

Board of Selectmen Meeting Notice AGENDA



Date
Tuesday
April 3, 2018

Time
6:00 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.

6:00 P.M. Call public session to order in Open Session

EXECUTIVE SESSION 6:00 P.M.

- a. Motion to enter Executive Session Executive Session to discuss the discipline of a public officer of the Town to pursuant to GL Chapter 30A, Section 21 (a) (1). The Chair has declared that an open meeting may have a detrimental effect on the position of the public body.
- b. To conduct strategy session with respect to litigation for Cumberland Farms, Inc. v. Daniel Doucette et al and Pinnacle Site Contractors LLC v. Bourne Conservation Commission, 40B Developments including Pilgrim Pines and Chase Estates, and Status of Fire Department Civil Service Hearings as an open meeting may have a detrimental effect on the litigation position of the public body. The Chairman declares that such open discussion will have a detrimental effect to the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purpose stated. The Board will reconvene in open session following the Executive Session at approximately 7:00 p.m. Roll call Vote to reconvene in open session.

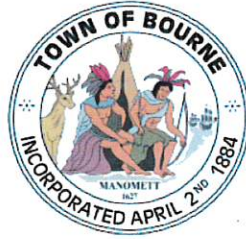
Moment of Silence for our Troops and our public safety personnel

1. Salute to our Flag
2. Public Comment on Non-Agenda Items
3. Approval of minutes: 02.13.2018; 02.27.2018
4. Correspondence
5. Licenses/Appointments
 - a. Appointment – Carl Georgeson – Historic Commission – Associate Member
 - b. Appointments – Carl Georgeson & Patricia Parker – Education/Scholarship Committee
 - c. Appointment – Kathleen Georgeson – Cultural Council
 - d. Class II Dealers License – Pocasset Service Station
 - e. 4th of July Parade
 - f. Phinney's Harbor Day
 - Use of Town Property – Monument Beach Parking Lot

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TOWN CLERK BOURNE
MAR 30 AM 11:30

- One Day Beer & Wine License
- Entertainment – Live music

6. **BAN & Bond Signing on various approved municipal projects**
7. **Liquor Seasonal Population**
8. **Selectmen's Business**
 - a. Mr. Comoletti's request related to memorial naming on publicly owned property.
 - b. Rules of Procedure working session
9. **Selectmen's Reports**
 - a. Events attended past week
 - b. Events anticipated to attend current week
10. **Town Administrator Report**
 - a. Cannabis working timeline
 - b. Priority Based Budget update from Webinar held on 3.29.18
 - c. Commonwealth - Opportunity Zone Application
 - d. Economic Development Administration Wastewater Grant Application update
 - e. Update on Dog Park
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. Board of Selectmen discussion on term limits
 - d. Cable TV Contract – opt out and renewal preliminary discussion
 - e. A member of the legislative delegation to give BOS an update on situation regarding Comcast (this would most likely be Representative Hunt)
 - f. Appoint Election Workers
 - g. Linda Zuern – Update on Assembly of Delegates 4/10/18
 - h. Cape Cod Commission update from Director Kristi Senatori 4/17/18
12. **Adjourn**



Selectmen's Correspondence
April 3, 2018

- A. Stanley Eldridge submitted a letter of resignation from the South Side Fire Station Feasibility and Design Building Committee
- B. Complaint filed by Margaret Stevens regarding 31 Wing Road, Pocasset
- C. Bean & O'Connor, Attorney at Law, submitted a letter regarding a Notice of Intent for property location at 165 Jefferson Road, Bourne
- D. Board of Health public hearing notice for 165 Jefferson Road, Bourne
- E. Letter from Buzzards Bay Coalition regarding Town of Bourne – Buzzards Bay Wastewater Treatment Facility Permit # 974-0
- F. Letter from the U.S. Economic Development Administration Proposal Review Committee [PRC] reviewed proposal for expansion of a wastewater treatment facility. Based on initial review the PRC has determined that the proposal is responsive to the Federal Funding Opportunity [FFO]
- G. Cape Light Compact activity report for the month of January 2018
- H. Department of Environmental Protection submitted the following:
 - Buzzards Bay Wastewater Treatment Facility, Queen Sewell Park – completed review of engineering report
 - Buzzards Bay Wastewater Treatment Facility, Queen Sewell Park – response to application for permit to discharge
 - Individual Groundwater Discharge Permit – Fact Sheet
 - Individual Groundwater Discharge Permit
 - Groundwater Discharge Permit 974-0
- I. Upper Cape Cod Regional Technical School submitted FY2017 Audited Financial Statements, FY2017 Report to School Committee and Compliance Report for the end of Year Report for FY2017. [Copy on file in the Town Administrator's Office]
- J. Haven Center, Community host agreement
- K. Letter from Marilyn A. Jackson requesting appointment to the Council on Aging.

