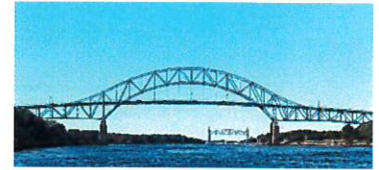


Board of Selectmen Meeting Notice AGENDA



Date

Tuesday
February 13, 2018

Time

7:00 P.M.

Location

Bourne High School Library/
Media Center
75 Waterhouse Road
Bourne

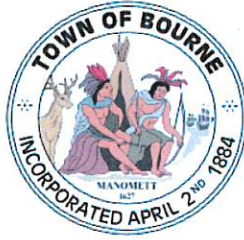
Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

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

7:00 P.M. Call public session to order in Open Session

1. Moment of Silence for our Troops and our public safety personnel
2. Salute to our Flag
3. Public Comment on Non-Agenda Items
4. Approval of Minutes: 02.06.18
5. Correspondence
6. Licenses/Appointments
 - a. Weary Travelers – Change of Manager from Richard E. Keegan to David C. Peterson
7. FY 19 Budget discussion
8. Selectmen's Business
 - a. Review of Board of Selectmen Rules and Procedures
9. Selectmen's Reports
 - a. Selectmen's Goals
10. Town Administrator Report
 - a. Assistant Town Administrator Recruitment update
 - b. Community Building progress update
 - c. Priority Based Budget update
11. Future Agenda
 - a. Massachusetts Maritime Academy to give formal update to the Board of Selectmen meeting and to answer questions – February
 - b. Stop and Shop Rotary and Clay Pond Road update
 - c. Board of Selectmen discussion on term limits
 - d. Cable TV Contract – opt out and renewal preliminary discussion
 - e. A member of the legislative delegation to give BOS an update on situation regarding Comcast by Representative Hunt
12. Adjourn

RECEIVED
2018 FEB -9 AM 11:04
TOWN CLERK BOURNE



Selectmen's Correspondence
February 13, 2018

- A. Sealer of Weights and Measures Annual Report from 01.01.2017 – 12.31.2017
- B. Sealer of Weights and Measures Quarterly Report from 10.01.2017 – 12.31.2017
- C. Letters of interest to serve on the Private Roads Acceptance Committee
 - Thomas Barnes
 - Shawn Goulet
 - Paula McConnell
- D. Department of Agriculture Resources submitted notice for public hearing on March 6, 2018 for The Eversource Cape and Islands 2018 – 2022 Vegetation Management Plan
- E. Department of Environmental Protection submitted Notice of Waterways License application W18-5163 to license and maintain a public pier, two stone groins, walkway, ramp and float system at Barlow's Landing Road, Pocasset.
- F. Notice from the Cape Cod Commission regarding Cape Cod Commission Staff Transportation Peer Review; Proposed Scope of Work, Proposed Redevelopment of 4 & 6 MacArthur Blvd, Bourne – Cumberland Farms, Inc.
- G. Letter from KFDA regarding Public Entity Insurance and Risk Management Consulting
- H. Letter from Eversource regarding Eversource Energy Right-of-Way [ROW] Maintenance Activities

A

Report of the Sealer of Weights and Measures

All inspections required in accordance with MGL Chapters 94 & 98 pertaining to Weights and Measures and the Consumer and Merchant Protection Act were performed by Barnstable Weights and Measures for the period of January 1, 2017 to December 31, 2017. In addition, inspections for complaints, weighing packaged goods, unit pricing, re-inspections and compliance enhancement were completed.

Respectfully Submitted,

Jane Zulkiewicz

Sealer of Weights and Measures



Avoid mistakes by carefully reading before filling out this report

ANNUAL REPORT

of

Sealer of Weights and Measures

for

BOURNE _____ Massachusetts

JANE ZULKIEWICZ _____ Sealer

For period commencing 1/1/2017 and
ending 12/31/2017 inclusive

In compliance with Chapter 98 Section 37 as amended by Chapter 295 of the Acts of 1998

Section 37. Each municipality shall annually, between January 1 and January 31, submit to the director a written report that describes the components of the municipality's weights and measures program, including, but not limited to, an inventory of all weighing and measuring devices and equipment and the date of the most recent certification for each device or piece of equipment, inspection results by category, results of tests performed pursuant to section 56D, total citations issued by category, the net loss restored to consumers and merchants as a result of its enforcement program, and any - other information required by the director.

A municipality that does not report to the director in the manner prescribed in this section shall not be eligible to retain any revenues generated by the municipality as a result of imposing civil citations as provided in section 29A.

City and Town information

Town/City BOURNE

City or Town Hall Address BOURNE TOWN HALL, 24 PERRY AVENUE, BUZZARDS BAY, MA 02532

Chairman/Mayor THOMAS M. GUERINO, TOWN ADMINISTRATOR

Treasurer KAREN GIROUARD

City or Town Clerk BARRY H. JOHNSON

Location of Weights and Measures Office BARNSTABLE WEIGHTS & MEASURES 200 MAIN STREET, HYANNIS, MA 02601

Hours of Operation (Office Hours) 8:00 A.M.-4:30 P.M./MONDAY-FRIDAY

Sealer Information

Sealer's Name JANE ZULKIEWICZ

Business (Office) Address 200 MAIN STREET

City or Town HYANNIS Zip Code 02601

Home Address 49 Moss Place

City or Town Marstons Mills MA Zip Code 02648

Telephone Numbers:

Office: (508) 862-4671 Residence: (508) 862-4773

Fax: (508) 778-2412 E-Mail Address jane.zulkiewicz@town.barnstable.ma.us

Deputy Sealers

Name	Address	City or Town	Zip Code	Telephone No.
Jaime Cabot	200 Main Street	Hyannis	02601	508-862-4612
Richard Cohen	200 Main Street	Hyannis	02601	508-862-4669
Kevin Friel	200 Main Street	Hyannis	02601	508-862-4776
Richard Scali	200 Main Street	Hyannis	02601	508-862-4778

General Financial InformationHas City /Town established a Consumer/Merchant Fund ? Contract town What is the account Balance? N/A

Sealing fees collected (state amount)	\$ CONTRACT TOWN ON BARNSTABLE REPORT	Charges collected for adjusting (state amount)	\$ NONE
Total cost of department, including salary, equipment, transportation, training and all other expenses	\$ CONTRACT TOWN	Total Amount collected for Civil Penalties	\$ CONTRACT TOWN

What amount of insurance is carried upon State Standards as authorized, Sec 6 Chap 98, General Laws? \$ _____

Salary Information

Position	Minimum Salary	Maximum Salary
Sealer	\$	\$
Deputy Sealer #	\$	\$
Deputy Sealer #		
Deputy Sealer #		
Deputy Sealer #		
Deputy Sealer #	**ON TOWN OF BARNSTABLE REPORT**	
Deputy Sealer #		
Deputy Sealer #		
Deputy Sealer #		
Deputy Sealer #		
Deputy Sealer #		

Appointment - Certification Information

Name (First name, MI, Last name)	Position (Sealer or Dep. Sealer)	Date of Appointment (mm/dd/yy)	Length of Service (Years/Months)	Date of Certification (mm/dd/yy)	Date of Civil Service Appointment (mm/dd/yy)
Jane Zulkiewicz	Sealer	8/2004	13 yrs/04 months	4/2005	N/A
Richard Scali	Deputy Sealer	3/2011	06 yrs/09 months	6/2013	N/A
Richard Cohen	Deputy Sealer	12/2006	11 yrs/01 month	7/2009	N/A
Kevin Friel	Deputy Sealer	6/2010	07 yrs/06 months	10/2012	N/A
Jaime Cabot	Deputy Sealer	2/2010	07 yrs/10 months	10/2012	N/A

OFFICE STANDARDS

Furnished by the Commonwealth

1. Location of Standards 200 MAIN STREET, HYANNIS, MA 02601

(Give street and number, if any, and whether in City or Town Hall)

Place X against each standard.

2. Balance X Yard Measure X Meter X Kilogram X
3. Avoirdupois Weights:
- | | | | | |
|------------------|----------------|-----------------|-----------------|-----------------|
| 50lb. <u>X</u> | 25lb. <u>X</u> | 20lb. <u>X</u> | 10lb. <u>X</u> | 5lb. <u>X</u> |
| 4lb. <u>X</u> | 2lb. <u>X</u> | 1lb. <u>X</u> | 8oz. <u>X</u> | 4oz. <u>X</u> |
| 2oz. <u>X</u> | 1oz. <u>X</u> | 1/2oz. <u>X</u> | 1/4oz. <u>X</u> | 1/8oz. <u>X</u> |
| 1/16oz. <u>X</u> | | | | |
4. Capacity Measures:
- | | | | |
|---------------------|--------------------|--------------------|---------------------|
| 1/2bushel <u>X</u> | 1/4bushel <u>X</u> | 1/8bushel <u>X</u> | 1/16bushel <u>X</u> |
| 1/32bushel <u>X</u> | 1 Gallon <u>X</u> | 1/2Gallon <u>X</u> | 1quart <u>X</u> |
| 1pint <u>X</u> | 1/2pint <u>X</u> | 1gill <u>X</u> | |

STANDARDS OTHER THAN THOSE FURNISHED BY THE COMMONWEALTH (Give number of each)

5. Apothecary Weights:

2drams <u>3</u>	1drams <u>3</u>	1/2drams <u>3</u>	2scruples <u>3</u>
1scruple <u>3</u>	10grains <u>0</u>	5grains <u>3</u>	2grains <u>3</u>
1grain <u>3</u>	0.5grain <u>3</u>	0.2grain <u>0</u>	0.1grain <u>0</u>

Other Standard Apothecary Weights:

4 grains-3; 3 grains-3; 1/2 scruple-3

6. Metric Weights (Give number of each):

50grams <u>4</u>	20grams <u>4</u>	10grams <u>7</u>	5grams <u>3</u>
2grams <u>5</u>	1grams <u>3</u>	500milligrams <u>3</u>	200milligrams <u>6</u>
100milligrams <u>5</u>	50milligrams <u>3</u>	20milligrams <u>6</u>	
10milligrams <u>3</u>			

Other Standard Metric Weights:

300g-1; 200g-1; 100g-1; 30g-1

7. Troy Weights (Give number of each):

1lb. <u>0</u>	5oz. <u>0</u>	2oz. <u>0</u>	1oz. <u>0</u>
10dwt. <u>0</u>	5dwt. <u>0</u>	2dwt. <u>0</u>	1dwt. <u>0</u>

Other Standard Troy Weights:

0

8. Cylindrical Glass Graduates (Give number of each):

(Calibrated to deliver)

Customary Units

Metric Units

32liq.oz., by 1/2oz. <u>1</u>	1,000ml. by 10ml. <u></u>
16liq.oz., by 1/4oz. <u>1</u>	500ml. by 5ml. <u></u>
8liq.oz., by 1/8oz. <u>1</u>	250ml. by 2ml. <u></u>
4liq.oz., by 1/16oz. <u>1</u>	100ml. by 1ml. <u></u>
2liq.oz., by 1/16oz. <u>1</u>	50ml. by 0.5ml. <u></u>
1liq.oz., by 1/4oz. <u>1</u>	25ml. by 0.2ml. <u></u>
	10ml. by 0.1ml. <u></u>

