\$		
Environmental Partners	engineering	1		\$ 2,844.3500	\$ 2,844.3500	297424	
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
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					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
TOTAL					\$ 2,844.3500		

"To the best of my knowledge the purchases of materials or services appearing on this sheet are not in conflict with Chapter 779 of the Acts of 1962.
Signed under the penalty of perjury."



FINAL REPORT STATE AID REIMBURSABLE PROGRAMS

FUNDING PROGRAM: Chapter 90 ☒ Municipal Small Bridge ☐ Complete Streets ☐ Other ☐

Contract #: 50740

City/Town: Bourne Project Name: Pavement Management Support 2021

Location(s):

Length: Feet Width: Feet

Work was Started: / / and Completed: / /

Work was Suspended: / / and Resumed: / /

Done by: Force Account ☐ Advertised Contract ☐ Other ☒

City/Town submitted Contractor Evaluation to MassDOT Prequalification Unit, if applicable (Chapter 90 only): Yes ☐ No ☐

* REMARKS:

EXPENDITURES:	State Funds @ 100%	\$24,963.85
	Municipal Funds	\$0
	Other Funds	\$0
	TOTAL PROJECT EXPENDITURES	\$24,963.85

SCOPE OF WORK:

CERTIFICATION

The undersigned hereby certify under penalties of perjury that documentation to substantiate the above expenditures is available for examination in accordance with Executive Order No. 195 (April 27, 1981) and Chapter 11, Section 12.

We further certify that all equipment rental costs are within the approved limits established by the MassDOT Highway Division, that the Municipality has complied with all applicable statutes and regulations, that the requests for reimbursements for allowable project expenses actually incurred are in conformance with the "Chapter 90" Project Request, and that the Municipality will be responsible for the future maintenance of this project including the cost thereof.

Copies of the notification published in the Central Register and notice in a newspaper of local circulation required by Chapter 149, Section 44J, and the prevailing wages as determined by the Department of Labor and Industries obtained in compliance with Chapter 149, Section 27F, of the General Laws, as applicable, must be attached.

PREPARED & REVIEWED BY:

Director	
Highway Officer's Title	Date
Town Accountant	
Accounting Officer's Title	Date

SIGNED:

Duly Authorized Municipal Officials	
Date	

- Include additional contract numbers if other Chapter 90 Funds were also used. List street names, total amounts charged to each location, extra work orders, etc. Use back if necessary, or attach supporting papers.
- If project uses multiple funding sources, please submit for individual project reimbursements.
- List sources, names, amounts and date contract expires.

Submit this Form to District Highway Director



State Aid Reimbursable Programs Reimbursement Request

City/Town: Bourne Project Name: Shore Rd. @ Barlows Landing Rd. Intersection Improvements

Contract # 50740

Program Type: Chapter 90 ☒ Complete Streets ☐ Shared Streets ☐ Small Bridge ☐ Other ☐

Project request was approved on 6/8/21 For \$ 107,600

at 100% Reimbursement Rate = \$ 107,600

- 1) Attached are forms which document payment of approved expenditures totaling \$ 19,735.00 for which we are requesting \$ 19,735.00 at the approved reimbursement rate of 100%.
- 2) The amount expended to date on this project is \$ 97,225.00 Including this payment.
- 3) Is this request for a FINAL payment on this project? ☐ Yes ☒ No
If yes: Include a "Final Report"
- 4) Remarks:

90% complete

CERTIFICATION

- A. I hereby certify under penalties of perjury that the charges for labor, materials, equipment, and services itemized and summarized on the attached forms are true and correct, and were incurred on this project in conformance with the MassDOT Highway Division Policies and established Municipal Standards that were approved for this project.

(Signed) Director (Municipal Highway Official Title) _____ (Date)

- B. I/we certify under penalties of perjury that the items as listed or summarized on the attached forms were examined; that they are in conformity with our existing wage schedule, equipment rates, and all applicable statutes and regulations; that they are properly chargeable to the appropriation(s) designated for this work; and that Executive Order No. 195, dated April 27, 1981 and Chapter 11, Section 12 is acknowledged as applicable.

REVIEWED AND APPROVED FOR TRANSMITTAL

by _____ Signed: _____

Town Accountant
(Accounting Officer's Title)

Town Administrator
(Duly Authorized)

DATE _____

Submit this form to the District State Aid Engineer and Highway Director.



STATE AID REIMBURSABLE PROGRAMS - MATERIALS - HED 454 FORM

Updated 12/2017

City/Town of: Bourne

PROJECT NAME: Shore Rd. @ Barlows Landing Rd. Intersection Improvements

PROGRAM TYPE: Chapter 90 ☐ Muni Bridge ☐ Complete Streets ☐ Other ☐

MATERIALS for period beginning May 2022 and ending January 2023
both inclusive, on account of Contract No 50740 with MassDOT Highway Division,

VENDOR NAME	ITEM #	QTY.	UNIT	UNIT PRICE	AMOUNTS	CHECK #	REMARKS
				\$	\$		
Environmental Partners	Consulting	1		\$ 5,985.0000	\$ 5,985.0000	298484	
Environmental Partners	Consulting	1		\$ 7,425.0000	\$ 7,425.0000	299027	
Environmental Partners	Consulting	1		\$ 2,475.0000	\$ 2,475.0000	299755	
Environmental Partners	Consulting	1		\$ 1,100.0000	\$ 1,100.0000	300490	
Environmental Partners	Consulting	1		\$ 2,750.0000	\$ 2,750.0000	301855	
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
					\$ -		
TOTAL					\$ 19,735.0000		

"To the best of my knowledge the purchases of materials or services appearing on this sheet are not in conflict with Chapter 779 of the Acts of 1962.
Signed under the penalty of perjury."



State Aid Reimbursable Programs Reimbursement Request

City/Town: Bourne Project Name: Shore Rd. @ Trowbridge Rd. Intersection Improvements

Contract # 50740

Program Type: Chapter 90 ☒ Complete Streets ☐ Shared Streets ☐ Small Bridge ☐ Other ☐

Project request was approved on 6/8/21 For \$ 106,600

at 100% Reimbursement Rate = \$ 106,600.

- 1) Attached are forms which document payment of approved expenditures totaling \$ 6,347.00 for which we are requesting \$ 6,347.00 at the approved reimbursement rate of 100%.
- 2) The amount expended to date on this project is \$ 70,450 Including this payment.
- 3) Is this request for a FINAL payment on this project? ☐ Yes ☒ No
If yes: Include a "Final Report"
- 4) Remarks:

66% complete

CERTIFICATION

- A. I hereby certify under penalties of perjury that the charges for labor, materials, equipment, and services itemized and summarized on the attached forms are true and correct, and were incurred on this project in conformance with the MassDOT Highway Division Policies and established Municipal Standards that were approved for this project.

(Signed) Director (Municipal Highway Official Title) _____ (Date)

- B. I/we certify under penalties of perjury that the items as listed or summarized on the attached forms were examined; that they are in conformity with our existing wage schedule, equipment rates, and all applicable statutes and regulations; that they are properly chargeable to the appropriation(s) designated for this work; and that Executive Order No. 195, dated April 27, 1981 and Chapter 11, Section 12 is acknowledged as applicable.

REVIEWED AND APPROVED FOR TRANSMITTAL

by _____ Signed: _____

Town Accountant
(Accounting Officer's Title)

Town Administrator
(Duly Authorized)

DATE _____

Submit this form to the District State Aid Engineer and Highway Director.



STATE AID REIMBURSABLE PROGRAMS - MATERIALS - HED 454 FORM

Updated 12/2017

City/Town of: Bourne

PROJECT NAME: Shore Rd. @ Trowbridge Rd. Intersection Improvements

PROGRAM TYPE: Chapter 90 ☐ Muni Bridge ☐ Complete Streets ☐ Other ☐

MATERIALS for period beginning July 2022 and ending October 2022
both inclusive, on account of Contract No. 50740 with MassDOT Highway Division,

VENDOR NAME	ITEM #	QTY.	UNIT	UNIT PRICE	AMOUNTS	CHECK #	REMARKS
				\$	\$		
Environmental Partners	Consulting	1		\$ 5,777.0000	\$ 5,777.0000	298484	
Environmental Partners	Consulting	1		\$ 570.0000	\$ 570.0000	299755	
					\$ -		
					\$ -		
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					\$ -		
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					\$ -		
					\$ -		
					\$ -		
TOTAL					\$ 6,347.0000		

"To the best of my knowledge the purchases of materials or services appearing on this sheet are not in conflict with Chapter 779 of the Acts of 1962.
Signed under the penalty of perjury."

**Select Board
Minutes of Tuesday, April 18, 2023
Bourne Veterans' Community Center – Rm 2
Buzzards Bay, MA
Or Virtually**

ATA Liz Hartsgrove

Select Board

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

Others: John York (virtual, 8:37).

The Zoom Chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time.

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

Zoom Meeting ID: 869 5775 5505 Password : 529740

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

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.**

After the salute to the flag, Chair Meier asked all to remain standing to remember Jeffrey Tirrell, an employee of the Bourne DPW, who passed away last week. He asked all to keep his family in their thoughts.

- 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. Select Board Workshop Discussion

- a. Special Events and Outdoor Facilities – identified as a priority topic at the February 14, 2023, Policy Workshop.**
- b. Rules of Procedures – continued discussion**
 - i. “Section II. Procedure for Establishing Policies and Procedures”**
 - ii. “Section VIII. Correspondence”**
 - iii. New Section “Certificate of Vote”**

5.a. Special Events and Outdoor Facilities – identified as a priority topic at the February 14, 2023 Policy Workshop.

Assistant Town Administrator Liz Hartsgrove said that she submitted a memo in the packet for tonight’s meeting. She said she has done some research and has received feedback from Town employees on the Special Events policy. The feedback received was about how it could be more of a collaborative effort in support of the Select Board, the Staff and Event Organizers. She said that some of the challenges and/or barriers that have been communicated to her is that the current Special Events policy is just for Buzzards Bay Park. She said that they have over 60 events on the calendar and half of them are not in Buzzards Bay Park.

Ms. Hartsgrove provided some examples of Special Events policies and said she would like feedback from the Select Board to create policies for other areas than only Buzzards Bay Park. She said that the policy for Buzzards Bay Park gives an outline but wants to know if that is a standard that the Select Board would like to follow, and she would like feedback to help start the process.

Jared MacDonald said that he likes the fact that Ms. Hartsgrove is looking at the fact that there are many events that are not held in Buzzards Bay Park, and that some events just pass through. He also likes the first come first served policy, so that the sooner an event organizer contacts the Town, the better for them. He said that for some larger events, there should be a policy that the application should be in by a specified time before the proposed event, to allow for prep time for Staff.

Chair Meier said that there are organizations that come every year, and there should be a streamlined way to move everything along for them quicker. Mr. MacDonald said that you can only streamline so much due to staff changes and other policies that need to be followed.

Mary Jane Mastrangelo said that there is a Community Building Reservation policy and there is an Outdoor Recreation Reservation policy, and she thinks that there needs to be some streamlining done with the whole process. She does not think that it is a good use of time for the Select Board or the applicants to be going to Select Board meetings for something that could easily be approved by the Administration. She said that alcohol events still need to go to the Select Board. She had an idea that there could be a correspondence that after the

applicants go through administration, then administration tells the Select Board, then the Select Board takes it from there. She also added that there must be a time limit in advance of a large attendance event.

Ms. Hartsgrove said that when you streamline an event, it encourages event organizers to come back. There was more conversation on setting policy, and all agreed that they like reporting about the events at the beginning of Select Board meetings. There also was some discussion about a Special Events calendar on the Town website or possibly a Special Events page on the website.

Ms. Mastrangelo brought up family private events, and said she is uncomfortable approving of them currently because they are not private events. There was some discussion about the use of public areas for family events. Ms. Hartsgrove said that they get many requests to have a wedding on a beach, where a sticker is needed. She said that this has created an opportunity for the Select Board to consider if someone is asking to make Bourne part of their special day, and they are not allowed because they are not Bourne residents. She said that possibly a visitor parking pass could be developed, and maybe a pilot program for a season could be done. There was some discussion about parking at the beaches and about guidelines for private events regarding times, music, tents, etc.

Ms. Hartsgrove said that she is pulling together a team to put together some recommendations and at the next workshop in which events will be discussed, town staff will work with the Select Board by answering technical questions.

Ms. Froman said that regarding family events, she does not feel that families should have exclusive use of the public area. Ms. Mastrangelo said that she has a problem with even the tent usage for private events and she said that an approval process needs to be worked out.

Chair Meier brought up 1st Amendment uses. He said that once the bridge construction starts, the whole area by the Dunkin Donuts at the Bourne Bridge will be taken over, and the groups that use that area will be looking for another area to go to. Ms. Hartsgrove said that 1st amendments are tricky. She said that on town property, they cannot restrict 1st amendment rights. Towns recommend that there is advance notification that there will be a demonstration at a certain location with an estimated attendance, so that public safety and DPW are aware. There was more discussion about for profit and nonprofit businesses renting or reserving public areas in town.

Mr. MacDonald said that they need to figure out what sites they have and what sites are available because there are some sites that people may not even think about. He said that they should look at alcohol and certain days of the week regarding availability. There was more discussion on alcohol at events and about police details.

There also was some discussion about balloons, and Ms. Mastrangelo, Ms. Forman and Chair Meier are opposed to them because they are not good for the environment. Ms. Hartsgrove said that more discussions about incentives for environmentally friendly events need to be had. There was also more discussion about fees.

5.b. Rules of Procedures – continued discussion

- i. **“Section II. Procedure for Establishing Policies and Procedures”**
- ii. **“Section VIII. Correspondence”**
- iii. **New Section “Certificate of Vote”**

Chair Meier said that he would like to see if in the future the Select Board would like to discuss a different process for the agenda procedure to see if it can be changed a little bit. Ms. Mastrangelo said that the agenda items do need to be looked at and she does not think they should talk about procedures at this meeting because the Town Administrator is not here.

There was discussion about a list of policies that would make it easy to be able to find a certain policy. Ms. Mastrangelo said that there needs to be a way for all to offer comments regarding policies without being in violation of the Open Meeting Law.

6. Correspondence

Melissa Ferretti read aloud the correspondence:

- 2 DEP Letters.
- Abutters notice – 225 Main Street.
- Xfinity Channel Update.
- ABCC Hearing Notice.
- Decision Letter re: Country Farms Package Store License.
- Independence House Statistics for Jan through March.
- Email from B. Kromer re: Bridge Replacement Alternatives.
- Camp Edwards 2023 Public Tours.
- Email from J. York re: Cape Cod Regional Transportation Plan.
- Talent Bank Form – E Busnengo – Housing Partnership.

These are all on the Town’s website.

7. Minutes: April 5, 2023

Deferred.

8. Future Agenda Items – Diversity, equity, and inclusion discussion.

Chair Meier said that what brought this agenda item was twofold. One is the Easthampton School Committee’s recent action of removing an offer from a Superintendent applicant because of the way he presented himself to the committee. Chair Meier said that he thinks that as a board, they need to be educated and need to have a workshop with a facilitator to talk to the HR Director to see if they can do a forum about diversity, equity, and inclusion.

Chair Meier said that he has been receiving calls regarding Comcast again, so he thinks it is time to bring Mike Gallo before the board again due to programming issues.

Ms. Mastrangelo said that she would like to add assigning of Select Board articles for making motions at Town Meeting as a future agenda item.

Chair Meier also said that there will be a Curbside Recycling presentation as a future item also. There also will be a discussion about changing the structure of the Board of Sewer Commissioners at a future meeting.

Ms. Hartsgrove said that Chief Esip asked her to announce that the Police Department is going to be introducing a comfort dog program, and they are receiving an 8-week-old Labrador around April 20th. This dog will be working in the schools, assisting with programs, and offering assistance to staff also. There will be a tentative public event to introduce the service pup in May or June, and a name will be determined soon.

9. Upcoming meetings:

April 25 – Executive Session @ 6:15; BOSC @ 7 PM

May 1 – prior to Town Meeting

May 2 – prior to Town Meeting, if necessary

May 9 – Select Board

May 23 – Curbside Trash & Recycling Policy Workshop & Select Board reorganization.

May 30 – BOSC

10. Adjourn

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

Vote: 5-0-0.

This meeting of the Bourne Select Board was adjourned at 9:05 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

Select Board
Minutes of Tuesday, April 25, 2023
Bourne Veterans' Community Center – Rm 2
Buzzards Bay, MA
Or Virtually

TA Marlene McCollem
ATA Liz Hartsgrove

Select Board

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

Others: John York (virtual, 8:37), Emma Busnengo, Heather DiPaolo, and Shawn Patterson, DPW Director.

The Zoom Chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time.

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

Zoom Meeting ID: 869 5775 5505 Password : BOURNE

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

8:00 PM Call Public Session to Order in Open Session

- 1. 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.

John York just wanted to remind people of the bridges project. He said that there is a meeting of the Board of Directors of the Department of Transportation on April 27th at 9 AM by Zoom.

- 2. Appointments and Licenses**

- a. Discussion and possible vote to appoint Emma Busnengo to the Housing Partnership Committee as an at-large member with a term that expires on June 30, 2024.**
 - 2.a. Discussion and possible vote to appoint Emma Busnengo to the Housing Partnership Committee as an at-large member with a term that expires on June 30, 2024.**

Chair Meier said that Emma Busnengo reached out to him about a month ago about how passionate she is about public housing. He encouraged her to try to join the Housing Partnership Committee. Ms. Busnengo said that she would like to join this committee because she is part of the next generation that is affected by affordable housing. She feels that it is important for younger people to commit to making a positive impact on their future. She said she would like to give her knowledge to the community.

Melissa Ferretti said that Emma Busnengo is an example of what our youths need to do, and she thinks it is outstanding that she stepped up to do it. Judith Froman agreed with Ms. Ferretti.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded to appoint Emma Busnengo to the Housing Partnership Committee as an at-large member with a term that expires on June 30, 2024.

Vote: 5-0-0.

3. Select Board's Business

- a. Curbside/Recycling Split Body Truck Informational Presentation by Recycling Committee.**
- b. Discussion and possible vote to assign Town Meeting Articles.**
- c. Discussion and possible vote on the Select Board's recommendation regarding Special Town Meeting Articles 7 & 8.**
- d. Discussion of any other outstanding Town Meeting business.**

3.a. Curbside/Recycling Split Body Truck Informational Presentation by Recycling Committee.

Heather DiPaolo, Chair of the Recycling Committee, started her presentation by saying that the Recycling Committee has been very busy with conferences and events. She also said that they do have a few open spots on the Recycling Committee.

Ms. DiPaolo said that they have had people approaching committee members and have had letters written to them asking if the Town was throwing away their recycling. She said that they say that when they watch the truck pick up their trash and recycling that they are both going into the same truck. She said that she is at this meeting to say that they are recycling.