A

Skip Barlow
South Side Fire Station Feasibility
& Design Building Committee Chairman
24 Perry Avenue
Buzzards Bay, MA 02532

Dear Mr. Barlow:

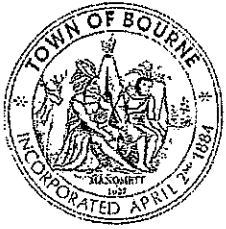
It is with regret that I need to inform you of my resignation from the South Side Fire Station Feasibility and Design Building Committee effective 23 February 2018.

My commitments have become such that I can no longer continue to sit and advise on this Committee with the thoroughness I would like.

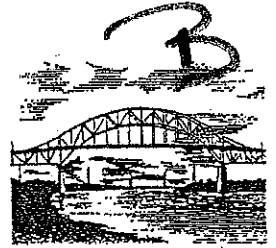
Thank you for the opportunity, and best wishes to you and the other members going forward.

Sincerely,
Stanley E. Eldridge
Stanley E. Eldridge

CC: Thomas Guerino, Town Manager
Norman Sylvester, Bourne Fire Chief



TOWN OF BOURNE
INSPECTORS' DEPARTMENT
24 Perry Avenue
Buzzards Bay, MA 02532
Tel. 508-759-0615



RECEIVED
MAR 15 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

COMPLAINT FORM

Date: 3/12/18

Address: 33 WING RD POCASSET MA 02507

Owner: TOWN OF BOURNE Mailing: _____
~~MARGARET STEVENS~~

Remarks: _____
COMPLAINT IS AS FOLLOWS ON THE
ATTACHED 2 PAGES.

Complaint Made By:

Name: Margaret Stevens

Phone: _____

Re: 31 Wing Road

Site Plans

The building plan for subject property was approved by the Town Planning Board but not executed. A second plan which changed the location of the driveway and flipped the house plan was submitted and granted a permit. The abutter (complainant) was notified of the first hearing but was not notified of the second hearing for these changes in the original approved plan. Reference Town of Bourne Zoning ByLaws, Page 3, 1235.A. indicating the rule that all abutters must be notified by certified mail was violated.

Clear Cutting

The lot was clear cut in order to dramatically rearrange the topography. The hill in the rear of the property was brought forward to support proposed garage and driveway, creating a steep hill. According to Town of Bourne Zoning ByLaws, Page 4 under 1238.A.1.b), this violates integration into the existing terrain and protection of abutting properties. Further, under 1238.A.3.b) the development shall avoid major topographic changes, removal of existing trees, impact on steep slopes.

Run-off

Due to the now higher elevation of the terrain and the clear cutting of all trees and vegetation, run-off has increased. During rainstorms, the severe slope of the 31 Wing Road driveway creates a stream of running water in front of the driveway of abutter (complainant), freezing and causing a hazard. According to Town of Bourne Zoning ByLaws, Page 4 under 1238.A.2.c), run-off shall not be increased.

Erosion

Measures have not been provided to prevent erosion and silting. The proposed grass seeding on the slope is not a sufficient measure for providing the prevention of erosion and silting. Reference Town of Bourne Zoning ByLaws, Page 5 under 1238.A.2.d) adequate measures are provided to prevent erosion, silting or other instability both during and after construction.

The design of the project did not take into consideration the impact on the abutter (complainant). Complainant contacted several town officials before construction began and was consistently redirected to different authorities. The manner in which this project was undertaken and executed presupposes that this is a case of taking advantage of a senior citizen.

D

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J.E. LANDERS-CAULEY, P.E.
Civil-Environmental Engineering
P.O. Box 364
West Falmouth, MA 02574
(508)-540-7733; 508-540-3344 (fax)
jlandersca@aol.com

March 20, 2018

Re: 165 Jefferson Road, Bourne
Notice of Public Hearing

Dear Abutter:

The purpose of this letter is to inform you that the Public hearing regarding the subject property that you were previously notified about in a letter dated March 2, 2018, originally scheduled for March 14, 2018 has been rescheduled due to weather concerns by the Town of Bourne, Board of Health, to Wednesday, March 28, 2018 at 7:00 p.m. in the Lower Conference Room at the Town Hall.

Information regarding the hearing may be available for your review prior to the meeting at the Bourne Health Department, 24 Perry Avenue, Buzzards Bay, Monday through Friday from 8:30 a.m. until 4:30 p.m. Agendas are posted on the Town of Bourne website, www.townofbourne.com/health no less than 48 hours in advance of the hearing.

Should you have any questions or concerns, please do not hesitate to contact our office, J. E. Landers-Cauley, P.E., (508) 540-7733, or the Bourne Health Department at (508) 759-0600, ext. 1513.

Sincerely,

Dawn O'Connell, Secretary
J. E. Landers-Cauley, P.E.