SEALER'S WORK EQUIPMENT

1. Location of working equipment 200 MAIN STREET, HYANNIS, MA 02601 & 367 SOUTH STREET, HYANNIS, MA 02601
2. Test Balance 200 MAIN STREET, HYANNIS, MA 02601
3. Test Balance for Apothecary Weights 200 MAIN STREET, HYANNIS, MA 02601

WEIGHTS

Avoirdupois Weights	Number of Each	Last Date of Cert.	Decimal Weights	Number of Each	Last Date of Cert.
50 lb.	17	9/13 & 1/14	• 2 lb.	9	1/17 & 2/14
25 lb.	44	11/11, 9/13 & 1/14 & 2/14	• 1 lb.	5	1/17 & 2/14
20 lb.			• 05 lb.	5	1/17 & 2/14
10 lb.	2	2/14	• 02 lb.	9	1/17 & 2/14
5 lb.	15	1/17 & 12/13	• 01 lb.	5	1/17 & 2/14
4 lb.			• 005 lb.	5	1/17 & 2/14
2 lb.	14	1/17	• 002 lb.	9	1/17 & 2/14
1 lb.	17	1/17 & 12/13	• 001 lb.	6	1/17 & 2/14
8 oz.	5	12/13 & 2/14			
4 oz.	1	12/13 & 2/14	Apothecary Weights	Number of Each	Last Date of cert.
2 oz.	3	12/13 & 2/14	2 drams	3	12/13 & 2/14
1 oz.		12/13 & 2/14	1 dram	3	12/13 & 2/14
v2 oz.		12/13 & 2/14	1/2 dram	3	12/13 & 2/14
v4 oz.	1	12/13 & 2/14	2 scruples	3	12/13 & 2/14
1/8 oz.	1	12/13 & 2/14	1 scruple	3	12/13 & 2/14
1/16 oz.	2	12/13 & 2/14	10 grains		
1/32 oz	1	12/13 & 2/14	5 grains	3	12/13 & 2/14
			2 grains	3	12/13 & 2/14
Metric Weights	Number of Each	Last Date of Cert.	1 grain	3	12/13 & 2/14
50 grams	5	10/13 & 12/13 & 2/14	0.5 grain	3	12/13 & 2/14
20 grams	4	12/13 & 2/14	0.2 grain		
10 grams	8	10/13 & 12/13 & 2/14	0.1 grain		
5 grams	3	12/13 & 2/14	Other Working Apothecary Weights	1/2 scruple-3	12/13
2 grams	4	12/13 & 2/14			
1 gram	3	12/13 & 2/14	Troy Weights	Number of Each	Last Date of Cert.
500 milligrams	3	12/13 & 2/14	1 lb.		
200 milligrams	6	12/13 & 2/14	5 oz.		
100 milligrams	3	12/13 & 2/14	2 oz.		
50 milligrams	2	12/13 & 2/14	1 oz.		
20 milligrams	6	12/13 & 2/14	10 dwt.		
10 milligrams	3	12/13 & 2/14	5 dwt.		
Other Working Metric Weights	1 kg	10/13 & 2/14	2 dwt.		
	300g-1	1/2017	1 dwt.		
	200g-3	1/17 & 10/13	Other Working Troy Weights		
	100g-2	1/17 & 10/13	Other Decimal Weights	.03 lb.-1	12/13
	30g-1	1/17	Other Apothecary Weights	3 grains & 4 grains-3	12/13

LIQUID MEASURES

Capacity Measures	Number of Each	Last Date of Certification	Test Measures for Gasoline Pumps	Number of Each	Last Date of Certification
5 gals.			5 gals.	6	1/17 & 2/14
1 gal.			4 gals.		
1/2 gal.			3 gals.		
1 qt.			2 gals.	3	7/13
1 Pt.			1 gal.		
1/2 pt.			10 GALS.	3	7/13
1 gill			Test Measures for Fuel Off Meters	Number of Each	Last Date of Certification
1/2bu.			200 gals	1	7/13
1/4bu.			100 gals.	1	7/14
1/8 bu.			50gals.		
1/16 bu.			25 gals.	1	7/13
1/32 bu.			10 gals	1	7/14
Standard Measuring Flask US Customary Units	Number of Each	Last Date of Certification	Standard Measuring Flask Metric Units	Number of Each	Last Date of Certification
16 liq.oz.	1	-----	500 ml.		
8 liq.oz.	1	-----	250 ml.		
4 liq.oz.	1	-----	100 ml.		
2 liq.oz.	1	-----	50 ml.		
1 liq.oz.	1	-----	25 ml.		
4 liq. Drams graduated in minims					
10 ml. Graduated in 1-10 ml.					

TOOLS, RECORD BOOKS, ETC

Items	Number / Cal Date	Items	Number / Cal Date
Inside Caliper	0	Annual Seals RED	350
Steel Rule	3	Annual Seals GREEN	3450
Yard Measure	1	Not Sealed Labels	85
Steel Tape	3	Condemning Tags	289
Steel Dies	1	Hopper Funnel	4
Lead or Wire Press	5	Level	4
Lead or Wire Seals	1000	Receipt Books	4
Fiber/Aluminum Seals	115	Inspection Pads	Invoice database system
Sealing Clamp	2	Reweighing Books	Winwam software
PLASTIC SEALS	4625 Green, Red and Blue	Handbooks 44, 130, 133	YES all current
		Mass.Gen.Laws and CM Reg's pertaining to Weights and Measures	
PRESSURE SEALS	176		YES

DEVICES TESTED DURING THIS PERIOD

Bourne MA 1/1/2017 to 12/31/2017

		Adjusted	Sealed	Not Sealed	Condemned	Sealing Fee Charged Per Device
SCALES	Cap. Over 10,000 lbs.	0	4	0	0	\$275 / \$250
	5,000 - 10,000 lbs.	1	1	0	0	\$145 / \$120
	100 - 5,000 lbs.	4	53	14	0	\$90 / \$80
	Under 100 lbs.	7	76	18	2	\$60 / \$55
	Balances	0	0	0	0	\$60 / \$55
	Under 10 lbs.	4	6	1		\$60 / \$55
WEIGHTS	Avoirdupois	0	15	1	0	\$10 / \$8
	Metric	0	0	0	0	\$10 / \$8
	Troy	0	0	0	0	\$10 / \$8
	Apothecary	0	0	0	0	\$10 / \$8
VOLUMETIC MEASURES	Vehicle Tank Compartments					
	Liquid Measures 1 gal. or under					
	Liquid Measures 1 gal. or over					
	Dry Measures					
AUTOMATIC LIQUID MEASURING DEVICES	Meters, Inlet 1" or less	0	0	0	0	\$60 / \$55
	Gasoline	10	300	2	0	\$60 / \$55
	Oil, Grease	0	0	0	0	
	Meters, Inlet more than 1"	0	0	0	0	
	Vehicle Tank Meters	0	15	2	0	\$120 / \$110
	Bulk Storage	0	0	0	0	\$185 / \$160
	Meters	0	0	0	0	
	Oil, Grease	0	0	0	0	\$60 / \$55
OTHER AUTOMATIC MEASURING DEVICES	Taximeters	0	0	0	0	\$60 / \$55
	Leather Measuring Devices	0	0	0	0	
	Cloth Measuring Devices	0	0	0	0	\$25 / \$20
	Wire - Cordage Measuring Devices	0	3	0	0	\$35 / \$30
	Reverse Vending Machines	0	14	0	0	\$35 / \$30 - \$20 / \$15
LINEAR MEASURES	Yardsticks	0	0	0	0	\$25 / \$20
	Tapes	0	0	0	0	\$25 / \$20
MISC.						
SCANNING SYSTEMS	Number Scanning Systems 98% or above	0	16	0	0	1 to 3 - \$95
	Number Scanning Systems below 98%	0	0	0	0	4 to 11 - \$180
						12+ - \$300
TOTALS	BOURNE 2017	26	503	38	2	

Complaints-3

TRAIL WEIGHING AND MEASUREMENTS-OF COMMODITIES SOLD OR PUT UP FOR SALE

			INCORRECT		\$		
Commodity	Total Number Tested	Number Correct	Under	Over	Savings to Consumer	Savings to Merchant	
Bread							
Butter							
Charcoal, Coal and Coke (in paper bags)							
Confectionery							
Flour							
Fruits and Vegetables	70	60	1	9	\$0.00	\$244.55	
Liquid Commodities							
Liquid Heating Fuels							
Cordwood, Firewood							
Meats	71	52	4	15	\$109.50	\$142.35	
Potatoes							
Provisions	18	12	6	0	\$525.60	\$0.00	
Milk							
Other Commodities	Pre Packed Salads	53	45	4	4	\$73.00	\$58.40
	Seafood	21	9	11	1	\$419.75	\$0.00
	Ice	36	0	0	36	\$0.00	\$1,806.68
	Cheese	20	12	2	6	\$21.90	\$142.35
Totals	289	190	28	71	\$1,149.75	\$2,394.33	

All food items not specifically provided for to be included in Provisions. Items of particular interest should be enumerated under "Other Commodities" To calculate the cost savings you should total the overcharge amounts (+) and multiply the error by 365 and enter the totals in each commodity listed in savings to consumer and you should total the undercharge amount (-) multiply the error by 365 and enter the totals in each commodity listed in savings to merchants.

DETAILED REPORT OF COURT CASES

	Name of Defendant	Nature of Offense (state commodity involved)	Date mm/dd/yy	Finding	Amount of Fine	Final Disposition
1	**None for 2017**					
2						
3						
4						
5						
6						
7						
8						
9						
10						

DETAILED REPORT OF CIVIL CITATIONS

	Name of Defendant	Nature of Offense (state commodity involved)	Civil Citation Number	Date mm/dd/yy	Amount of Fine	Final Disposition or Appealed
1	**SEE ATTACHED REPORT**	Violations for Bourne	1/1/2017-12/31/2017			
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

List all Court Cases and Civil Citations issued during this reporting period. If you have issued more Civil Citations than the space allows please submit a summary on a separate sheet.

