

Board of Selectmen Meeting Notice AGENDA



Date

Tuesday
April 17, 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

Moment of Silence for our Troops and our public safety personnel

1. Salute to our Flag
2. Public Comment on Non-Agenda Items
3. Approval of minutes:
4. Correspondence
5. Introduction of Glenn Cannon - Assistant Town Administrator
6. Attorney Thomas Merrigan – Opioid Epidemic Litigation
7. **Licenses/Appointments**
 - a. Transfer in Year Round Package Store license from Patriot Spirits, Inc., d/b/a Liquor 'N More, to ZASA Spirits, Inc., d/b/a Spirits 'N More
 - b. Election Workers Appointments
8. **Selectmen's Business**
 - a. Sign Warrant for Special and Annual Town Meeting
 - b. Rules of Procedure work
9. **Selectmen's Reports**
 - a. Events attended past week
 - b. Events anticipated to attend current week
 - c. Adult Use marijuana working group update
10. **Town Administrator Report**
 - a. Buzzards Bay Park
 - b. South Side Fire Station
 - c. FY 19 Budget
 - d. Road Acceptance Committee

TOWN CLERK BOURNE

2018 APR 12 PM 4:08

RECEIVED

11. **Future Agenda**

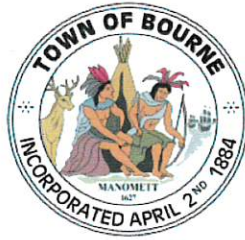
- a. Massachusetts Maritime Academy to give formal update to the Board of Selectmen meeting and to answer questions
- b. Stop and Shop Rotary and Clay Pond Road update
- c. Cable TV Contract – opt out and renewal preliminary discussion
- d. Cape Cod Commission update from Director Kristi Senatori 4/17/18

12. **Adjourn**

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2018 APR 12 PM 4:08

TOWN CLERK BOURNE



Selectmen's Correspondence
April 17, 2018

- A. Letter from General Manager Daniel Barrett regarding Bourne ISWM Facility Quarterly Groundwater and Landfill Gas Monitoring Results
- B. Letter from SITEC Environmental regarding Bourne Landfill – Review of October 2017 Environmental Monitoring Event
- C. Notice from National Grid that they are replacing natural gas main at 28 – 34 Prospect Avenue, Pocasset. Construction is expected to begin on April 23, 2018 and last to June 1, 2018 weather permitting
- D. Letter of interest from Richard Conron to serve on any group/committee that is formed by town officials and charged with defining and publishing town policies, bylaws and procedures in order to implement the residential sales of Marijuana in the Town of Bourne
- E. Letter from Cape Cod Mosquito Control Project regarding State Reclamation Board of Budget Notification [Copy on file in the Town Administrator's Office]
- F. Letter from Joseph Amaral regarding pot monetary benefits
- G. Letter from Michael Maxim regarding 328 Main Street, Buzzards Bay – Unsafe structure



Mailing:
24 Perry Avenue
Buzzards Bay, MA 02532
(508) 759-0600 Ext. 4

TOWN OF BOURNE
Department of
Integrated Solid Waste Management



Location:
201 MacArthur Blvd.
Bourne, MA 02532

April 2, 2018

Mr. Mark Dakers, Solid Waste Section Chief
Department of Environmental Protection
20 Riverside Drive
Lakeville, MA 02347

Re: Bourne ISWM Facility Quarterly Groundwater and Landfill Gas Monitoring Results.

Dear Mr. Dakers:

Please find attached the results of the October 2017 groundwater, surface water, leachate and landfill gas monitoring conducted at the Bourne Integrated Solid Waste Management Facility. Also included is a memorandum written by ISWM facility engineer of record Mr. A. Raymond Quinn, PE, LSP, of SITEC Environmental, Inc. Mr. Quinn's correspondence contains an analysis of each well sampled this quarter and a comparison of historic data to identify potentially emerging trends in groundwater quality.

The arsenic MMCL and the groundwater MCL of 0.01 mg/l was exceeded at the following wells; MW11D which had a detectable level of 0.015 mg/l, MW18D had a detectable level of 0.011 mg/l (with its duplicate BCH #13 reporting 0.011 mg/l) and MW5D had a detectable level of 0.013 mg/l.

MW10D was inadvertently not sampled during this round, however we will sample this well in the spring and summer of 2018.

MW10S was unable to be sampled due to insufficient water. We will continue to attempt sampling this well in the future.

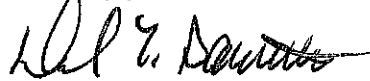
MW11 had an extremely low recharge and was unable to be sampled. ISWM is working to repair and redevelop the well. We will keep you informed as we progress.

MW 18S was found to be extremely low with a recharge to slow or had insufficient water to enable sampling at this time. We will continue to attempt sampling this well in the future.

The gas monitoring data results for the third quarter 2017 show all captured and recorded methane levels detected in the gas monitoring probes were well below the regulatory requirement for methane at the facility property line.

The attached graphs depict concentrations over time for contaminants tracked for the Board of Health. These include nitrate, arsenic, cadmium, benzene, chlorobenzene, sodium, vinyl chloride and 1, 4 – dichlorobenzene.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel T. Barrett", written over a horizontal line.

Daniel T. Barrett
General Manager

Cc: Board of Health; including laboratory report
Thomas Guerino, Town Administrator
Attachments



SITEC

ENVIRONMENTAL

Civil and Environmental Engineering, Land Use
Planning, Hazardous and Solid Waste Consulting

SITEC ENVIRONMENTAL, Inc.

769 Plain Street, Unit C

Marshfield, MA 02050

Tel. (781) 319-0100 FAX (781) 834-4783

449 Faunce Corner Road

Dartmouth, MA 02747

Tel. (508) 998-2125 FAX (508) 998-7554

February 7, 2018

Town of Bourne
Integrated Solid Waste Management
201 MacArthur Boulevard
Bourne, MA 02532

Attention: Mr. Daniel Barrett

Reference: Bourne Landfill
Review of October 2017 Environmental Monitoring Event

Dear Mr. Barrett:

Per your request, SITEC Environmental has reviewed groundwater monitoring results of samples collected in the vicinity of the Bourne Landfill during October 2017. The sample results were provided to us by ISWM, in tabulated format. The attached table lists each well that was sampled and the parameters that exceeded their regulatory standard or guideline, as described below. In addition, wells that are included in the semi-annual sampling frequency, in accordance with MassDEP's June 5, 2017 Comprehensive Site Assessment (CSA) Approval, but which were not sampled this round are identified. The table also provides a comment on the trends or characteristics of parameters that either exceeded their standards or indicated some other notable trend.

The applicable groundwater standards that apply under the Solid Waste Management Regulations (310 CMR 19.132(2)(j)) are the state or federal drinking water standards, or the Massachusetts Maximum Contaminant Levels (MMCLs), as contained in *Standards and Guidelines for Contaminants in Massachusetts Drinking Water*. These standards are analogous to the *Massachusetts Contingency Plan* (MCP) GW-1 groundwater category (310 CMR 40.0974(2)). While the Landfill and the downgradient area are within the medium yield, sole source Cape Cod aquifer, areas downgradient have been designated as Non Potential Drinking Water Source Areas on MassDEP resource maps and the Bourne Water District has stated in a letter that it does not have, nor will it seek to locate future drinking water sources downgradient of the Landfill. Additionally, the Bourne Board of Health has issued a regulation that prohibits the installation of any public or private water supply wells downgradient of the Landfill. All previously identified water supply wells have been replaced with connections to the public water supply system. Consequently, there are no *Current Drinking Water Source Areas* or *Potential Drinking Water Source Areas* in the vicinity of the Landfill, precluding the groundwater in the vicinity of the Landfill from being a GW-1 category. Given that groundwater is not less than fifteen feet below grade (GW-2) in the vicinity of the Landfill, the applicable MCP Groundwater Standards in the vicinity and downgradient of the Landfill is GW-3. As a result, any detected concentrations of contaminants at the

February 7, 2018

Page 2

Bourne Landfill that do not exceed the applicable GW-3 groundwater standard do not pose a threat to public health, safety or the environment, in accordance with the MCP.

In general, there were some notable changes to groundwater quality this sampling event, but overall groundwater quality was consistent to historical values, with increases and decreases in groundwater quality. The results show that groundwater in the vicinity of the Bourne Landfill generally has a low pH, with tendencies of increased or consistent pH values this sampling event when compared to historical data. Iron and manganese are typically above their secondary standards at many sampling locations and are most likely naturally occurring and may relate to the noted low pH values. High sodium, chloride and total dissolved solids (TDS) concentrations exceeded their secondary standards or guideline values.