E

RECEIVED
MAR 16 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

March 15, 2018

Brian Dudley
Mass Department of Environmental Protection
Bureau of Resource Protection
20 Riverside Drive
Lakeville, MA 02347

RE: Town of Bourne – Buzzards Bay Wastewater Treatment Facility Permit No. 974-0

Dear Mr. Dudley –

Please accept these supplemental comments in an effort to clarify the Coalition’s position on the town of Bourne’s Wastewater Treatment Facility, Permit No. 974-0 (Permit). On February 9, 2018, the Coalition provided written comment during the public comment period for the Permit. Those comments suggested that the town of Bourne work with the town of Wareham to secure additional available capacity at the Wareham Pollution Control Facility as an alternative to constructing a new wastewater treatment facility.

The Coalition’s suggestion that this alternative be explored should in no way delay the issuance of the town’s groundwater discharge permit or jeopardize the award of any state or federal funding applicable to the construction of this project. It is our recent understanding that while capacity may exist at the town of Wareham’s wastewater treatment facility that capacity may otherwise be encumbered and unavailable to meet the town of Bourne’s clear need for additional wastewater capacity on the timeframe needed.

With the addition of groundwater monitoring wells requested in our February 9th comments, to ensure that the water quality in Buttermilk Bay is not further degraded, the Coalition encourages the Department to expedite the issuance of a final permit for the Buzzards Bay Wastewater Treatment Facility.

Sincerely,

Korrin N. Petersen, Esq.
Senior Attorney
petersen@savebuzzardsbay.org
(508)999-6363 ext 206

Cc: Town of Bourne
Town of Wareham

www.savebuzzardsbay.org

114 Front Street, New Bedford, Massachusetts 02740 | Tel: 508-999-6363 Fax: 508-984-7913
21 Luscombe Avenue, Woods Hole, Massachusetts 02543 | Tel: 508-540-6222



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TOWN OF BOURNE
BOARD OF SELECTMEN



UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Philadelphia Regional Office
Robert N.C. Nix Federal Building
900 Market Street, Room 602
Philadelphia, PA 19107

F

MAR 19 2018

In reply refer to:
EDA Control No. 112043

Mr. Thomas M. Guerino, Town Administrator
Town of Bourne
Town Administrator's Office, Bourne Town Hall
24 Perry Avenue
Bourne, Massachusetts 02532-3496

Dear Mr. Guerino:

The U.S. Economic Development Administration's (EDA) Philadelphia Regional Office Proposal Review Committee (PRC) has conducted an initial review of your proposal for the expansion of a wastewater treatment facility that will support the growing marine science and technology industry in the Town of Bourne, Village of Buzzards Bay and the Cape Cod Commission Economic Region. The project will enable the development of new industry, private investment and the creation of new employment opportunities. Based on its initial review, the PRC has determined that your proposal is responsive to the Federal Funding Opportunity (FFO).

If you wish to be considered for EDA funding, please submit a complete application for your proposed project by April 15, 2018. The requirements for the content and form of a complete application submission are found in the *FY 2017 Economic Development Assistance Programs—Application Submission and Program Requirements for EDA's Public Works and Economic Adjustment Assistance Programs* FFO, and can be found on EDA's website at <http://www.eda.gov/funding-opportunities/>.

Please be aware that EDA receives many more meritorious applications than it can fund. This request to submit a complete application in no way guarantees that EDA will approve your application or select your project for an award.

Please contact Debra Beavin at 215-597-8719, or dbeavin@eda.gov, who can assist you in the development of your application.

Thank you for your interest in EDA. For more information about our programs and other upcoming funding opportunities, please consult our website at www.eda.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Marguerite McGinley".

Marguerite McGinley
Area Director
Philadelphia Regional Office





Cape Light Compact JPE
261 Whites Path, Unit 4, South Yarmouth, MA 02664
Energy Efficiency 1.800.797.6699 | Power Supply 1.800.381.9192
Fax: 774.330.3018 | capelightcompact.org

6

February 16, 2018

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

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MAR 22 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

Dear Mr. Guerino,

Attached for your information and dissemination to your Board of Selectmen/Town Council is the Cape Light Compact's (Compact) monthly Energy Efficiency Report. The Report reflects the program activity for all of Cape Cod & Martha's Vineyard and breaks out the detail on a town-by-town basis.

Below is a summary of the activity in your town for the month of January, 2018. To view each of your monthly reports from 2006 forward, please visit our website at www.capelightcompact.org/reports.

- 205 residents and/or businesses in Aquinnah participated* in the program.
- \$224867 in incentive dollars were distributed to the 205 participants.
- 267465 kWh was saved through implementation of these energy efficiency measures.

If you have any questions on the attached report, please contact me at (508) 375-6636.