Weights and Measures
Violation Detail1/24/2018 1:55:05 PM
Page 2

All Businesses, All Business Types, Town of Bourne, All Inspectors, All Balances

From 1/1/2017 to 12/31/2017

Totals by Town then Business Type

Auto Gas/Convenience

Business	Location	Issued By	Citation Issue Date Number	Fine	Balance Due	Last Notice Date
Cumberland Farms #2498/#2302	160 Main Street, Buzzards Bay	Jaime Cabot	11/30/2017 E57195	\$200.00	\$200.00	1/16/2018
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Nestle Drumstick (Overscan + 0.20)						
New England Farms #8	360 McArthur Blvd., Buzzards Bay	Jaime Cabot	9/29/2017 E57038	\$100.00		11/15/2017
Item Pricing (Chap 94 Sect 184D), Bai Mango (Overscan +0.10)						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	4/28/2017 E56716	\$100.00		6/15/2017
Item Pricing (Chap 94 Sect 184D), Hood Orange Juice - No Clue of price						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	4/28/2017 E56717	\$100.00		6/15/2017
Item Pricing (Chap 94 Sect 184D), Klondike Original (Overscan +0.10)						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	4/28/2017 E56718	\$100.00		6/15/2017
Item Pricing (Chap 94 Sect 184D), Bounty Quilted Napkins (Overscan + 0.30)						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	7/28/2017 E56910	\$100.00		9/15/2017
Item Pricing (Chap 94 Sect 184D), Brisk Half & Half 1 Liters - No Clue of Price						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	7/28/2017 E56911	\$100.00		9/15/2017
Item Pricing (Chap 94 Sect 184D), Archway Dutch Cola Cookies - No Clue of Price						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	7/28/2017 E56912	\$100.00		9/15/2017
Item Pricing (Chap 94 Sect 184D), Fiji Water 1 Liters - No Clue of Price						
Sagamore Shell/Nouria Energy #04043	1 Canal Street, Sagamore Beach	Jaime Cabot	7/28/2017 E56913	\$100.00		9/15/2017
Item Pricing (Chap 94 Sect 184D), Smart Water Water 700 ml - No Clue of Price						

Weights and Measures
Violation Detail1/24/2018 1:55:05 PM
Page 7

All Businesses, All Business Types, Town of Bourne, All Inspectors, All Balances

From 1/1/2017 to 12/31/2017

Totals by Town then Business Type

Pharmacy

Business	Location	Issued By	Citation Issue Date Number	Fine	Balance Last Notice Due Date
CVS #1576	6 Head Of The Bay Road, Buzzards Bay	Jaime Cabot	11/14/2017 E57163	\$100.00	
Item Pricing (Chap 94 Sect 184D), Blue Diamond Smoked Almonds (Overscan +0.20)					
CVS #1576	6 Head Of The Bay Road, Buzzards Bay	Jaime Cabot	11/14/2017 E57164	\$100.00	
Item Pricing (Chap 94 Sect 184D), Blue Diamond Whole Natural Almonds (Overscan +0.20)					
CVS #1576	6 Head Of The Bay Road, Buzzards Bay	Jaime Cabot	11/14/2017 E57165	\$100.00	
Item Pricing (Chap 94 Sect 184D), General Mills Cinnamon Toast Crunch Cereal (Overscan +0.19)					
CVS #1576	6 Head Of The Bay Road, Buzzards Bay	Jaime Cabot	11/14/2017 E57166	\$100.00	
Item Pricing (Chap 94 Sect 184D), Similac Advance Formula (Overscan +0.80)					
CVS #1576	6 Head Of The Bay Road, Buzzards Bay	Jaime Cabot	11/14/2017 E57167	\$100.00	
Item Pricing (Chap 94 Sect 184D), Huggies Pull Ups 3 T-4 T - Items missing prices					
CVS #1576	6 Head Of The Bay Road, Buzzards Bay	Jaime Cabot	11/14/2017 E57168	\$100.00	
Item Pricing (Chap 94 Sect 184D), Angel Soft Toilet Tissue - Items missing prices					
Totals for Bourne Pharmacy				Count = 40	\$4,000.00 \$0.00

Supermarket

Business	Location	Issued By	Citation Issue Date Number	Fine	Balance Last Notice Due Date
Market Basket #69	1 Factory Outlet Way, Sagamore	Rick Cohen	3/23/2017 20258	\$100.00	
Devices (Chap 98 Sect 55), Unsealed register #1					
Market Basket #69	1 Factory Outlet Way, Sagamore	Rick Cohen	3/23/2017 20258	\$100.00	
Devices (Chap 98 Sect 55), Expired seal on register #11					
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	5/24/2017 E56770	\$200.00	
Item Pricing c. 94 §184B-184E (202 CMR 7.10), Market Basket Heavy Cream - No Clue of Price					

From 1/1/2017 to 12/31/2017

Totals by Town then Business Type

Business

Business	Location	Issued By	Issue Date	Citation Number	Fine	Balance Due	Last Notice Date
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	5/24/2017	E56771	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Southern's Sweet Potatoes - No Clue of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	5/24/2017	E56772	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Hebrew National Beef Salami - No Clue of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	9/20/2017	E57028	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Shady Brook Farms Turkey Meatballs - No Clue Of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	9/20/2017	E57029	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), President Feta Cheese - No Clue of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	9/20/2017	E57030	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Health Ade Kombucha - No Clue of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	9/20/2017	E57031	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Berry Valley Blackberries (Overscan +0.99)							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	9/20/2017	E57032	\$200.00		
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Country Kitchen Frankfort Rolls (Overscan +0.10)							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	12/8/2017	E57218	\$200.00	\$200.00	1/16/2018
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Hood Egnog - No Clue of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	12/8/2017	E57219	\$200.00	\$200.00	1/16/2018
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Bard Valley Medjool Dates - No Clue of Price							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	12/8/2017	E57220	\$200.00	\$200.00	1/16/2018
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Lance Capitains Wafers (Overscan +0.50)							
Market Basket #69	1 Factory Outlet Way, Sagamore	Jaime Cabot	12/8/2017	E57221	\$200.00	\$200.00	1/16/2018
Item Pricing c. 94 \$184B-184E (202 CMR 7.10), Pillsbury Milk Chocolate Frosting (Overscan +0.19)							

**Weights and Measures
Violation Detail**

All Businesses, All Business Types, Town of Bourne, All Inspectors, All Balances

From 1/1/2017 to 12/31/2017

Totals by Town then Business Type

Totals for Bourne Supermarket

Count = 14 \$2,600.00 \$800.00

Totals for Bourne

Count = 79 \$10,050.00 \$1,300.00

Weights and Measures
Warning Detail

All Businesses, All Business Types, Town of Bourne, All Inspectors, All Balances

From 1/1/2017 to 12/31/2017

Totals by Town then Business Type

Bourne

Hardware

Business	Location	Issued By	Issue Date	Citation Number
Aubuchon Hardware #158	4 Barlow's Landing Road, Pocasset	Rick Cohen	1/19/2017	E21822
Devices (Chap 98 Sect 55), Use of device illegal or nonconforming.				

Totals for Bourne Hardware

Count = 1

Liquor

Business	Location	Issued By	Issue Date	Citation Number
Liberty Warehouse Liquors	21 St Margaret Street, Buzzards Bay	Rick Cohen	2/16/2017	E21824
Devices (Chap 98 Sect 55), 9 new reverse vending machines not sealed, no call.				

Totals for Bourne Liquor

Count = 1

Other business type

Business	Location	Issued By	Issue Date	Citation Number
Ocean State Lobster	25 Perry Ave, Buzzards Bay	Rick Cohen	3/30/2017	20259
Devices (Chap 98 Sect 55), New scale used for internal checking or grading lobster; still need to be notified if new to inventory				

Totals for Bourne Other business type

Count = 1

Totals for Bourne

Count = 3

Chapter 295 of the Acts of 1998 Consumer and Merchant Savings Impact Report

Categories	Amount Saved Consumers	Amount Saved Merchants
Gasoline Meters	\$121.68	\$13,358.88
Vehicle Tank Meters (Heating 011)	\$0.00	\$0.00
Others Devices	\$0.00	\$0.00
Reweighting of Commodities Totals	\$1,149.75	\$2,394.33
Item Pricing I Scanning Errors	\$60,925.80	\$0.00
Other Savings	\$0.00	\$0.00
Totals	\$62,197.23	\$15,753.21

Any savings being reported must be documented. All Inspection reports on which these savings are based must be maintained for three years and be made available for auditing purposes, upon request.

SUMMARY OF INSPECTIONS

1. Do you keep a permanent record on file of all individual inspections and reweighing YES

Inspections and Tests; state number of each

2. Peddler's Licenses 0
3. Transient Vendors 0
4. Fuel Oil Delivery Certificates 0
5. Marking of-
- Bread 0
- Food Packages 289
- Coal, -Coke and Charcoal in paper bags 0
6. Clinical Thermometers 0
7. Scales 140
8. Other Inspections 379
9. Measure Containers 0
10. Retest of gasoline devices after sealing 24
- I 1. Number of retail outlets required to:
- Have scanning system tested 26 total% done each year
- Post Unit Pricing _____
- Post Consumer Notice 26
12. Number of Scanning Inspections 16
13. Number of Unit Pricing Inspections 662
14. Number of Unit Pricing prosecutions and hearings 0
15. Miscellaneous Inspections and Tests 3-Complaints
16. Reweighing and re-measurements made for municipality
(specify commodity and quantity)
- See page 8
- _____
- _____

To the Director of Standards,

The foregoing comprises my annual report for the period ending December 31, 2017
and is herewith submitted as required by law.

Signed



Sealer of Weights and Measures

1/30/2018

Date

THIS PAGE TO BE FILLED BY INSPECTOR OF STANDARDS ONLY
INSPECTOR'S AUDIT REPORT

Condition of State Standards _____

Condition of State Cabinet _____

Condition of Working Equipment _____

Does the work performed agree with records kept? _____

Is the Sealer supplied with latest sealing record book? _____

Is the Sealer supplied with latest reweighing record book? _____

Is the system of keeping records adequate? _____

Are re-inspections adequate in scope and volume? _____

Is testing equipment adequate? _____

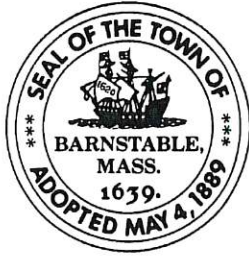
Comments on State Property _____

The Sealer should be supplied with _____

General Comments _____

Inspector of Standards

Date



**Town of Barnstable
Regulatory Services
Weights & Measures Division**

200 Main Street, Hyannis, MA 02601

www.town.barnstable.ma.us

Telephone: 508-862-4771 Fax: 508-778-2412

Regulatory Service Director
Richard Scali

Consumer Affairs Supervisor
Elizabeth G. Hartsgrrove

Town Sealer/Program Mgr.
Jane Zulkiewicz

January 30, 2018

Mr. Thomas Guerino
Town Administrator
Bourne Town Hall
24 Perry Avenue
Buzzards Bay, MA 02532

RECEIVED
FEB 02 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

Dear Mr. Guerino,

Enclosed please find a copy of your annual report to the Division of Standards for the calendar year 2017. A copy has been sent to the Division of Standards fulfilling your obligation.

A copy of the Quarterly report from October 1 to December 31, 2017 and year totals are enclosed.

If you have any questions or comments regarding this information please contact me at (508) 862 - 4773 or e-mail me at jane.zulkiewicz@town.barnstable.ma.us.

We look forward to servicing you and your community in the coming year.