Ms. DiPaolo explained that there is truck called the R4 truck which is a split body which means it can take both the recycling and the trash bin and drop them into two separate bins. She said that everyone should place their bins with wheels to the back, and 3 feet apart, and when in doubt – throw it out.

Chair Meier asked about the possibility of a third bin for food waste. Ms. DiPaolo said that currently people can bring their food waste to the Recycling Center, and they have partnered with Black Earth who picks it up. She said that there is also a collection at one of the schools for the back of the house food waste. She said that they are slowly

building this up and the next step would be that the residents could have a subscription with Black Earth so that they would drive around to pick up food waste, although that is not happening at this time.

Ms. Froman said that the information about the split truck should be in the paper, and if it has been already, then maybe it should be in the paper again. Ms. DiPaolo said that they are putting it on the DPW Facebook page, and it is on the Bourne Recycling Committee website.

DPW Director Shawn Patterson said that 2 years ago they put a demonstration about how to recycle with the barrels on their Facebook page. They plan on doing another one, and they are talking about having an open house for residents to see how the DPW operates. He said that they are looking into some other educational ideas and will be using the website as a tool. Ms. DiPaolo added that they do use some of the same trucks to do trash one day and recycling another day.

3.b. Discussion and possible vote to assign Town Meeting Articles.

Chair Meier said that they would go through the list of articles and make assignments together. The article assignments are:

Special Town Meeting

Article 1 – Judith Froman
Article 2 – Melissa Ferretti
Article 3 – Jared MacDonald
Article 4 – Melissa Ferretti
Article 5 – Mary Jane Mastrangelo
Article 6 – Chair Meier

There was some discussion about Special Town Meeting articles 7 and 8.

Annual Town Meeting

Article 1 – Chair Meier
Article 2 – Mary Jane Mastrangelo
Article 3 – Mary Jane Mastrangelo
Article 4 – Mary Jane Mastrangelo
Article 5 – Jared MacDonald
Article 6 – Melissa Ferretti
Article 7 – Chair Meier
Article 8 – Chair Meier
Article 9 – Jared MacDonald
Article 10 – Jared MacDonald
Article 11 – Melissa Ferretti
Article 12 – Judith Froman

Article 13 – Judith Froman
Article 14 – Melissa Ferretti
Article 15 – Melissa Ferretti
Article 16 – Melissa Ferretti
Article 17 – Jared MacDonald
Article 18 – Judith Froman
Article 19 – Judith Froman
Article 20 – Mary Jane Mastrangelo
Article 21 – Chair Meier
Article 22 – Judith Froman

Special Town Meeting

Article 7 – Jared MacDonald
Article 8 – the Planning Board or Mary Jane Mastrangelo

3.c. Discussion and possible vote on the Select Board's recommendation regarding Special Town Meeting Articles 7 & 8.

There was discussion about various scenarios on how the votes could go on articles 7 and 8. Chair Meier said that he feels that the bylaw should be repealed and that article 7 should pass. He feels that Bourne should have a recreational license in town so that people will have the option to purchase in Bourne rather than going everywhere else. He feels that the controls are in place, and it is so regulated that he feels that a repeal should happen.

Jared MacDonald said that he does not want to make a stand and he would rather leave it up to the voters. Ms. Ferretti said that she thinks that it's not up to the Select Board and it needs to be the residents.

Ms. Mastrangelo said that she is not sure that this is something that the Select Board needs to make a recommendation on. She said that if the Select Board votes to recommend this article, then there is a positive motion and it would be the Select Board's motion, and if the Select Board does not take a position, then there is not a positive motion, and it is the petitioner's motion.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded that the Select Board take no position on Special Town Meeting article 7, repeal of the ban on marijuana establishments.

Vote: 5-0-0.

There was some discussion about article 8 and how the Board should vote. There was also discussion about what will happen if article 7 passes or what will happen if it does not.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded that if Special Town Meeting article 7, Repeal of the Ban on Marijuana Establishments passes, the Select Board recommends approval of the motion on Special Town Meeting article 8, Marijuana Zoning Bylaw. Ms. Mastrangelo further moved that if Special Town Meeting article 7 fails, the Select Board recommends indefinite postponement of Special Town Meeting article 8.

Vote: 5-0-0.

Voted: Mary Jane Mastrangelo moved, and Jared MacDonald seconded that if Special Town Meeting article 7 fails, and a positive motion is made from the floor on article 8, the Select Board recommends a no vote on the positive motion.

Vote: 5-0-0.

3.d. Discussion of any other outstanding Town Meeting business.

None.

4. Town Administrator's Report

Ms. McCollem said regarding the Sagamore Bridge construction project the Army Corps is in communication with the Town when there are problems with the temporary traffic signals. She said that MassDOT, the contractor and Bourne Police are looped together in these updates. She said that in attempt to alleviate some of the gridlock in the Adams Street area, MassDOT has restricted Adams Street and Westdale Park to local traffic only. MassDOT also told all the traffic apps that the roads are closed. She said that residents were alerted to the closures in various ways.

Ms. McCollem gave a brief update on lifeguards. She said that there are currently 4 confirmed lifeguards, with a possibility of 4 more, and this could change. She said that with the current situation that there is the possibility of having training on June 29th and 30th. The plan currently is to guard Monument Beach from July 1st to August 13th.

Ms. McCollem said that she has received an update from the DPW Director regarding the Pocasset ball field, in which they do not have any concerns about the field prior to the start of the season. Replacement bulbs for the lights that are out have been ordered.

Ms. McCollem said that traffic counts will be conducted by the Cape Cod Commission for 12 locations throughout the town. Ms. McCollem said that MassDOT will hold a virtual public hearing for the Scenic Highway project on June 8th at 7 PM. She also reported that the scope of work and contract documents are being finalized for the Recreation Committee's hard court rehabilitation project.

Ms. McCollem said that she has received some questions about aquaculture licenses. She said there are currently 6 licenses issued by the board, with approximately 20 ½ acres in cultivation. In 2016, the Selectmen approved a moratorium on issuing any additional licenses. The

Massachusetts Division of Marine Fisheries must approve all local aquaculture grants and does not approve commercial licenses in areas with existing shellfish populations, which includes a large portion of Bourne's waters. She said that if this is something the Select Board would like to revisit in the future, to let her know and Director Southwood would be happy to appear before the Board.

Ms. McCollem also reported that MassDOT will be hosting a live open house for the bridge replacement project, in the Bourne Veterans Community Center on May 17th from noon to 3 PM and from 5 PM to 8 PM. She has requested that MassDOT provide a police detail to keep traffic moving through the parking lot due to the possibility of large crowds. There will also be extra handicapped spaces for that day and the buses will be moved out of the lot before noon.

5. Minutes

None.

6. Correspondence

None.

7. Committee Reports

Ms. Froman said regarding the CCMPO, that she posted the public comments for the TIP (Transportation Improvement Program) on the Bourne Residents site and sent copies to the Select Board. There was some discussion about the Bourne Rotary.

8. Other Business

Chair Meier thanked all that went to the memorial service for Jeff Tirrell.

9. Upcoming meetings

May 1 – prior to Town Meeting

May 2 – prior to Town Meeting, if necessary

May 9 – Select Board

May 23 – Curbside Trash & Recycling Policy Workshop & Select Board reorganization & Plowing Policy.

10. Adjourn

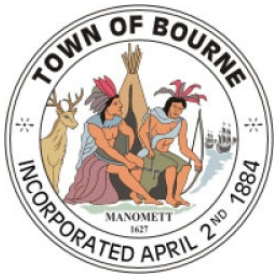
Voted: Jared MacDonald moved, and Judith Froman seconded to adjourn.

Vote: 5-0-0.

This meeting of the Bourne Select Board was adjourned at 8:56 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



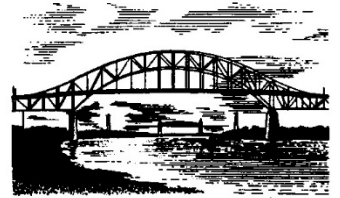
Town of Bourne Select Board



www.townofbourne.com



24 Perry Ave, Bourne, MA 02532



Public Meeting Minutes

Members Present: Chairperson Peter Meier; Vice Chairperson Jared MacDonald; Clerk Melissa Ferretti; Mary Jane Mastrangelo; Judith Froman.

Staff Present: Town Administrator Marlene McCollem; Assistant Town Administrator Liz Hartsgrrove

1. CALL MEETING TO ORDER

The Bourne Select Board Public Meeting was called to order at approximately 6:17p.m. on **Monday, May 1, 2023** and was held in person at Bourne High School Student Services Conference Room at 75 Waterhouse Road, Bourne MA.

2. APPOINTMENTS AND LICENSES

- a. Discussion and possible vote to allow the BHS Boys Lacrosse Team to hold a car wash on 5/20 at the Sagamore and Buzzards Bay Fire Station

Town Administrator McCollem confirmed the application is in order, for Board consideration.

Motion: To move the Select Board approve the Use of Town Property application filed by Bourne High School Boys Lacrosse Team to hold a car wash on May 20, 2023 at the Sagamore and Buzzards Bay Fire Stations, as submitted.

Motion by: Jared MacDonald Seconded by: Judith Froman Vote: Yea – 5 Nay - 0

- b. Discussion and possible vote to allow the National Multiple Sclerosis Society to use town roads for their cycling event on June 24 and 25, 2023.

Town Administrator McCollem confirmed the application is in order, for Board consideration.

Motion: To move the Select Board approve the One Day Liquor License filed by the National Multiple Sclerosis Society for an event to be held on June 24, 2023 at the Mass Maritime Academy, as submitted.

Motion by: Jared MacDonald Seconded by: Judith Froman Vote: Yea – 5 Nay - 0

- c. Discussion and possible vote to approve a One Day Liquor License for the National MS Society at Mass Maritime Academy on June 24, 2023.

Town Administrator McCollem confirmed the application is in order, for Board consideration.

Motion: To move the Select Board approve the Use of Town Property application filed by the National Multiple Sclerosis Society to use town owned public ways for a cycling event to be held on June 24 and 25, 2023, as submitted.

Motion by: Jared MacDonald Seconded by: Judith Froman Vote: Yea – 5 Nay - 0

- d. Discussion and possible vote to allow the Bourne Recreation Department to host Paint Night at Buzzards Bay Park on June 13, 2023.

Town Administrator McCollem confirmed the application is in order, for Board consideration.

Motion: To move the Select Board approve the Use of Town Property application filed by the Town of Bourne Recreation Department for a Paint Night event to be held on June 13, 2023 at the Buzzards Bay Park, as submitted.

Motion by: Jared MacDonald Seconded by: Judith Froman Vote: Yea – 5 Nay - 0

3. SELECT BOARD'S BUSINESS

- a. Discussion and possible vote to approve 2 donations made to the Council on Aging.

Motion: To move the Select Board accept a \$20.00 donation from Susan Blaauw; and a \$30.00 donation from Susan Galloway for AARP Tax Prep, as submitted.

Motion by: Jared MacDonald Seconded by: MJ Mastrangelo Vote: Yea – 5 Nay - 0

- b. Discussion and possible vote to approve a donation made to the Library.

Motion: To move the Select Board accept a \$50.00 donation from County Ridge Residents Association in Monument Beach to the Jonathan Bourne Public Library, as submitted.

Motion by: Jared MacDonald Seconded by: Melissa Ferretti Vote: Yea – 5 Nay - 0

- c. Discussion and possible vote to declare May the month of the Military Child in the Town of Bourne.

Motion: To move the Select Board vote to approve the following declaration, as submitted:

WHEREAS, the people of the Town of Bourne have great admiration and the utmost gratitude for all the men and women who selflessly serve their country and this community in the Armed Forces; and

WHEREAS, our service men and women have paid the high price of freedom by leaving their families and communities while placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the families of military personnel are significant and recognized; and

WHEREAS, these relatives – parents, children and spouses - are considered to be an important and vital part of our community; and

WHEREAS, we as a Town commit to providing assistance to all in our community that are facing the unique challenges of supporting a soldier;

NOW, THEREFORE, BE IT RESOLVED, that WE, the Bourne Select Board hereby proclaim that May 2023 be named the Month of the Military Child, and that each in our town be

encouraged to honor the service and sacrifice of the families supporting the nation's men and women in uniform.

Motion by: MJ Mastrangelo Seconded by: Judy Ferretti Vote: Yea – 5 Nay - 0

- d. Discussion and possible vote of the Select Board to authorize the Police Chief to assign Officers at the polls.

Motion: To move the Select Board approve a sufficient number of police officers at the polling location at every election therein to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54 which was changed in section 13 of Chapter 92 of the Acts of 2002.

Further, move to designate the Police Chief with the authority to assign specific police officers according to their scheduling and availability. The Town Clerk will advise the Police Chief on the polling locations and the time when the officers are needed to report to them.

Motion by: Jared MacDonald Seconded by: Melissa Ferretti Vote: Yea – 5 Nay - 0

- e. Discussion and possible vote to approve the donation of surplus technical rescue equipment by the Fire Department.

Motion: To move the Select Board approve donating various Fire Department technical rescue accessories to the Barnstable County Technical Rescue Team, as recommended and submitted by the Fire Chief.

Motion by: Jared MacDonald Seconded by: Melissa Ferretti Vote: Yea – 5 Nay - 0

4. APPROVAL OF MINUTES

- a. March 28, 2023

Motion: To move the Select Board approve the March 28, 2023 Minutes, as submitted.

**Motion by: MJ Mastrangelo Seconded by: Judith Froman Vote: Yea – 4 Nay - 0 Abstain – 1
(MacDonald)**

5. DISCUSS AND PREPARE FOR BOTH THE SPECIAL AND ANNUAL TOWN MEETINGS AND TO ACT ON ANY ARTICLES AS NECESSARY

MJ Mastrangelo spoke about Annual Town Meeting Article 20 in relation to Special Town Meeting Article 5. If STM Article 5 fails, Member Mastrangelo recommended the Select Board continue making a motion in favor of Article 20 to allow the authorization for the Board to transfer parcel 0 Sandwich Road as a precautionary measure if the Historical Society were able to raise funds to move the Keene House.

The Board members agreed; no vote was taken.

6. THE SELECT BOARD WILL MEET TO PARTICIPATE, DISCUSS AND VOTE ON BOTH THE SPECIAL AND ANNUAL TOWN MEETING ARTICLES IN THE AUDITORIUM AT THE BOURNE HIGH SCHOOL UNTIL TOWN MEETING'S CONCLUSION

The Board members agreed to keep the meeting open, shifting to the Auditorium to participate in the Annual and Special Town Meeting.

7. CORRESPONDENCE

No Correspondence was presented.

8. OTHER BUSINESS

No other business came before the Board.

9. UPCOMING MEETINGS

No discussion or update was presented.

10. ADJOURN

The Board members kept the meeting open, shifting to the Auditorium to participate in the Annual and Special Town Meeting.

Respectfully submitted,

Liz Hartsgrove

Liz Hartsgrove
Assistant Town Administrator

Missa Ferrelli Clerk
Town Bourne Select Board

**Select Board
Minutes of Tuesday, May 9, 2023
Bourne Veterans' Community Center
Buzzards Bay, MA
Or Virtually**

TA Marlene McCollem
ATA Liz Hartsgrove

Select Board

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

Others: Town Administrator Marlene McCollem (virtual), Erica Flemming, Finance Director (virtual), Mike Ellis, Town Accountant (virtual), Elmer Clegg, Stephen Mealy, John York (virtual), Sarah Hannon (virtual), Mike Galla (virtual), John Carroll (virtual), Bobby Williams (virtual), James Kraniotakis, Connie Merigo, Susie Holmes, Scott Froman, Pat Nemeth, Laurie York (virtual), Marilyn Crane, Paule O'Neil, Sally Curtin, Laura Bergeron, and Krissanne Caron.

The Zoom Chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time.

Michael Rausch, Bourne Enterprise, acknowledged that he is recording this meeting.

Zoom Meeting ID: 869 5775 5505 Password : BOURNE

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

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

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 its 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.

Chair Meier said that the Bourne Vision and Mission that is read at the start of all Select Board meetings came about after Judith Froman brought it forward. He said that she may not be on the Select Board in the next few weeks, and he thanked her on behalf of the Board for all the work that she has done with the Town of Bourne.

Judith Froman requested a point of personal privilege. Ms. Froman said this is the last Select Board meeting in which she will be a member of. She said that in preparation for this meeting she reviewed all the accomplishments that the Select Board has made in the years that she has served on the Select Board. She said that she hopes that much of what has been done has affected all in a positive way. She said that it is bittersweet to be leaving the Board, but it is important. She talked about how professional the staff for the town and the schools are and how they have been able to adapt to the many changes in the town. She thanked all the volunteers in the community, the business owners, and the citizens of Bourne.

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.

Elmer Clegg of Pocasset said that when the next citizen petition seeks to overturn the marijuana ban, it is essential that the residents of the town have reasonable protections built into the bylaws that will govern and control marijuana if it becomes legal in the Town of Bourne. He read aloud the opening paragraph of zoning bylaw, article 8. He said that the rest of article 8 offers no safeguards except for the state mandated school buffer. He said that buffers have been taken out of state regulations in the past few years.

Mr. Clegg said that the only way to guard against another developer tilted bylaw is for the town to have a bylaw of its' own ready to put on a Town Meeting warrant. He also said that he thinks that the Select Board and the Town Administrator should get the town prepared for the next petition. Mr. Clegg closed by thanking Ms. Froman for all she has done for the Town.

Stephen Mealy said that he feels that Bourne should address how to deal with marijuana zoning bylaws should the repeal on the marijuana ban happen. He said that he is asking that the elected and appointed town officials to undertake the exercise of coming up with a more moderate approach to zoning and address the use of medical and recreational marijuana, so they can be debated on the town floor. He said he is asking the Town Administrator to appoint a 5-member task force that would include the Town Planner, members of the Planning Board, 1 member of the Select Board and 2 members of the public, with membership being determined by the Town Administrator.

Mr. Mealy said he would also like to address the conversation about the role of the Chairman for both the Select Board and Sewer Commissioners. He said that the Town Charter addresses the composition of the Select Board and the Sewer Commissioners and during the 2020 Charter Review, the committee discussed the role of the Select Board serving as Sewer Commissioners. The committee decided that the current arrangement was in the best interest of the Town of Bourne. He said that he strongly recommends that at this time that the committees do not combine the Chairman of the Select Board with the Chairmen of Sewer Commissioners. He said that both boards have heavy and different agendas.

John York thanked Judith Froman for her service to the Town. Mr. York also said that he wanted to remind everyone that there is an open house coming up for the Bourne Bridge and Sagamore Bridge replacement project. The open house is Wednesday, May 17th, from noon to 3 PM and from 5 PM to 8 PM at the community building. He strongly encourages everyone in the town to attend. He also suggested that the Select Board add the bridge replacement project as a monthly agenda item.