Sincerely,

Margaret T. Downey

Administrator

Enclosure

cc: Robert Schofield

**Please note that the number of participants may not correspond directly to the number of customers in your Town. As required, the Compact reports a customer as a participant for each energy efficiency program in which a customer participates. For example, if a customer has a home energy assessment and submits a dehumidifier rebate, they are counted as "two participants." Additionally, pre-determined lighting assumptions quantify participants dependent upon number of bulbs sold.*

Working Together Toward A Smarter Energy Future

Aquinnah | Barnstable | Bourne | Brewster | Chatham | Chilmark | Dennis | Dukes County | Eastham | Edgartown | Falmouth
Harwich | Mashpee | Oak Bluffs | Orleans | Provincetown | Sandwich | Tisbury | Truro | Wellfleet | West Tisbury | Yarmouth

Energy Efficiency Program Activity by Town

Town Name: BOURNE
 Program Period: 2018
 Current Dates: 1/1/2018 - 1/31/2018
 Cumulative Dates: 1/1/2018 - 1/31/2018

Program Initiative	Current Period				Cumulative Period				Actual % of Budget
	Annual kWh Savings	Actual Expenditures	Participants	Budget	Annual kWh Savings	Actual Expenditures	Participants	Budget	
Residential New Construction	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
Residential New Construction (Low-Income)	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
Residential Multi-Family Retrofit	1,328.00	\$763.24	2	\$0.00	1,328.00	\$763.24	2	\$0.00	0.00%
Residential Home Energy Services - Measures	42,286.40	\$55,423.14	42	\$1,295,573.91	42,286.40	\$55,423.14	42	\$1,295,573.91	4.28%
Residential Home Energy Services - RCS	0.00	\$5,690.00	29	\$166,424.73	0.00	\$5,690.00	29	\$166,424.73	3.42%
Residential Behavior/Feedback Program	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
Residential Heating & Cooling Equipment	14,548.80	\$10,138.00	15	\$0.00	14,548.80	\$10,138.00	15	\$0.00	0.00%
Residential Consumer Products	6,399.60	\$856.50	15	\$0.00	6,399.60	\$856.50	15	\$0.00	0.00%
Residential Lighting	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
Residential HEAT Loan	0.00	\$5,987.75	9	\$0.00	0.00	\$5,987.75	9	\$0.00	0.00%
Res Subtotal	64,562.80	\$78,858.63	112.00	\$1,461,998.64	64,562.80	\$78,858.63	112	\$1,461,998.64	61.08%
Res % of Total	24.14%	35.07%	54.63%	61.08%	24.14%	35.07%	54.63%	61.08%	0.18%
Low-Income Single Family Retrofit	113.00	\$456.00	2	\$256,714.28	113.00	\$456.00	2	\$256,714.28	0.18%
Low-Income Multi-Family Retrofit	166,532.30	\$138,043.10	85	\$0.00	166,532.30	\$138,043.10	85	\$0.00	0.00%
LI Subtotal	166,645.30	\$138,499.10	87.00	\$256,714.28	166,645.30	\$138,499.10	87	\$256,714.28	10.72%
LI % of Total	62.31%	61.59%	42.44%	10.72%	62.31%	61.59%	42.44%	10.72%	0.00%
C&I New Buildings & Major Renovations	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I New Buildings & Major Renovations - Municipal	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Initial Purchase & End of Useful Life	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Upstream Food Services	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Upstream HVAC	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Existing Building Retrofit - LARGE	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Existing Building Retrofit - MEDIUM	0.00	\$0.00	0	\$176,276.06	0.00	\$0.00	0	\$176,276.06	0.00%
C&I Existing Building Retrofit - Municipal	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Small Business	5,220.70	\$1,849.08	1	\$498,714.98	5,220.70	\$1,849.08	1	\$498,714.98	0.37%
C&I Multifamily Retrofit	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Multifamily - Municipal	0.00	\$0.00	0	\$0.00	0.00	\$0.00	0	\$0.00	0.00%
C&I Upstream Lighting	31,036.46	\$5,660.00	5	\$0.00	31,036.46	\$5,660.00	5	\$0.00	0.00%
C&I Subtotal	36,257.16	\$7,509.08	6.00	\$674,991.04	36,257.16	\$7,509.08	6	\$674,991.04	28.20%
C&I % of Total	13.56%	3.34%	2.93%	28.20%	13.56%	3.34%	2.93%	28.20%	0.00%
Total	267,465.26	\$224,866.81	205	\$2,393,703.96	267,465.26	\$224,866.81	205	\$2,393,703.96	0.00%

*Costs include those costs that has been recorded through this period and are not necessarily representative of all activity through this month
 **All information presented is preliminary and subject to change.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

H

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

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MAR 16 2018
MAR 19 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

March 16, 2018

Thomas Guerino, Town Administrator
Town of Bourne
Bourne Town Hall
24 Perry Avenue, Room 101
Buzzards Bay, Massachusetts 02532

RE: BOURNE – BRPWP79, Buzzards Bay
Wastewater Treatment Facility, Queen Sewell
Park
Transmittal No. X276435
Permit No. 974-0

Dear Mr. Guerino:

The Department of Environmental Protection has completed a review of the engineering report depicting the proposed wastewater treatment facility to be located at the Buzzards Bay Wastewater Treatment Facility, Queen Sewell Park, Bourne. With your application you submitted a Certification Statement signed by Kent M. Nichols, P.E., a Massachusetts Registered Professional Engineer, and an engineering report dated October 2017.