Best Regards,

Jane Zulkiewicz

Sealer of Weights and Measures-Barnstable

Enc: MA Division of Standards 2017 Annual Report
Town of Barnstable 4th Quarter Bourne Report

Weights and Measures
From 10/1/2017 to 12/31/2017

1/30/2018 2:57:38 PM

Bourne

			Adj	Seal	Not Sealed	Cond	Sealing Fees	Reimp Fees	Device Fines	PV Fines	IP Fines	PK.CH. Fines	VFH Safety	C.C. Fines
Scales	A	Cap Over 10,000 lbs												
	B	5,000 - 10,000 lbs												
	C	100 - 5,000 lbs	1	14	8		1150							
	D	Under 100 lbs	3	5	3		300							
	E	Under 10 lbs	2	2			120							
		Balances												
Weights		Avordupois		3			24							
		Metric												
		Troy												
		Apothecary												
Automatic Liquid Measuring		Meters, Inlet 1" or less												
		Gasoline		46			2540							
		Oil, Grease												
		Vehicle Tank Meters		3			360							
		Bulk Storage												
		Meters												
Other Automatic Measuring		Taximeters												
		Leather Measuring												
		Wire/Cordage												
		Cloth Measuring												
		Reverse Vending												
Linear Measures		Yardsticks												
		Tapes												
Scan		Scan - Above 98%		3			285				2700			
		Scan - Below 98%												
Complaints														
Pkg. Check		84												
UPC														
IP not Fined		8												
Totals			6	76	11		4779				2700			

Fees: \$4,779.00

Fines: \$2,700.00

Total: \$7,479.00

Weights and Measures
From 1/1/2017 to 12/31/2017

1/25/2018 9:47:37 AM

Bourne

			Adj	Seal	Not Sealed	Cond	Sealing Fees	Reinp Fees	Device Fines	PV Fines	IP Fines	PK.CH. Fines	VFH Safety	C.C. Fines
Scales	A	Cap Over 10,000 lbs		4			1100							
	B	5,000 - 10,000 lbs	1	1			145							
	C	100 - 5,000 lbs	4	53	14		4400							
	D	Under 100 lbs	7	76	18		4290		200					
	E	Under 10 lbs	4	6	1		360							
		Balances												
Weights		Avordupois		15	1		120							
		Metric												
		Troy												
		Apothecary												
Automatic Liquid Measuring		Meters, Inlet 1" or less												
		Gasoline	10	300	2		16455		50					
		Oil, Grease												
		Vehicle Tank Meters		15	2		1710							
		Bulk Storage												
		Meters												
Other Automatic Measuring		Taximeters												
		Leather Measuring												
		Wire/Cordage		3			100							
		Cloth Measuring												
		Reverse Vending		14			265							
Linear Measures		Yardsticks												
		Tapes												
Scan		Scan - Above 98%		16			1605				9800			
		Scan - Below 98%												
Complaints		3												
Pkg. Check		289												
UPC		662												
IP not Fined		28												
Totals			26	503	38		30550		250		9800			

Fees: \$30,550.00

Fines: \$10,050.00

Total: \$40,600.00

Categories for Barnstable Quarterly Reports top row	
Adj	Any adjustments/ calibrations to bring device in tolerance
Seal	Device has been sealed for that calendar year
Not Sealed	Device has not met compliance at time of insp; may need repair
Cond	Condemned device-does not meet standards for compliance
Sealing Fees	Dollars brought in for specific category of devices
Reinp Fees	Charges if device once sealed; needed repair and re-sealing
Device Fines	Charges if device has been found to be in use unsealed & not tested
PV Fines	Price Verification (Scanners) Violations
IP Fines	Item Price Violations mainly pricing at grocery/food stores
PK. CH Fines	Package Checking (Net Weight inspections) Violations
VFH Safety	Vehicle For Hire Safety inspections fees
C.C. Fines	Customer Complaint violations –this option has been disabled
Side Column categories	
Complaints	How many complaint weights and measures has investigated
Pkg. Check	How many individual packages were inspected for net weight
UPC	Unit Price Code inspections per item
IP not fine	Pricing inspection conducted resulting in compliance

1/24/18 C

RECEIVED

JAN 24 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

To Whom it may Concern

As per your recent announcement in the Cape Cod Times, I would be interested in serving the Town of Bourne as a member of the reactivated "Road Acceptance Committee."

My past experience includes service on a number of work/school related committees as well as some research over the past 2 years on the laws related to public/private roads.

Thank you for your consideration.

Thomas Barnes

January 25, 2018

Thomas M. Guerino
Town Administrator
Town of Bourne
25 Perry Avenue
Buzzards Bay, MA 02532-3496

RE: Vacancy - Private Roads Acceptance Committee

Mr. Guerino,

As a Bourne resident, I am writing with interest of joining the Private Roads Acceptance Committee as a member. I wish to assist the Town in exploring solutions that are in the best interest to both the Town and its residents to address different issues faced by private (or unaccepted) roads within the Town.

Respectfully,
Shawn M. Goulet

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FEB 07 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

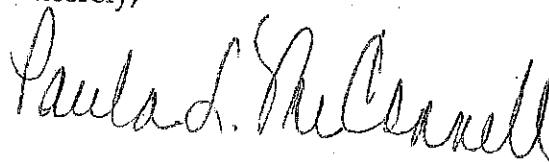
Mr. Thomas Guerino
Administrator
Town of Bourne
24 Perry Ave.
Bourne, MA 02532

Dear Mr. Guerino:

I am very interested in a position on the Road Acceptance Committee. As a taxpayer for over 30 years and residing on a street that is unaccepted, I believe I can be an asset to the committee.

Enclosed please find my resume. I look forward to hearing from you.

Sincerely,



Paula L. McConnell

/plm
Encl.

Paula L. McConnell

Education:

- 1963 Chandler School for Women – Boston, MA
Secretarial Course
- 1993 – Fisher Junior College – Hyannis, MA
- 1995 Paralegal Studies Certificate Program

Experience:

- 1995 – Kistin, Babitsky, Latimer & Beitman
- 1996 Falmouth, MA
Work closely with litigation attorney maintaining files; interact with clients in all aspects of cases; prepare cases for social security and workers' compensation court proceedings.
- 1996 – Law Offices of Julianne Soprano
- 2014 Falmouth, MA
Office manager responsible for all aspects of maintaining a small business including hiring staff; work closely with litigation attorneys, interact with clients; prepare cases for social security and workers' compensation court proceedings; pay all office bills, prepare quarterly payroll filings, and work with CPA in preparation of all Federal and State taxes.

Interest/Skills:

- Notary Public
- Member of Nu Psi Chapter/Sigma Phi Gamma Sorority
- Bourne Housing Authority Board member
- Friends of Bourne Public Library member

*References to be supplied upon request

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

RECEIVED

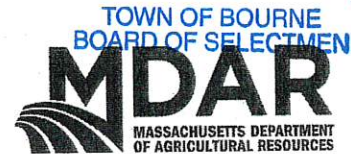
FEB 07 2018

D



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

TO: All Interested Parties
FROM: ROW Program
DATE: February 6, 2018

Pursuant to 333 CMR 11.06(3)(a), the following Notices will be published in the Environmental Monitor. The Environmental Monitor will be published on February 7, 2018. A forty-five (45) day comment period commences with the publication date of the Environmental Monitor. This memo serves as notification to interested parties, etc. To view the notice, go to the MEPA web site at <http://www.state.ma.us/envir/mepa/index.htm>. Plans may also be able to be view from the Departments website at <http://www.mass.gov/eea/agencies/agr/pesticides/vegetation-management-and-yearly-operation-plans.html>.

Vegetation Management Plan: Eversource Cape and Islands 2018-2022
Yearly Operational Plan: City of Taunton

*The *Eversource Cape and Islands 2018-2022 VMP* public hearing listed below is scheduled for 11:00am – 12:30pm for public comment.

3/6/2018:
Eversource Public Hearing
261 George Ryder Road
Chatham, MA
Town Office Annex
Lower level meeting room

Please also note that immediately after the public hearing scheduled in Sandwich, MA on 3/1/18, from 12:30pm – 2:00 pm, there will be an opportunity for the public to learn more about the VMP process and rights-of-way management in the Commonwealth.

Comment Period Closes: End of business, Friday March 16, 2018

Written comments can be sent to the following address:

Clayton Edwards
Rights-of-Way Coordinator
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114

W18-5163
Town of Bourne

RECEIVED
FEB 05 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

E

**Department of Environmental Protection
Waterways Regulation Program**

**Notice of License application pursuant to M.G.L. Chapter 91
Waterways License Application Number W18-5163
Town of Bourne**

Notification Date: February 8, 2017

Public notice is hereby given of the waterways application by Town of Bourne to license and maintain a public pier, two stone groins, walkway, ramp and float system at Barlow's Landing Road, in the municipality of Bourne, in and over flowed tidelands of Pocasset Harbor. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the ten residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2836. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment, at the address below.

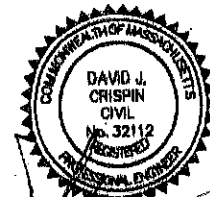
Written comment must be addressed to: Dahlia Medeiros, Environmental Engineer, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

I CERTIFY THAT THIS PLAN CONFORMS
TO THE RULES AND REGULATIONS OF
THE REGISTERS OF DEEDS

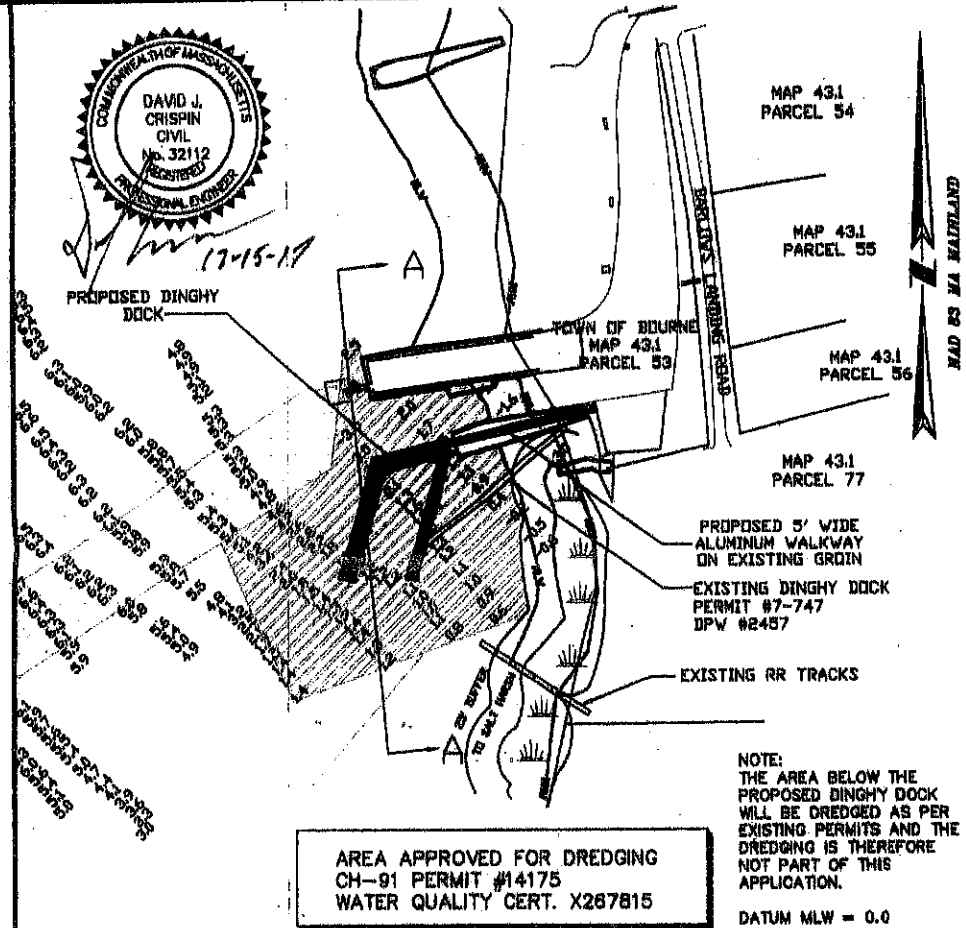


Craig A. Field 12-15-17
PLS DATE

FOR REGISTRY USE ONLY



PROPOSED DINGHY
DOCK



SITE PLAN

SCALE: 1" = 100'
0 50' 100' 200'

Prepared by:
BSC GROUP, INC.
349 ROUTE 28, UNIT D
W. YARMOUTH, MA 02673
DECEMBER 15, 2017

PLAN ACCOMPANYING PETITION
FOR THE CONSTRUCTION AND
MAINTENANCE OF A DINGHY DOCK
FOR THE TOWN OF BOURNE IN
AND ON THE WATERS OF
POCASSET HARBOR.