6. Public summary – Annual Performance review of the Town Administrator

Chair Meier said that each year the Select Board shall conduct a performance review of the Town Administrator as outlined in the contract. He said that this is Town Administrator Marlene McCollem's first year performance review. He said that Town Administrator Marlene McCollem scored a 3.06 out of a possible 4.0, which falls in the category of "Exceeds Job Standards". Chair Meier read aloud the whole review.

Ms. McCollem said that she remains honored and humbled to serve in the role of Town Administrator. She said that together they have done a lot of work and she looks forward to doing a lot more. John York added that Ms. McCollem does a lot and makes it look easy.

a. Possible vote to authorize merit bonus per Town Administrator's employment agreement.

6.a. Possible vote to authorize merit bonus per Town Administrator's employment agreement.

Mary Jane Mastrangelo said that in the contract it is called an incentive bonus. Ms. Mastrangelo said that they received this yesterday and she would like to defer this vote until June. Ms. Froman said that she would like to hold the vote now because it is for the annual year of being appointed because it technically goes from February 28th to February 28th. Jared MacDonald said that he would rather have the vote this evening as he does not have a reason to delay the vote. Melissa Ferretti said that she was in favor of moving it forward. There was some discussion about the dollar amount of the incentive bonus.

Voted: Judith Froman moved, and Jared MacDonald seconded for discussion purposes, to put forth \$2,500. as an incentive bonus for Town Administrator Marleen McCollem.

Mr. MacDonald agreed that there has been some good work done, and based on Ms. McCollem's performance and goals, he is interested in \$2,000. rather than \$2,500.

Vote: Mary Jane Mastrangelo – abstain, Melissa Ferretti – yes, Jared MacDonald – yes, Judith Froman – yes, and Chair Meier – abstain. 3-0-2.

7. Appointments and Licenses:

- a. Common Victualler's License for The Stand on Beach Street at 18 Beach St., Monument Beach.**
- b. Common Victualler's License for JD Prime Pizza (transfer license) at 590 MacArthur Blvd., Pocasset – new application.**

7.a. Common Victualler's License for The Stand on Beach Street at 18 Beach St., Monument Beach.

Sarah Hannon said she was there with Bobby Williams, and they would like to open The Stand, which is located where Monument Beach Pizza was. She said that they have other businesses in Bourne, and they are looking forward to opening in June. Ms. McCollem said that they are all set.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the Common Victualler's License application for HLW 22 Inc., for The Stand on Beach Street at 18 Beach St., Monument Beach, Sarah Hannon, Manager, as conditioned by comments provided by the Health Department.

Vote: 5-0-0.

7.b. Common Victualler's License for JD Prime Pizza (transfer license) at 590 MacArthur Blvd., Pocasset – new application.

James Kraniotakis said he is the new owner of JD Prime Pizza. He said that they will be offering a few more menu items that are more traditional Greek food items.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to approve the Common Victualler's License application of JDML, Inc, for JD Prime Pizza at 590 MacArthur Blvd., Pocasset, James Kraniotakis, Manager, as conditioned by comments provided by the Health Department.

Vote: 5-0-0.

8. Select Board's Business

- a. Joseph Carrara, Jr. – Financial interest disclosure form.**
- b. Discussion and possible vote to allow the American Lung Association to use town road for the Autumn Escape Trek (bike ride) on Sept. 23, 2023.**
- c. Discussion and possible vote to allow the National Marine Life Center to hold a food truck festival for fundraising purposes on June 10, 2023, Including:**
 - i. Food truck festival**
 - ii. Banner**
 - iii. One Day liquor**

- d. **Barnstable County Retirement Board – request for 5% local COLA option.**
- e. **U.S. Census correction.**
- f. **Committee name change request – Special Works Opportunity Program (SWOP).**
- g. **Comcast representative Mike Galla – update on services.**
- h. **Garden Club update and Main St. planters.**
- i. **Beach rules and lifeguard update.**

8.a. Joseph Carrara, Jr. – Financial interest disclosure form.

Chair Meier said that this is being brought forward because Joseph Carrara, Jr. is a Deputy Fire Chief and in his off-duty time he is a substitute teacher with Bourne Public Schools, so he must make a public disclosure of that.

Voted: Jared MacDonald moved, and Mary Jane Mastrangelo seconded to authorize the Chair to sign the Financial Interest Disclosure form submitted on the request of Mr. Joseph Carrara, Jr. as presented.

Vote: 5-0-0.

Ms. Froman said that it is wonderful that Mr. Carrara is stepping forward to substitute.

8.b. Discussion and possible vote to allow the American Lung Association to use town roads for the Autumn Escape Trek (bike ride) on Sept. 23, 2023.

Ms. McCollem said that everything is in order.

Voted: Melissa Ferretti moved, and Judith Froman seconded to approve the request of the American Lung Association, Paul Curley, Organizer, to host the 39th Annual Autumn Escape Bike Trek on various town roads on September 23rd, 2023, from 9 to 10:30 AM as conditioned by the comments received by the Police Department.

Vote: 5-0-0.

8.c. Discussion and possible vote to allow the National Marine Life Center to hold a food truck festival for fundraising purposes on June 10, 2023, Including:

- i. **Food truck festival**
- ii. **Banner**
- iii. **One day liquor**

Connie Merigo, Executive Director of the National Marine Life Center, said that they held a food truck festival last year, and this year they hope for bigger and better. They would like permission to put a street banner up and would like a one-day liquor license. They would like to block off the right of way for craft vendor space and petting zoo.

Voted: Jared MacDonald moved, and Judith Froman seconded to approve the request of the National Marine Life Center, Connie Merigo, Organizer, to host a food truck festival on June 10th, 2023 from 11 AM to 4 PM on Town owned property along with approval of a banner to be placed across Main Street and the granting of a one-day liquor license as conditioned by the comments received by the Town Administrator's office, the Building Department, Health Department and the Police and Fire Departments.

Vote: 5-0-0.

8.d. Barnstable County Retirement Board – request for 5% local COLA option.

Chair Meier said that he will not be voting on this because his mother is a retiree of the system. Mr. MacDonald said he also will not be voting.

Susy Holmes, Executive Director of the Barnstable County Retirement Association, said that they are requesting that the town allow the retirees to have an increase in their cost-of-living adjustment. She said that the governor signed into legislation the ability to go from a 3% cap to a 5% cap. There was some discussion on how other towns voted on this, and all so far have voted for 5%. Ms. Holmes said that 10 of the 15 towns must vote yes for the 5% COLA option to pass, and so far, 7 have voted yes.

Ms. Mastrangelo said that the current employees are only getting COLAs of 2 to 2.5% and the retirees are already getting higher COLAs than the current employees, so it is a difficult question for her. She asked Finance Director Erica Flemming about the financial differences for the Town of Bourne. Ms. Flemming said that in each of those 2 years that an additional \$61,000. and 64,000. will be assessed to cover this 2% additional COLA, in addition to the regular costs. This would be amortized and would be through 2037. There was more discussion about the liability for the future, and about how it affects the bond rating.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded to deny the request for the 5% local COLA option.

Vote: Judith Froman – yes, Melisaa Ferretti – no, Mary Jane Mastrangelo – yes. 2-1-0.

8.e. U.S. Census correction.

Ms. McCollem said that it has been brought to her attention that there was an under count in the 2020 census due to the dorms at Mass Maritime. She said that all the backup documentation to correct it is in place. She encourages the Select Board to correct the undercounting. She said the census numbers are used for almost anything that is calculated, and it should help in almost any sort of grant application and other business, that the students should be counted in the population.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded to authorize the Chair to sign the letter requesting a correction to the 2020 U.S. Census count to account for additional students housed in group quarters within the Town of Bourne census blocks at the Mass Maritime Academy.

Vote: 5-0-0.

8.f. Committee name change request – Special Works Opportunity Program (SWOP).

Chair Meier said that the Special Works Opportunity Program would like to change their name to Socializing with our Peers.

Voted: Jared MacDonald moved, and Judith Froman seconded to authorize a name change for SWOP from Special Works Opportunity Program to Socializing with our Peers

Vote: 5-0-0.

8.g. Comcast representative Mike Galla – update on services.

Chair Meier said that he asked Ms. McCollem to put this on the agenda because over the past few months, there has been a lot of chatter about issues with Comcast cable and internet.

Mike Galla of Comcast said that without knowing the specifics of the problems he can't identify or talk about them. He said that he should be contacted with the area of the problem and sometimes they can be fixed with equipment changes, and sometimes he can have an area looked at. He said that with more specifics he can start looking at the issues right away.

Mr. Galla said that as a company they have their road to 10g that they are working on and increasing their capability.

Scott Froman of Sagamore Beach said he has been a victim of these circumstances regarding Comcast, as well as his neighbors and the Bourne community on Facebook. He said that suddenly while watching TV, the volume sometimes goes out for an extended period. He said that this has gone on for weeks at a time and seemed to improve a little. He said that he sees many complaints about Comcast on Facebook, and they need to take that into account. He said that they are the only choice for most people, and they are not cheap.

Mr. MacDonald said that as an electrician he has worked in all the villages of Bourne, and there recently was a Comcast outage for about 3 to 4 hours in Buzzards Bay and Sagamore which was a big problem. He said that there is a lot of old infrastructure in Buzzards Bay that has had a lot of dropped internet and lags in the television side and it really needs to be looked at by Comcast. Mr. Galla said he will have someone start looking at the areas that Mr. MacDonald talked about tomorrow.

Ms. Mastrangelo said that there have been Comcast issues in Pocasset and Monument Beach also. She said that people have been expressing frustration through all of the town of Bourne. Ms. Froman said that something needs to be done because when you call about the issues, you get passed around and it gets frustrating. Chair Meier said that communication is key and for the money that people are paying, they want satisfaction, and they are not getting it. Ms. Mastrangelo also stated that Bourne Community TV relies on Comcast.

Chair Meier said that he would send the names and emails of the people that have reached out to him to Mr. Galla.

8.h. Garden Club update and Main St. planters.

Pat Nemeth, President of the Aptuxcet Garden Club, presented a slideshow of the history of the Aptuxcet Garden Club, and she was joined by many members of the club at the meeting. She said that 85 years ago there was a great hurricane in Bourne and there was a woman that was outraged at the damage, and it pushed her to start the garden club in Bourne. Ms. Nemeth said that the Aptuxcet Garden Club is Community Service, Education and Friendship & Partnerships.

Ms. Nemeth recognized Paula O'Neil, Laura Bergeron, Marilyn Crane, and Sally Curtin for all that they do with Garden Therapy. She talked about what the club does for the beautification of the Town of Bourne. She also talked about what they do with the schools and their partnerships.

Chair Meier said that Assistant Town Administrator Liz Hartsgrrove spoke to him about this being on the agenda. He said that the community needs to recognize how much the Aptucxet Garden Club has done over the years, and what they are doing now.

Ms. Nemeth also recognized Laurie York for the work that she had done in a seaside garden and on the way to get from the Canal to Main Street. Laurie York talked about how she started this work with getting grant money and working with DPW.

Marilyn Crane, a member of the Aptucxet Garden Club, said that one of their big fundraisers is a plant and bake sale this Saturday at the Pocasset Community Center starting at 9 AM.

8.i. Beach rules and lifeguard update.

Krissanne Caron, Recreation Director, started by thanking Ms. Froman for all her time that she has been on the Board, and that it has been appreciated by the Recreation Department and for her professionally, and that they will all miss her.

Ms. Caron said that presently they have enough lifeguards (7) confirmed to appropriately staff Monument Beach. The season will run from July 1st through August 13th. She said that they continue to look for a Water Safety Instructor so they can offer group swimming lessons.

Ms. Caron also said that they have updated the Beach Rules, and she has given the Board the draft of the current rules. She said they are separate from the Town Beach Bylaws. She said this is what they have chosen to put on the signage at Monument Beach only, for when there are lifeguards there. She said that they added one section of additional language which is in hopes of creating a welcoming environment for everyone on the beach. She said that while interviewing the lifeguard candidates, most candidates indicated that the biggest challenge that they encountered while lifeguarding at other beaches, was the lifeguard/beach patron relationship, and a lack of respect show to them as first responders.

Voted: Jared MacDonald moved, and Judith Froman seconded that the Select Board reconfirms the approval of Beach Rules as presented by Recreation Director with the addition of the following new rule for 2023 summer season: "Any beachgoer who engages in obscene or threatening language, physical threats, or other unwelcome behavior with other beachgoers and/or staff, will be asked to leave", as well as an addition of no diving from floats.

Vote: 5-0-0.

9. Town Administrator's Report –

Ms. McCollem said that MassDOT has submitted the Environmental Notification form for the Bridge Replacement project to MEPA, and the NEF will be published in the May 10th Environmental Monitor. She said there will be an extended public comment period until June 27th.

Ms. McCollem said that ISWM so far has diverted 1.37 tons of food waste as of April 28th, through their partnership with Black Earth. She said that water quality testing at the public bathing beaches will begin the first week of June. Ms. McCollem also said that she and Ms. Hartsgrove attended an Upper Cape Stakeholder meeting organized by the Cape Cod Commission to discuss their next update for the regional Housing Policy Plan and Ms. McCollem attended a portion of the Big Blue Conference that was sponsored by the Cape Cod Chamber of Commerce.

Ms. McCollem also said that the Town of Bourne has received \$183,500. in grant funding through the Buzzards Bay National Estuary Program to conduct a watershed assessment around the Queen Sewall Pond. She said she would like to commend Stevie Fitch and Tim Lydon for their work on this application.

Ms. McCollem said she also was able to attend a virtual panel on May 4th hosted by the Massachusetts Sierra Club regarding the Municipal Climate Action plans to learn about what other cities and towns are doing. Also, on this day she and department heads participated in the first session of a learning lab produced by ICMA about Effective Supervisory Practices, which is the first part of a 6-part training.

Ms. McCollem also said that the Pocasset Broadband Group was successful in obtaining a digital equity planning grant in which the Cape Cod Commission will be assessing the digital divide in the Town of Bourne including the lack of affordable internet access, affordable devices appropriate for individual civic, social, and employment needs, and the skills necessary to engage digitally as well as proposing solutions.

Ms. McCollem said that she and others are also working on an RFP on strategic planning services. She also said that the Health Department has mobilized to begin work on utilizing the opioid settlement funds.

Ms. McCollem said that the Calamar Project has received their permanent certificate of occupancies and they are working on a phased move in schedule that they have agreed upon in order to not have everybody move in at the same time. She also said that the Council on Aging has received a grant of \$57,000. from the Executive Office of Health and Human Services. She also said that they are working with the VNA for a cholesterol screening at the library on Tuesday May 23rd from 10 AM to 11:30 AM.

Ms. Froman asked if Ms. McCollem's report could be put on the website so that the people in Bourne can see all of what is going on in the town, and Ms. McCollem said that she would post it.

10. Minutes: 3/21/23; 4/4/23

The minutes of 3/21/23 were deferred.

Voted: Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the minutes of April 4th, 2023.

Vote: 5-0-0.

11. Correspondence

Melissa Ferretti read aloud the correspondence:

- 3 DEP Letters
- Install Hearing Notice
- Sugarman/Rogers letter re: Decommissioning of Pilgrim
- APCC letter re: Ocean Sanctuaries Act and Pilgrim wastewater discharge.
- APCC letter re: leased channel changes.
- Janice Marks Resignation Letter
- Request for donation to Alzheimer's Family Support Center
- Upper Cape Tech meeting minutes, 3/9/23.

These are all on the Town's website.

12. Committee Reports

Ms. Mastrangelo said that she attended the senior internship showcase at Bourne High School and it was phenomenal and impressive. Ms. Ferretti said that she attended the DEI event at Bournedale Elementary School, and it was phenomenal as well.

13. Other Business and future agenda items

Ms. Mastrangelo said that she would like to say as a follow up to the comments made earlier in the public comments section of the meeting, that she would like to have an agenda item at the next Select Board meeting to discuss the town preparing zoning for marijuana establishments in case there is a consideration for an appeal of the ban.

14. Upcoming meetings

- a. May 23 – Curbside Trash & Recycling Policy Workshop & Select Board reorganization.
- b. May 30 – BOSOC, if necessary.

15. Adjourn

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

Vote: 5-0-0.

This meeting of the Bourne Select Board was adjourned at 9:12 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Gina Fiandaca, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



March 17, 2023

Dear Cape Cod Bridges Program Stakeholder,

I am pleased to invite your organization to participate in the Advisory Group for the Massachusetts Department of Transportation's (MassDOT's) Cape Cod Bridges Program. This Program includes the replacement of the Bourne and Sagamore bridges and will provide new connections to the local roadway network and improve multimodal accommodations within the Cape Cod Canal area.

The purpose of this Advisory Group is to convene a consortium of organizations that represent a wide range of interests, perspectives, and constituencies in the Cape Cod Canal region. This group will meet on a regular basis to discuss Program updates and advise the Program team on community interest, needs and concerns as they relate to this Program. By way of this invitation, you have been identified as your organization's point of contact for this Advisory Group. Each organization will be allotted one active participant spot at every meeting to represent their organization's constituency and interests. Organizational participation is being limited to ensure all members have the opportunity to express their viewpoints and contribute to discussions. Additional representatives may attend each meeting as members of the audience.

Attached is the Advisory Group Charter which outlines the specific goals of the group, identifies membership conditions and expectations, and discusses the Advisory Group meeting guidelines. All organizational members interested and able to participate in this Advisory Group are respectfully asked to review the document, sign the membership form on Page 6, and return to Gareth Saunders, MassDOT Legislative Liaison, gareth.saunders@dot.state.ma.us, by March 31, 2023. The first Advisory Group meeting will take place in the Spring of 2023. Registration instructions and a meeting agenda will be sent closer to the meeting date.

For more information on the Program, to submit a comment or question through the comment form, or to sign up for project updates, please visit the Program website: <https://www.mass.gov/cape-bridges>. Thank you for your organization's interest in this Program. We are looking forward to hearing from you soon.

Sincerely,

Carrie Lavalley, P.E.
Deputy Administrator/Chief Engineer
MassDOT



Massachusetts Department of Transportation

Advisory Group Charter

Cape Cod Bridges Program

March 2023



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1 Introduction

The Cape Cod Bridges Program will include the replacement of the Bourne and Sagamore bridges, provide new connections to the local roadway network and improve multimodal accommodations within the Cape Cod Canal area. As described in the Program's Public Involvement Plan (PIP), an Advisory Group comprised of local interests and representation, will be convened to provide feedback and share information with the Program team throughout Program development. This document serves to define the purpose and role of the Advisory Group, outline the specific goals of the group, identify membership and expectations, and discuss the Advisory Group meeting guidelines. Please note that this document may be updated throughout the Program to reflect schedule changes, Program scope and delivery milestones, and information gathered through the public process.