There was one historically high value of sodium at MW-19D, which may be the result of road salting and/or the on-site storage of salt. Overall, these parameters showed an increase in groundwater quality, with ten noted increases in parameter concentrations and 24 noted decreases.

Consistent with historical results, arsenic is typically detected in the vicinity of the Landfill at concentrations that are slightly above its GW-1 standard of 0.01 mg/l, but well below its applicable GW-3 standard of 900 mg/l. The presence of arsenic appears to be naturally occurring.

The volatile organic compound (VOC) 1,4 Dioxane was reported for the forth time at detection limits below its drinking water (GW-1) standard of 0.3 µg/l or 0.0003 mg/l. 1,4 Dioxane was reported above its GW-1 standard in groundwater at monitoring wells MW-5S, MW-5D, MW-8S and MW-11D. It was also detected at concentrations below the GW-1 standard at MW-8D, MW-12D, MW-14S and MW-19D. As discussed above, the applicable site-specific groundwater standard for the Landfill is GW-3, which for 1,4 Dioxane is 50,000 µg/l or 50 mg/l. Consequently, the detected concentrations of 1,4 Dioxane at the Bourne Landfill do not exceed the applicable groundwater standard and do not pose a threat to public health, safety or the environment.

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

Yours truly,

SITEC Environmental, Inc.

A handwritten signature in black ink, appearing to read "Raymond Quinn", is written over the printed name.

Raymond Quinn, PE
Senior Project Manager

October 2017 Sampling Event

Comparison of Reported Water Quality to the Applicable Solid Waste Drinking Water Standards and the Applicable Site Characterization GW-3 Standards

Monitoring Well	Compliance with Regulatory Standards	Trends/Comments
MW-1S Upgradient (Quarterly)	pH (5.7)	*pH remains low and dropped from last round's relatively high value.
MW-5S Downgradient (Quarterly)	pH (6.9), Sodium (44 mg/l), 1,4 Dioxane (0.00043 mg/l)	*pH value remains in the neutral zone. *Sodium concentration remains above its Drinking Water guideline value, and doubled from last round's relatively low value. *1,4 Dioxane was the same as last round, above its Drinking Water standard of .0003 mg/l but well below the applicable GW-3 standard of 50 mg/l.
MW-5D Downgradient (Quarterly)	pH (6.7), Iron (20 mg/l), Arsenic (0.013 mg/l), Manganese (0.98 mg/l), Sodium (29 mg/l), 1,4 Dioxane (0.00041 mg/l)	*pH increased fairly significantly to return to the neutral range. *Iron, Manganese and Sodium are exceeding their secondary standard values. Iron and manganese decreased from the last event and sodium increased. *Arsenic is slightly above its drinking water standard of 0.01 mg/l but well below its GW-3 Standard of 900 mg/l, and seems to be naturally occurring. *1,4 Dioxane was above its Drinking Water standard of 0.0003 mg/l but well below the applicable GW-3 standard of 50 mg/l, and reduced from the previous sampling event.
MW-5DD Downgradient (Semi-Annual)	pH (6.0), Manganese (0.072 mg/l)	pH is slightly below its secondary standard and Manganese is slightly above its.
MW-8S Downgradient (Quarterly)	pH (6.6), Iron (19 mg/l), Manganese (0.69 mg/l), Sodium (15 mg/l), 1,4 Dioxane (0.00039 mg/l)	*pH value is within the neutral range. *Iron remains high, increasing from the last round to its second highest value in four years. *Manganese was relatively stable with the last event. *Sodium reduced to being below its guideline. *1,4 Dioxane was above its Drinking Water standard of 0.0003 mg/l but well below the applicable GW-3 standard of 50 mg/l, and reduced from the previous sampling event.
MW-8D Downgradient (Quarterly)	Iron (19 mg/l), Manganese (0.34 mg/l), Arsenic (0.0092 mg/l), 1,4 Dioxane (0.00027 mg/l)	*pH value remains in the neutral range. *Iron and Manganese values remain high, with both slightly increasing since the last round. *Arsenic remained slightly below its drinking water standard, and seems to be naturally occurring. *1,4 Dioxane was detected and remains slightly below its drinking water standard of 0.0003 mg/l.
MW-8DD Downgradient (Semi-Annual)	pH (6.2)	pH is slightly below its secondary guidance. All other parameters were within their criteria.
MW-10S Downgradient (Semi-Annual)	Not Sampled - Included in the Semi-Annual Monitoring Program	MW-10S did not have any water in it.
MW-10D Downgradient (Semi-Annual)	Not Sampled - Included in the Semi-Annual Monitoring Program	MW-10D was inadvertently not sampled. It will be sampled during the next non semi-annual sampling event as a make up round.
MW-11(S) Downgradient (Quarterly)	Not Sampled.	Well is damaged or blocked.

October 2017 Sampling Event

Comparison of Reported Water Quality to the Applicable Solid Waste Drinking Water Standards and the Applicable Site Characterization GW-3 Standards

Monitoring Well	Compliance with Regulatory Standards	Trends/Comments
MW-11D Downgradient (Quarterly)	Iron (23 mg/l), Manganese (2.9 mg/l), Sodium (39 mg/l), Arsenic (0.015 mg/l), 1,4 Dioxane (0.00089 mg/l)	*Iron and Manganese remain significantly above their Secondary Standards, but each showed a decrease. *Sodium decreased from the previous round by nearly half, but remains well above its guideline value of 20 mg/l. The Sodium concentration is possibly due to past road salting. *Arsenic is above its drinking water standard of 0.01 mg/l but well below its GW-3 Standard of 900 mg/l, and seems to be naturally occurring. *1,4 Dioxane was above its Drinking Water standard of 0.0003 mg/l but well below the applicable GW-3 standard of 50 mg/l.
MW-12S Downgradient (Semi-Annual)	Manganese (0.068 mg/l)	Manganese is the only parameter to exceed its Secondary standard criteria.
MW-12D Downgradient (Semi-Annual)	Total Dissolved Solids (TDS) (660 mg/l), Manganese (0.07 mg/l), Chloride (270 mg/l), 1,4 Dioxane (0.000064 mg/l)	TDS, Manganese and Chloride exceeded their Secondary standards. 1,4 Dioxane was detected but was below its Drinking Water Standard.
MW-14S Downgradient (Quarterly)	TDS (570 mg/l), Iron (1.9 mg/l), Sodium (160 mg/l), Chloride (200 mg/l), Manganese (0.34 mg/l), 1,4 Dioxane (0.00013 mg/l)	pH is in the neutral range. TDS decreased to 570 mg/l but is still above its secondary standard. *Sodium significantly decreased to about half of the previous round, but is still very high. Chloride decreased to be below its Secondary standard. Manganese and Iron increased significantly to be well above their standards. 1,4 Dioxane was detected but was below its Drinking Water Standard.
MW-14D Downgradient (Quarterly)	TDS (460 mg/l), Iron (0.11 mg/l), Manganese (0.022 mg/l), Sodium (220 mg/l), Chloride (160 mg/l)	*pH remains in the neutral range. *TDS, Iron, Manganese and Chloride all reduced significantly from the previous round to be below their Secondary standards. Sodium remains well above its standard but reduced from the previous round by almost 50%.
MW-14DD Downgradient (Quarterly)	TDS (110 mg/l), Sodium (22 mg/l), Chloride (26 mg/l), Iron (4.5 mg/l), Manganese (0.41 mg/l), Arsenic (0.007 mg/l)	*pH remains in the neutral range. *TDS, Sodium, Iron, Manganese and Chloride all reduced significantly from the previous round. Iron and Manganese remain well above their standards, while Sodium is only slightly above its standard.
MW-18S Downgradient (Quarterly)	Not Sampled	MW-18S did not recharge after it was purged.
MW-18D Downgradient (Quarterly)	TDS (110 mg/l), Sodium (31 mg/l), Chloride (46 mg/l), Iron (0.13 mg/l), Manganese (0.094 mg/l), Arsenic (0.011 mg/l)	*pH remains in the neutral range. *TDS, Sodium, Iron, Manganese and Chloride all decreased significantly from the previous round. Sodium, Manganese and Arsenic remain above their standards. Arsenic is stable, only slightly above its standard and is likely naturally occurring.
MW-19S Downgradient (Quarterly)	pH (5.10), Manganese (0.11 mg/l), Sodium (38 mg/l)	*pH value is low but has been stable for the last several rounds. *Manganese remained the same as the previous round while Sodium decreased, with both parameters remaining above their guidelines.