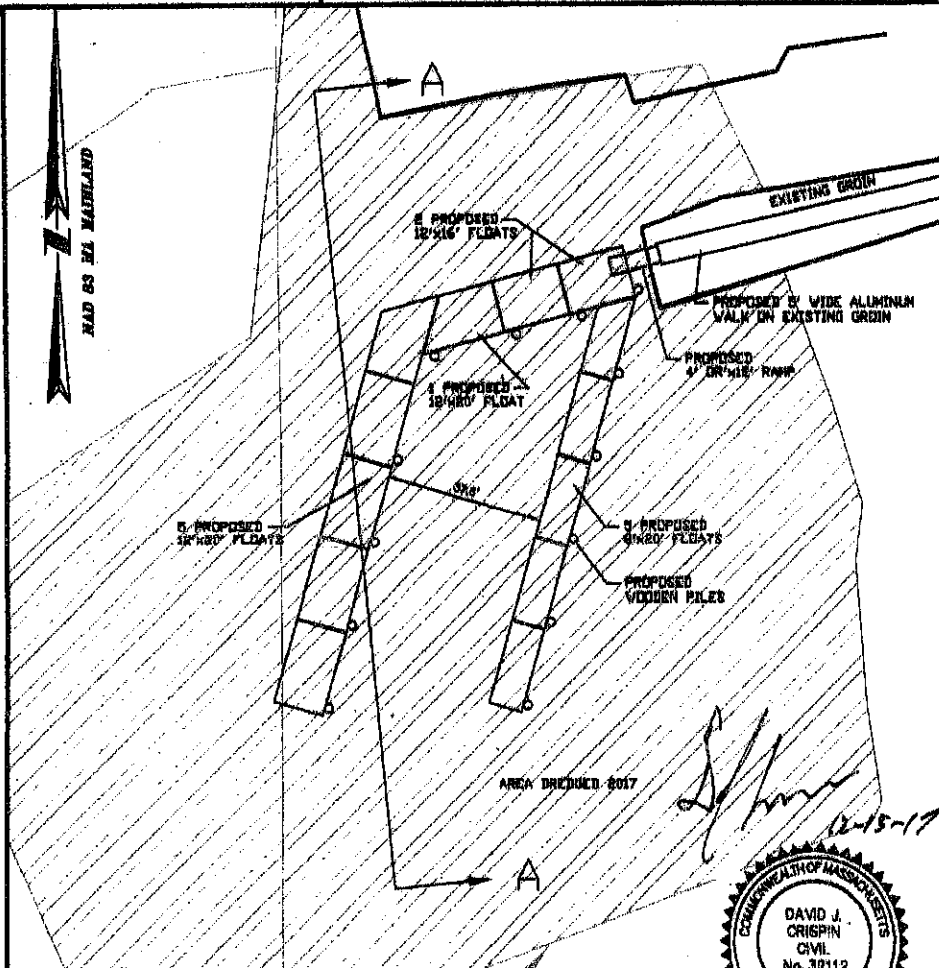
FILE:
JOB NO. 4-8075.07 DWG. NO. 5931-03 SHEET 1 OF 3

I CERTIFY THAT THIS PLAN CONFORMS
TO THE RULES AND REGULATIONS OF
THE REGISTERS OF DEEDS



Craig A. Field 12-15-17
PLS DATE

FOR REGISTRY USE ONLY



SITE PLAN DETAILS

SCALE: 1" = 30'
0 15' 30' 60'

Prepared by:
BSC GROUP, INC.
349 ROUTE 28, UNIT D
W. YARMOUTH, MA 02673
DECEMBER 15, 2017



PLAN ACCOMPANYING PETITION
FOR THE CONSTRUCTION AND
MAINTENANCE OF A DINGY DOCK
FOR THE TOWN OF BOURNE IN
AND ON THE WATERS OF
POCASSET HARBOR.

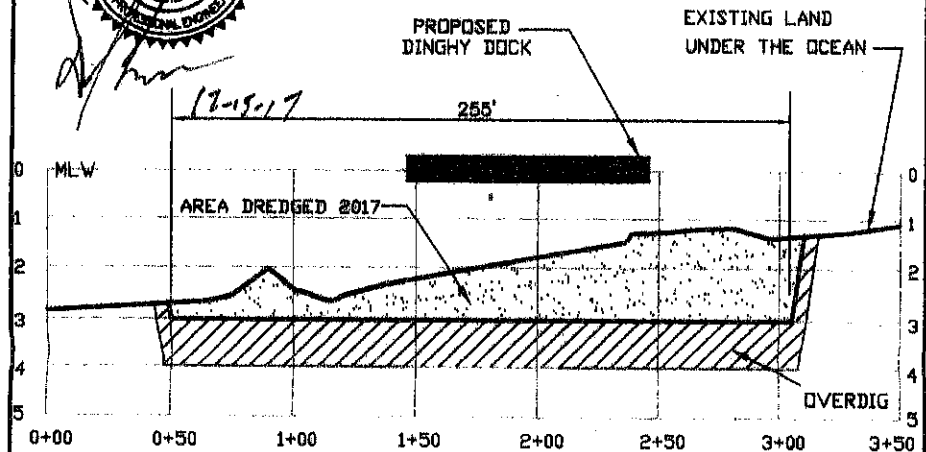
FILE:
JOB NO. 4-8075.07. DWG. NO. 5931-03 SHEET 2 OF 3

I CERTIFY THAT THIS PLAN CONFORMS
TO THE RULES AND REGULATIONS OF
THE REGISTERS OF DEEDS



Craig A. Field 12-15-17
PLS DATE

FOR REGISTRY USE ONLY



SECTION AA
APPROVED BARLOWS LANDING (POCASSET HARBOR)
DREDGE (TYP. CROSS SECTION)
SCALE: 1"=50' H
1"=25' V

THIS SET OF PLANS ARE NOT
INTENDED FOR CONSTRUCTION
WITHOUT ADDITIONAL DETAILS /
SPECIFICATIONS.

Prepared by:
BSC GROUP, INC.
349 ROUTE 28, UNIT D
W. YARMOUTH, MA 02673
DECEMBER 15, 2017

CROSS SECTION

PLAN ACCOMPANYING PETITION
FOR THE CONSTRUCTION AND
MAINTENANCE OF A DINGY DOCK
FOR THE TOWN OF BOURNE IN
AND ON THE WATERS OF
POCASSET HARBOR.

FILE:
JOB NO. 4-8975.07 DWG. NO. 5931-03 SHEET 3 OF 3

RECEIVED

FEB 05 2018

TOWN OF BOURNE
BOARD OF SELECTMEN



F

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

CAPE COD
COMMISSION

Delivered via email

February 1, 2018

Robert Troy
Bourne Town Counsel
24 Perry Avenue
Buzzards Bay, MA 02532

Re: Cape Cod Commission Staff Transportation Peer Review
Proposed Scope of Work
Proposed Redevelopment of 4 & 6 MacArthur Blvd., Bourne – Cumberland Farms, Inc.

Dear Mr. Troy,

As requested, this letter presents a proposed scope of work for the Cape Cod Commission transportation staff to conduct a peer review of the transportation-related materials submitted as part of the application for Site Plan Review/Special Permit #06-2016. As Commission staff understands the proposed Project, it entails the redevelopment of 4 & 6 MacArthur Boulevard in Bourne for a retail store and gasoline sales/canopy.

The peer review would focus on the Project's prepared traffic study and site plan with respect to State and Local design standards and accepted Traffic Engineering and Transportation Planning practices. Commission staff will conduct a site visit and review previous traffic studies conducted in the area to verify existing conditions information and establish a context for the Project.

Commission staff will present, in the form of a memorandum; (1) a summary of the proposed Project, (2) general comments on the preparation of the traffic study, (3) specific comments on elements of the traffic study warranting further discussion, (4) recommendations of safety measures necessary to promote safe and efficient access to the Project, and (5) a summary of the peer review. Commission staff will be available to present the findings of the peer review as requested.

Should the Town wish to move forward with this peer review, Commission staff would need concurrence on the scope of work, which will then be incorporated into a Memorandum of Agreement between the Commission and Town. Additionally, the Town would need to provide to the Commission all transportation-related materials submitted as part of the application for this Project.




Cape Cod Commission Staff Transportation Peer Review

Proposed Scope of Work

Proposed Redevelopment of 4 & 6 MacArthur Blvd., Bourne – Cumberland Farms, Inc.

If you have questions, please do not hesitate to contact me.

Sincerely,



Glenn Cannon, P.E.

Cape Cod Commission Director of Technical Services

cc: Tom Guerino, Town Administrator, Town of Bourne
Kristy Senatori, Deputy Director, Cape Cod Commission
Patty Daley, Deputy Director, Cape Cod Commission
Gail Coyne, Chief Fiscal Officer, Cape Cod Commission

RECEIVED
FEB 05 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

G



Risk Advisors

326 West 2nd Street
Boston MA 02127
617. 482. 7015
KFDA.com

Mr. Thomas Guerino
Town Administrator
Town of Bourne
24 Perry Ave.
Bourne, MA 02532
02. 02. 18

Re: **Public Entity Insurance and Risk Management Consulting**

Dear Mr. Guerino:

We hope that you were able to obtain helpful information from our exhibit at the 2018 MMA Annual Meeting. As you plan your municipality's insurance budget for the upcoming year, please use KFDA in your exercise of due diligence on behalf of your community. As independent insurance consultants, we do not sell insurance, nor do we derive any income from an insurance company, agency or broker. As an outsourced public entity risk management department, we provide a sizable return-on-investment by typically offsetting consulting fees with much larger premium and claim cost savings.

Our independence allows us to effectively scrutinize all of your risk finance options, including those offered by municipal insurance pools, commercially marketed insurance programs and alternative risk finance programs. In many cases, the focus will be on contractual risk transfer or safety management so as to minimize or eliminate inefficient insurance procurement. KFDA accomplishes its goals through a variety of services which include insurance program auditing; captive and self-insurance feasibility studies; insurance program marketing (including preparing specifications for submission to the insurance marketplace); claim auditing; safety program management; risk management manual preparation; and Owner Controlled ("Wrap-Up") Insurance Program design.

You may contact me at 617/778-5694.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terrence J. Curtin', written over a horizontal line.

Terrence J. Curtin, CPCU
Consultant/SVP



RECEIVED
FEB 06 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

Environmental Affairs
247 Station Drive, SE270
Westwood, MA 02090

H

January 31, 2018

Bourne Town Hall
24 Perry Avenue - Room 201
Buzzards Bay, MA 02532

RE: Eversource Energy Right-of-Way (ROW) Maintenance Activities

Dear Commission Members,

Eversource Energy (Eversource) is providing notice of planned and scheduled vegetation maintenance work on the electric transmission right-of-way(s) (ROW) located within your municipality for the 2018 calendar year. The planned maintenance will involve floor cutting, side pruning and the selective removal of hazard trees that are located along or just beyond the right-of-way edge.