2 Purpose

The Cape Cod Bridges Program is a regional effort that builds upon the MassDOT's Cape Cod Canal Transportation Study, which identified existing and future multi-modal transportation deficiencies and needs around the Cape Cod Canal area, and the U.S. Army Corps of Engineers (USACE) Major Rehabilitation Evaluation (MRE) Study, which looked at the feasibility of maintaining or replacing both the Bourne and Sagamore bridges.

Both studies underwent a comprehensive public process to solicit feedback that would inform their respective final reports and recommendations. The purpose of this Advisory Group is to provide a focused forum for stakeholder groups and organizations to communicate with the Program team. The group will allow for increased engagement with key stakeholders within the Program area and for the Program team to learn of community feedback, needs and concerns in a focused setting; it will not be a decision-making body.

The Program team will rely on member organizations to disseminate information, collect feedback, evaluate community needs and concerns, and assess Program level of support. The information collected through the Advisory Group will help the Program team make well informed decisions. This will help to foster a collaborative relationship between stakeholders, the public, and the Program team throughout the design process.

3 Goals

The goals of this Advisory Group are as follows:

1. Establish a group that represents of wide range of interests in and around the Cape Cod Canal region that can serve to communicate Program updates with their community constituencies
2. Provide an organized, respectful, and accessible discussion-based setting for member organizations to communicate and collaborate with each other and members of the Program team
3. Provide ample and meaningful opportunities for Advisory Group member organizations to participate in discussions, provide feedback, and ask questions
4. Utilize information collected through the Advisory Group to make informed Program decisions based on local and regional needs

4 Roles and Responsibilities

The roles and responsibilities of an Advisory Group member organization are as follows:

1. Represent their specific group or organizations' interests, not their individual interests
2. Establish one point of contact with the Program team for all Advisory Group communications
3. Send one representative to attend and participate in all Advisory Group meetings on behalf of their organization, (this may include reading and interacting with Advisory Group materials prior to a scheduled meeting)
4. Distribute Program information to their organization or constituency as requested by the Program team
5. Collect feedback from their organization or constituency and share with the Program team
6. Adhere to all Advisory Group meeting ground rules (outlined below) to create a respectful and productive meeting environment

5 Membership

The organizations invited to participate in the Advisory Group are provided in Attachment A. Please note this list may be updated throughout Program development.

5.1 Terms of Membership

To participate in this Advisory Group, all members must agree to the following terms:

1. This Advisory Group is not a decision-making body. Feedback will be considered to the maximum extent practicable but will not dictate decisions made by the Program team.
2. Each member organization will be allotted one representative to be an active participant at every Advisory Group meeting.
 - a. There is a benefit to consistency, therefore, all organizations are encouraged to send the same representative to each Advisory Group meeting.
 - b. All other interested parties may attend and participate in Advisory Group meetings as members of the audience.
3. One specific point of contact will be established with each member organization for all Advisory Group communications, including meeting invites. This point of contact may or may not be the organization's representative participating at meetings.
 - a. If a member organization would like to appoint a new primary point of contact, they should notify Gareth Saunders, MassDOT Legislative Liaison, at gareth.saunders@dot.state.ma.us.
4. Member organizations are asked to participate in this Advisory Group for a minimum of two years.¹
5. Each member organization should make every effort to send a representative to attend and participate in every Advisory Group meeting.
6. At any point in the Program process, MassDOT may choose to invite additional organizations or individuals to serve on the Advisory Group.

¹ The Program team recognizes that this Program will extend beyond two years and the need for an Advisory Group will be consistent throughout the duration of the Program. At the end of the first two years, the Program team will re-evaluate group membership to ensure that all community interests continue to be represented.

6 Advisory Group Meetings Guidelines

6.1 Schedule

The Advisory Group will meet at least 3 times per year throughout Program development. Advisory Group meetings will be scheduled prior to public meetings at key Program milestones.

6.2 Operations

An agenda will be shared with all meeting participants at the beginning of each meeting and in advance when possible. Each meeting may be structured differently depending on the topics being covered, information available, and goals of the meeting. Meetings may include formal presentations, “break out rooms” or small group discussions, interactive mapping, surveys, polling, large group discussions, and Q&A.

Specific information on how and when to participate will depend on the location and/or virtual platform and will be shared with all participants at the beginning of each meeting. A moderator will be present at each meeting to facilitate groups discussions.

6.3 Ground Rules

The Advisory Group ground rules are as follows:

1. All Advisory Group meetings will be open to members of the public to listen and observe. Public Q&A may take place after Advisory Group discussions as time allows.
2. All comments and questions shared at Advisory Group meetings will be documented as part of the Program record.
3. Participants should limit discussion to the topics and items being covered on each meeting’s agenda.
4. Participants are asked to listen to others and be respectful of all opinions expressed to support productive and constructive discussions.
5. Participants are asked to be mindful of time and limit their comments to allow all interested representatives the opportunity to participate.
6. Program team members may redirect conversation if appropriate.
7. Advisory Group meetings may be held virtually, in-person, or a hybrid. The location of the meeting will be provided on each meeting invite, which will be sent to organization’s point of contact at least three (3) weeks in advance of each meeting.
 - a. All virtual Advisory Group meetings will be recorded. All Advisory Group participants will be permitted to enable their camera and mute and unmute themselves throughout the meeting. Meeting staff may mute or ask individuals to turn their cameras off if it becomes distracting.
 - b. All in-person Advisory Group meetings will be held in accessible locations within the Cape Cod Canal region.
8. Advisory Group member organizations will have opportunity to provide feedback, comment, and ask questions outside of the formal Advisory Group meetings by submitting comments and questions through the Program’s online comment form, attending public meetings, and participating in individual stakeholder briefings hosted by the Program team.

6.4 Meeting Communications

6.4.1 Before the Meeting

Invitations to all Advisory Group meetings will be sent to the established points of contact at least three (3) weeks in advance of the meeting. All invitations will include a date, time, and location (in-person, virtual, or both). Meeting registration instructions will be provided in the invites. A meeting reminder will be sent at least one (1) week in advance of the meeting.

Meeting invites may also include materials that will be discussed during the meeting. These materials will provide Advisory Group participants the opportunity to review and become acquainted with the topics and information being covered to facilitate productive discussion at the meeting.

6.4.2 During the Meeting

At the beginning of each meeting, the Program team will share how and when Advisory Group representatives may participate during the meeting. Meeting participants may be asked to hold their comments and questions until the end of the presentation.

6.4.3 After the Meeting

Meeting notes will be taken at each meeting and will be made available in an accessible format on the Program website following the meeting. PowerPoints and other presentation materials will also be posted to the website in a fully accessible format. In addition to these materials being posted to the site, the Program team may provide an update on Advisory Group activities at the beginning of public information meetings.

Advisory Group points of contacts should reach out to Gareth Saunders, Legislative Liaison, at gareth.saunders@dot.state.ma.us with any specific questions related to the Advisory Group. General comments or questions on the Program are being collected and responded to through the Program's [comment form](#) hosted on the Program's website page.

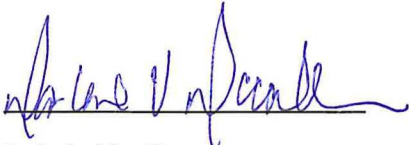
7 Outcomes

As stated, this Advisory Group is not a decision-making body. However, feedback collected through the Advisory Group will be used to inform the design and outreach process. Other quantitative (number of meetings, attendees, and comments) and qualitative (nature of comments, feedback, questions, and responses) information collected will be documented as part of the Program record and utilized to guide and adapt the public outreach approach as necessary.

Cape Cod Bridges Program

Advisory Group Membership Form

I, MARLENE McLOWEN, on behalf of Bourne Town Administrator, have read this Charter and understand the purpose, goals, and expectations of this Advisory Group. By signing this document, I agree to the roles and responsibilities and terms of membership described herein.



Stakeholder Signature



Carrie Lavallee, P.E., Chief Engineer

Attachment A

The following organizations are invited to participate in the Advisory Group for the Cape Cod Bridges Program:

Bourne Recreation Authority	Cape Cod Regional Transit Authority
Bourne Selectboard Representatives	Federal Delegation
Bourne Town Administrator	Federal Highway Administration
Bourne Town Administrator's Advisory Committee on Pedestrian Bicycle Pathway	Massachusetts Governor's Office
Cape Cod Canal Region Chamber of Commerce	Massachusetts State Police
Cape Cod Chamber of Commerce	Massachusetts Emergency Management Agency
Cape Cod Commission	State Delegation
Cape Cod Metropolitan Planning Organization	US Army Corps of Engineers

Bourne Police Chief & School Superintendent

FY2024
Representatives from Select Board
to Various Committees/Boards

UPC = Until Project Complete

TERM	COMMITTEE	REP OF COMM	EXP	APPT BY	FIRST	LAST	FORMERLY
Select Board							
2 YR	Affordable Housing Trust	Select Board/Town Adm	June 30, 2023	Select Board			Meier
1 YR	Bourne Landfill Business Model Working Group	Select Board	June 30, 2023	Select Board			MacDonald
	Cape Cod and Islands Water Protection Fund – MANAGEMENT BOARD	Select Board Rep	June 30, 2023	Select Board			Mastrangelo
1 YR	Cape Cod Regional Transit Authority	Select Board	June 30, 2023	Select Board Designee			Slade - Slade would like reappointment
1 YR	Community Action Committee of Cape Cod and Islands, Inc.		June 30, 2023	Select Board			Ferretti
3 YR	Community Engagements Committee	Select Board Rep	June 30, 2025 - 3 yr however Select Board appts annually	Select Board			Froman
1 YR	Joint Base Cape Cod	Select Board	June 30, 2023	Select Board			Slade Slade Does not wish to be reappointed Ferretti, Alternate
1 YR	Local Emergency Planning Committee - Local Elected Official	Select Board	June 30, 2023	Select Board			Ferretti
1 YR	OPEB Trust Fund	Chair of the Select Board	While Chair of the BOS	Select Board			Meier
1 YR	Roadway Traffic Safety Committee	Select Board - Ex Officio	June 30, 2023	Select Board			Froman
UPC	South Side Fire Station Building Committee	Select Board	Until Project Complete or Revoked	Town Administrator or his/her rep			Meier
1 YR	Trustees of the Bourne Veterans' Memorial Community Center	Select Board Chair	While Chair of the BOS	Select Board			Meier as Chairman
1 YR	MassDOT Bridge Advisory Committee	Select Board Members	Until Project Complete or Revoked	Select Board			Meier and Froman
UPC	WTP Building Committee	Select Board Member	UPC	Select Board			Meier
UPC	Police Station Building Committee	Select Board Member	UPC	Select Board			Meier
1 YR	Mass Maritime Liaison	Select Board Member	June 30, 2023	Select Board			Froman
UPC	Financial Policy Working Group	Select Board Members	UPC	Select Board			Mastrangelo & Siroonian
Town Administrator							
1 YR	Town Administrators Advisory Committee on Pedestrian Bicycle Pathway	Select Board	June 30, 2023	Town Administrator			Slade Slade would like reappointment
Board of Sewer Commissioners							
UPC	Wastewater Advisory Committee	Sewer Commissioner	June 30, 2023	Town Administrator			Mastrangelo

**Bourne Town Administrator's Report
Select Board Meeting of May 26, 2023**

- The Fire Department took possession of 2 new ambulances on May 22. These were purchased using ARPA funds from Barnstable County. The Town has also awarded a contract to raise the header at the Monument Beach Fire Station using a portion of the Town's ARPA funds.
- The Cape Cod Bridge Replacement team is continuing with their due diligence. Enbridge Energy is coordinating the relocation of the natural gas mains while Overland is conducting subsurface utility exploration. Both companies are communicating with myself and other Town of Bourne staff.
- Barnstable County has announced a funding opportunity to address: homeless shelter & medical respite, affordable, and workforce housing needs. Grant proposals are due June 15 and more information is available on the County's website.
- EPA is accepting public comments on their proposed decision regarding the Joint Base Cape Cod machine gun range until June 26, 2023. There was a public hearing on May 24 at the Sandwich Center for Active Living. A copy of the Barnstable County's slides regarding this topic is attached to this report.
- The Bourne High School Commencement Ceremony for the Class of 2023 is scheduled for June 3 at 10 am. All members of the Select Board are invited to attend to wish the graduates well.
- The Police & Fire Chiefs, as well as members of both command staffs will be attending the International Co-Responder Conference in Spokane, WA in mid-June. The International Co-Responder Alliance was established to unite, promote, strengthen, and expand multi-disciplinary co-responder programs, while improving outcomes for first responders, behavioral health professionals and individuals affected by behavioral health issues. I'd like to thank Chief Esip for his leadership in this area and look forward to continued work and improvement in how we respond to those in crisis.
- Connect 55 (Calamar) will be holding the lotter for the 12 affordable apartments on July 18.
- The Town is expecting to have 12 lifeguards on staff this summer with 2 towers at Monument Beach. This is great news and I'd like to thank Krissanne Caron for her hard work to secure the necessary staff. The Head Guards will be working 4-5 shifts per week and the other guards will be working 2-4 shifts per week depending on their availability.
- Liz has been working with Tim Lydon and Ken Murphy to bring the last few properties in compliance with FEMA's flood insurance program. This is critical work and we need these noncompliant properties to show progress so that the community doesn't experience increased flood insurance premiums for everyone in the program.
- MMA is hosting 2 webinars that Select Board members may be interested in watching: "Regulating Comments at Public Meetings: The Legal and Operational Perspective" on June 5 at noon, and "Regulating Comments at Public Meetings: De-Escalation Strategies for Uncivilized Discourse" on June 12 at noon. I will be attending both and will also receive recordings that I

can share afterwards.

- There is additional work on the Sagamore Bridge south abutment that remains to be completed. This work will require shifting the travel lanes on Sandwich Road where it passes through the south abutment. Much of this work may be accomplished during off-peak travel times, and we are waiting for further notice from the Army Corps of Engineers on the schedule. Maintenance work will be occurring on the Bourne Bridge this fall, and we hope to stay in close contact with the Corps and MA-Dot during that project.
- I attended another stakeholder meeting with the Cape Cod Commission on May 24 regarding their update of the Regional Housing Plan.
- On May 23 I attended a webinar with the Library Director and Trustees regarding the next available round of funding from the Massachusetts Public Library Construction Program, as well as attending the Trustees' meeting of May 18.
- On May 22 I met with representatives from Sandwich and their consultants who continue to explore the option of wastewater treatment and disposal at Joint Base Cape Cod.
- Available Dept. Heads and I continued with the next module of our ICMA "Learning Lab" training on May 22 together, and a few of us were also able to gather for a webinar training about Encouraging Civil Discourse.

Sole Source Aquifer Project Review of the Multi-Purpose Machine Gun Range Proposed by the Massachusetts Army National Guard to be Constructed at Joint Base Cape Cod

U.S. Environmental
Protection Agency, Region 1

Presented by the Barnstable County Department of Health
and Environment

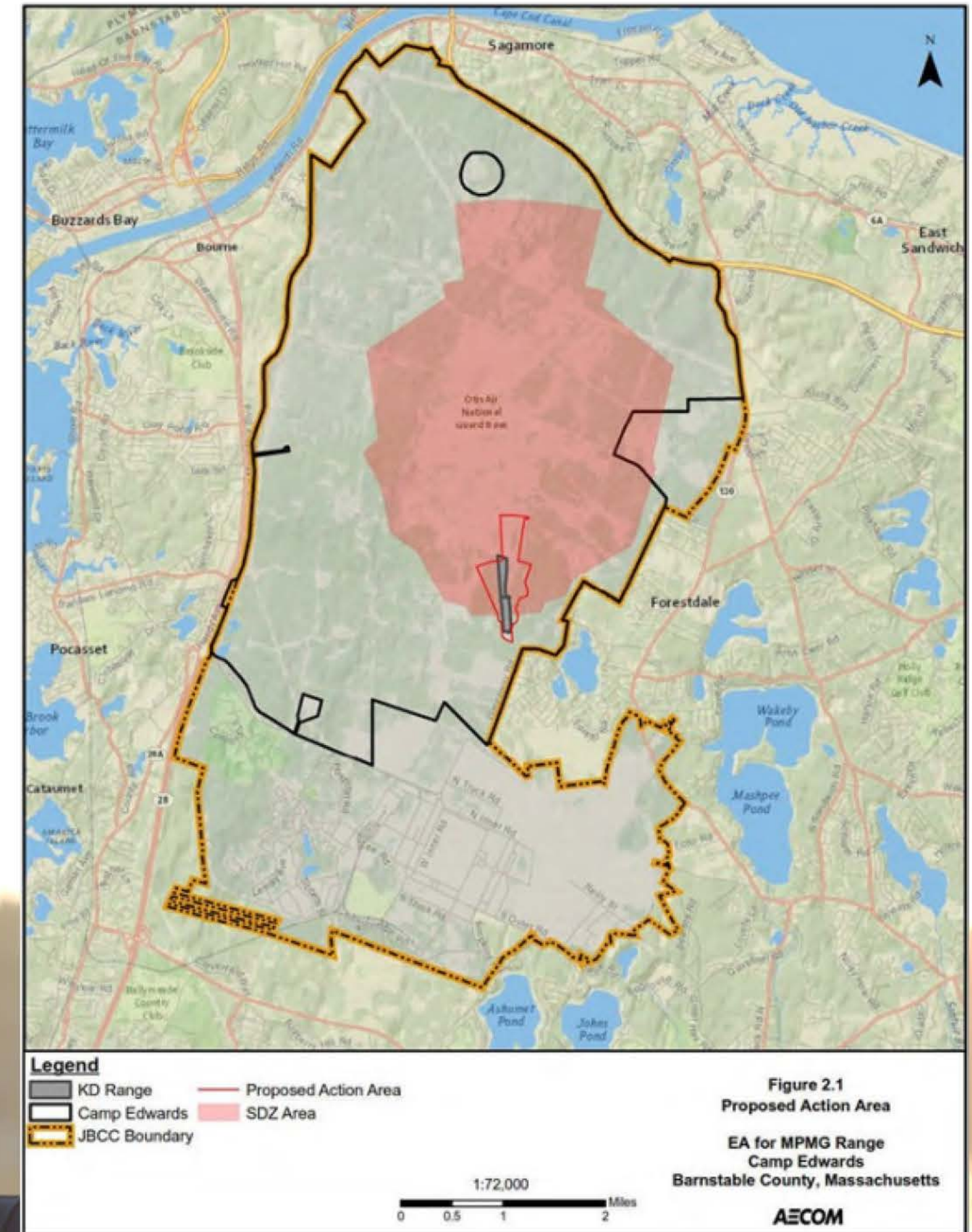


BARNSTABLE COUNTY
DEPARTMENT OF HEALTH AND ENVIRONMENT



Issue Summary

- The Massachusetts Army National Guard is proposing to construct a Multi-Purpose Machine Gun Range (MPMGR) at Joint Base Cape Cod (JBCC) to train and qualify soldiers in use of automatic machine guns.
- The U.S. Environmental Protection Agency (EPA) conducted an exhaustive assessment of the potential environmental and public health impacts of the machine gun range to Cape Cod's Sole Source Aquifer.
- EPA concluded that the proposed project may present a significant public health hazard based on the volume of potential contaminants that would be released to the environment, specifically in relation to the Sole Source Aquifer.