October 2017 Sampling Event

Comparison of Reported Water Quality to the Applicable Solid Waste Drinking Water Standards and the Applicable Site Characterization GW-3 Standards

Monitoring Well	Compliance with Regulatory Standards	Trends/Comments
MW-19D Downgradient (Quarterly)	pH (5.6), Iron (0.36 mg/l), Manganese (1.6 mg/l), Sodium (90 mg/l), Chloride (250 mg/l), 1,4 Dioxane (0.00013 mg/l)	*pH remains low. Manganese again increased but only slightly this round, to remain above its Secondary standard. Iron has increased the past three rounds and is slightly above its Secondary standard. Sodium increased to its highest historical value. Chloride increased to be equal to its Secondary standard. 1,4 Dioxane was detected but was below its drinking water standard of 0.0003 mg/l.
Leachate	pH (7.4), Alkalinity (2,500 mg/l), Chloride (7,700 mg/l), TDS (13,000 mg/l), Sulfate (12 mg/l), Sodium (3,400 mg/l), Barium (4.3 mg/l), Chromium (0.144 mg/l), Iron (7.4 mg/l), Manganese (0.959 mg/l), Zinc (0.056 mg/l), MEK (1,100 ug/l), Acetone (1,200 ug/l), Benzene (8.2 ug/l), MIBK (65 ug/l), Naphthalene (25 ug/l), Ethylbenzene (14 ug/l), Toluene (34 ug/l), Xylene (26 ug/l), 1,4 Dioxane (0.0072 mg/l)	Standards do not apply to leachate.



nationalgrid

HERE WITH YOU. HERE FOR YOU.

We're upgrading the natural gas main.

April 10, 2018

RECEIVED

APR 10 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

Re: Natural Gas Work in Bourne / Pocasset. (work order # 1198928)

Dear City Officials,

National Grid is committed to safely and reliably delivering energy to our community. That's why we are replacing the natural gas main at **28 to 34 Prospect AVE., Pocasset, MA**. As part of this project, we will also replace the natural gas service piping that connects the main to the customer's gas meters. Approximately **2** premises are within the construction limits.

Construction is expected to begin on **April 23, 2018** and anticipated to last to **June 1, 2018** weather permitting. We will work hard to complete this project promptly and with minimal disruption to the community. Visit **ngrid.com/mainline** to view a YouTube video on this gas main replacement process. A second video explaining the replacement of the service pipe to customer homes is available at **ngrid.com/serviceline**.

Enclosed is a notification that will be distributed to all affected constituents. We're here for you if you have any questions about this project. Please contact me at **1-508-760-7434**.

We look forward to working with you as we upgrade our community's infrastructure.

Sincerely,
Bill Ciocca
Manager, Community & Customer Management
National Grid
127 Whites Path
South Yarmouth, MA 02664





nationalgrid

HERE WITH YOU. HERE FOR YOU.

We're upgrading the natural gas main on your street.

Everything you need to know about upgrading the natural gas main on your street.

PROJECT DETAILS

What can I expect during this project? *(Phases listed are typical, but may vary depending on the job).*

- **PHASE 1:** includes mark outs of utilities within the street within the project scope.
- **PHASE 2:** National Grid and/or our qualified contractor crew will conduct the necessary work on the gas main within the street.
- **PHASE 3:** Once the main work is complete, crews will begin coordinating the service line work. Affected residents and business owners will be contacted by a member of the crew at least 24-48 hours in advanced so that the work on their service line can be coordinated. This work typically takes one day to complete, and the owner may be asked to provide National grid access during construction. A trained technician of National Grid will relight your gas appliances once the work on the service line is complete. Every National Grid employee carries a photo ID card and any contractor doing work for us is also required to carry ID.
- **PHASE 4:** The crew will begin closing out the project and will restore the area to in accordance with all regulations and permits.

Note: If you are not a customer and do not have a natural gas service line, Phase 3 is for notification only.

GAS SAFETY

Who should I contact if I smell gas on the street or in my home during the project?

Please call **1-800-233-5325** immediately from a safe location outside your home or from a neighbor's home.

METERS

Will my meter be affected by the project?

Some main replacement projects do require the crew to move the meters. If the letter you received indicates that your meter will be moved as part of the project, a representative from National Grid will assess the work that is needed at your location.

If it's part of this project, why will my meter have to be moved outside?

Moving the meter outside helps to improve safety and also allows easier access for National Grid to access the meter in the future.

What if my meter is already outside?

If your meter is already outside your service may still be interrupted for a brief period of time.

SCHEDULE

If I cannot be home during the proposed construction dates, may I make alternative arrangements for the crews to access my home?

You can coordinate a time with the crew foreman.

Why are there no crews working when construction is scheduled to begin today?

Last minute schedule changes are sometimes possible. If there is a long-term schedule change, National Grid will notify your local Department of Public Works and will also send you additional communications.

CONSTRUCTION

If questions arise while the crew is working on the street, who can I contact?

You may ask to speak with the crew foreman or you can call the National Grid representatives number provided on the project notification letter.

Will I be able to park on the street during construction?

Restriction notifications posted throughout the designated work zone and crews will notify residents if temporary parking restrictions will be required.

There are road closure signs on my street. Will I be able to get to my house? At times there may be restricted access but every effort will be made to allow residences access to their homes during construction. You may approach the crew foreman or flag person if you require additional information.



Richard & Judith Conron

D

Just Happy To Be Here!

March 29, 2018

Board of Selectmen
Town of Bourne
24 Perry Ave.
Buzzards Bay, MA 02532

RECEIVED

cc: Tom Guerino

APR - 2 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

Topic: Participation in Marijuana Town Committee/Policy Group

Dear Members of the Board,

I am writing to express my interest in serving on any group/committee that is formed by town officials and charged with defining and publishing town policies, bylaws and procedures in order to implement the residential sales of Marijuana in the town of Bourne.

I have experience writing town procedures. As a member of the Community Preservation Committee, I authored the first version of the Committee's application guidelines. When I served on the Zoning Board of Appeals, I updated and wrote this Board's application requirements package.

I have included a copy of the resume that reflects the various boards and committees I have served on since 1998.

Sincerely,

Richard W. Conron

RICHARD W. CONRON

MUNICIPAL EXPERIENCE

Project Leader Memorial Restoration

Town of Bourne

2015-2016

Initiate the restoration of the Civil War Soldiers and Sailors Memorial located in front of town hall. Efforts included gathering local project support and sponsorship; identifying restoration companies; reviewing experience and qualifications; working closely with the Town Facilities Director to generate bid specifications; selecting a restoration contractor and monitoring the restoration process until completion. Total project cost of \$350,000. Completion date November 11, 2016.

Representative Town of Bourne

Cape Cod Commission

2015- Present

Represent the Town of Bourne as its primary liaison and serve as a voting member of the Cape Cod Commission whose task is to coordinate a balanced relationship between environmental protection and economic progress in order to protect the unique values and quality of life on Cape Cod.

Member

Town of Bourne Board of Survey

2011 –Present

Under the direction of the Building Inspector, inspect and assess the status of designated structures within the town of Bourne. As part of a three-person team, publish an inspection report that evaluates building accessibility, safety and structure reliability.

Member

Town of Bourne Committee to Study Privatization of Town Ambulance Service

2011-2011

- Review and report the financial implications and possible cost savings to privatize the town's ambulance service. The study concluded that there were no cost savings to be gained by outsourcing the ambulance service.

Town of Bourne Representative

Camp Edwards Impact Area Review Team

2006-2007

- Provide citizen feedback to the EPA, MA DEP and the Army National Guard in order to ensure a comprehensive investigation and cleanup of Camp Edwards.

Member

Town of Bourne Community Preservation Committee

2005-2007

- Evaluate, recommend to town meeting and administer projects in the areas of open space/ land preservation, historical preservation, affordable housing and recreation that are funded through the Community Preservation Act.
- In 2006, wrote and obtained committee approval of the Community Preservation Committee Local Operating Procedures.

Member

Town of Bourne Open Space Committee

2001-2007

- Evaluate and recommend parcels of land for town purchase under the Community Preservation Act.

Member

Town of Bourne Zoning Board of Appeals

2001-2006

- Hear and decide applications for Special Permits, petitions for Variances, and other appeals from aggrieved parties related to the town zoning bylaws.
 - In 2004, initiated and implemented revised ZBA Local Operating Procedures and a Citizen Variance/Special Permit Information Handbook.

TOWN OF BOURNE EXPERIENCE (continued)

Member

Town of Bourne Capital Outlay Committee

2004-2006

- Review, prioritize and recommend annually what capital items the town will require in the next five years.
 - In 2004 developed and implemented a three-tier framework for ranking capital requests.