- Floor cutting is clearing all incompatible woody vegetation that will be greater than 12 feet tall this growing season to maintained floor/easement ROW width. Woody vegetation is removed around all pole/tower structures, guide wires, gates/barriers and all "off road" access roads. Incompatible woody vegetation is removed 30 feet back from primary road crossings and/or ROW wooden barrier. All woody vegetation shall be mowed or chipped and removed from ROW.
- Pruning and hazard tree removal is required to comply with our vegetation management clearance program requirements for ensuring that vegetation does not contact or encroach within minimum distances of the energized transmission system. Our current cycle requires that this pruning be performed once every ten years. All planned work is reviewed in advance and all tree removals beyond the limits of the ROW easement area are discussed with property owners prior to the performance of the work.

The maintenance work is being conducted under the WPA M.G.L. Chapter 131, Section 40, and 310CMR 10.02(2)(a)(2), which provide for the following exemption:

"activities conducted to maintain, repair or replace, but not substantially change or enlarge an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, sewer, telephone, telegraph and other communication services, provided said work utilizes the best practical measures to avoid or minimize impacts to wetland resource areas outside the footprint of said structure or facility."

Eversource is sending this notification to inform the Conservation Commission of the work and provide a contact for additional information. Under a separate correspondence and in accordance with 220 CMR 22.00, the Town Administrator was also notified of this maintenance work by William Hayes, Sr. Arborist, Eversource Energy Electric Transmission Vegetation Management.

In addition to the activities described below, a locus map with wetland resources of the projected maintenance area is enclosed.

Project: ROW 180 Utility Maintenance – Vegetation Management

Purpose: To ensure clearance of electrical lines from vegetation for safety and to allow emergency access to the system.

Location: See attached maps.

Project Description: Vegetation management on transmission Rights-of-Way is an ongoing activity to provide worker safety and ensure electric service reliability, as well as controlling vegetation that hinders emergency restoration.

Eversource's Integrated Vegetation Management Program (IVM) employs a Wire Zone-Border Zone method to maintain our transmission corridors. This method includes the establishment of two separate management zones:

The Wire Zone is the area directly under the transmission lines, extending 15 feet outside the wires at ground level. In this zone, all trees and brush are removed, and native, low-growing plant communities that have a mature height of three feet or less are preserved.

The Border Zone is the area 15 feet from the edge of the wires at ground level to the ROW easement edge. In this zone, incompatible trees and brush are removed and the native trees and shrubs that have a mature height of 25 feet or less are preserved where possible.

Outside the ROW easement, trees that have the potential to damage transmission wires and/or towers will be pruned or removed with permission of the property owner.

Environmental Protection Measures: As this work may take place within a buffer zone and/or wetland resource areas, Eversource requires this work to be performed using Eversource's standard best management practices to prevent permanent impact to the environment. These best management practices are listed below.

- Vegetation control activities are managed by degreed arborists holding certifications in Massachusetts and the International Society of Arboriculture.
- Vegetation Management activities are performed under a Vegetation Management Plan (VMP) and Yearly Operating Plan (YOP) submitted to the Massachusetts Department of Agricultural Resources. In addition, Best Management Practices used during these activities are based on standard requirements received from the Natural Heritage and Endangered Species Program (NHESP) under the Massachusetts Endangered Species Act (MESA).
- Unless safety concerns dictate otherwise and/or where feasible, the following general practices are used when working in and around wetlands:

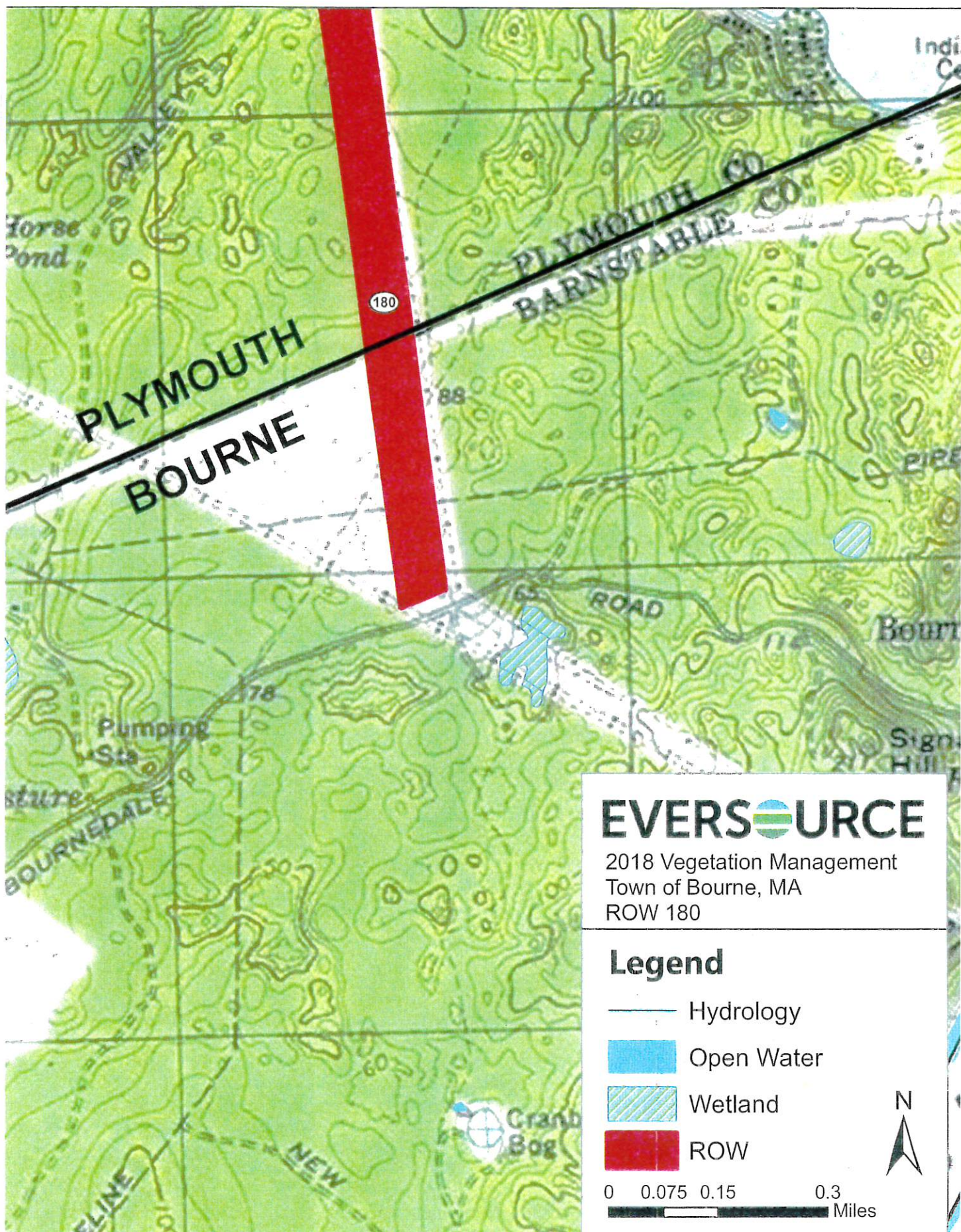
- Vehicle traffic will remain on ROW access roadways as much as possible.
- Heavy equipment will remain outside of wetlands with visibly saturated areas to minimize rutting.
- Vegetation management in wetlands with visibly saturated areas will be performed by hand, on swamp matting, or using low pressure equipment.
- Low growing shrubs, such as winterberry or high bush blueberry will remain in the wetlands. (Note: these species may be trimmed or mowed, but their root system will not be destroyed or grubbed out).
- Wood will be removed and stacked outside of areas containing standing water.
- No refueling of equipment will take place within 100 feet of wetlands.

If the Commission should have any questions or would like to meet regarding this letter or the scheduled maintenance activities, please call Denise Bartone at 781-441-8174. Thank you for your consideration in this matter.

Respectfully,



Denise M. Bartone
Sr. Environmental Engineer
Eversource Environmental Affairs





Town of Bourne
Interdepartmental Advisory Form



6A

Start Date:	2/5/2018
Owner/Applicant:	David C. Peterson, Mgr., Weary Travelers Club, Inc.
Project Location:	77 Valley Bars Road, Monument Beach
Nature of Request:	Change in Manager Only from Richard E. Keegan to David C. Peterson
Liability Insurance Naming Town of Bourne as Additional Insured	Has applicant provided insurance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Map:	35.0	Parcel:	5.00	District:	
------	------	---------	------	-----------	--

☐ Engineering:

Date of Recording:		Lot Area:	4.1Ac	Frontage:		Zone:	R40
Resource District:	Yes	Town Road:	No	Paved:	Yes	Contiguous Lots:	No
Flood Zone:	X	Within 100' of Wetland:	No				

Owner:
Remarks:

2/7/2018 Timothy Lydon
Date Department Head

☐ Planning Department: ☒ Concurs ☐ Does Not Concur

Remarks:

2/1/1958 Coreen Moore/ag
Date Town Planner

☐ Planning Board: ☒ Concurs ☐ Does Not Concur

Remarks:

2/8/2018 Elmer Clegg/ag
Date Board Member

☐ Conservation Commission: ☐ Must File ☐ Determination ☐ Notice of Intent
☒ Need not File

Remarks:

2/5/2018

Date

Samuel Haines

Conservation Agent

☐ Board of Health:

☒ Concur

☐ Does Not Concur

Remarks:

2/7/2018

Date

TG/ mm

Health Agent

☐ Building Inspector:

☒ Concur

☐ Does Not Concur

Remarks:

2/8/2018

Date

Roger Laporte/ag

Building Inspector

☐ Sewer Commissioners: ☐ Concur

☐ Does Not Concur

Remarks: N/A

2/8/2018

Date

George M. Sala [dj]

Department Head

☐ Town Collector:

☐ Outstanding Taxes

☒ Taxes Paid In Full

FY	RE	\$0.00	FY	RE	\$0.00	FY	RE	\$0.00
FY	RE	\$0.00	FY	RE	\$0.00	FY	RE	\$0.00
FY	RE	\$0.00	FY	RE	\$0.00	FY	RE	\$0.00

Remarks:

2/5/2018

Date

A Dastous

Town Collector

☐ Town Clerk:

If not corporation has business certificate been issued? ☒ Yes ☐ No

Remarks:

2/8/2018

Date

BHJ(njs)

Clerk's Office

☐ Assessors:

This individual has (have) completed the Form of List? ☐ Yes ☐ No

Remarks: N/A

02/08/18 10:59 AM

P:\Routing Slips\Weary Traveler's Club.docx

2/5/2018

Date

Karen Trudeau

Assessors Office

☐ Department of Public Works: ☐ Approved ☐ Disapproved ☒ Not Under DPW Jurisdiction

Remarks:

8/8/2018

Date

Goerge M. Sala [dj]

Department Head

☐ Department of Natural Resources: ☐ Approved ☐ Disapproved ☒ Not Under DNR Jurisdiction

Remarks:

2/7/2018

Date

TM(njs)

Department Head

☐ Police Department: ☒ Concur ☐ Does Not Concur

Remarks:

2/6/2018

Date

Lt. Silvestro

Department Head

☐ Fire Department: ☒ Concur ☐ Does Not Concur

Remarks:

2/5/2018

Date

Chief Sylvester

Department Head

☒ Board of Selectmen: ☐ Concur ☐ Does Not Concur

Remarks:

Date

Chairman



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

AMENDEMENT APPLICATION FOR A CHANGE OF MANAGER

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF LICENSEE (Business Contact)

Wearys Travelers Club Inc.