The submitted design report proposes a wastewater treatment facility with a design flow of 100,000 gallons per day (gpd). The treated effluent will be disposed through a proposed soil absorption system.

The Department hereby approves the system and wastewater treatment facility as shown on the above mentioned engineering report and engineering plans subject to the following:

1. Construction shall be in strict conformance with the submitted engineering report cited above and provisions of this approval. No changes shall be made without the prior written approval of the Department.
2. Subsurface components of the system shall not be backfilled or otherwise concealed from view until the Department has conducted an inspection and permission has been granted by the Department to backfill the system.
3. Ninety (90) days prior to the startup of the facility engineering plans and specifications of the proposed wastewater treatment facility shall be submitted to this office for review and shall include, at a minimum, the following:
 - a. materials of construction and specifications for all wastewater treatment system components;

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

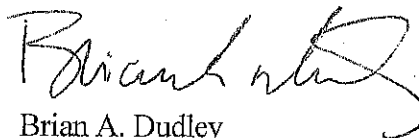
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- b. materials of construction and specifications for all wastewater collection system components;
 - c. specifications for all instrumentation and alarms;
 - d. a site plan and general plant layout;
 - e. plan views and profile views, including dimensions showing existing and proposed piping and processing units related to wastewater collection, treatment, and disposal
4. A clear water test of the proposed treatment system must be performed prior to the system being put on-line. The clear water test shall be scheduled at least twenty-one (21) days in advance so that Department personnel can be present.
 5. Fourteen (14) days prior to the clear water test, a contract for engineering consulting services, for a term of two (2) years, shall be submitted to this office for review.
 6. Fourteen (14) days prior to the clear water test, a copy of a contract with a licensed septage hauler shall be submitted to this office. Said contract shall state the approved facility where the septage/sludge and industrial waste is to be transported for final disposal. Said contract shall be good for at least one (1) year.
 7. Fourteen (14) days prior to the clear water test, an operation and maintenance manual prepared in accordance with 314 CMR 12.04(1) shall be submitted to this office for review.
 8. Fourteen (14) days prior to the water test, written certification that the system was constructed in accordance with the submitted design report and soil absorption system plans cited above shall be submitted by a Professional Engineer registered in the Commonwealth of Massachusetts. Nothing in this provision is intended to interfere with the right of the Department to inspect the facility at any time during construction in order to assess compliance with this approval.
 9. Fourteen (14) days prior to the water test, a spare parts inventory list for the new equipment shall be submitted to this office. All spare parts must be on-site at the time of the clear water test.
 10. Operation and maintenance of the facility must be in accordance with 314 CMR 12.00: "Operation and Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Discharges" and 257 CMR 2.00: "Rules and Regulations for Certification of Operators of Wastewater Treatment Facilities".
 11. The referenced facility has been rated by this office (in accordance with 257 CMR 2.00) and it has been tentatively determined that the proposed wastewater treatment plant is a Grade 4 facility. For official approval we will forward this grading to the Board of Certification of Wastewater Treatment Plant Operators. Therefore, please be advised that as a Grade 4 facility, it is required that the person in responsible charge (Chief Operator) possess a valid Grade 4 Massachusetts Wastewater Treatment Operator's License. Also, a backup operator must be provided who shall possess at least a valid Grade 3 license.
 12. The operation of the referenced facility must comply with all the requirements listed in the Groundwater Discharge Permit 974-0.

13. This approval pertains to the discharge of sanitary waste only. Non-sanitary waste shall not be discharged into the proposed wastewater treatment facility.
14. The owner/operator of the system shall properly operate and maintain the system at all times in accordance with this approval, submitted design report and soil absorption system plans cited above.
15. The owner/operator shall furnish the Department, within a reasonable time, any information, which the Department may request to determine whether cause exists for modifying, revoking, reissuing or terminating this approval or to determine whether the owner/operator is complying with the terms and conditions of this approval.
16. The facility served by the system and the system itself shall be open to inspection by the Department at all reasonable times.
17. As-built plans shall be submitted to this office of the Department within ninety (90) days of the Department's authorization to operate the facility.
18. The Department must approve in writing any expansion of the facility resulting in additional sewage flows to the wastewater treatment facility.

Should you have any questions regarding this matter, please contact Christos Dimisoris at (508) 946-2736.