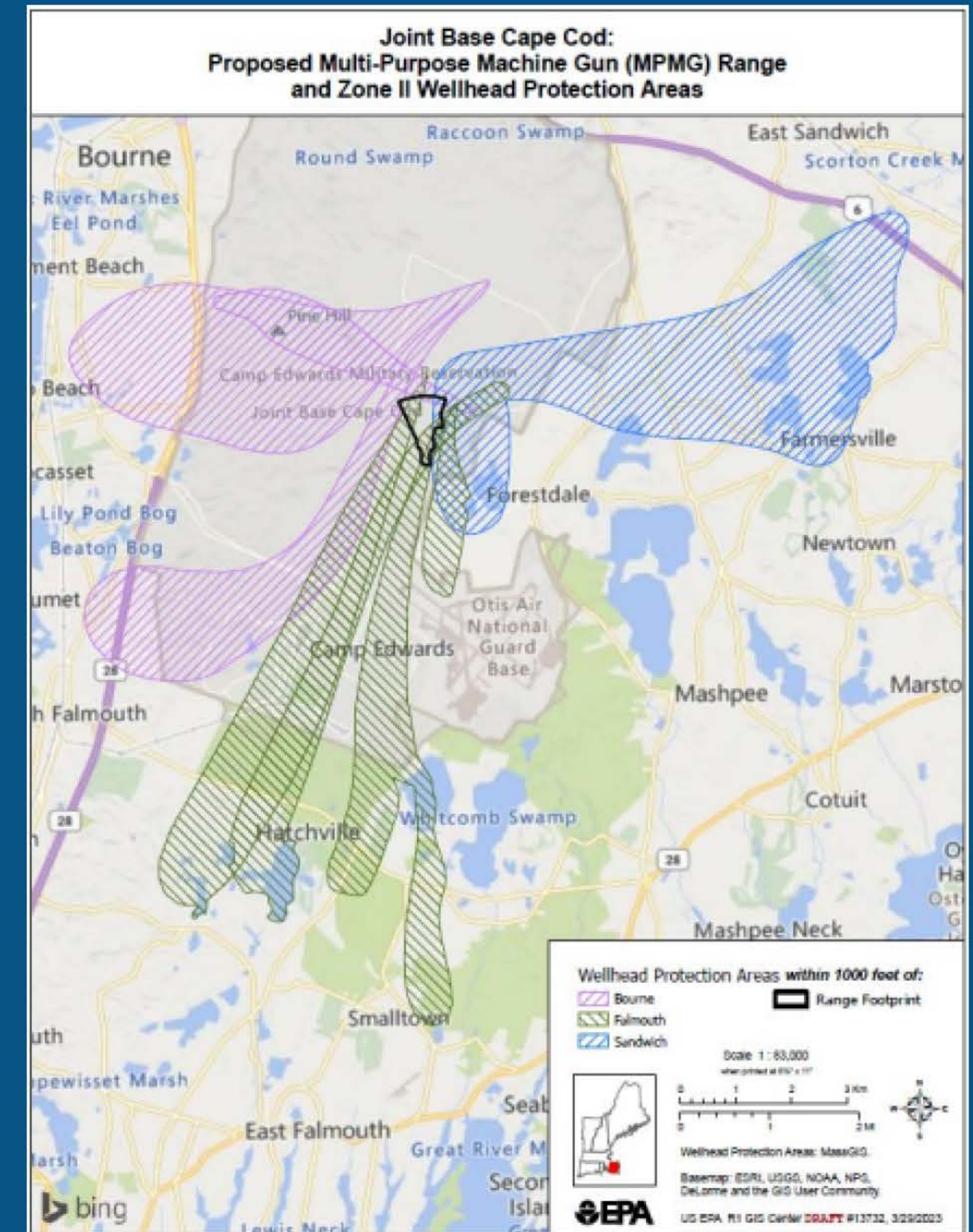
Cape Cod's sole source aquifer

- The Cape Cod Aquifer is the ONLY source of drinking water to our region, hence the term "sole source".
- The Cape Cod Aquifer is glacial in origin and composed of highly permeable soil, which makes it susceptible to contamination.
- Any area designated as a sole source aquifer is protected by the U.S. Environmental Protection Agency under Section 1424(e) of the Safe Drinking Water Act of 1974.
- The Cape Cod Aquifer is divided into six recharge areas or "lenses".
- The groundwater in the area of Camp Edwards on Joint Base Cape Cod has been designated as the Upper Cape Water Supply Reserve, which is part of the Sagamore lens. It is protected under Chapter 47 of the Massachusetts Acts of 2002.
- The proposed machine gun range would be located over the Upper Cape Water Supply Reserve and the Sagamore Lens, the most productive part of the Cape Cod Aquifer.
- Groundwater in the area of Joint Base Cape Cod provides approximately 3 million gallons of drinking water per day to 12 community public water supply systems in the towns of Sandwich, Bourne, Falmouth, Mashpee, and the Mashpee Wampanoag Tribe.

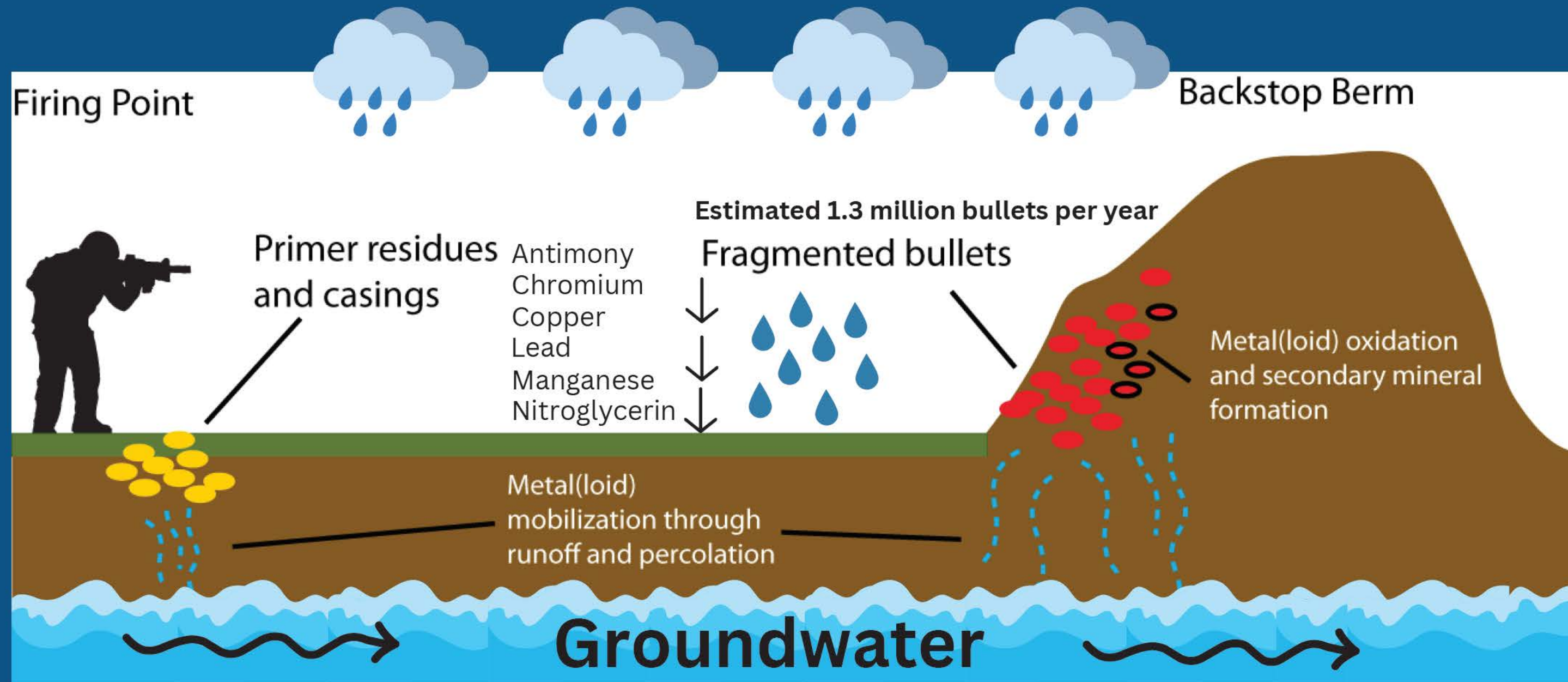
Proposed Multi-Purpose Machine Gun Range at JBCC

- The Massachusetts Army National Guard is proposing a multi-purpose machine gun range (MPMGR) at Camp Edwards on Joint Base Cape Cod to efficiently attain small arms training and weapons qualifications requirements within MA, eliminating extensive out of state travel and the associated expense.
- Phase I of the proposed range would consist of eight firing lanes spanning 138 acres within the Upper Cape Water Supply Reserve.
- Approximately 1.3 million bullets will be fired per year at the MPMGR, resulting in an almost 400% increase in the total number of bullets to be used annually across all ranges at JBCC.
- Potential sources of contaminants include compounds related to:
 - 1) Propellants deposited on the soil surface in the vicinity of firing lines
 - 2) Projectiles and penetrators deposited on the soil surface.

Further explanation of propellants and projectiles on next slide



How does a machine gun range cause groundwater contamination?



"Assuming a 50 year timeframe, under proposed annual loading and assuming limited range mitigation, there could be more than 275 tons of bullet components released to the environment."

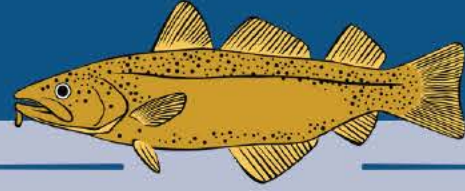
--EPA Draft Assessment

Summary of EPA's Findings

- Groundwater monitoring data from two existing firing ranges on JBCC show the presence of contaminants including antimony, chromium, copper, lead, and manganese.
- While the existing releases are actively managed and there is no risk to public health associated with these ranges, there is concern that additional contaminants released by the proposed range would greatly increase mass loading and significantly impact the aquifer.
- Potential public health risks associated with exposure to drinking water with these contaminants at levels above health-based benchmarks include:

Bullet Component		Potential Health Impact
Antimony	→	Increased Cholesterol
Chromium	→	Allergic Dermatitis
Copper	→	Gastrointestinal Distress
Lead	→	Physical and neurological developmental delays in children
Manganese	→	Neurological Effects
Nitroglycerin	→	Headaches, dizziness, lightheadedness, tremors, confusion

- With the significant amount of resources being spent for groundwater remediation at JBCC (> \$1.4 billion) the cumulative impact of adding another contaminant source into the aquifer raises concerns regarding the ongoing groundwater restoration work presently underway.
- Unresolved major concerns include:
 - 1) No commitment for regular bullet retrieval
 - 2) Inadequate media monitoring
 - 3) Insufficient Best Management Practices to minimize the release of contaminants to the maximum extent feasible.
- EPA is uncertain that any combination of operations, maintenance, and monitoring practices can adequately reduce the potential to contaminate the aquifer so as to create a significant public health hazard.
- EPA determined that the proposed project insufficiently addressed environmental justice implications, climate change factors, and lack of environmental benefits.



BARNSTABLE COUNTY

DEPARTMENT OF HEALTH AND ENVIRONMENT

The mission of Barnstable County Department of Health & Environment is to promote a healthy Cape Cod community through disease prevention and control, health and safety education, environmental protection and emergency preparedness.

We support the findings and recommendations put forth by the EPA that the proposed machine gun range at JBCC presents a significant hazard to Cape Cod's sole source aquifer, and therefore public health.

Public Engagement Process

EPA will accept public comments on this proposed decision for 60 days, until June 26, 2023. During this time, the public and interested stakeholders may submit written comments for EPA's consideration.

Written comments may be submitted to:

R1SSAComments@epa.gov

EPA will also hold a public hearing to receive oral comments.

The public hearing will be held **May 24, 2023** at **7:00 PM*** at the following address:

**Center for Active Living
70 Quaker Meetinghouse Road
Sandwich, Mass**

*The formal public hearing will begin at 7:00 p.m. and will be preceded by a public meeting beginning at 6:30 p.m. Individuals with accessibility or translation requests may contact Melanson.Kate@epa.gov for assistance.

"The prospective and protective nature of the Sole Source Aquifer Program, along with the results of a comprehensive evaluation of the design and operations of the proposed machine gun range at Joint Base Cape Cod, has led EPA, in this case, to provisionally determine that the proposed Multi-Purpose Machine Gun Range has the potential to contaminate the aquifer so as to create a significant public health hazard."

--United States Environmental Protection Agency

Maria Simone

From: Judith Froman
Sent: Thursday, May 25, 2023 6:18 AM
To: All Select Board
Cc: Marlene McCollem; Elizabeth Hartsgrove; Timothy Lydon; Shawn Patterson; Brandon M. Esip; Cody, David
Subject: RE: CCMPO update

The CIP flyer didn't copy. Here's the June 1st meeting info: <https://www.mass.gov/service-details/current-capital-investment-plan-cip>

Judith M. Froman
Vice Chair, Cape Cod Metropolitan Organization
<https://www.capecodcommission.org/our-work/ccmpo>

From: Judith Froman
Sent: Wednesday, May 24, 2023 10:30 PM
To: All Selectmen
Cc: Marlene McCollem; Elizabeth Hartsgrove; Timothy Lydon; Patterson, Shawn; Brandon M. Esip; Cody, David
Subject: CCMPO update

Please add this information as a formal update to the Select Board.

The CCMPO met on May 22, 2023 and covered the following topics:

Cape Cod Canal Bridges Program update. Steve Tupper on the Commission staff is the CCMPO representative on the Bridge Advisory Group. He reported on the recent and first meeting of the Advisory Group that was held at Upper Cape Tech. Recommendation was made to publicize these public meetings and record them. Additional discussion included recommendation to have a centralized web page for all facets of the bridge replacement planning. Steve reported that the in person open house in Bourne was deemed a success. I noted that the team listened carefully to the questions and suggestions and actually altered some of their planning.

The **Unified Planning Work Program** for 2024 was approved. Research and planning. [https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/tr/ccmpo/Outreach/OUTREACH 2023/Flyers/UPWP 2023 NEW.pdf](https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/tr/ccmpo/Outreach/OUTREACH%2023/Flyers/UPWP%2023%20NEW.pdf)

The **Transportation Improvement Program** (TIP) for 2024-2028: [https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/tr/ccmpo/Outreach/OUTREACH 2023/Flyers/TIP 2023 UPDATE.pdf](https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/tr/ccmpo/Outreach/OUTREACH%2023/Flyers/TIP%2023%20UPDATE.pdf)

The **Regional Transportation Plan** is currently doing a public survey. Please participate. [Cape Cod Regional Transportation Plan | Cape Cod Commission](#). Several meetings are planned:

Monday, July 10, 2023 | 5:30 PM

Bourne Veteran's Memorial Community Center or Tuesday, July 11, 2023 | 6:00 PM **VIRTUAL**. Meeting Link: www.capecodcommission.org/outreach/join, Passcode: join

I requested that MassDOT hold a public meeting with the Bourne Select Board to provide informational update on the **Bourne Rotary Improvement Project** before the work is scheduled.

The **Cape Flyer** is celebrating its 10th anniversary. During the month of June a round trip ticket will be \$10 and veterans can ride for free. <https://www.capedays.com/cape-cod-train.html><https://www.capedays.com/cape-cod-train.html> (scroll down for details)

MassDOT Capital Improvement Plan meeting scheduled for **June 1.** [MassDOT CIP Meeting Flyer.pdf](#)

MassDOT public hearing for the **Scenic Highway Median** project Thursday, **June 8 at 7pm**

[MassDOT hearing handout - Bourne 6.8.23](#)

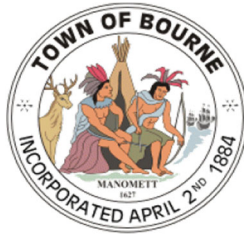
[Bourne - Route 6 Corridor Improvements | Mass.gov](#)

Let me know if you have any questions.

Judith M. Froman

Vice Chair, Cape Cod Metropolitan Organization

<https://www.capecodcommission.org/our-work/ccmpo>



Select Board's Correspondence

May 30, 2023

- A. DEP letter – Feasibility Study
- B. DEP letter – 2022 Land Use Controls
- C. DEP letter – Eastern Environmental Monitoring Report
- D. ABCC Appeal Hearing Letter – MB Spirits
- E. J. York Email – Bike Pathway
- F. M. O'Donnell Email – Reef Naming
- G. Resident Letter - D. Oesterheld
- H. Talent Bank – BCC L.Sharp
- I. Talent Bank – BCC R. Sharp
- J. UCCRT Committee Minutes – 04.10.23
- K. MA State Eagles Convention Invitation
- L. Talent Bank – Cape Light Compact W. Doherty
- M. UCCRTS Operating Budget



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 19, 2023

Air Force Civil Engineer Center/JBCC
Attn: Rose Forbes
Remediation Program Manager
322 East Inner Road
Otis ANG Base, Massachusetts 02542

RE: **BOURNE - BWSC**
Release Tracking Number: 4-0000037
Joint Base Cape Cod (JBCC)
**Draft Supplemental Feasibility Study
Report for 1,4-Dioxane and Per- and
Polyfluoroalkyl Substances at Landfill-1
Memorandum of Resolution 2,
Comments**

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **"Draft Supplemental Feasibility Study Report for 1,4-Dioxane and Per- and Polyfluoroalkyl Substances at Landfill-1- Memorandum of Resolution 2"** dated March 30, 2023 (LF-1 FS MOR2). The LF-1 FS MOR2 was prepared by the Air Force Civil Engineer Center (AFCEC) Installation Restoration Program (IRP) at JBCC in response to comments submitted by MassDEP and the Environmental Protection Agency (EPA) on the *"Draft Supplemental Feasibility Study Report for 1,4-Dioxane and Per- and Polyfluoroalkyl Substances at Landfill-1"* (Draft Supplemental FS) dated January 2022. MassDEP offers the following comments on the LF-1 FS MOR2 to communicate MassDEP's continuing concerns with the Draft Supplemental FS.