ABCC License Number

00037-CL-0118

City/Town of Licensee

Bourne

2. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name: David

Middle: Charles

Last Name: Petersen

Title: ~~Employee~~ MANAGER

Primary Phone:

Email: davepet94@gmail.com

3. BUSINESS CONTACT

*Please complete this section **ONLY** if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.*

Entity Name: Weary Travelers Club Inc.

Primary Phone:

Fax Number:

Alternative Phone:

Email:

Business Address (Corporate Headquarters)

Street Number: 77

Street Name: Valley Bars Rd.

City/Town: Monument Beach

State:

MA

Zip Code: 02553

Country:

United States

Mailing Address

☐ Check here if your Mailing Address is the same as your Business Address

Street Number:

Street Name:

City/Town:

State:

Zip Code:

Country:

United States

APPLICANT'S STATEMENT

I, David c Petersen the: ☐ sole proprietor; ☐ partner; ☐ corporate principal; ☒ LLC/LLP member
Authorized Signatory

of Weary Travelers Club Inc., hereby submit this application for Change of manager
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: David C Petersen

Date: 2/2/2018

Title: Manager

Letter to ABCC

To whom it may concern

WE the Board of the Weary Travelers Club Inc. Have appointed David Charles Petersen to the managers position in place of Richard E. Keegan. We the board had a meeting on 1/27/2018 and unanimosly voted for this change.

Singerely:

A handwritten signature in black ink, appearing to read "Sean T. Glennon", with a long horizontal flourish extending to the right.

Sean T Glennon President
Weary Travelers Club Inc.

RECEIVED
JAN 23 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

To Members of the Board of The Weary Travelers Club,

January, 23, 2018

This is a follow up to my text I sent the Board of Directors I sent on 01/22/2018 officially resigning from the General Manager's position of the Weary Travelers Club. Due to life circumstances beyond my control I can no longer fulfill the duties & responsibilities of this position.

So unfortunately as of this writing I have officially resigned as the GM. Since it is the policy of the Weary Travelers Club to have the liquor license in the General Manager's name & I can no longer execute & fulfill those duties, please take my name off of the liquor license as soon as possible.

I wish nothing but success for The Weary & my replacement as I have enjoyed being a patron of the club for the past 3 years & have formed wonderful friends there that I consider family, along with the fact all the good things The Weary Travelers has done for the community & continues to do.

Sincerely,

Richard E. Keegan

BOARD OF SELECTMEN

Rules of Procedure

I. PROCEDURAL MATTERS

In procedural matters not covered by the Rules or any provisions of the Charter or Town Bylaws, or statute, the Board of Selectmen shall be guided by Roberts Rules of Order, as most recently revised.

II. NATURE OF POLICIES AND PROCEDURES

These rules of procedure may from time to time be amended or revised by vote of the Board of Selectmen provided the amendment or revision has been placed on the agenda for the meeting wherein it is to be voted upon by the Board of Selectmen provided further that the amendment or revision is approved by at least three (3) members of the Board of Selectmen.

III. PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES

Adoption of new policies or changing existing policies regarding general town government is a responsibility of the Board of Selectmen. Policies will be adopted/amended only by the affirmative vote of a majority of members of the Board of Selectmen when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and to provide an opportunity for interested parties to react to proposed policies and to provide amendments will be presented as an agenda item to the Board in the following sequence:

1. Information item -- distributed with agenda
2. Discussion item -- first reading of proposed policy or policies
3. Response from the Town Administrator; report from any committee with responsibility in the area addressed by the proposed policy; public discussion; Board discussion and directions for any redrafting
4. Action, which may include further discussion, adoption, rejection, may be taken at the discussion at the second reading, or at a subsequent meeting.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs.

The Board of Selectmen may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the Board of Selectmen. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation. The Board may divert from policy by a 4/5 vote.

IV. AUTHORITY AND ROLE OF THE BOARD OF SELECTMEN

The Board is responsible for executive Town policy development and review. The Board works with the Town Administrator on policy development, and oversees the Town Administrator in his role as supervisor of town departments, as stipulated in the Charter.

No actions representing the Board shall be taken by a member or members of the Board without the prior consent of a majority of the Board made at an open meeting. This shall be modified in the event of an emergency should immediate action be required in which case, the Chairman, Vice Chairman, or any Board members shall call an emergency session of the Board prior to the emergency action.

A Board member wishing an in-depth inquiry into a department's policies, procedures, or operations must make such a request during a regular Board meeting in open session and receive approval by Board vote.

Requests by Board members for written legal opinions must be channeled through the Town Administrator or the Chairman, in the Town Administrator's absence.

V. ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS

Officers of the Board (Chairman, Vice Chairman, and Clerk) shall be elected annually at a meeting of the board to be scheduled for the first regular meeting following the Annual Town Elections. The election of officers is by majority vote. If a vacancy occurs among any of the officers of the Board, the Board shall elect successor at its next regular meeting. Nominations of officers shall require both a nomination and a second. The Chairman shall preside at all meetings and shall have the same privileges as other board members to offer and second motions, to debate motions and vote on them.

The Board may at any time by majority vote remove the Chairman or any of the officers. The Chairman may not serve in the capacity for more than two consecutive years in a given term. In the event that the Chairman is not re-elected, the Vice Chairman shall serve as Chairman Pro Tem until the new officers of the Board are elected. In the Absence of both Chairman and Vice Chairman, the Clerk shall act as Chairman Pro-Tem.

VI. RESPONSIBILITIES OF THE OFFICERS OF THE BOARD

The Chairman shall:

- Preside at all meetings of the Board at which he/she is present. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes, and preside over the discussion of agenda items;
- Sign official documents that require the signature of the Chairman, following a vote of the board;
- Call special meetings of the Board in accordance with the Open Meeting Law;
- Prepare meetings agendas with the Town Administrator;

- Represent the Board at meetings, conferences, and other gatherings unless otherwise determined by the Board or delegated by the Chairman;
- Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman;
- Arrange for the orientation of new members, unless otherwise noted;

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

The Vice Chairman shall act in the place of the Chairman during his/her absence at Board meetings. Should the Chairman leave office, the Vice Chairman shall assume the duties of Chairman until the Board elects a new Chairman.

Clerk shall sign all official documents requiring the signature of the Clerk, with the authorization of the Board, and shall be responsible for recording minutes of any portion of meetings held in executive session for which the Town Administrator is not present.

VII. MEETINGS OF THE BOARD

A meeting called for any time other than the regular meetings shall be known as "special meetings". The same rules as those established for regular meetings shall apply, unless an unforeseen emergency requires a special meeting to be scheduled on a legal holiday. Special meetings shall be called by the Chairman, in consultation with the Town Administrator, and with the informal consent of a majority of Board members, or whenever at least three (3) members of the Board make such a request in writing to the Chairman or the Town Administrator, either whom shall give notice of such meeting.

The Board shall conduct working sessions on a monthly basis or as it deems necessary. This requirement does not apply to budget preparation and review. Such meetings will be posted in accordance with Open Meeting Law. A synopsis of transactions of informal meetings shall be made a part of the record of meeting minutes.

VIII. MEETING PROCEDURES

Board meetings shall be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of said procedure may be on a relatively informal basis.

A quorum shall consist of three members of the Board. As a practical courtesy, action on critical or environmental matters, the adoption of policy, or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second, and vote. Split votes will be identified by name in the meeting minutes.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the board informed and advised, and to recommend in all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of

the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

VIII. BOARD MEETINGS: EXECUTIVE SESSIONS

Where practicable, executive sessions shall be scheduled at the beginning of the open meeting of the Board. Should an executive session be required, it may commence prior to the regularly scheduled meeting time of 7:00 P.M. as previously described. Only items clearly allowed under the Open Meeting Law shall be included in executive session. Prior to calling for a motion to adjourn into executive sessions, the Chairman shall state the reasons for which an executive session is sought.

The Chairman shall also state whether or not the Board will reconvene in open session. A majority of the members present and voting must vote to enter executive session by roll call vote.

Minutes of Executive Sessions shall be available to the board in written form within 7 days of the session. Unlike the case with open session, there is no right to tape record or videotape executive sessions. These minutes will then be voted on to approve their content at the next Board of Selectmen Open meeting. The Board will then vote to release or encumber the minutes depending on whether or not the reason for them being kept secret still exists. If they are released they will be filed in the Town Clerk's office. If the minutes are encumbered they will be kept in a confidential file in the Selectmen's Office entitled "Encumbered Board of Selectmen Executive Minutes." The Clerk of the Board of Selectmen is responsible for this file and to bring all encumbered minutes before the Board of Selectmen for review once in every six months to determine if any of the encumbered minutes should be released. This policy will help insure that closed session minutes are kept secret only as long as needed.

X. AGENDA PROCEDURES

The Town Administrator bears primary responsibility for coordinating and planning the agenda for regular meetings of the Board. The Town Administrator, in consultation with the Chairman, shall approve the agenda and schedule a realistic time period for each appointment, interview, conference, or other scheduled item of business. In order for items to be considered for the agenda, they must be submitted to the Town Administrator by 12:00 noon on the Thursday preceding the meeting. Items added to the agenda after this time will be considered out of necessity or due to being routing in nature and exceptions may be made due to emergencies or other cause satisfactory to the Town Administrators and Chairman of the Board of Selectmen.

Agenda items may include:

- Call to Order
- Moment of Silence for Our Troops and Pledge of Allegiance
- Public Comment
- Acceptance of Meeting Minutes (as required)
- Correspondence
- Scheduled Appointments (as required)

- Hearings (as required)
- Committee Reports
- Report of the Town Administrator
- Other Selectmen Business (action as required)
- Reports of Members of the Board
- Adjournment

Each agenda item may state the action anticipated of the Board, as appropriate. Any member of the Board of Selectmen may request an item be put on the agenda for a future meeting. Requests are to be presented at a public Board of Selectmen's meeting or be presented in writing with copies to all Board of Selectmen members and the Town Administrator.

Members of the Board, staff, the Town Administrator, or others who prepare background materials for the meeting should have such material available for Board members by Friday evening. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting, which were not included in the Board's meeting packet, any Board member may request that the relevant item be tabled to allow Board members time for careful study of the material.

The agenda shall be available to the public and the press at the Selectmen's Office at the time of posting and shall be posted on the Town bulletin board inside Town Hall that same day. It shall also be posted on the Town-maintained World Wide Web page by close of business on Friday. Copies of the minutes of previous meetings and all-important correspondence, reports and other pertinent background materials shall be held in the Selectmen's Office for collection by or distribution to Board members.

