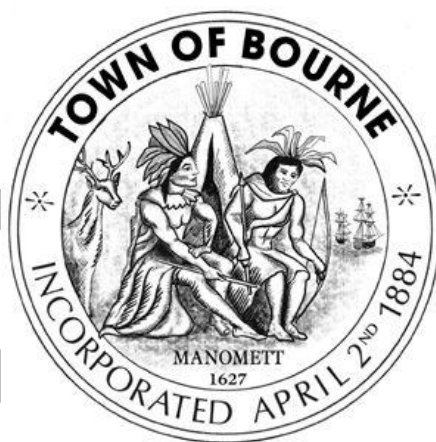


10/4/20 10:39 AM

Articles of the Warrant
For the Bourne
Special Town Meeting
Monday, November 16, 2020
7:00 P.M.
Bourne Middle School Gymnasium



SPECIAL TOWN MEETING

ARTICLE 1: To see if the Town will vote to appropriate a sum of money for the purpose of the payment of **unpaid bills** from a previous fiscal year that are legally unenforceable due to the insufficiency of appropriation or take any other in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 2: To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$180,088 for the purpose of supplementing and/or reducing the **FY2021 Regular Annual Expenses** of the departmental expenses as voted under Article 2 (Fiscal Year 2021 Budget) of the 2020 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 3: To see if the Town will vote to appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Town's **Other Post-Employment Benefits (OPEB) Liability**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 4: To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$135,000 for the purpose of supplementing the **FY 2021 Sewer Department Budget** as voted under Article 3 (Sewer Department) of the 2020 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

ARTICLE 5: To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$2,800,619 for the purpose of supplementing and/or reducing the **FY 2021 ISWM Department Expense Budget** as voted under Article 4 (ISWM) of the 2020 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 6: Shall the Town of Bourne request the Board of Selectmen to communicate to Governor Baker and the State Legislature that the Town favors using all means available at the **Pilgrim Nuclear Power Station** to ensure that: (1) spent nuclear fuel be secured in better quality dry casks and hardened onsite storage; and (2) spent fuel and dry casks be protected with heightened security to prevent intrusion in order to protect the health, welfare, and economic interests of the Town?

Sponsor – Board of Selectmen

ARTICLE 7: Shall the Towne of Bourne request the Board of Selectmen communicate to Governor Baker And the State Legislature to form a special Commission to **change the Massachusetts state flag and seal**? Whereas all 50 states of the Union have flags and seals only two-Mississippi which incorporates the Confederate battle flag and Massachusetts which features the sword of Miles Standish hanging over the head of an artificial indigenous man with the Latin phrase translated, "By the Sword we seek Peace" have come under sustained criticism as official symbols of White Supremacy and violent Militarism. We need a flag and seal that celebrates the

values of Massachusetts and the glories of our state. Let us support the House bill, HD.2968 and the Senate bill SD.1495 which ask for such a Commission. Five towns on Cape Cod and more than 39 other towns across the state have passed such a resolution last year and this year more towns will have the resolution on the Town Warrant. Let us join these towns.

Or take any action in relation thereto.

Sponsor- Board of Selectmen

ARTICLE 8: To see if the Town will vote to adopt the following as Chapter 3, Article 3.1, Section 3.1.46 of the Town of Bourne Bylaws:

The purchase by the Town of Bourne of either water or any other beverage in single use plastic containers is prohibited on town property. Any Town department when engaged in public health and safety operations shall be exempt from the Bylaw, Effective date: As soon practicable but no later than June 30, 2021. In the event of a declaration (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water for Bourne residents the Town shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended.

Sponsor – Board of Selectmen

ARTICLE 9: To see if the Town will vote to transfer from available funds from the Integrated Solid Waste Management (ISWM) Enterprise Fund retained earnings, a sum of money for the purpose of funding development, construction and operational costs associated with a Pilot Leachate Treatment Facility to be installed at the ISWM Facility, or take any action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 10: To see if the Town will vote to amend **Article 3.7. Wetland and Natural Resources Protection, Section 3.7.4 Definitions; Regulations, “Wetland Resource Values”, Section (d)**, by deleting the current Section (d) and inserting in its place. ***d) Storm Damage Prevention*** means the project must be designed in a manner that ensures the prevention of damage to the Wetland Resource Area and abutting properties caused by, but not limited to, erosion and sedimentation, damage to vegetation, damage to property or buildings, or damage caused by the displacement of water, water-borne debris or water-borne ice. Within a velocity Zone the Commission may approve, “Dinghy Docks”, as defined at Section 15.0 of the Town of Bourne Waterways Rules and Regulations; a seasonal small pier/dock as defined by the Massachusetts Department of Environmental Protection “General license Certification”; walkways permissible under 310 CMR 10.32(4); FEMA compliant structures; and other small projects deemed by the commission to meet the intent of this section. All projects must meet FEMA regulations and guidance for work within a flood zone and the Massachusetts State building code. Within the velocity zone the Commission may require the project engineer to certify in writing that the design of said project complies fully with the first sentence of Section 3.7.4(d) or that the project is designed to meet or exceed FEMA regulation & guidance; and the Massachusetts State building code regulations. Projects that fail to gain certification shall be deemed a threat to the health and safety of Bourne’s residents and the proposed project shall be denied by the Commission, or take any action in relation thereto.

Sponsor – Conservation Commission

ARTICLE 11: To see if the Town will vote to amend **Article 3.7. Wetland and Natural Resources Protection, Section 3.7.12 Promulgation of Rules and Regulations**, by deleting the current Section 3.7.12 and inserting in its' place. **Section 3.7.12 Promulgation of Rules and Regulations**. After public notice and public hearing the Commission shall promulgate such Rules and Regulations to effectuate the purpose of this by-law. Failure by the Commission to promulgate such Rules and Regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of the by-law or any Rules and/or Regulations promulgated hereunder, or take any action in relation thereto.

Sponsor – Conservation Commission

ARTICLE 12: To see if the Town will vote to appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the **Fiscal Year 2021 Capital Budget (Phase Two)**, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 13: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the Capital Stabilization Fund, or take any other action in relation thereto.

Sponsor – Board of Selectmen/Capital Outlay Committee

ARTICLE 14: To see if the Town will vote to **close out and transfer available balances** in previous Town Meeting Articles whose purposes have been satisfied or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 15: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following **Community Preservation Fund purposes**, and to meet said appropriation, to transfer from available funds or reserves from the FY2021 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto:

Sponsor - Community Preservation Committee

ARTICLE 16: To see if the Town will vote to transfer from available funds a sum of money for the purpose of funding an amendment to **Article 16** voted at the October 28, 2019 Special Town Meeting authorizing the Board of Selectmen to acquire by purchase or gift a certain 6.5 acre parcel of **land in the Town of Bourne shown as Lot 2 on the plan recorded in the Barnstable County Registry of Deeds in Plan Book 675, Page 72 entitled “Plan of Land of Assessor’s Map 52, Parcel 41, MacArthur Boulevard, Bourne, MA prepared for Flyover Nominee Trust.**

Approved: October XX, 2020

BOARD OF SELECTMEN

Judith MacLeod Froman

Peter J. Meier

James L. Potter

Jared P. MacDonald

George G. Slade, Jr.

DRAFT