1. General Comment 1 and Page-Specific Comments 2 and 3:

MassDEP welcomes the opportunity to solicit state and community input if the AFCEC is interested in revisiting the longstanding effluent discharge standard at JBCC. Until that time, MassDEP continues to find this Draft Supplemental FS unacceptable insofar as it specifies a quantitative effluent discharge standard by referencing Applicable or Relevant and Appropriate Requirements (ARARs) alone. MassDEP requests that the AFCEC remove such language from this Draft Supplemental FS and proceed with further discussions about discharge standards JBCC-wide.

If the AFCEC is nevertheless compelled to specify in *this* Draft Supplemental FS the quantitative effluent discharge standard as dictated by the site ARARs (i.e., the MMCL), MassDEP requests that the AFCEC include reference to *both* the ARARs *and* the long-standing effluent discharge standard, i.e., treating contaminated groundwater extracted by JBCC groundwater treatment systems to non-detectable concentrations if economically and technologically feasible, which has in fact been the operative standard for the IRP at JBCC.

MassDEP recognizes the AFCEC's primary aim of attaining the ARARs when deciding remedy selection. However, remedy evaluation must also regard State Acceptance and Community Acceptance, the two "modifying" criteria in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) "CERCLA Nine" criteria for the analysis of alternatives under review. In 1997, state and community concerns persuaded the AFCEC to design environmental remedies at JBCC sites so that treatment plant effluent would be discharged back to the sole source aquifer at non-detect concentrations if technologically and economically feasible. Public documents recognized that this effluent discharge standard was not a formal ARAR and rather was established to satisfy state and community concerns.

In Page Specific Comments 2 and 3, MassDEP requested that the AFCEC evaluate groundwater downgradient of every area where Per- and Polyfluoroalkyl Substances (PFAS6) has been discharged from an IRP groundwater treatment system, including the Hunter Avenue Treatment Facility (HATF), for the presence of PFAS6. The AFCEC provided a response for the HATF but not for the other IRP groundwater treatment systems. MassDEP reiterates its request for the areas downgradient of those IRP groundwater treatment systems.

2. General Comment 1:

In its latest response, the AFCEC stated: *"As stated in Table B-2, these [Underground Injection Control] regulations prohibit the injection of fluid containing any pollutant into underground sources of drinking water where such pollutant will or is likely to cause a violation of any state drinking water regulation under 310 CMR 22.00 or adversely affect the health of persons."* MassDEP notices that the AFCEC's summary of 310 CMR 27.04, "Prohibited Activities", includes language from subsections (a) and (c) but omits language from subsection (b). Subsection (b) reads: "[A] prohibition on injecting fluid...(b) where that injection *may impair* the use of ground water as an actual or potential source of potable water." (Emphasis added). MassDEP requests that the AFCEC add the "may impair" provision into the "Requirement Synopsis" column of Appendix B, Table B-2.

3. General Comment 4:

MassDEP has previously commented that the AFCEC LF-1 PFAS6 groundwater transport model predicted aquifer restoration timeframe estimates to achieve the LF-1 Remedial Action Objectives for PFAS6 and 1,4-dioxane in both Alternative 2 (approximately 2088) and Alternative 3 (approximately 2075) are excessive and unacceptable. MassDEP maintains its concern that the LF-1 PFAS6 groundwater transport model is not accurate and should be corrected, as discussed at the September 8, 2022, meeting with the AFCEC and EPA on the proposed LF-1 FS remedial alternatives. Below MassDEP recommends specific changes to the model which may help address the excessively long groundwater transport time predictions for PFAS6.

It appears that the use of an average bulk distribution coefficient factor (Kd) in the LF-1 PFAS6 groundwater transport model for perfluorooctanesulfonic acid (PFOS), perfluorooctanoic acid (PFOA), and perfluorohexane sulfonic acid (PFHxS) is not supported by the PFAS6 groundwater field data at JBCC and results in an excessive retardation factor (Rf) of 2.02 in the model.

Field data shows that PFAS6 was detected at concentrations above the Massachusetts Maximum Contaminant Level (MMCL) in monitoring well 27MW0050A, located at the leading edge of the LF-1 PFAS6 groundwater plume approximately 18,000 feet downgradient from the landfill and proximal to Megansett Harbor. A conservative PFAS6 travel time of 50-years (1970 to 2020) may be estimated to 27MW0050A from the landfill. This equates to an average annual PFAS6 travel time of 360 feet. This

average annual PFAS6 travel time is in good agreement with the advective groundwater flow velocity of approximately one foot per day (365 feet per year) for the aquifer at and around JBCC.

Under the LF-1 PFAS6 groundwater transport model, based upon the Rf of 2.02 (i.e., approximately one-half the velocity of the groundwater), it is not possible for PFAS6 to migrate as far downgradient as 27MW0050A in 50 years. MassDEP recommends that the AFCEC not use any Rf value in the LF-1 PFAS6 groundwater transport model and re-evaluate the LF-1 PFAS groundwater remedial alternatives with a revised PFAS6 groundwater transport model. This should bring the LF-1 PFAS6 groundwater transport model into much better agreement with the PFAS6 field data at LF-1 and shorten the estimated timeframe for aquifer restoration for PFAS6 at LF-1 to an acceptable duration. (Additional details and examples regarding how the AFCEC PFAS6 groundwater transport models do not conform to the known distribution of PFAS6 at JBCC will be provided in the MassDEP comment letter on the *Draft Supplemental Feasibility Study for Per- and Polyfluoroalkyl Substances at Fire Training Area-1*.) It may also help mitigate the uncertainty noted by the AFCEC in its most recent Responses to EPA Page-Specific Comment 17 in LF-1 FS MOR2.

MassDEP will reevaluate its request that the AFCEC develop and provide a more aggressive remedial alternative for PFAS6 and 1,4-dioxane once the AFCEC LF-1 PFAS6 groundwater transport model is corrected and the LF-1 PFAS6 groundwater remedial alternatives analysis is updated and revised.

Please incorporate this letter into the Administrative Record for the Landfill-1 groundwater study area. If you have any questions regarding this matter, please contact me at (508) 946-2871.

Sincerely,



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

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



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 15, 2023

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 2022 Land Use Controls Monitoring
Report, RTC, Comments**

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Impact Area Groundwater Study Program (IAGWSP) Responses to Comments Letter (the RTC) dated April 25, 2023, in response to MassDEP comments dated February 10, 2023, for the document **“Draft 2022 Land Use Controls Monitoring Report”** (LUC Report) dated February 2023. The LUC Report provides a summary of Land Use Controls (LUCs) for the IAGWSP groundwater sites at JBCC that require annual monitoring in accordance with their respective Decision Documents and describes the actions taken by the IAGWSP in 2022 to monitor and maintain LUCs for each site.

MassDEP has no comments on the RTC and no further comments on the LUC Report.

Please incorporate this letter into the Administrative Record for the IAGWSP groundwater sites. If you have any questions regarding this matter, please contact me at (508) 946-2871.

Sincerely,

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

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



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 5, 2023

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 J-2 Eastern Environmental Monitoring
Report for November 2021 through October
2022- RCL, Comments**

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Impact Area Groundwater Study Program (IAGWSP) responses to comments letter (RCL) dated April 25, 2023, issued in response to MassDEP comments dated February 24, 2023, for the document **“Draft J-2 Eastern Environmental Monitoring Report for November 2021 through October 2022”** (the Report) dated February 2023. The Report provides an assessment of the J-2 Range Eastern groundwater extraction, treatment, and re-infiltration system operations and groundwater monitoring performed by the IAGWSP from November 2021 through October 2022.

MassDEP has no comments on the RCL.

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

Sincerely,

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

P/ej

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



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

BOURNE BO OF SELECTMEN
RCUD 2023 MAY 25 AM 11:35

NOTICE OF APPEAL HEARING
(Videoconference)

May 19, 2023

Via 1st Class Mail

**MB SPIRITS LLC D/B/A MB SPIRITS
2 FACTORY OUTLET WAY
BOURNE, MA 02532
LICENSE#: NEW**

You are hereby notified that a hearing will be held by the Alcoholic Beverages Control Commission **via videoconference** on:

Wednesday, August 30, 2023, at 10:00 AM (Continued from 5/31/2023)

Regarding:

APPEAL FROM THE ACTION OF THE TOWN OF BOURNE LICENSING BOARD FOR DENYING THE M.G.L. CH. 138, § 15 ALL ALCOHOLIC BEVERAGES RETAIL PACKAGE STORE LICENSE APPLICATION OF MB SPIRITS LLC D/B/A MB SPIRITS TO BE EXERCISED AT 2 FACTORY OUTLET WAY, BOURNE, MA.

ADDITIONAL REQUIREMENTS FOR TELECONFERENCE HEARING

No later than 12:00 pm the business day before the hearing, both parties must submit the following to Patricia Hathaway at phathaway@tre.state.ma.us:

- 1) All exhibits, both agreed-upon and disputed;
- 2) Witness lists, along with an email address for each witness; and
- 3) Notices of Appearance for all individuals expected to participate in the hearing, including the parties authorized representatives, and witnesses.

The parties are encouraged to resolve any evidentiary disputes prior to the hearing date. Parties and witnesses should join the meeting at least five (5) minutes before the scheduled hearing time. Passcode for video link is case sensitive.

TEAMS Video Conference Meeting ID 278 282 557 41 Passcode: 4gZpuh

Call-in (audio only) number is [+1 857-327-9245] with PIN [831 728 103#]

Please be aware that members of the public may join this meeting to observe the hearing.

The Hearing:

Hearings are held pursuant to the Informal/Fair Hearing Rules under M.G.L. C.138, C.30A and 801 CMR §§ 1.02 and 1.03. Reports, if any, and your license file, may be examined and copied at the Commission's office with advance notice.

Representation:

A party may appear on his or her own behalf or may be represented by an authorized representative. An "authorized representative" can be an attorney, a license owner/officer/director/LLC manager, license manager, or any other individual appointed in writing to act on behalf of the licensee.

Motions:

All motions regarding this matter must be filed with the Commission at least fourteen (14) days prior to the day of hearing. A copy of any motion filed with the Commission must be served on any opposing party at the time of the filing of the motion with the Commission.

Pre-Hearing Memorandum:

You are required to submit a joint pre-hearing memorandum to the Commission **at least seven (7) days before the hearing date**. The pre-hearing memorandum must be signed by all parties and/or their counsel or authorized representative and contain the following:

- 1) agreed upon issues of fact to be submitted to the ABCC on the record of the hearing;
- 2) contested issues of fact and the positions of the parties on those issues of fact;
- 3) agreed upon issues of law;
- 4) contested issues of law and the positions of the parties on those issues of law;
- 5) the name and address of each witness to be called by each party;
- 6) a summary of the facts to which each witness is anticipated to testify;
- 7) a list of agreed upon exhibits (marked with sequential numbers for the appellant/petitioner/licensee/taxpayer group and with sequential letters for the appellee/respondent/Local Board/licensee); and
- 8) the names, addresses, and qualifications of each expert and the matter on which the expert is expected to testify, the substance of all facts and opinions to which the expert is expected to testify, and a detailed summary of the grounds of each expert's opinion.

Exhibits:

Any party introducing exhibits must provide **the original and three copies of each exhibit** to the Commission, and a copy to any opposing party, at the commencement of the hearing. Any audio/video exhibits must be submitted in a format compatible with PC computers. It is the responsibility of the parties to ensure the Commission can open any audio/video exhibits submitted by CD, DVD, or thumb drive. The failure to provide an exhibit in a format accessible by the Commission may result in the Commission not considering the exhibit.

Continuances:

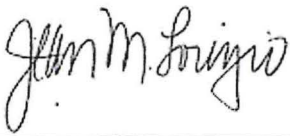
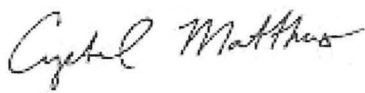
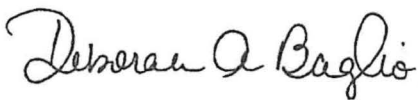
A continuance must be requested in writing to the Commission. The party requesting the continuance must notify all parties involved. All parties must seek the assent of the opposing party prior to filing a request for a continuance.

Recordings & Transcripts:

Hearings are audio-recorded. Pursuant to M.G.L. C.30A, § 11, a transcript will be furnished if requested in writing at the requestor's expense. You may also arrange for your own stenographer. At the Commission's discretion, reasonable accommodations will be made for any party seeking to record the hearing.

If you have any questions regarding this hearing please contact Patricia Hathaway at (617) 727-3040 x738 or phathaway@tre.state.ma.us

ALCOHOLIC BEVERAGES CONTROL COMMISSION

		
Jean M. Lorizio, Esq	Crystal Matthews, Esq	Deborah Baglio, Esq.
Chairman	Commissioner	Commissioner

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000003-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Stephen V. Miller, Esq.
Jon D. Aieta, Esq.
Bryan Bertram, Esq.
File

Maria Simone

From: [REDACTED]
Sent: Wednesday, May 17, 2023 8:11 AM
To: All Selectmen; Marlene McCollem; Timothy Lydon
Subject: MassDOT Project Number 608020, Cape Cod Canal Area Transportation Improvement Program, Proposed bridges and interchanges

Dear Selectmen,

From: [REDACTED]
Date: May 17, 2023 at 8:06:18 AM EDT
To: MassDOTMajorProjects@dot.state.ma.us
Cc: Massachusetts.fhwa@dot.gov, Cassandra Ostrander
Subject: MassDOT Project Number 608020, Cape Cod Canal Area Transportation Improvement Program, Proposed bridges and interchanges

From the Bike Path,

Damp with NE wind here today. Not the best for turnout, but real Cape Cod weather.

Plenty of time to ponder proposed replacement bridges and roadway interchanges.

The proposed shared-use pedestrian and bicycle paths over the proposed bridges would be kinder for cyclists than the present scary sidewalks. Perhaps cyclists would be able to ride instead of walk over the bridges. I worry a bit about the down slope and fast moving bicycles passing slower pedestrians. Many bridges with shared use paths still require cyclists to walk.

How about pedestrians? In Bourne I see things from a local mobility and pedestrian view. Very few people walk over the bridge. It is too long, and there are dangerous interchanges at each end. Most people get in their car and drive 2 to 3 miles to a destination that is less than a mile away across the Canal. What does the new, longer bridge with complex interchanges do for either choice? For the person pondering walking, it is a longer walk and not likely to happen. For the driver, it is a longer drive through more complex interchanges (two of them) with traffic signals where there are none today and merges with higher speed highway traffic.

Let's not forget that the cyclist and pedestrian will also have to navigate the complex interchanges.

The bridge path is beautiful and necessary. MassDOT needs to go back to the drawing board for the interchanges and local connections. There is plenty of room for improvement there. There may be significant cost savings as well.

Is MassDOT really doing their very best? How do we get MassDOT to acknowledge that there are better solutions?

John York
[REDACTED]
P.O. Box 497
Cataumet, MA 02534
cell: 6 [REDACTED]

Maria Simone

From: O'Donnell, Matthew J <mjodonnell@usgs.gov>
Sent: Tuesday, May 16, 2023 4:08 PM
To: Peter Meier; balbert@capecod.gov
Cc: Melissa Ferretti; Marlene McCollem; whubbard@maritime.edu
Subject: RE: request for recommendations about a proposal to name a reef in the Town of Bourne

The Honorable Peter J. Meier, Chair
Town of Bourne Selectmen
pmeier@townofbourne.com

Elizabeth Albert, County Administrator
Barnstable County
balbert@capecod.gov

Issue: request for recommendations from Town of Bourne and Barnstable County about a proposal to officially name a reef of northern coral located between Gibbs Narrows and Little Buttermilk Bay as **Jaroslow Reef**

Dear Chair Meier and Ms. Albert,

On February 6, 2023, I wrote to you asking for a recommendation from the Town of Bourne and Barnstable County about naming **Jaroslow Reef**, a unique northern coral reef located between Gibbs Narrows and Little Buttermilk Bay at [41.7636979, -70.6125641](#) (this link may take up to 10-20 seconds to load to the coordinates).

A Massachusetts Maritime Academy faculty submitted this proposal to the [U.S. Board on Geographic Names](#) (BGN) to have the new name be made official for Federal use. The BGN is responsible by law for standardizing geographic names for use by the Federal Government and votes on proposals after getting recommendations from appropriate local, State, Federal, and Tribal stakeholders.

The name would commemorate Dr. Gary Jaroslow (1958-2017), a professor at the Massachusetts Maritime Academy (MMA) from 2012 to 2017. The proponent states that in the months before his death, Dr. Jaroslow and his students found this “unique reef structure seldom found in New England waters” and that they wish to name the feature after him “due to his impact as a teacher and researcher that he had on his students.” The reef is an area about 2.5 acres of northern coral (*Astrangia poculata*).

Please see my original email and the attached proposal packet for more details.

The BGN has not received any responses from your offices yet, but an email may have been missed or responses mailed to the office may have been delayed.

A recommendation either in support or in opposition from your offices would help the BGN evaluate the local opinion about the name. The BGN does not require a formal resolution if the town or county does not feel it is

necessary; an email reply from you with the recommendations would be considered official. The BGN does not have the resources or the mandate to get public input from all local landowners for each proposal it receives and instead contacts local elected authorities for a recommendation, trusting that they represent the views of those who elected them.

In order for the BGN to review all responses and vote on the issue in a timely manner, we ask that, if possible, you respond by email with an opinion by July 27, 2023. If you need more time to review, please let us know. Also, please note that if no response is received, the BGN will consider your opinion to be "no opinion" and will make a decision that might affect the use of names in the Town of Bourne and Barnstable County.

Please feel free to contact me if you have any questions. Thank you for taking the time to consider this request.

Sincerely,

Matt O'Donnell, research assistant
For Jennifer Runyon, research staff
U.S. Board on Geographic Names
12201 Sunrise Valley Drive, MS-523
Reston, VA 20192

cc:

The Honorable Melissa Ferretti, Clerk, mferretti@townofbourne.com
Marlene McCollem, Town Administrator, mmccollem@townofbourne.com
Dr. William A. Hubbard, proponent, whubbard@maritime.edu

Matt O'Donnell
BGN research staff
Phone: 703-648-4553
Email: mjodonnell@usgs.gov

From: O'Donnell, Matthew J
Sent: Monday, February 6, 2023 4:31 PM
To: pmeier@townofbourne.com; balbert@capecod.gov
Cc: mferretti@townofbourne.com; mmccollem@townofbourne.com; whubbard@maritime.edu
Subject: request for recommendations about a proposal to name a reef in the Town of Bourne

The Honorable Peter J. Meier, Chair
Town of Bourne Selectmen
pmeier@townofbourne.com

Elizabeth Albert, County Administrator
Barnstable County
balbert@capecod.gov

Issue: request for recommendations from Town of Bourne and Barnstable County about a proposal to officially name a reef of northern coral located between Gibbs Narrows and Little Buttermilk Bay as **Jaroslow Reef**

Dear Chair Meier and Ms. Albert,

I work on the staff of the [U.S. Board on Geographic Names](#) (BGN), which is responsible by law for standardizing geographic names for use by the Federal Government. The BGN accepts proposals to name or rename geographic features and makes decisions on proposals based on local opinion and recommendations. As a first step, the BGN asks staff to reach out to local governments who have been elected to represent their citizens and other entities that might have an interest in the proposal.