Town of Bourne Representative

Cape Light Compact Committee

2001-2004

- A collaborative effort of 15 Cape towns plus the islands, focused on reducing electric bills, protecting the environment and greater security for the reliability and quality of electricity.
- Voted and implemented a 2002 pilot rate reduction program for default electric customers saving Bourne customers an average of \$30 per year on their electric bills.
- Initiated a 2003 street light purchasing and maintenance program in Bourne that has saved the town approximately \$40,000 on its annual electric bill.
- Facilitated the interaction between Compact representatives and the new community building project netting the town approximately \$4,000.
- Worked with town officials to implement a cost saving proposal by replacing bulbs with LEDs in town owned traffic signals. This program saved the town \$3,965 on its electric bill.

Member

Residential Growth Management Committee

2001-2002

- Defined requirements; prepared and recommended to town meeting a residential growth bylaw that would align residential development with reasonable and planned expansion of town services.
 - Town Bylaw was drafted and approved setting limits on residential development by limiting the number of building permits.

Member

Bourne Public Schools Facilities Improvement Subcommittee

2000-2001

- Analyzed and summarized the physical condition of all school buildings.
- Prepared a detailed report recommending new schools and building renovations.

Coordinator – Gray Gables Marsh Wetlands Restoration

Town of Bourne Conservation Commission Subcommittee.

2001-2009

- Work with local, county, state and federal agencies to restore 12 acres of tidal wetlands in Gray Gables.

MUNICIPAL TRAINING

Certificate, Vested Rights and Nonconforming Use & Structures, University of Massachusetts, Citizen Planner Training Collaborative, 2003

Certificate, Variances & Special Permits, University of Massachusetts, Citizen Planner Training Collaborative, 2002

Certificate, Duties & Responsibilities of Municipal Boards & Committees, University of Massachusetts, Citizen Planner Training Collaborative, 2002

Certificate, Managing 40B Development, University of Massachusetts, Citizen Planner Training Collaborative, 2002

PROFESSIONAL EXPERIENCE

Adjunct Faculty Member

MASSACHUSETTS MARITIME ACADEMY, Bourne, MA 2001-2010

- Teach personal computer technology and software to classes of 20 to 25 students.

CAPE COD COMMUNITY COLLEGE, W. Barnstable, MA 1999- 2000

- Teach personal computer technology and software to classes of 20 to 25 students.

Manager of Career Services, Computer Careers Program

BOSTON UNIVERSITY, Tyngsboro, MA 1996-1998

- Present a 25-hour module to classes of 15 to 20 individuals in the selective skills of resume writing, job hunting and interviewing. This instruction included formal classroom lectures and one-on-one lab exercises.
- Coach graduates and alumni on individual career strategies.
- Develop ongoing partnerships with corporations in order to identify and present job opportunities to graduates and alumni so that they can obtain meaningful employment in their specific career field.

Prior to 1996 held increasingly responsible positions starting in manufacturing and progressing to middle-management in three Fortune 500 Corporations (Honeywell, Raytheon, Polaroid Corporation)

EDUCATION

MBA, Management, Suffolk University, Boston, MA

MS, Training & Development, Lesley University, Cambridge, MA

BS, Business Administration, Boston College, Chestnut Hill, MA

Certificates:

- **Executive Development Program, Kellogg School, Northwestern Univ., Chicago, IL**
- **Mediation Skills Development Program, JAMS-ENDISPUTE, Boston, MA**



The Commonwealth of Massachusetts
State Reclamation Board

RECEIVED

APR - 2 2018



Telephone: (508) 775-1510
(508) 362-9757
Fax No. (508) 362-7917

CAPE COD MOSQUITO CONTROL PROJECT
259 WILLOW STREET 2ND FLOOR SUITE 3
YARMOUTH PORT
MASSACHUSETTS 02675

TOWN OF BOURNE
BOARD OF SELECTMEN

John W. Doane
Superintendent

Gabrielle Sakolsky-Hoopas,
Assistant Superintendent

COMMISSIONERS:
J. Gregory Milne, Chairman
Jere Downing, Vice-Chair
Arthur Neill, Secretary
James H. Quirk
Rodney Collins

March 30, 2018

Town of Bourne
Attn: Thomas Guerino
24 Perry Avenue
Buzzards Bay, MA 02532

RE: State Reclamation Board Budget Notification

Dear Thomas,

Enclosed please find budget forms developed by the State Reclamation Board (SRB). This form was created to act as acknowledgement of your towns' membership with the Cape Cod Mosquito Control Project and its' associated costs. Costs can be found on form SRB-1 page 3. The SRB is developing the website on which budget requests will be posted per policy, please check it regularly for updated information: <https://www.mass.gov/state-reclamation-and-mosquito-control-board-srmcb>

Please feel free to contact our office with any questions you may have.

Sincerely,

Caitie Slowik
Admin. Assistant
Cape Cod Mosquito Control
508-775-1510

CC: Finance; Town Selectmen

Joseph Amarel

RECEIVED

APR 06 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

F

Since selectmen keyed on not providing monetary benefits to Bourne I better not see an override come out of this office in the future.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke at the bottom.

April 3, 2018

Roger Laporte
24 Perry Avenue
Buzzards Bay, Ma 02532

Re: 328 Main St- unsafe structure
Map 20.3 parcel 135

Dear Roger Laporte,

I am requesting an extension of time for any decisions and further action on this property. Since the letter Re: 328 Main St- unsafe structure, dated March 29, 2018 was received on March 31, 2018. I have contacted a structural engineer to come onsite to conduct an assessment of the building to ensure that it is structurally sound. In accordance with the survey board letter, there is an agreement that there was no signs of immediate collapse. And from my review the building structure is intact including the roofline, walls and foundation.

To address your findings and concerns outlined in the document:

- The building is a 20x26 foot cottage that has not been used in many years.
 - The building is not listed as a cottage it was listed as a year-round residential for a number of years.
- It is presently "Boarded up" with plywood.
 - Yes, it is and ensures safety from any type of storm or vandalism
- The Fire Dept. has "Red X'd" this building as "unsafe in the case of fire."
 - Fortunately, there are no occupants at this time and no electric or gas utilities servicing the building, limiting some of the main causes of building fires. And as indicated by the Red X the Fire Department is now, fully aware they do not have to enter in case of fire.

To update you on the property, I am currently reviewing different economic opportunities and can demonstrate forward progress. Options include rebuilding the structure to a larger scale and/or maintaining the building at its current size. The preferred rebuild would be a larger scale building for commercial and residential use. I met with Nicole Berthiaume (permits engineer) from Mass DOT District 5 on March 14, 2018 in regards to pursuing a curb cut for the larger scale project. At that time she informed me that this summer there is a large scale project planned at the rotary circle. And would result in good timing for my necessary curb cuts. I am still actively involved in this process.

Regarding the document that I was forwarded on March 29, 2018 with the notification RE: 328 Main Street, Buzzards Bay, Map 20.3 Parcel:135, addressed to Roger Laporte, Building Inspector from Board Survey. I was present for the onsite Board Survey at the time of the inspection. I wasn't under the impression that there was much of an issue. Overall the fire department gave the impression that the building is secured.

To address the concerns of the exterior of the building:

- The immediate surrounding area was overgrown. The structure was covered with vines.
 - The vines are scheduled to be removed from the building on April 5, 2018.

- It was obvious the building has not had any maintenance in several years.
 - General maintenance is scheduled for April 5, 2018.
- The building was secured and unoccupied. Power appears to have been disconnected.
 - No issue to be addressed.

Its also been brought to my attention that there is a potentially large project by my abutters and I would like to be informed prior to demolishing this building if I would be diminishing any future sewer connection possibilities in the near future to my project.

Hopefully, this document will help you understand as we have discussed in past conversations that this is not an abandon building.

Best Regards,

Michael Maxim

CC: Board of Selectmen; George G. Slade, Donald J. Pickard, Peter J. Meier, Judith MacLeod-Froman
 Board of Appeals; Amy B. Kullar, Kate Brennan, Debbie Bryant, Harold Kalick, Wade M. Keene, John O'Brien, Timothy M. Sawyer
 Board of Survey; Gary S. Labrie, Deputy Chief Joseph Carrara, Richard Conron



MOLA
Massachusetts Opioid Litigation Attorneys

6

SWEENEY MERRIGAN
LAW



KP LAW
The Leader in Public Sector Law

Your Massachusetts Legal Team Fighting the National Opioid Epidemic

Massachusetts Opioid Litigation Attorneys (MOLA) is a consortium of local and national law firms filing suit against the world's largest pharmaceutical manufacturers and distributors to hold them accountable for flooding our communities with opioids, resulting in massive economic damages to Massachusetts cities and towns.