Sincerely,



Brian A. Dudley
Bureau of Water Resources

D/CD/

cc: Corey Repucci
Weston & Sampson
5 Centennial Drive
Peabody, Massachusetts 01960

Bourne Board of Health
24 Perry Avenue,
Buzzards Bay, Massachusetts 02532

Korrin N. Petersen, Esq., Senior Attorney
Buzzards Bay Coalition
114 Front Street, New Bedford, MA 02740

ecc: DEP/Boston
Attn: Marybeth Chubb



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

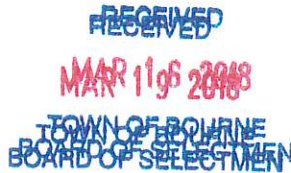
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Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner



March 16, 2018

Thomas Guerino, Town Administrator
Town of Bourne
Bourne Town Hall
24 Perry Avenue, Room 101
Buzzards Bay, Massachusetts 02532

RE: BOURNE – BRPWP79, Buzzards Bay
Wastewater Treatment Facility, Queen Sewell
Park
Transmittal No. X276435
Permit No. 974-0

Dear Mr. Guerino:

In response to your application for a permit to discharge into the ground treated effluent from the proposed treatment works at Queen Sewell Park, Bourne, and after due public notice, I hereby issue the attached final permit.

Since comments were received by the Department during the public comment period, in accordance with 314 CMR 2.08, the permit becomes effective in thirty days.

Parties aggrieved by the issuance of this permit are hereby advised of their right to request an Adjudicatory Hearing under the provisions of Chapter 30A of the Massachusetts General Laws and 314 CMR 1.00, Rules for the Conduct of Adjudicatory Proceedings. Unless the person requesting the adjudicatory hearing requests and is granted a stay of the terms and conditions of the permit, the permit shall remain fully effective.

Should you have any questions regarding this matter, please contact Christos Dimisioris at (508) 946-2736.

Sincerely,

Brian A. Dudley
Bureau of Water Resources

D/CD/
Enclosures

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

cc: Corey Repucci
Weston & Sampson
5 Centennial Drive
Peabody, Massachusetts 01960
(with enclosures)

Bourne Board of Health
24 Perry Avenue,
Buzzards Bay, Massachusetts 02532
(with enclosures)

Korrin N. Petersen, Esq., Senior Attorney
Buzzards Bay Coalition
114 Front Street, New Bedford, MA 02740
(with enclosures)

ecc: DEP/Boston
Attn: Marybeth Chubb
(w/ enclosures)

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Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

RECEIVED

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TOWN OF BOURNE
BOARD OF SELECTMEN

Individual Groundwater Discharge Permit Fact Sheet

I. APPLICANT, FACILITY INFORMATION, and DISCHARGE LOCATION

Name and Address of Applicant:

Town of Bourne, Bourne Town Hall, 24 Perry Avenue, Rm 101, Buzzards Bay, Massachusetts 02532.

Name and Address of Facility where discharge occurs:

Buzzards Bay Wastewater Treatment Facility, Queen Sewell Park, Bourne, Massachusetts

Discharge Information:

Groundwater Discharge Permit Number: 974-0

The Groundwater Discharge Permit will allow the applicant to discharge 100,000 gallons per day of treated sanitary wastewater from a proposed wastewater treatment facility (WWTF) to address the town's future needs for capacity. The discharge is not in a Zone II of a public water supply.

II. LIMITATIONS AND CONDITIONS

Discharge permit limitations are as listed in the ground water permit and are in conformance with 314 CMR 5.00, the Groundwater Discharge Permit Program.

III. PERMIT BASIS AND EXPLANATION OF EFFLUENT LIMITATIONS

An Individual Groundwater Discharge permit is required for this discharge in accordance with the Massachusetts Clean Water Act, M.G.L. c. 21, s. 26-53 and 314 CMR 5.03.

Effluent limitations are based upon the location of the discharge, the level of treatment, consideration of human health protection criteria and protection of the groundwaters of the Commonwealth.

IV. COMMENT PERIOD, HEARING REQUESTS, AND PROCEDURES FOR FINAL DECISIONS

The public comment period for this permit is thirty (30) days following public notice in *The Environmental Monitor*. The public notice for this Individual Groundwater Discharge Permit occurred on January 10, 2018.

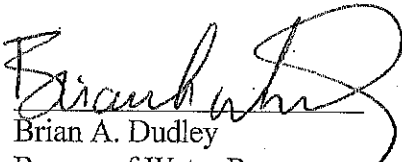
Requests for an adjudicatory hearing must be submitted within thirty (30) days of the issuance/denial of the permit, by any person who is aggrieved by such issuance/denial.

A final decision on the issuance/denial of this permit will be made after the public notice period, and review of any comments received during this period.

V. STATE CONTACT INFORMATION

Additional information concerning the draft permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday excluding holidays, from:

Christos Dimisioris
DEP /SERO
20 Riverside Drive
Lakeville, MA 02347
(508) 946-2736


Brian A. Dudley
Bureau of Water Resources

March 16, 2018
Date

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Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Commissioner



INDIVIDUAL GROUNDWATER DISCHARGE PERMIT

Name and Address of Applicant: *Town of Bourne, Bourne Town Hall, 24 Perry Avenue, Rm 101, Buzzards Bay, Massachusetts 02532.*