The name was submitted to the BGN by a Massachusetts Maritime Academy faculty member and would commemorate Dr. Gary Jaroslow (1958-2017), a professor at the Massachusetts Maritime Academy (MMA) from 2012 to 2017. The proponent states that in the months before his death, Dr. Jaroslow and his students found this “unique reef structure seldom found in New England waters” and that they wish to name the feature after him “due to his impact as a teacher and researcher that he had on his students.” The reef is an area about 2.5 acres of northern coral (*Astrangia poculata*).

The proponent notes that the reef is shallow and presents a navigation hazard and should be named.

Please see the attached proposal packet for more details. NOAA has no objections to the new name.

To make an informed decision on the proposal, the BGN would like to know if your offices either support or oppose this proposal and if there is opposition, the reason for your decision. We will also ask for a recommendation from the Michigan State Names Authority.

The BGN is not proposing this name, but is asking for local feedback before voting to either approve or not approve the name for official Federal use.

Please note that:

- The BGN accepts and votes on proposals as long as those proposals meet the BGN’s [Principles and Policies](#).
- A proposal may be to apply a new name to a currently unnamed geographic feature, or to change an existing name, spelling, or location.
- The BGN is not part of the U.S. Geological Survey; the USGS is just one of many member agencies that have a vote on the BGN.
- The BGN is reactive; it does not initiate these proposals except in rare cases of obvious map labeling errors.
- The BGN places importance on local opinion when it votes on any proposal. The BGN has no requirement on how a local government develops its recommendation, as long as it is provided to the BGN by the elected leaders or an office designated to speak for them.
- The BGN does not have the resources to contact every landowner that may be impacted by the proposal.

Please feel free to share this proposal with any other groups that may have an interest such as a local historical society.

The proposal is listed on the BGN's [Quarterly Review List 449](#). Attached is a summary of the proposal with a map, and the original proposal. To facilitate a response from your office, a recommendation form is also attached, but your response may also just be sent in a reply to this email.

Thank you for your consideration of this request and I look forward to hearing from you. Meanwhile, if you have any questions, please don't hesitate to contact us. We may be contacted by e-mail at BGNEXEC@usgs.gov or mjodonnell@usgs.gov, or by telephone at (703) 648-4553.

Sincerely,

Matt O'Donnell, research assistant
For Jennifer Runyon, research staff
U.S. Board on Geographic Names
12201 Sunrise Valley Drive, MS-523
Reston, VA 20192

cc:

The Honorable Melissa Ferretti, Clerk, mferretti@townofbourne.com
Marlene McCollem, Town Administrator, mmccollem@townofbourne.com
Dr. William A. Hubbard, proponent, whubbard@maritime.edu

Matt O'Donnell
BGN research staff
Phone: 703-648-4553
Email: mjodonnell@usgs.gov

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

355 County Road
Monument Beach, MA 02553
May 10, 2023

BOURNE BD OF SELECTMEN
RCVD 2023 MAY 12 AM 10:28

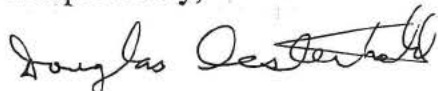
Peter Meier, Chair
Select Board – Town of Bourne
24 Perry Avenue
Buzzards Bay, MA
02532

Cc: Marlelne McCollum
Town Administrator


Dear Mr. Meier

I respectfully request that the Town notify me promptly if a petition submitted to the Town compels the Town to hold a Special Town Meeting with a warrant article regarding policy about marijuana establishments in Bourne.

Respectfully,



Douglas Oesterheld

 Monument Beach, MA 02553-0616



TALENT BANK FORM

ACT NOW- SERVE YOUR COMMUNITY

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

TOWN GOVERNMENT TALENT BANK
c/o Town Administrator,
24 Perry Avenue
Buzzards Bay, MA 02532

NAME: Linda Sharp

DATE: 5-21-2023

ADDRESS: [REDACTED]

VILLAGE: Sagamore Beach

OCCUPATION: Photographer, Entrepreneur

TELEPHONE # [REDACTED]

EMAIL: [REDACTED]

Please list in order of preference which committee(s) you are interested in:

Bourne Cultural Council

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

attached is my Photography Bio. My prior career as a Compliance Mgr. at Boston University prepared me to review grants (NIH etc) and to ensure grant execution was properly conducted. During my time at Front St. Art Gallery, I was on the development team to acquire grants (M.C.R. + Scituate Education Foundation) to provide education to children & adults using iPhones or iPads. These skills will allow me to be an asset to the Bourne Cultural Council!

Thank you!

Linda Sharp

Photographer/ Fine Art Image Maker

"You Walked Right By It!"

Artist Statement / Bio

Linda Sharp is a Fine Art Image Maker. "I enjoy using my photographic skills to tell stories that capture the ever-changing beauty of coastal and nautical subjects. Capturing photographic "snippets" of subjects that others may not observe stirs my passion. Such snippets may be a sun-drenched sky illuminating a shell or a shell sculpted into a well-worn concrete pathway. When a particular subject captures my attention, I just stop, look at it from every angle, search for just the right light, "frame with my feet" and "click"! Often people may say oh, that's different, where was it? I murmur with a smile: "*You walked right by it!*" Linda's images have been shown at juried shows and member/juried art galleries on the South Shore and Cape Cod. She is the principal of Rotating-Images, a unique art gallery and photography studio in Bourne, MA.

My journey: Photography has been part of my life from an early age. My Dad had a darkroom when I was a child; I followed in Dad's footsteps...or was it photosteps? My high school years were spent working for a photographer. Years later, my daughter's friend saw a family portrait and loved it so much she convinced me to shoot her wedding (my first, of course!). Gulping, I knew I needed guidance...quickly. Gathering up courage, I walked into a photography studio in Philadelphia seeking help and left having met my first mentor, the late Sidney Yoblick. Sid brought me on as an assistant at weddings and mitzvahs, advising me to get a "real" camera. He continued to mentor me for several years. Eventually, my artistic interests shifted to fine art, leading me to my second mentor, Alison Shaw of Martha's Vineyard. Currently, I am paying it forward serving as a mentor to Cape Cod high school students through the MassHire Cape and the Islands Workforce Board's Art Works Program.

Memberships

- Cape Cod Museum of Art, *member*
- Cahoon Museum, *member*
- Cotuit Center for the Arts, *member*
- Front Street Art Gallery, *past juried gallery artist*
- Duxbury Art Association, Duxbury campus *The Ellison Center for the Arts, past member*
- Hull Artists, *past member*
- North River Arts Society, *past member*
- Professional Photographers Association, *member*
- Plymouth Art Guild/Center for the Arts, *member, past instructor*
- Reverdy Art Gallery, Everleigh Cape Cod, Hyannis, MA, *past member*
- Sandwich Arts Alliance, *member*
- South Shore Art Center, *past member*

Awards

- **"Above and Beyond Award"** Plymouth Center for the Arts, December 17, 2019
- **"Morning Glow"**, Scituate Arts Association, Annual Member Show, First Place, 2018
- **"Time for a Drink"**, Plymouth Art Guild, Honorable Mention, 2017
- **"Downtown Drinks"**, Scituate Arts Association, Annual Juried Show, Third Place, 2013

Juried Shows

- **Cape Cod Art Center**, 2018
- **Cotuit Center for the Arts**, "*Jimmy Fund*"
- **Hull Lifesaving Museum**, "*Sea and Sky Art Show*", 2015, 2016, 2018
- **North River Arts Society**, (*Into the Fog*) 2017
- **Plymouth Center for the Arts**, 2016, 2017, 2022, 2023
- **Reverdy Art Gallery**, Everleigh Cape Cod, Hyannis, MA, 2019
- **Sandwich Arts Alliance**, 2022
- **Scituate Arts Association**, 2013, 2016, 2018
- **South Shore Art Center**, "National Juried Show", 2016

Linda Sharp

Judging

- Quincy Art Center, "*Spring into Art*", 2016
- Plymouth Center for the Arts, 2018

Collections

- "*Yawning Hippopotamus*" Education Center, America's First Zoo, Philadelphia, PA, ~2009

Publications

- "The Sandwich Boardwalk" (A Sandwich Arts Alliance Book) 2023, 2 photographs on pages 42&43
- South Shore Living, January 2018; Section: Last Scene; "Frosty Beach Path"
- America's First Zoo, Philadelphia, PA, zoo's print materials and social media,
- Boston Globe, Sunday Food Section, color, top of mast, Food Editor: June Wilder, 2017, article: Simply Smith's at One Pleasant; "Lobster Scampi"
- Hull Times, front page, color, top of mast, November 2015; "Thanksgiving Bonfire"; contributing photographer
- National Psoriasis Foundation Journal, 2012, Portrait and photographs of Lasker Award winner Nehal Mehta, M.D. for a cover and feature article.

Book Cover, Author Portrait

"*Single, Again*", Ellen Hildebrand (now Wood), published December, 2018, Amazon

Grants

- Mass Cultural Council's Cultural Sector Recovery Grants for Individuals, recipient of one of the unrestricted \$5,000 grants awarded "to creatives and gig workers to support recovery from the COVID-19 pandemic and set a path for growth."
- Massachusetts Cultural Council Grant, Scituate Cultural Council, Front Street Art Gallery, Scituate, MA, 2016, photography instructor for school-age children and adults in newly established cultural district
- Scituate Education Foundation, 2017, photography instructor for school-age children in newly established cultural district

Solo/Featured Artist Exhibits

- "Sanctuary" May-July 2023, Plymouth Public Library Gallery, 3-artist show, Plymouth, MA
- "Coastal" 2017, Be Well Studios, Scituate, MA
- "Coastal" 2016, 2017, Hingham Art Walk, AZ Studio, Hingham Square, MA
- "SandScapes and Waves", 2016-2017, Rudolph Adamo Salon and Spa, Scituate, MA
- "Coastal" 2017-2018, Exhibited throughout The Fairview Inn and Restaurant, Marshfield, MA
- "Fenway Park Snippets", February 2016; "Coastal" 2017-2018, Harbor Fire Bar and Grill, 239 Dyke Road, Marshfield, MA
- "Fenway Park Snippets", February 2016- 2017, "Coastal" 2017, AZ Studio, Hingham Square, MA, Christina Jans, Owner

Curator

- "Beach Inspired Art, Food and Wine" January 18, 2018, Fairview Inn and Restaurant, Marshfield, MA.
- Various business establishments in Hull and Cohasset (on behalf of Hull Artists)

Linda Sharp

Teaching

- **Private Smart Device Classes and Workshops**, by appointment in my studio and on location
- **MassHire Cape and Islands Workforce Board, YouthWorks**, selected to teach a 4-day pilot photography workshop for high school photography students during their school vacation. Hyannis, MA, February 2023
Linda Sharp
- **"Image Making with Your Smartphone"** Plymouth Center for the Arts, Photography/Adult Classes, Plymouth, MA, Fall Session 2022 and Winter Sessions 2023
- **"Workshop: Image Making with your Smart Device"** "Arts on the Beach" Digital Art Photography (Program #1), Sagamore Beach Colony Club, Clark Hall, Sagamore Beach, MA, July 2021
- **"Insight Seminars: Making Art with Smart Devices"**, Reverdy Art Gallery, Everleigh Cape Cod, Hyannis, MA, February, 2020
- **"Making Photographs with Your Smart Device"**, Gates Middle School Workshop, Annmarie Galvin, Scituate, MA, *Aware Project with Photography*, seventh grade students, 2018
- **"Photography Demonstration"**, Lillian Jacobs School in Hull, MA, "Arts Alive Day, Artists-In-The-Classroom" May 2017 and 2018
- **"Photography as Art"**, Scituate Art Association's Front Street Art Gallery, Scituate, MA, April 17-22, four-day workshop with students 8-15 years of age, 2017
- **"iPhone Photography as Art"**, Scituate Art Association's Front Street Art Gallery, Scituate, MA, workshop (adults), 2017

Mentoring

- **MassHire Cape and Islands Workforce Board, ArtWorks** program paired high school seniors who are art students with a specific interest in photography with professionals such as myself. I served as a mentor, providing them with an intensive insight into professional photography with real-time use of camera gear. Students were also provided the opportunity to explore future academic and career paths in the arts. Academic year 2023, Hyannis, MA

Volunteer Photography

- **USS Massachusetts Christening Ceremony**, 2023, Newport News, VA, *USSM Commissioning Committee*
- **USS Massachusetts Commissioning Committee**, 2022, Boston 4th of July celebrations for group of U.S. Navy sailors
- **Rotary International**: Nantasket Beach Car Show 2018, Cops for Kids with Cancer, 2018
- **Help-Portrait**, Kristin Hughes-Craig, Plymouth, MA, December 2016
- **National Psoriasis Foundation's Inaugural Fundraiser**, Park Plaza, New York City, 2012
- **Philadelphia Zoo**: Echoes of Africa 2009+2010; Global Conversation Gala; Robert Irvine "Food Network" show taped at Zoo

Linda Sharp resides with her husband Rick in Sagamore Beach, Massachusetts. She is focused on her fine art nautical and coastal work along with client photography and private teaching in her studio, Rotating-Images.

Web: Rotating-Images.com

Facebook: [@rotating-images](https://www.facebook.com/rotating-images)

Email: rotatingimages2019@gmail.com

Mobile: [REDACTED]



TALENT BANK FORM

ACT NOW- SERVE YOUR COMMUNITY

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

TOWN GOVERNMENT TALENT BANK
c/o Town Administrator,
24 Perry Avenue
Buzzards Bay, MA 02532

NAME:

Rick SHARP

DATE:

5-22-23

ADDRESS:

[REDACTED]

VILLAGE:

SAGAMORE

OCCUPATION:

ARTIST - RETIRED

TELEPHONE #

[REDACTED]

EMAIL:

[REDACTED]

Please list in order of preference which committee(s) you are interested in:

BOYARNE CULTURAL
COUNCIL

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

ALREADY MEMBER BCEC

WANT TO DO MORE.

RL 5-22-23

UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE

APRIL 12, 2023 MEETING HELD AT THE SCHOOL

220 SANDWICH ROAD, BOURNE, MA 02532

PRESENT: Ellen Barber; Dominic Cammarano; Thomas Corriveau; Mary Crook; Michael Degan; David P. Sampson; Maryann Smith; Roger Forget; Josh Greeley; Sharon Brito, Recording Secretary.

ABSENT: Robert Fichtenmayer, Christine Marcolini.

The meeting was called to order at 6:15 p.m. followed by the Pledge of Allegiance to the Flag. Mr. Corriveau, acting as Chair in Mr. Fichtenmayer's absence, announced that the meeting was being recorded via an audio device.

STUDENT ADVISORY REPRESENTATIVE: Madison Neal, a senior in Information Technology from Bourne, updated the committee on recent student activities including a candygram sale held by the InterAct club and the professional filming of a video around the InterAct Club's peer mediation and peacebuilding initiative.

STUDENT SPOTLIGHT / CURRICULUM UPDATE: No report.

At this point in the meeting, Mr. Degan made a motion, seconded by Ms. Crook, to move to Agenda Item 12A under New Business. Motion passed unanimously.

NEW BUSINESS:

Approval of the FY22 Audit Report — Allan Smith, of Allan Smith CPA, thanked the committee and staff for their assistance in completing the audit process. He remarked that it was an excellent audit with no material weaknesses in internal controls. He outlined the process of conducting an audit explaining that his team first looks at everything analytically and then chooses various accounts for a more detailed examination. He went on to state that there is no significant non-compliance with state and federal contracts. He referenced the draft *Report to the School Committee and Financial Statements* that had been provided to the committee. Mr. Smith made the following suggestions:

- *DESE time and effort reporting: The District receives Federal grants and contracts that include effort reporting by individuals allocated to Federal grants. Many of the District's federal grants and contracts are funded through the Commonwealth of Massachusetts, Department of Elementary and Secondary Education (hereinafter "DESE"). DESE has a formal "Time and Effort Reporting – Substitute System Certification" that the Department suggests as a "best practice" in the oversight and monitoring of the Federally-funded*

grants administered through their department. Although, the District's current time and effort reporting appears to be compliant, DESE has an expectation for reporting that suggests their Substitute System Certification process more appropriate for use. Accordingly, we recommend the District formally adopt the "DESE" "Time and Effort Reporting – Substitute System Certification".

- Old outstanding checks: The District has a number of old outstanding checks that have been unresolved for a few years. Many of these checks exceed one hundred dollars (\$100) individually and, therefore, are subject to Commonwealth of Massachusetts General Laws (hereinafter M.G.L.) Chapter 200A, Disposition of Unclaimed Property. Chapter 200A provides definitive guidelines for the required communication and payment attempts with the rightful owner of the property and if unsuccessful, guidelines for payment or delivery of the property to the Treasurer of the Commonwealth of Massachusetts. We recommend the District investigate its old outstanding checks consistent with M.G.L. Chapter 200A and escheat to the Commonwealth all unresolved funds consistent with the regulation.
- Compliance with Gramm-Leach-Bliley Act: The District is required to comply with the Gramm-Leach-Bliley Act relating to its federal student financial assistance program (hereinafter "Title IV Program") available to income eligible LPN program participants. As part of this, the District is required to assess information security risk to include the following: 1.) employee training and management; 2.) information systems, including network and software design, as well as information processing, storage, transmission, and disposal; and 3.) detecting, preventing, and responding to attacks, intrusions, or other system failures. We note the District appears to have strong expertise and oversight of the information systems which include the Title IV Program and has made significant progress towards compliance with the Gramm-Leach-Bliley Act, we recommend the District complete its efforts towards full compliance.
- Netting of scholarship fund receipts and disbursements: The District maintains a number of scholarship and memorial funds for the benefit of scholarship recipients. As community support for these funds have grown in recent years, the number of transactions recorded within these funds have increased significantly. Currently, the District records all transactions within one account making it difficult for District administration to understand the associated revenue and expense to each fund. As the financial reporting to the Commonwealth of Massachusetts for these transactions requires the annual summary of revenue and expense by fund, we suggest the District break-out the transactions within each fund to reflect revenue and expense by fund to facilitate both financial reporting and District administrative oversight of each fund.

Mr. Degan made a motion, seconded by Ms. Crook, to approve the FY22 audit report as presented. Motion passed unanimously.

PUBLIC PARTICIPATION: None.