The MOLA litigation, being brought on behalf of the taxpayers of Massachusetts municipalities, is aimed at recovering monetary damages from the pharmaceutical manufacturers and distributors for their role in the devastating opioid epidemic. The damages sought on behalf of individual cities and towns are for past costs including law enforcement, needle exchanges, Narcan, EMS, treatment services, etc., as well as future mitigation/abatement damages for the foreseeable expenditures of taxpayer dollars toward treatment, education, and prevention.

Some additional information about this litigation:

- **This is a Mass Tort litigation, *not* a Class Action.** A class action suit requires all participants to have essentially the same injuries. Here, the damages from one municipality to another are very different and thus this is not a class action. We are filing suit on behalf of individual municipalities; these lawsuits will be consolidated for pretrial and discovery purposes.
- **We are not suing individual doctors or pharmacies.** MOLA believes the most effective approach to this litigation is to focus on the primary sources of this epidemic.
- **Individual municipalities will not have to bear the cost of the litigation.** The attorneys working on your case will *only* get paid from the verdict or settlement. The attorneys will front all costs and will *only* be reimbursed if successful.

Working with the MOLA team benefits local Massachusetts municipalities because they will be represented by our consortium of lawyers that includes multiple national law firms as well as three local firms with extensive mass tort litigation experience and a deep understanding of municipal law: [Sweeney Merrigan Law](#), [Rodman, Rodman & Sandman](#), and [KP Law](#).



Our consortium is the national leader in this litigation, with more opioid cases on file than any competing firm or group in the country.

To learn more about how your municipality can get involved, contact us at massmola.com or (617) 391-9001.



MOLA
Massachusetts Opioid Litigation Attorneys

SWEENEY MERRIGAN
LAW



KP LAW
The Leader in Public Sector Law

Frequently Asked Questions

1. Is this litigation a Class Action or a Mass Tort?

This is a mass tort litigation, not a class action. *A class action suit requires all participants to have essentially the same injuries. Here, the damages from one municipality to another are very different and thus this is not a class action.* We are filing suit on behalf of individual municipalities. Each individual municipality will have its own right to either accept or reject its specific settlement offer. Should a particular municipality decide to reject all offers and go to trial, these cases will be tried *in Massachusetts* by our team of local and national attorneys.

2. Isn't the Attorney General already pursuing the defendants?

The AG is investigating the defendants and considering bringing an action to recover damages on behalf of the Commonwealth. *However, even if the Attorney General does bring suit on behalf of the Commonwealth, there is no guarantee that any funds recovered in that action would directly benefit municipalities. Pursuing individual lawsuits on behalf of individual cities and towns will ensure that recovery money will go directly to the municipalities impacted by this crisis.* We feel that individual lawsuits by the municipalities will expand the scope of recovery throughout the Commonwealth and better the municipalities as a whole. Moreover, this will not interfere in any way with the Attorney General's efforts to seek recovery on behalf of the Commonwealth.

3. Where will these cases be filed?

Cases are being filed all over the country. In Massachusetts, we believe that cases should be filed in Federal Court and then consolidated into a Multidistrict Litigation (MDL) with other cases throughout the Commonwealth and the country to address pretrial and discovery issues. After these issues are resolved, the cases will likely be settled or sent back to Massachusetts for trial. We believe this is the most efficient, least burdensome, and most cost effective way to pursue these cases against some of world's most profitable companies. While every municipality has the right to choose how its case is pursued, most municipalities have expressed a greater comfort level participating in the national litigation effort.

4. We don't have a lot of resources to commit to this. How much time is required?

Because this litigation is centralized in a MDL in Ohio, most of the discovery will focus on the defendants while the cases are there. A few cases will be worked up and tried before the others ("bellwether trials"); these cases will serve as a barometer for the other cases in the MDL and may lead to settlement discussions. If settlement offers are obtained, each municipality will decide whether to accept or reject its specific offer. If the offer is rejected, the case will return to Massachusetts for trial. *We have a comprehensive legal team with extensive municipal and trial experience to manage, oversee and facilitate any required involvement from the municipality, and there should be ample time to plan and manage any such participation by each municipality well in advance.*

5. How do the legal expenses work?

Because our consortium has more clients throughout the country than any other group of attorneys, we can provide great economies of scale. The costs involved in this litigation are likely to be substantial. Instead of those costs being shouldered by a small handful of clients, our costs (assuming there is a successful recovery) will be spread among our many clients throughout the country, resulting in much lower costs being deducted from the awards to the local municipalities. No up-front payment of costs will be required from the municipalities.

**To learn more about how your municipality can get involved, contact us at
massmola.com or (617) 391-9001.**



SWEENEY MERRIGAN
LAW



KP LAW
The Leader in Public Sector Law

Our National Opioid Litigation Consortium

In partnering locally with the Massachusetts Opioid Litigation Attorneys (MOLA), your municipality will be supported by a national powerhouse, including many of the top lawyers in Massachusetts and the country. We are initiating litigation against some of the largest and wealthiest pharmaceutical companies, and our consortium will bring to bear the financial and human resources necessary to be successful.

As the national leader in this litigation, our consortium of lawyers have more opioid cases on file than any competing firm or group in the country. For that reason, our consortium has been appointed to many key leadership positions spearheading the national litigation on behalf of hundreds of cities and towns across the country, as part of the MDL consolidation.

This specialized legal team has had the opportunity to retain some of the country's preeminent experts including former DEA agents who were recently featured on the program 60 Minutes. Those former agents have agreed to testify exclusively for our group. We have also retained experts in the fields of addiction recovery, urban and rural blight, the economics of addiction, and others.

The MOLA consortium extends beyond Sweeney Merrigan Law, Rodman, Rodman & Sandman, and KP Law, to include six other national law firms and several leaders of the national Plaintiff Steering Committee:

Paul T. Farrell, Jr., Greene Ketchum Farrell Bailey & Twell, LLP, Plaintiff Co-Lead Counsel

Troy Rafferty, Levin Papantonio, P.A., Plaintiff Co-Liaison Counsel

Michael J. Fuller, McHugh Fuller Law Group, Plaintiff Executive Committee

Peter Mougey, Levin Papantonio, P.A., Plaintiff Executive Committee

Roland Tellis, Baron & Budd, Plaintiff Executive Committee

LEVIN PAPANTONIO
Thomas • Mitchell • Rafferty • Proctor • P.A.

BARON & BUDD®



GREENE KETCHUM
FARRELL BAILEY & TWEEL LLP

McHUGH FULLER
LAW GROUP

SWEENEY MERRIGAN
LAW



KP LAW
The Leader in Public Sector Law

HPCB&D
Hill, Peterson, Carper,
Bee & Deitzler, PLLC

POWELL &
MAJESTRO PLLC

To learn more about how your municipality can get involved, contact us at
massmola.com or (617) 391-9001.

Election Workers Appointments

TB

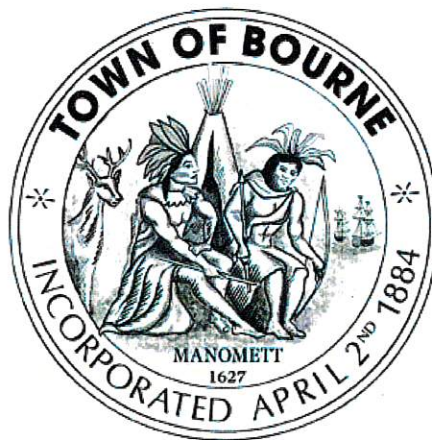
COMM	FIRST	LAST
Election Worker	Beverly	Arbo
Election Worker	Pamela	Arpe
Election Worker	Estelle	Blake
Election Worker	Helen	Blankenship
Election Worker	Clarence	Boucher
Election Worker	Loretta	Brochu
Election Worker	Ralph	Brown
Election Worker	Eleanor	Brown
Election Worker	Phillip	Burgess
Election Worker	Sallie	Butler
Election Worker	Eda	Cardoza
Election Worker	Phyllis	Carpenito
Election Worker	Barbara S.	Cavanagh
Election Worker	Dolores	Collins
Election Worker	Diane	Cremonini
Election Worker	Anne	Dastous
Election Worker	Kathy E.	Doherty
Election Worker	Maureen	Dunn
Election Worker	Mary E.	Ellis
Election Worker	M. Elizabeth	Ellis
Election Worker	Jeanne M	Finley
Election Worker	Jan	Finton
Election Worker	Kristine B.	Fisher
Election Worker	Diane	Flynn
Election Worker	Anne	Ford
Election Worker	Kathy A.	Fritzell
Election Worker	Ellen M.	Gately
Election Worker	John D.	Gavin
Election Worker	Mary Ann	Gavin
Election Worker	Barbara	Gill
Election Worker	Joel	Gould
Election Worker	Eileen P.	Grady
Election Worker	Ann	Gutterson
Election Worker	Jane	Heckler
Election Worker	Albert	Hill
Election Worker	Michael D.	Kelley
Election Worker	Mary Ellen	Kempton
Election Worker	Maryellen	Kozar
Election Worker	Monica M.	Layton
Election Worker	Priscilla	Lyons
Election Worker	Joan	MacNally
Election Worker	Shirley P.	Manning