Date of Application: *October 11, 2017*

Application/Permit No. *974 - 0*

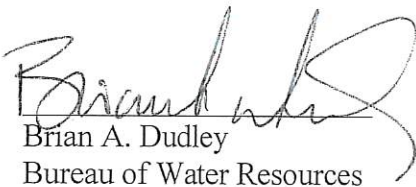
Date of Issuance: *March 16, 2018*

Date of Expiration: *March 16, 2023*

Effective Date: *April 15, 2018*

AUTHORITY FOR ISSUANCE

Pursuant to authority granted by Chapter 21, Sections 26-53 of the Massachusetts General Laws, as amended, 314 CMR 2.00, and 314 CMR 5.00, the Massachusetts Department of Environmental Protection (the Department) hereby issues the following permit to: **Town of Bourne, Bourne Town Hall, 24 Perry Avenue, Rm 101, Buzzards Bay, Massachusetts 02532** (hereinafter called "the permittee") authorizing discharges to the ground from the on-site wastewater treatment facility located at **Buzzards Bay Wastewater Treatment Facility, Queen Sewell Park, Bourne, Massachusetts** such authorization being expressly conditional on compliance by the permittee with all terms and conditions of the permit hereinafter set forth.


Brian A. Dudley
Bureau of Water Resources

March 16, 2018
Date

I. SPECIAL CONDITIONS

A. Effluent Limits

The permittee is authorized to discharge into the ground from the wastewater treatment facilities for which this permit is issued a treated effluent whose characteristics within one month of startup of the wastewater treatment facility proposed and continuing thereafter shall not exceed the following values:

Effluent Characteristics	Discharge Limitations
Flow	100,000 GPD
Oil and grease	15 mg/l
Total Suspended Solids (TSS)	30 mg/l
Total Nitrogen (NO ₂ + NO ₃ + TKN)	10 mg/l
Nitrate-Nitrogen	10 mg/l
Biochemical Oxygen Demand, 5-day @20°C (BOD ₅)	30 mg/l

- a) The pH of the effluent shall not be less than 6.5 nor greater than 8.5 at any time or not more than 0.2 standard units outside the naturally occurring range.
- b) The discharge of the effluent shall not result in any demonstrable adverse effect on the groundwater or violate any water quality standards that have been promulgated.
- c) The monthly average concentration of BOD and TSS in the discharge shall not exceed 15 percent of the monthly average concentrations of BOD and TSS in the influent into the permittee's wastewater treatment facility.
- d) When the average annual flow exceeds 80 percent of the permitted flow limitations, the permittee shall submit a report to the Department describing what steps the permittee will take in order to remain in compliance with the permit limitations and conditions, inclusive of the flow limitations established in this permit.

B. Monitoring and Reporting

1) **INFLUENT:**

The permittee shall monitor and record the quality of the **influent** waste stream to the facility according to the following schedule and other provisions:

Parameter	Minimum Frequency of Analysis	Sample Type
BOD ₅	Monthly	24-Hour Composite
Total Suspended Solids	Monthly	24-Hour Composite
Total Solids	Monthly	24-Hour Composite
Ammonia Nitrogen	Monthly	24-Hour Composite

EFFLUENT:

The permittee shall monitor and record the quality and quantity of **effluent** prior to discharge to the leaching facilities according to the following schedule and other provisions:

Parameter	Minimum Frequency of Analysis	Sample Type
Flow	Daily	Meter reading Report: Min - Max - Average
pH	Daily	Grab
Total Suspended Solids	Monthly	24-Hour Composite
Oil & Grease	Monthly	Grab
BOD ₅	Monthly	24-Hour Composite
Nitrate Nitrogen	Monthly	24-Hour Composite
Total Nitrogen (NO ₂ + NO ₃ + TKN)	Monthly	24-Hour Composite
Total Phosphorus (as P)	Annually	Grab
Orthophosphate (as P)	Annually	Grab

Parameter	Minimum Frequency of Analysis	Sample Type
Volatile Organic Compounds ¹	Annually	Grab

¹USEPA Method #624

- a) After one full year of monitoring the Total Phosphorus and Orthophosphate results, the Department may determine, upon the request of the permittee, that the frequency of monitoring may be reduced if, in the judgment of the Department, the results of the sampling indicate that existing phosphorus levels will not adversely impact downgradient receptors. If the Department reduces the frequency of monitoring for Total Phosphorus and Orthophosphate, the Department reserves the right to resume more frequent monitoring if the Department determines that phosphorus levels are impacting downgradient receptors.
- 2) The permittee shall install the approved monitoring wells at least 90 days prior to treatment facility start-up. The permittee shall install the upgradient monitoring well, MW-11 and the downgradient monitoring wells MW-3 , MW13, MW 14 and MW-12 as shown on the approved plan titled Figure 1, Groundwater Monitoring Plan, prepared by Weston & Sampson and dated February 2018. Labels identifying each monitoring well's identification in accordance with the above-referenced approved plan shall be affixed to the steel protective casing of each monitoring well.