All correspondence read by the Clerk must be submitted to the Town Administrator, and copies of the correspondence are to be distributed to all members of the Board before the meeting. Matters brought before the board by correspondence received at a meeting or during a public comment period shall be treated as information. Any required action of the board shall be taken up no earlier than the next scheduled meeting. It shall be the policy of the board to take no formal policy vote of the Board of Selectmen. Items of correspondence that are exempt from public disclosure pursuant to the Public Records Law (Chapter 4, Section 7 of the Massachusetts General Laws), or relate to subject matters that qualify for an executive session under the Open Meeting Laws (Chapter 39, Section 23B of the Massachusetts General Laws), will be marked as "Confidential Correspondence" and will not be subject to review in public session. Public comment shall be limited to non-agenda items and discussion be no longer than 2-3 minutes. Non-agenda items that require subsidiary discussion should be placed as a regular item at the request of the proponent.

XI. MEETING MINUTES

The Town Administrator shall ensure that open meetings of the Board are recorded. The Town Administrator shall ensure that minutes are drafted and made available to Board members in a timely manner, generally not to exceed 14 days.

XII. BOARD APPOINTMENTS

As part of the annual appointment process, the Town Administrator will ask incumbents whose terms will expire on June 30 about their availability for reappointment. The Town Administrator will ensure that the Selectmen receive by June 15 a list of appointment vacancies to be filled by the Board.

The Board of Selectmen shall request each appointed Committee Chairperson to submit a report and written record of attendance for each member of his or her Committee for the period of May 1 to April 30 of each year. Any absences excused by the Committee for good cause shall be noted in said record and report, along with any other information that might be helpful to the Board of Selectmen in making decisions concerning the appointment or reappointment of members to said Committee. The Board of Selectmen shall enforce Section 2.4.4 of the Town Bylaws concerning termination of membership due to absence at meetings.

When the bylaw states or when the Selectmen/Sewer Commissioners or Administrator requests a designee of another Board or Committee, the Board or Committee making the designation will vote the appointment of their representative and notify the Town Administrator of the vote including the name of their representative and the date of the vote. One or more names may be submitted. The Town Administrator will bring the names(s) of the representative(s) to the next available Board of Selectmen/Sewer Commissioner meeting for the appointment to be authorized by the Board of Selectmen/Sewer Commissioners or Administrator. The Selectmen/Sewer Commissioners or Administrator may appoint from the designated Committee any other Committee member, who submits a written request to the Board of Selectmen/Sewer Commissioners.

Upon an appointment to a board or committee, et.al, authorized by a vote of the Board of Selectmen/Sewer Commissioners or by the Town Administrator, as authorized by the Town of Bourne Charter, as amended, the appointee shall receive a Certificate of Appointment signed by a majority of the members of the Board of Selectmen or Town Administrator (for those committees authorized by the Town Administrator or Charter). Each appointee must present the signed appointment slip to the Town Clerk or his/her authorized designee to be sworn in. The appointee shall have the Town Clerk sign and date the appointment slip. The appointee shall then deliver a copy of said slip to the office of the Selectmen for filing. Further, this protocol must be completed before the appointee is authorized to cast a vote at a meeting of the board or committee **to which she/he is appointed.**

All appointments shall be staggered as provided by Section 2.4.3 of the Town Bylaws. Said appointments shall run from July 1 to June 30 of each year.

Committees in which members of the Board of Selectmen are seated either as Ex-Officio, committee as required by statute or as requested by outside governmental and non-governmental agencies shall not be greater than one (1) year and shall not extend beyond an individual's term of office unless otherwise specified.

XIII VOTING PROCESS FOR MULTI MEMBER BOARDS

All candidates' names are automatically placed in nomination. No formal nomination or second is required.

Each Board member may vote the number of times equal to the number of vacancies on the multi-member board. For example, if there is one vacancy, each member can only vote for one candidate. If there are three vacancies, each member can vote a maximum of three candidates.

When it's time for voting, the Chairman reads each Selectmen's name and Board members declare their vote.

After all Selectmen have voted, a count of votes is made.

Candidates who receive a majority of votes are appointed. If the vacancies are not all filled, the process is repeated with remaining candidates.

XIV. Board of Selectmen New Committee Procedures

The Board of Selectmen will choose one of its members to attend the first meeting of a newly established committee.

At the first meeting the designated Selectman will read the charge by the Board of Selectmen and answer any questions by committee members so that each member is clear what the scope of the committee. Committee Meeting Procedures will also be given to each member and discussed. The members of the committee will establish a regular meeting schedule and determine the date of the next meeting.

The designated Selectman shall conduct the election of officers of the committee. The committee may decide to hold the election of officers at the beginning of their second meeting; however, at no time shall a committee created by the Selectmen be without officers after the conclusion of its third session. No substantive business will be conducted before the election of officers. By majority vote of the members who constitute the make-up of the committee, they shall elect a Chairman, Vice Chairman and Clerk. Officers of the committee shall be chosen at the committee's first meeting after the start of each fiscal year.

In all procedural matters, the committee shall conduct its meeting in accordance with the latest revised edition of Robert's Rules of Order. In the absence of the Chairman, the Vice Chairman shall conduct the meeting.

In accordance with the state Open Meeting Law, the Clerk of the committee or the recording secretary shall keep accurate minutes of the proceedings of the committee including Executive Session minutes. Per the Attorney General's Open Meeting Law Guide dated March 12, 2013. "The minutes must be created and approved in a timely manner, must state the date, time and place of the meeting, a list of members present or absent, and the decisions made and actions taken including a record of all votes. The law requires that existing minutes be made available to the public within 10 days upon request, whether

they have been approved or remain in draft form. Materials or other exhibits used by the committee in an open meeting must also be made available to the public within 10 days upon request." Minutes should be approved at the next meeting of the committee and must be submitted to the Clerk's office no more than two (2) weeks after they have been approved. The minutes may also be included in the Selectmen's meeting packets so they may be apprised of the actions of the committee.

Any board, committee or commission appointed by the board of selectmen shall be responsible to the board of selectmen.

Upon request, the Committee shall send a written update of its actions/recommendations that were taken by a majority vote of the committee members to the Selectmen. The Selectmen also reserve the right to request that the committee present this report in person at a Selectmen's meeting. NOTE: per the Attorney General's Open Meeting Guide dated March 12, 2013: "Members of a public body may attend a meeting of another public body provided that they communicate only by open participation; however, they cannot deliberate at such gatherings."

Individual members of the committee may also ask that a member of the Board be present at a particular meeting as a member of the audience. A formal request for a selectman to attend a meeting must be made by a vote of the majority of the committee.

The Chairman shall prepare the agenda on behalf of the committee. Any committee member may insert an agenda item for any meeting. The Chairman or designee will post the agenda at Town Hall according to the state Open Meeting law.

SPECIAL PERMIT RULES AND PROCEDURES

These rules and procedures have been prepared and adopted by the Bourne Board of Selectmen in compliance with General Laws Chapter 40A, Section 9 as amended by Chapter 808 of the Acts of 1975. They may be amended or rescinded from time to time by majority vote of the Board. Said rules and procedures to become effective at such times as may be specified therein and upon filing a copy thereof with the Town Clerk.

Applications:

- A. All applications for special permits authorized by the Zoning Bylaw to be issued by the Board of Selectmen shall be made in writing on such form or forms adopted by the Board of Selectmen and available at the offices of the Building Inspector, Board of Selectmen, Town Clerk or Engineering.
- B. Said form shall be filed in quadruplicate with the Board of Selectmen and a

copy shall be filed with the Town Clerk. All of said copies shall bear the signature of the applicant or his duly authorized agent or attorney.

- C. The applicant shall attach to his application a list of all parties in interest and their addresses as appear on the most recent tax list. "Parties in interest" as defined in General Laws Chapter 40A, Section 11, as amended, shall mean the applicant, owner of land for which the permit is sought (if different than the applicant), abutters, owners of land directly opposite on any public or private street or way and abutters to abutters within 300 feet of the property line, the Bourne Planning Board, and the Planning Boards of Falmouth, Wareham, Sandwich and Plymouth.
- D. Applications shall state the section of the Zoning Bylaw for which the Special Permit is sought.
- E. All applications at the time of filing shall be accompanied by:
 - 1) FOUR (4) prints of the latest recorded plan of the land which will be affected, or in cases where no such plan exists, FIVE (5) prints of a plan of the land endorsed by a registered engineer or land surveyor.
 - 2) FOUR (4) prints of the plot showing the exact location of existing and proposed buildings, signs, and other structures.
 - 3) Such additional information and plans as may be required under the Site Plan Review provisions of the Zoning Bylaw, or any other applicable provisions of the Zoning Bylaw.
 - 4) A filing fee payable to the Town of Bourne in the amount of \$250.00 for advertising and mailing costs.

The Board, in its discretion, may dismiss (without prejudice) an application, which fails to comply with the foregoing requirements.

NOTICE OF HEARING

Notice of hearing will be given by the Board of Selectmen in accordance with General Laws Chapter 40A, Section 11, as amended, by mailing and publication.

HEARINGS

- A. An open public hearing will be held at the time and place specified in the notice of the hearing.
- B. The hearing will proceed as follows:
 - 1) The Chairman of the Board of Selectmen will call the meeting to order and read the notice of hearing as published.
 - 2) The Chairman shall inform those present at the hearing of the time requirements under Chapter 40A, Section 17, as amended, for appealing of the decision of the Board.
 - 3) The applicant or his representative shall present the case to the Board.
 - 4) Parties of Interest at the hearing shall be heard.
 - 5) Town representatives may be heard.

- 6) The hearing shall be closed and no further evidence shall be heard.

DECISIONS

- A. All decisions of the Board of Selectmen shall be made in writing and shall contain, but not limited to, the following:
 - 1) Date decision rendered.
 - 2) Number of Special Permit
 - 3) Name and address of applicant.
 - 4) The place, time and date of the public hearing.
 - 5) Findings of facts.
 - 6) Statement of applicable law.
 - 7) Decision of the Board of Selectmen
 - 8) Roll-call vote setting forth the vote of each member of the Board of Selectmen
 - 9) A statement of right of appeal pursuant to General Laws, Chapter 40A, Section 17, as amended.
- B. A copy of the decision shall be filed with the Town Clerk.
- C. A decision granting a special permit shall be effective after the appeal period has expired and an appropriate notice has been filed by the Town Clerk with the Registry of Deeds. A fee for the Registry of Deeds filing shall be paid to the Town Clerk by the applicant.
- D. Duplicate copies of the decision shall be mailed or delivered to the applicant or his agent or attorney, the owner of the property, the Building Inspector, Planning Board, Board of Health, and all parties in interest who at the time of the hearing request a copy.

RECORDS OR PROCEEDINGS

- A. The Board shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact.
- B. Original summary account shall be kept with the case record in the office of the Board of Selectmen, a copy to be filed with the Town Clerk.
- C. All summary accounts shall be signed by the Clerk of the Board of Selectmen who shall be the keeper of the records of said Board.

BOARD OF SELECTMEN

Peter J. Meier
Donald J. Pickard
Linda M. Zuern
Donald E. Ellis
Stephen F. Mealy

Adopted on August 28, 2001

Amended November 12, 2002 by adding section 2.4.2

Amended July 13, 2004 -Special Permit Rules & Procedure added

Revised: May 16, 2006

Revised: November 21, 2006

Revised: May 1, 2007

Revised: April 29, 2008

Revised: December 17, 2013

Revised: February 24, 2015