Election Workers Appointments

Election Worker	Sheila E.	Mattson
Election Worker	Judith	McAlister
Election Worker	Marjorie L.	McClung
Election Worker	Paula	McConnell
Election Worker	Penny	Myers
Election Worker	Shirley L.	Natoli
Election Worker	Charles K.	Noyes
Election Worker	Susan M.	Noyes
Election Worker	John	O'Brien
Election Worker	Carol	O'Sullivan
Election Worker	Inez W.	Page
Election Worker	Ruth	Palo
Election Worker	Elizabeth	Paquette
Election Worker	Carol E.	Peters
Election Worker	Bette L.	Puopolo
Election Worker	Mary	Reid
Election Worker	James	Russo
Election Worker	Barbara A.	Sabulis
Election Worker	Pauline E.	Sampson
Election Worker	Patricia	Saniuk
Election Worker	Frank A.	Scofield
Election Worker	Barbara J.	Scott
Election Worker	Karen	Seiden
Election Worker	Mary E.	Sicchio
Election Worker	Edwin M.	Smith
Election Worker	Mary-Ellen	Split
Election Worker	Irene A.	Stanovitch
Election Worker	Vickie L.	Taylor
Election Worker	William	Thomas
Election Worker	Judith	Thrasher
Election Worker	Carole G.	Valeri
Election Worker	Sandra	Vickery
Election Worker	Patricia	Wahlberg
Election Worker	Merrilynn A.	Wenzel
Election Worker	Susanne	Willey
Election Worker	Anne R.	Woloschuk
Election Worker	Lorraine S.	Young

Articles of the Warrant
For the Bourne
Special Town Meeting
Monday, May 7, 2018
7:30 p.m.

Bourne High School Auditorium



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

UNPAID BILLS		
Department	Vendor	Amount
Facilities	Tecta America	\$ 673.00
Energy	Cape & Vineyard Electric Cooperative	\$ 341.07
Total		<u>\$ 1,014.07</u>

ARTICLE 2: To see if the Town will vote to amend the Bourne Zoning bylaws as follows, or take any other action in relation thereto.

Section 2110 Types of Districts, 2140 District purposes, 4800, 4830-4839. Other Special Districts. Senior Care Overlay District, Zoning Map showing the overlay district.

Sponsor – Greg Wirsén and others

APPROVED: April 17, 2018

BOARD OF SELECTMEN

George G. Slade, Jr.

Donald J. Pickard

Peter J. Meier

Judith MacLeod Froman

Barnstable, ss.

Bourne, Massachusetts

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Veterans' Memorial Community Center, Bourne Town Hall and in all the post offices in the Town of Bourne viz: Buzzards Bay Post Office, Bourne Post Office, Monument Beach Post Office, Pocasset Post Office, Cataumet Post Office, Sagamore Post Office, and the Sagamore Beach Post Office.

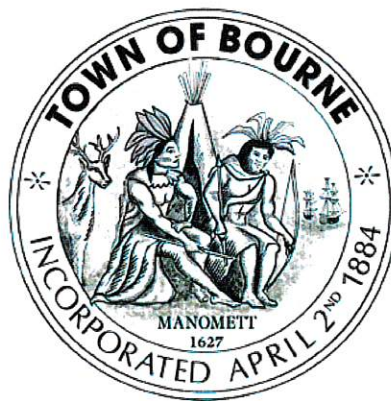
Dated this _____ day of _____, 2018

Constable

Received in the Town Clerk's Office _____

Barry H. Johnson, Town Clerk

**ARTICLES OF THE WARRANT
FOR THE
BOURNE ANNUAL TOWN MEETING
MONDAY, MAY 7, 2018
7:00 P.M.
BOURNE HIGH SCHOOL AUDITORIUM**



ANNUAL TOWN MEETING

ARTICLE 1: To see if the Town will vote the **following regularly required authorizations** or actions, or take any other action in relation thereto.

Sponsor – Board of Selectmen

- a. Assumption of liability in the manner provided by Section 29 and 29A of Chapter 91 of the General Laws, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, (including the Merrimack and Connecticut Rivers) in accordance with Section II of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, and further to assume liability pursuant to Section 1 of Chapter 814 of the Acts of 1972.
- b. That the Selectmen may contract with the Massachusetts Department of Public Works and the County Commissioners for the construction and maintenance of public highways for the ensuing year.
- c. Authorize the Board of Selectmen from time to time to apply for, receive, and expend assistance funds under the Federal and State Small Cities Program of the Department of Housing and Urban Development as from time to time amended, to be used for such projects as the Selectmen in their discretion shall deem necessary, and proper, and to do such acts and enter into such contracts as may be necessary, proper or desirable to obtain such aid.
- d. Pursuant to the provisions of Section 12 of Chapter 30B of the Massachusetts General Laws, as amended and supplemented, to authorize the Town of Bourne to enter into contracts in excess of three years' duration for school bus transportation and for the lease or lease purchase of equipment, subject to appropriation and all other approvals as may be required by law with respect to any particular such contract.

- e. Authorize the Treasurer and the Town Collector, pursuant to Chapter 44, Section 53F, Massachusetts General Laws, as amended and supplemented, with the approval of the Board of Selectmen, to enter into agreements for periods not to exceed three years with banking institutions to maintain deposits in exchange for banking services.
- f. Authorize the Board of Selectmen, pursuant to Chapter 44, Section 72, Massachusetts General Laws, as amended and supplemented, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.

ARTICLE 2: To see if the Town will vote to fix the **salaries and compensation of all elected officials** of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, and raise and appropriate a sum of money therefore, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to defray the **regular annual expenses** of the Town, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the Sewer Department**, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

ARTICLE 5: To see if the Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts for the construction, reconstruction and improvement on all approved public ways which qualify under the **State Aid Highway** (Chapter 90) guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the D.P.W. Superintendent, with the approval of the Board of Selectmen, or take any other action in relation thereto.

Sponsor - D.P.W. Superintendent

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to establish a **Reserve Fund**, or take any other action in relation thereto.

Sponsor - Board of Selectmen

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the **Integrated Solid Waste Management Program**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 8: To see if the Town will vote under authority of M.G.L., Chapter 44, Section 53E ½ to establish **Revolving Funds** to be known as described below, or take any other action in relation thereto.

Sponsor – Board of Selectmen

#	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2019 Spending Limit
1	Recreation Programs Fund	Recreation Department with the approval of the Town Administrator	All fees charged for all programs run by the Recreation Department	Purchase & Acquire recreational equipment and materials and part-time seasonal staff to facilitate seasonal recreational programs	\$ 175,000.00
2	Shellfish Propagation Fund	Department of Natural Resources with the approval of the Town Administrator	Fees for commercial shellfish licenses	Part-time salaries & expenses related to the propagation, cultivation, protection & study of shellfish	\$ 75,000.00
3	Transportation Revolving Fund	School Department with the approval of the School Committee	Fees for transportation services	To pay for transportation fees	\$ 50,000.00
4	Public Library Book Fund	Library with the approval of the Town Administrator	Fines & Fees received from overdue, lost, damaged materials	To purchase additional library books and materials	\$ 20,000.00

#	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2019 Spending Limit
5	COA Supportive Day/Bridging the Years	COA with the approval of the Town Administrator	Fees from and for Clients for Program Services	To pay for services and expenses related to providing supportive day programs	\$ 100,000.00
6	COA Programs	COA with the approval of the Town Administrator	Fees & Charges from COA classes and programs	To pay the instructors and expenses of programs offered.	\$ 100,000.00
7	Community Building Rental Fund	Recreation Director with the approval of the Town Administrator	Fees from renting the building	To pay part time salaries and expenses related to the extra hours used for the rental of the building	\$ 10,000.00
8	Tax Title Collection Fund	Town Collector/Treasurer with the approval of the Town Administrator	Fees from tax takings, redemptions and foreclosures	To pay expenses related to tax takings, redemptions and foreclosures	\$ 60,000.00
Total spending					\$ 590,000.00

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding **Capital Improvements and Capital Projects**, or take any other action in relation thereto.