APPROVAL OF MINUTES: A motion was made by Mr. Degan, seconded by Ms. Smith, for approval of the minutes of the March 9, 2023 regular meeting. Six in favor; Ms. Crook abstained. Motion passed. A motion was made by Mr. Degan, seconded by Ms. Smith, for approval of the minutes of the March 13, 2023 special meeting. Six in favor; Ms. Crook abstained. Motion passed. A motion was made by Mr. Degan, seconded by Ms. Smith,

for approval of the minutes of the March 13, 2023 public hearing. Six in favor; Ms. Crook abstained. Motion passed.

COMMUNICATIONS: The Superintendent read a letter from the Tomorrow Fund thanking the staff for the recent donation of funds raised during a Staff Jeans Day. Next, he read an e-mail from the parent of a member of the football and baseball teams. The parent expressed her appreciation for the weekly calendar updates from the Athletic Director, stating that the constant communication provides great assistance to parents when trying to juggle car rides and pickups in addition to being able to attend as many games as possible. Finally, Mr. Forget read an e-mail from the Chair of the Sandwich Finance Committee thanking him for providing committee members with a tour of the campus and lunch in the Canalside Dining Room.

REPORT OF COMMITTEES:

Budget – Mr. Degan reported that the Budget Sub-Committee met on April 3rd and has agenda items for tonight's meeting. The next meeting will be held on Monday, May 1st.

Policy – Ms. Crook stated that she received a Policy Update from the Massachusetts Association of School Committees with a number of policy recommendations. Thus, the Policy Sub-Committee should schedule a meeting soon.

TREASURER'S REPORT: Mr. Degan distributed the Treasurer's Report for warrants #38 and #40 highlighting the larger expenditures on the warrants including cafeteria food, student busing, health insurance, utilities, and the purchase of a cybersecurity bundle and a Groundmaster machine for the Horticulture shop.

SUPERINTENDENT'S REPORT: Mr. Forget informed the committee that the FY2024 budget was passed at the Falmouth annual town meeting. The Wareham town meeting is scheduled for April 24th, the Bourne and Sandwich town meetings are scheduled for May 1st, and the Marion town meeting is scheduled for May 8th. He met with representatives from Anderson Bus Sales regarding procurement of three electric busses and three charging stations. The cost of the busses is \$375,000 each and the charging stations cost \$30,000 each; all of which will be paid for by the Electric School Bus grant the district received. A bus barn will be constructed by the Marine building to house the busses, which should be delivered sometime in October or November.

PRINCIPAL'S REPORT: Mr. Greeley displayed a citation from the Massachusetts House of Representatives that was presented to Dr. Jean Bresciani and the Veterinary Science program in recognition of their commitment and dedication to Nero's Law training for local first responders. The Principal also commended Nolan LeRoy, Vocational Supervisor, for his involvement in this initiative. The Principal informed the committee that over 200

students are participating in spring athletics. The girls' varsity lacrosse team is starting the season strong with a record of 5-1. There was a motivational speaker in the building today speaking to the students about overcoming obstacles, remaining positive, and changing your circumstances. Jay Blake lost his sight, smell and taste as a result of an industrial accident while working as an automotive mechanic. Jay Blake is now the founder and president of Follow A Dream, and the only totally blind crew chief in the worldwide sport of auto racing. Mr. Greeley stated that there will be 45 students participating in the SkillsUSA state competition at the end of the month. 26 students attended the Future Farmers of America competition last week, with students placing first in agricultural sales thus qualifying for the national competition. Finally, the Principal reported that there are currently 170 students out on co-op.

NEW BUSINESS:

Applicant Interview - Director of Special Education Position – The Superintendent stated that the Search Committee interviewed several applicants for the position of Director of Special Education and agreed unanimously to recommend Leslie Sullivan to the School Committee. Committee members asked Ms. Sullivan a series of questions relevant to her professional background and educational philosophy. Mr. Degan made a motion, seconded by Mr. Cammarano, to appoint Leslie Sullivan to the position of Director of Special Education effective July 1, 2023. Motion passed unanimously.

Student Transportation Bid Awards – Routes #5,6,7,14&15 – Mr. Forget stated that two companies put bids in. Lucini Bus Lines bid on all five routes. A&A Metro bid only on routes #6 and #15 and was the low bidder for those routes. As the district has not utilized A&A Metro in the past, the committee requested that the Superintendent do some research on the company and contact references. Mr. Degan made a motion, seconded by Ms. Smith, to table this agenda item until the May meeting. Motion passed unanimously.

FY23 Budget Transfers – Mr. Degan made a motion, seconded by Ms. Smith, to follow the recommendation of the Budget Sub-Committee and make the following transfers for the FY23 budget:

<u>Transfer To:</u>		<u>Transfer From:</u>	
Psychological Speech 50-2800-0400-01 Services shortfall	\$26,490	Guidance Counselors 50-2710-0100-02	\$26,490
Psychological Contractual 50-2800-0400-02 Services shortfall	\$65,890	Guidance Counselors 50-2710-0100-02	\$65,890
Health Benefits 50-5100-0600-01 GIC & MSRB premiums shortfall	\$210,000	Teachers 50-2305-0100-01 Info Tech Prof 50-1450-0200-00	\$160,000 \$50,000

Workers Comp
50-5100-0600-03
Premium shortfall

\$5,822

Guidance Counselors \$5,822
50-2710-0100-02

Security Supplies
50-3600-0500-00
Security upgrade shortfall

\$7,470

Security Prof \$7,470
50-3600-0100-00

Motion passed unanimously.

Use of Transportation Stabilization Funds – The Superintendent explained that the use of transportation stabilization funds is necessary to supplement the increase in the FY23 bus route contracts awarded to Lucini Bus Lines for routes #2, 3, 4, 8, 9, 10, and 11. He added that there is currently a balance of \$254,551.00 in the Transportation Stabilization Fund. Mr. Degan made a motion, seconded by Ms. Crook, to follow the recommendation of the Budget Sub-Committee and approve the usage of \$99,104.00 for the FY23 Lucini Bus Lines contract shortage from Transportation Stabilization Funds. Motion passed unanimously.

FY23 OPEB Payment – Mr. Forget informed the committee that the FY23 budget included \$50,000.00 in the Health Insurance Benefits line for a payment to the OPEB trust account, which was established during FY15. Mr. Degan made a motion, seconded by Ms. Crook, to follow the recommendation of the Budget Sub-Committee and authorize a payment of \$50,000 to the OPEB trust account for FY23. Motion passed unanimously.

School Committee Annual Conference – The Superintendent polled the committee as to which national conference they would prefer to attend during the 2023-2024 school year. Customarily, the committee attends the National School Boards Association (NSBA) annual conference. Last year, the committee opted to attend the Association for Career and Technical Education's (ACTE) annual conference instead as it is geared towards technical education specifically. Those who attended the ACTE conference last year found it very worthwhile and superior to the NSBA conference. Ms. Smith made a motion, seconded by Mr. Degan, that the School Committee attend the Association for Career and Technical Education's annual conference from November 29 – December 1, 2023. Motion passed unanimously.


Mr. Degan made a motion, seconded by Mr. Cammarano, to adjourn the regular meeting at 7:30 P.M. Motion passed unanimously.

A True Copy Attest

Date:

5-11-2023

(Seal)


Sharon R. Brito, Secretary

Documents reviewed / referred to:

- 04/12/2023 School Committee Packet
- Thank You Letter Dated 04/03/2023 from The Tomorrow Fund
- E-Mail Dated 03/29/2023 from Athletic Parent
- E-Mail Dated 04/12/2023 from Sandwich Finance Committee Chair
- Treasurer's Notes Dated 04/12/2023

From: [Buzzards Bay Eagles](#)
To: [Maria Simone](#)
Subject: MA State Eagles Convention
Date: Friday, May 12, 2023 4:28:01 PM

Hi Maria,

As per our conversation, I have been tasked with seeing if I can get a representative or two from the Town of Bourne to come to the opening meeting of the MA State Eagles Convention being held in Buzzards Bay, in June of this year. What it would entail is just a few brief remarks, welcoming the delegates to the convention in Buzzards Bay. The meetings are divided into two (2) parts with the Aerie and Auxiliary so we are asking that the individual(s) stop into both sessions to provide some welcoming remarks. The Aerie is meeting at the Buzzards Bay Eagles Club. The Auxiliary is meeting at the Rosebrook Convention Center in Wareham.

The date is Saturday, June 10, 2023. Both Aerie & Auxiliary meetings start at approximately 9:00 AM and it should only require a few minutes of their time at each location. Should only one representative be available, we would ask that they visit the Aerie in Buzzards Bay at 9 am then head to the Auxiliary.

Thank you for your help and please let me know if you have any questions.

Regards,

Donna McCormack
MA State Convention Committee

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

TALENT BANK FORM

ACT NOW- SERVE YOUR COMMUNITY

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

TOWN GOVERNMENT TALENT BANK
c/o Town Administrator,
24 Perry Avenue
Buzzards Bay, MA 02532

NAME: William J Doherty DATE: 5/18/23

ADDRESS: [REDACTED] PO BOX 430 VILLAGE: CATAMUNT

OCCUPATION: RETIRED TELEPHONE: [REDACTED]

EMAIL: [REDACTED]

Please list in order of preference which committee(s) you are interested in:

A (TEMPERATURE REPRESENTATIVE CAPE LIGHT COMMACT

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

FORMER CHAIR OF COMMACT
SERVED 10 YEARS AS COUNTY REPRESENTATIVE

SEE ATTACHED FOR BACKGROUND

From: Bill Doherty
Sent: Wednesday, May 17, 2023 4:49 PM
To: Bill Doherty
Subject: Background for appointments to boards

Background for appointments to boards

I'm interested in an appointment to: *ALTERNATE REPRESENTATIVE Cape Light Compact*

I've been elected and appointed to several boards, Commissions, authorities and committees as follows:

Harwich Cemetery commission 3 years
Harwich Housing Authority 25 years
Assembly of Delegates 4 years
Barnstable County Commissioners 12 years
Cape Cod RTA 12 years
Cape Cod Commission 7 years
Cape Cod Compact 10 years
and several work groups and ad hoc committees

My 40+ years work experience was in Electric power and energy management.
I've traveled to 49 states, Canada, Europe, Australia, Asia, Africa and South America.

I taught at the Boston Architecture College.
I was a Substitute Teacher 4 thru 12 in Barnstable, Harwich, D-Y and Cape Tech for 12 years

I served as a board member of Cape Cod Community TV and had a program for 8 years
I have an interview program on Bourne TV for 4 years

I have a BS Physics from Boston College and a MBA from Babson College. Also graduate work at Boston State, UMASS-Boston, Boston Architecture College and several other schools.

I am an veteran 6 years regular army, 7 in the NG and reserves.

Although I never was endorsed by the Cape Cod Times for commissioner they called me the king of showing up.

If appointed you could count on me to attend and try to make a serious contribution and do the best I can

BILL DOHERTY
Life is not a rehearsal!

Upper Cape Cod Regional Technical School

220 SANDWICH ROAD, BOURNE, MASSACHUSETTS 02532

www.uppercapetech.com

BOURNE BOARD OF SELECTMEN
RCUD 2023 MAY 22 AM 10:48

Roger D. Forget
Superintendent

Telephone: 508-759-7711
FAX: 508-759-7208

May 11, 2023

Ms. Marlene McCollem
Town Administrator
Bourne Town Hall
24 Perry Ave.
Buzzards Bay, MA 02532

Dear Ms. McCollem:

In accordance with Section V(C) of the Regional District Agreement among the towns with respect to the establishment of the Upper Cape Cod Regional Vocational-Technical School District, please be advised that the School Committee has established an Operating Budget of \$20,135,088 and a Capital Budget of \$305,000 for the fiscal year ending June 30, 2024. The impact of this budget on the individual towns is reduced by State Aid, tuition and other receipts in the amount of \$6,653,413 Total Net Operating Costs assessed to the communities, therefore, becomes \$13,786,675 in accordance with budget detail attached. In accordance with the Education Reform Act and the Regional District Agreement formula, the assessment for the Town of Bourne is as follows:

Operating	\$3,577,646.00
Capital	<u>47,103.00</u>
Total Assessment	<u>\$3,624,749.00</u>

Quarterly payments in the amount of \$906,187.25 are due July 1st, October 1st, January 1st and April 1st from the Town of Bourne. If you have any questions, please feel free to contact me.

Very truly yours,

Roger D. Forget
Superintendent

Michael Degan
Treasurer, School Committee

cc: Town Clerk
Town Treasurer
Finance Committee
Board of Selectmen



BOURNE - FALMOUTH - MARION - SANDWICH - WAREHAM

From: Bryan Bertram [mailto:bbertram@miyares-harrington.com]
Sent: Tuesday, May 30, 2023 10:54 AM
To: Marlene McCollem <mmccollem@townofbourne.com>
Cc: Mary Jane Mastrangelo <MMastrangelo@townofbourne.com>
Subject: Re: Sewer Commissioners and Select Board

Hi Marlene:

I see no legal issue with the Select Board and Sewer Commissioners acting as a combined body. The Charter controls here and says that the Select Board "acts" as Sewer Commissioners without any further procedural or other requirements specifying how they do so. As MJ noted in her email, this is the same text as the General Laws. Both the Charter and the General Laws contemplate the Select Board fulfilling this function as one body unless or until some other legal authority creates a distinct board of Sewer Commissioners. My specific responses to MJ are below.

My more general observation is that, if the Select Board decides to consolidate this function as one, the most practical concern is just making sure that the public understands what is going on. In other words, the public is used to seeing separate agendas and separate meetings. If that procedure is going to change, I would recommend that you really make it clear so that members of the public do not inadvertently miss a meeting because they weren't aware of the change. So, for example, you may want to label the agendas (at least for a period of time after the procedural switch) as Select Board and Sewer Commissioners' agenda and you may also want the Chair to explain that both "Boards" will be administered as part of the Select Board's role going forward. Thus, in the future there may not be separate agendas and those interested in the Sewer Commissioners' policy should start looking at Select Board agendas for relevant agenda items. This is not so much a legal requirement as it is my two cents about avoiding issues or concerns from the public.

1. Does the Charter require separate officers for the BOSC and the Select Board?

No. The Charter creates no Board of Sewer Commissioners separate from the Select Board. Rather, in Article 3, which creates and defines the roles and responsibility of the Select Board, Section 3-1 specifies that the Select Board "shall also act as sewer commissioners" Thus, it is the officers of the Select Board that "act" with the authority of Sewer Commissioners and not separate officers.

2. What notice is required to act as the BOSC instead of the Select Board?

Neither the Charter nor the General Laws impose any notice requirement concerning how the Select Board acts as Sewer Commissioners. Therefore, there is no "magic formula" aside from the Select Board clearly stating that it is considering sewer business and voting on the same. Of course, when doing so, the Select Board should follow the Open Meeting Law's requirements including, in particular, making sure that the agenda is clear when a sewer topic is to be considered and acted upon by the Select Board as Sewer Commissioners. (see answer below)

3. Are there any agenda requirements that we would need to be aware of to co-mingle the work of the 2 Boards?

The agenda requirements would be the same as they are for any other topic. The agenda should clearly state what items the Select Board is considering when those items relate to sewer. I would suggest that the Sewer Commissioners hold a final, separate meeting from the Select Board and vote to have future meetings consolidated with Select Board meetings - more than anything else, that provides a very clear opportunity for the public to learn of the change. After that vote and for subsequent, combined meetings, I would post agendas as "Select Board and Sewer Commissioners" or something similar, at least for a period of time after, to continue to signal the change. And for all subsequent meetings, I would suggest that Sewer Commissioner business be grouped together on Select Board agendas as "Sewer Commissioner Business" or something similar, with a note that the Select Board "acts as the Sewer Commissioners pursuant to Section 3-1 of the Town Charter and all agenda items in this category are agenda items deliberated under that authority." I would not say that all of this is strictly necessary as a matter of law, but I suggest it to avoid any misunderstandings with the public and to avoid any complaint that the agenda items do not have the required level of specificity under the Open Meeting Law.

Bryan Bertram

MiyaresHarrington - Local options at work

Miyares and Harrington LLP
40 Grove Street • Suite 190

FY2024
Representatives from Select Board
to Various Committees/Boards
V2

UPC = Until Project Complete

TERM	COMMITTEE	REP OF COMM	EXP	APPT BY	FIRST	LAST	FORMERLY
Select Board							
2 YR	Affordable Housing Trust	Select Board/Town Adm	June 30, 2023	Select Board			Meier
1 YR	Bourne Landfill Business Model Working Group	Select Board	June 30, 2023	Select Board			MacDonald
	Cape Cod and Islands Water Protection Fund – MANAGEMENT BOARD	Select Board Rep	June 30, 2025	Select Board			Mastrangelo & Slade (as at-large member)
1 YR	Cape Cod Regional Transit Authority	Select Board	June 30, 2023	Select Board Designee			Slade - Slade would like reappointment
1 YR	Community Action Committee of Cape Cod and Islands, Inc.		June 30, 2023	Select Board			Ferretti
3 YR	Community Engagements Committee	Select Board Rep	June 30, 2025 - 3 yr however Select Board appts annually	Select Board			Froman
1 YR	Joint Base Cape Cod	Select Board	June 30, 2023	Select Board			Slade Slade Does not wish to be reappointed Ferretti, Alternate
1 YR	Local Emergency Planning Committee - Local Elected Official	Select Board	June 30, 2023	Select Board			Ferretti
1 YR	OPEB Trust Fund	Chair of the Select Board	While Chair of the BOS	Select Board			Meier
1 YR	Roadway Traffic Safety Committee	Select Board - Ex Officio	June 30, 2023	Select Board			Froman
UPC	South Side Fire Station Building Committee	Select Board	Until Project Complete or Revoked	Town Administrator or his/her rep			Meier
1 YR	Trustees of the Bourne Veterans' Memorial Community Center	Select Board Chair	While Chair of the BOS	Select Board			Meier as Chairman
1 YR	MassDOT Bridge Advisory Committee	Select Board Members	Until Project Complete or Revoked	Select Board			Meier and Froman
UPC	WTP Building Committee	Select Board Member	UPC	Select Board			Meier
UPC	Police Station Building Committee	Select Board Member	UPC	Select Board			Meier
1 YR	Mass Maritime Liaison	Select Board Member	June 30, 2023	Select Board			Froman
UPC	Financial Policy Working Group	Select Board Members	UPC	Select Board			Mastrangelo & Siroonian
1 YR	Select Board & Sewer Commissioners Policy Subcommittee	Select Board Members	June 30, 2023	Select Board			Mastrangelo & Froman
Town Administrator							
1 YR	Town Administrators Advisory Committee on Pedestrian Bicycle Pathway	Select Board	June 30, 2023	Town Administrator			Slade Slade would like reappointment
Board of Sewer Commissioners							
UPC	Wastewater Advisory Committee	Sewer Commissioner	June 30, 2023	Town Administrator			Mastrangelo