Sponsor – Capital Outlay Committee

CAPITAL OUTLAY REPORT FOR FY2019					
	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
1	Police Dept	Cruisers	\$ 134,053.00	Ch 44, Sec 7(1)	Borrowing
2	Police Dept	MDT Computers / Tablets	\$ 20,600.00		Free Cash
3	Police Dept	Radio System Upgrade	\$ 25,000.00		Free Cash

		CAPITAL OUTLAY REPORT FOR FY2019			
	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
4	Fire Dept	New Assistant Chief vehicle and replacement vehicle	\$ 95,000.00		Transfer \$47,500.00 from Free Cash & Transfer \$890.49 from Art 9-23 of ATM May 2017 Vehicle Pool, \$10,000.00 from Art 9-20 of ATM May 2015 Automark Voter Assist Terminal, \$362.72 from Art 9-3 of ATM May 2016 Police Portable Radios, \$401.68 from Art 9-3 of ATM May 2017 Police Computers, \$5.87 from Art 9-2 of ATM May 2017 Police finger Print Scanner, \$564.00 from Art 9-6 of ATM May 2017 Engine 123, \$11,822.87 from Art 9-13 of ATM May 2016 School soundproof BES & BHS, \$6,098.29 from Art 9-14 of ATM May 2016 School Install BHS Ac Library/Media, \$17,354.08 from Art 9-9 of ATM May 2013 Hens Cove Pier Dinghy Dock
5	DNR	Pave Pocasset River Marina	\$ 50,000.00		Waterways
6	Bourne Schools	Wastewater Treatment Plant Upgrades	\$ 50,000.00		Free Cash
7	Bourne Schools	BHS Replace A Wing Roof	\$ 400,000.00	Ch 44, Sec 7(1)	Borrowing
8	Bourne Schools	BHS Masonry Work [C Wing ramp, Brick Repointing]	\$ 40,000.00		Free Cash
9	Bourne Schools	BHS Paving Campus	\$ 90,000.00		Free Cash
10	DPW	DPW M-2	\$ 48,000.00		Transfer \$30,083.29 from Art 9-9 of ATM May 2013 Hens Cove Pier Dinghy Dock & \$17,916.71 from Premium Reserved for Capital Fund
11	DPW	DPW Chipper Morbark	\$ 82,000.00		Transfer \$26,693.34 from Free Cash & Transfer \$43,939.63 from Art 9-7 of ATM May 2015 Repave Taylors Point Marina, \$11,367.03 from Art 9-9 of ATM May 2013 Hens Cove Pier Dinghy Dock
12	DPW	Basin Vac Truck	\$ 390,000.00	Ch 44, Sec 7(1)	Borrow \$370,500.00 & Transfer \$19,500.00 from Sewer Retained Earnings
13	DPW	Plows	\$ 24,000.00		Free Cash
14	DPW	Lawn Mowing	\$ 40,000.00		Free Cash
15	Shore & Harbor	Annual Dredging	\$ 200,000.00		Waterways
16	Facilities	Town Hall Elevator Modernization	\$ 25,000.00		Transfer \$12,576.31 from Free Cash & Transfer \$12,423.69 from Premium Reserved for Capital
17	Facilities	Buzzards Bay Fire Station - add Air Conditioning in Offices and Upgrade Boiler System	\$ 50,000.00		Free Cash

		CAPITAL OUTLAY REPORT FOR FY2019			
	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
18	Facilities	Community Building - EMS Installation	\$ 60,000.00		Transfer \$9,430.95 from Art 9-25 of ATM May 2014 Police Ceiling Mounted HVAC Unit, 6.67 from Art 9-6 of ATM May 2016 DNR Replace Vehicle, 10.15 from Art 9-2 of ATM May 2016 Police Dispatch Console, 605.90 from Art 9-5 of ATM May 2017 Replace Fire Car 141, \$1,123.00 from Art 9-11 of ATM May 2016 School Mini Bus, \$351.66 from Art 9-16 of ATM May 2016 DPW Bucket Truck, \$553.12 from Art 10-25 of ATM May 2012 Clark Field Multi-Use, \$8.00 from Art 10-26 of ATM May 2012 Pocasset Playground \$8,413.26 from Art 9-1 of ATM May 2016 Police Cruisers & Transfer \$39,497.29 from Premium Reserved for Capital.
19	Facilities	Community Building - HVAC Upgrades Meeting and Office areas	\$ 60,000.00		Transfer \$60,000.00 from Premium Reserved for Capital
20	Facilities	Community Building - Improvement	\$ 50,000.00		Free Cash
21	Facilities	Bourne Archives - Flat Roof Replacement	\$ 35,000.00		Free Cash
22	Recreation	Replacement of Poles and Lights at Keith Field	\$ 205,000.00	Ch 44, Sec 7(1)	Borrowing
23	ISWM	3/4 Ton Crew Cab w/Utility Body [L1]	\$ 55,000.00		Transfer 55,000.00 from Premium Reserved for ISWM Capital
24	Sewer	Replace lights, waterline in wet well and replace grates	\$ 40,000.00	Ch 44, Sec 7(1)	Borrow \$34,250.00 & Transfer \$5,741.67 from Premium Reserved for Capital Sewer & \$8.33 from Sewer Retained Earnings.
			<u>\$ 2,268,653.00</u>		

ARTICLE 10: To see if the Town will vote to hear **Reports and Recommendations** of Committees and Town Officers, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 11: To see if the Town will vote to transfer any sums of money received from the **ISWM Host Community Fees** in excess of \$600,000.00 in FY2019 to fund entitled “Capital Expenditure Stabilization Reserve Fund”, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 12: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money for the purpose of funding the Town's **Other Post-Employment Benefits Liability (OPEB)**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 13: 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 – Finance Director

	ARTICLE DESCRIPTION	Date of Vote	Balance	Free Cash	Waterway	Ambulance
	General Government					
1	Fire Negotiated Contract	Article 8 of STM Oct 2017	7,384.14	7,384.14		
2	Fire Ambulance	Article 10 of STM FEB 2016	10,328.70			10,328.70
3	Marina Renovations	Article 10-6 ATM May 2011	89,189.81		89,189.81	
4	Repower Carolina Skiff	Article 9-5 of ATM May 2015	6,625.72		6,625.72	
5	Repower Boston Whaler	Article 9-6 of ATM May 2015	203.29		203.29	
		Totals	113,731.66	<u>7,384.14</u>	<u>96,018.82</u>	<u>10,328.70</u>

ARTICLE 14: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to fund the costs related to payments of accrued contractual compensated absences upon retirement, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 15: To see if the Town will vote to accept the provisions of **MGL Chapter 59 Section 21A**, relative to establishing additional compensation for courses of study assessors, or take any other action in relation thereto.

Sponsor – Finance Director

ARTICLE 16: 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 reserve from the FY2019 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

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend	
A	Open Space Committee	Improvements to Canal Crossways Access	Open Space/Recreation	\$50,000	Open Space/Recreation Reserves
B	Open Space Committee	Inclusive Playground Additional Equipment	Open Space/Recreation	\$105,000	Open Space/Recreation Reserves
C	Open Space Committee	Trail map	Open Space/Recreation	\$30,000	Open Space/Recreation Revenues
D	Open Space Committee	Improvements to parcel next to Aptuxet Trading Post	Open Space/Recreation	\$50,000	Open Space/Recreation Reserves
E	Open Space Committee	Improvements to various parcels	Open Space/Recreation	\$75,000	Open Space/Recreation Revenues
F	Recreation Committee	Keith Field Lights	Recreation 205,000	\$47,970.69 from Community Preservation Capital Premium Reserve	\$157,029.31 from Open Space/Recreation Reserves
G	Open Space Com./Commission on Disabilities	ADA improvements to various locations	Open Space/Recreation	\$125,000	Open Space/Recreation Reserves
H	Bourne Archives	Upgrade website	Historic	\$26,350	Historic Revenues
I	Town Clerk	Record Preservation	Historic	\$50,000	Historic Revenues
J	Town Hall	Engineering/Architectural Services for Stairs/Ramp access to Town Hall	Historic	\$50,000	Historic Revenues
K	Bourne Housing Partnership	Affordable housing services and support	Community Housing	\$59,200	From Community Housing Revenues
			TOTAL REQUESTS	\$825,550.00	
	Community Preservation Committee	Reserve for Open Space	Open Space	\$530,770.00	2019 Open Space Estimated Revenues
	Community	Reserve for Community	Community	\$0	2019

	Preservation Committee	Housing	Housing		Housing Estimated Revenues
	Community Preservation Committee	Reserve for Historic Resources	Historic Resources	\$38,328.00	2019 Historic Estimated Revenues
			TOTAL REQUESTS & RESERVES	\$1,394,648.00	

ARTICLE 17: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the **administrative and operating expenses of the Community Preservation Committee**, or take any other action in relation thereto.

Sponsor – Community Preservation Committee

ARTICLE 18: To see if the Town will vote to **rescind the authorization for unissued debt** that has been determined is no longer needed for the completion of various projects, or otherwise act thereon.

Sponsor – Finance Director

DEBT AUTHORIZED & UNISSUED		
TOWN MEETING	AUTHORIZATION DESCRIPTION	Amount
Article 9-26 of 2016 ATM	ISWM 20 Metric Ton Excavator	\$ 47,645.00
Article 9-27 of 2016 ATM	ISWM Phase V Liner Construction	\$ 392,880.00
Total		\$ 440,525.00

ARTICLE 19: To see if the Town will vote to appropriate a sum of money for the purpose of accepting **proceeds from insurance** for a loss at the Bourne Veterans' Memorial Community Building, or take any action in relation thereto.

Sponsor: Board of Selectmen

ARTICLE 20: To see if the Town will vote to accept the provisions of Chapter 40, Section 22G, authoring the allocation of all funds received from fines assessed for violations of **handicap parking** to the commission on disabilities.

Sponsor – Commission of Disabilities

ARTICLE 21: To see if the Town will vote to accept the provisions of M.G.L. Chapter 64N, Section 3 to impose a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment at a rate of **three percent (3%) of the total sales price received by the marijuana retailer** as consideration for the sale of marijuana or marijuana products. A marijuana retailer shall pay a local sales tax imposed under this section to the Commissioner of Revenue at the same time and in the same manner as the sales tax due to the Commonwealth, or take any action in relation thereto.

Sponsor – Town Administrator

ARTICLE 22: To see if the Town will vote to accept the provisions of **Massachusetts General Laws, Chapter 59, Section 5, paragraph 54** and establish a minimum fair cash value of \$1,000 for personal property accounts to be taxed beginning in Fiscal Year 2019 or take any action in relation thereto.

Sponsor – Finance Director

ARTICLE 23: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to raise and appropriate, borrow, or transfer from available funds, a sum of money for the following Community Preservation Fund purpose(s): **to make certain improvements to existing multi-family accessible housing buildings 2 & 3 located at 89 Waterhouse Road that are owned by the Bourne Housing Authority** to assure the buildings integrity by installing new roofs, siding, insulation, windows, doors, trim, downspouts, and gutters including incidental costs related thereto; and, further, the Bourne Housing Authority and the Community Preservation Committee are hereby directed and authorized to take any and all actions necessary to implement this vote, or act anything in relation thereto.

Sponsor- Community Preservation Committee

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen (the “Selectmen”) to petition the General Court, under the Home Rule Amendment to the Massachusetts Constitution, for certain **Amendments to Chapter 820 of the Acts of 1970 creating the Bourne Recreation Authority (the “Authority”)** as shown on an Exhibit on file at the Office of the Town Clerk or act anything in relation thereto.

Sponsor - Bourne Recreation Authority

ARTICLE 25: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Stabilization Fund**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

APPROVED: April 17, 2018

BOARD OF SELECTMEN

George G. Slade, Jr.

Donald J. Pickard

Peter J. Meier

Judith MacLeod Froman

Barnstable, ss.

Bourne, Massachusetts

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Veterans' Memorial Community Center, Bourne Town Hall and in all the post offices in the Town of Bourne viz: Buzzards Bay Post Office, Bourne Post Office, Monument Beach Post Office, Pocasset Post Office, Cataumet Post Office, Sagamore Post Office, and the Sagamore Beach Post Office.

Dated this _____ day of _____, 2018

Constable

Received in the Town Clerk's Office _____

Barry H. Johnson, Town Clerk

8B

BoS Rules of Procedure

4/10/18 BoS Meeting

Charter Section 3-8 Rules of Procedure

The board of selectmen shall adopt, make public and abide by its own rules of procedure to govern the conduct of its meetings. An agenda shall be posted with each notice of public meeting. A period of public comment shall be scheduled before the beginning of agenda items. In addition, a public comment period shall be provided before any vote on a policy issue. The board of selectmen may deviate from its agenda only for sudden, generally unexpected occurrences or for circumstances demanding immediate action.

- I. Conduct of its meetings
- II. Agenda posting
- III. Public comment
 - a. at beginning of meeting prior to agenda items
 - b. before any vote on a policy issue
- IV. Agenda deviations for unexpected occurrences

Cross reference documents for reference and minimize redundancy.

- I. Bourne Charter (2014: https://www.townofbourne.com/sites/bournema/files/file/file/2014_charter.pdf)
- II. Town ByLaws ([https://www.townofbourne.com/sites/bournema/files/uploads/17 town bylaw thru 2017 atm.pdf](https://www.townofbourne.com/sites/bournema/files/uploads/17_town_bylaw_thru_2017_atm.pdf))
- III. Massachusetts General Law ([https://malegislature.gov/Laws/GeneralLaws/PartI Title VII](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII))
- IV. Open Meeting Law (<https://www.mass.gov/service-details/new-open-meeting-law-regulations-effective-october-6-2017>)
- V. Roberts Rules of Order (<https://robertsrules.org>)
- VI. BoS feedback
- VII. Town Counsel

Current Document/Rules of Procedures

- I. Procedural Matters**
- II. Nature of Policies and Procedures
- III. Procedure for Establishing Policies and Procedures
- IV. Authority and Role of the Board of Selectmen
- V. Organization of the Board and Election of Officers
- VI. Responsibilities of the Officers of the Board
- VII. Meetings of the Board
- VIII. Meeting Procedures**
 - a. Quorum**
 - b. Town Administrator's Role**
- IX. Board Meetings: Executive Sessions
- X. Agenda Procedures**
 - a. Agendas**
 - b. Timing of availability of supporting materials**
 - c. Public posting of agendas**
 - d. Correspondences**
- XI. Meeting Minutes
- XII. Board Appointments
- XIII. Voting Process for Multi Member Boards
- XIV. Board of Selectmen New Committee Procedures
- XV. Special Permit Rules and Procedures

Topic	Date assigned	Action	Assigned to	Due	Completed date
Meeting Procedures	4/10/18	Review current Section of Rules of Procedure, Procedural Matters , Meeting Procedures, Quorum and Town Administrator's Role . Bring to next meeting any feedback, edits, questions, topics for discussion.	All select board members, town administrator	4/17/18	
	4/17/18	Cross reference with Bourne Charter		4/24/18	
	4/17/18	Cross reference with Town ByLaws		4/24/18	
	4/17/18	Cross reference with Open Meeting Law		4/24/18	
	4/17/18	Cross reference with Roberts Rules		4/24/18	
	4/24/18	Discuss edits		4/24/18	
	4/24/18	Draft	Judy Froman	5/1/18	

	5/1/18	Review current Section of Rules of Procedure, Meeting Procedures, Timing and Availability of supporting Materials for BoS meetings. Bring to next meeting any feedback, edits, questions, topics for discussion.		5/8/18	
	5/1/18	Cross reference with Bourne Charter		5/8/18	
	5/1/18	Cross reference with Town ByLaws		5/8/18	
	5/1/18	Cross reference with Open Meeting Law		5/8/18	
	5/1/18	Draft	Judy Froman	5/8/18	
	5/8/18	Review current Section of Rules of Procedure, Meeting Procedures, agendas and their public postings. Bring to next meeting any feedback, edits, questions, topics for discussion.		5/15/18	
	5/8/18	Cross reference with Bourne Charter		5/15/18	
	5/8/18	Cross reference with Town ByLaws		5/15/18	
	5/8/18	Cross reference with Open Meeting Law		5/15/18	
	5/8/18	Draft	Judy Froman	5/15/18	
	5/15/18	Review current Section of Rules of Procedure, Meeting Procedures, correspondences. Bring to next meeting any feedback, edits, questions, topics for discussion.		5/22/18	
	5/15/18	Cross reference with Bourne Charter		5/22/18	
	5/15/18	Cross reference with Town ByLaws		5/22/18	
	5/15/18	Cross reference with Open Meeting Law		5/22/18	
	5/15/18	Draft	Judy From	5/22/18	
	5/22/18	Review process. Consider additional areas of the current procedures to see if they belong in this document.			

8B

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 of 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