The permittee shall monitor, record and report the quality of water in the monitoring wells according to the following schedule and other provisions:

Parameter	Frequency of Analysis
Static Water Level	Monthly
Specific Conductance	Monthly
pH	Monthly
Total Nitrogen (NO ₂ +NO ₃ +TKN)	Quarterly
Nitrate-Nitrogen	Quarterly
Total Phosphorus (as P)	Annually
Orthophosphate (as P)	Annually
Volatile Organic Compounds ¹	Annually

¹USEPA Method #624

- a) Static Water Level shall be expressed as an elevation and shall be referenced to the surveyed datum established for the site. It shall be calculated by subtracting the depth to the water table from the surveyed elevation of the top of the monitoring well's PVC well casing/riser.
 - b) After one full year of monitoring the Total Phosphorus and Orthophosphate results, the Department may determine, upon the request of the permittee, that the frequency of monitoring may be reduced if, in the judgment of the Department, the results of the sampling indicate that existing phosphorus levels will not adversely impact downgradient receptors. If the Department reduces the frequency of monitoring for Total Phosphorus and Orthophosphate, the Department reserves the right to resume more frequent monitoring if the Department determines that phosphorus levels are impacting downgradient receptors.
- 3) Any grab sample or composite sample required to be taken less frequently than daily shall be taken during the period of Monday through Friday inclusive. All composite samples shall be taken over the operating day.
- 4) The permittee shall submit all monitoring reports within 30 days of the last day of the reporting month. Reports shall be on an acceptable form, properly filled and signed and shall be sent to the Department of Environmental Protection, Southeast Regional Office, 20 Riverside Drive, Lakeville, MA 02347, and to the Department of Environmental Protection, Bureau of Water Resources, Wastewater Management Program, One Winter Street/5th Floor, Boston, MA 02108, and to Board of Health, 24 Perry Avenue, Buzzards Bay, MA 02532.
- a) Submission of monitoring reports in electronic format is available through eDEP and serves as data submission to both the Regional and Boston offices. Effective December 2, 2017, all discharge monitoring reports must be submitted through eDEP. To register for electronic submission go to:
<http://www.mass.gov/dep/service/compliance/edeponlf.htm>

C. Supplemental Conditions

- 1. The permittee shall notify the Department at least thirty (30) days in advance of the proposed transfer of ownership of the facility for which this permit is written. Said notification shall include a written agreement between the existing and new permittees containing a specific date for transfer of permit, responsibility, coverage and liability between them.
- 2. A staffing plan for the facility shall be submitted to the Department once every two years and whenever there are staffing changes. The staffing plan shall include the following components:
 - a) The operator(s)'s name(s), operator grade(s) and operator license number(s);
 - b) The number of operational days per week;
 - c) The number of operational shifts per week;
 - d) The number of shifts per day;

- e) The required personnel per shift;
 - f) Saturday, Sunday and holiday staff coverage;
 - g) Emergency operating personnel
3. The permittee is responsible for the operation and maintenance of all sewers, pump stations, and treatment units for the permitted facility, which shall be operated and maintained under the direction of a properly certified wastewater operator.
 4. Operation and maintenance of the proposed facility must be in accordance with 314 CMR 12.00, "Operation and Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Discharges", and, 257 CMR 2.00, "Rules and Regulations for Certification of Operators of Wastewater Treatment Facilities".
 - a) The facility has been rated (in accordance with 257 CMR 2.00), to be a Grade 4 facility. Therefore, the permittee shall provide for oversight by a Massachusetts Certified Wastewater Treatment plant operator (Chief Operator) Grade 4 or higher. The permittee will also provide for a backup operator who shall possess at least a valid Grade 3 license.
 - b) The date and time of the operator's inspection along with the operator's name and certification shall be recorded in the log book on location at the treatment facility. All daily inspection logs consistent with the O&M Manual requirements shall be kept at the facility for a period of three (3) years.
 - c) Records of operation of wastewater treatment facilities or disposal systems required by the Department shall be submitted on forms supplied by the Department or on other forms approved by the Department for such use. Monthly reports shall be certified by the wastewater treatment plant operator in charge and shall be included in the discharge monitoring reports submitted each month.
 5. If the operation and maintenance of the facility is to be contracted to a private concern, the permittee shall submit a copy of the contract, consistent with what is required by the approved Operation & Maintenance manual and signed only by the contractor, to the appropriate MassDEP Regional Office for review and approval ninety (90) days prior to the startup of the facility. Along with the contract, a detailed listing of all contract operation obligations of the proposed contractor at other facilities shall also be submitted. The permittee shall not begin operation of the treatment facility until the Department approves the contract.
 6. All tests or analytical determinations to determine compliance with permit standards and requirements shall be done using tests and procedures found in the most recent version of *Standard Methods for the Examination of Water and Wastewater* and shall be performed by a Massachusetts Certified laboratory.
 7. The permittee shall notify the appropriate MassDEP Regional Office, in writing, within thirty (30) days of the following events:
 - a) The date of treatment plant startup.
 - b) Any interruption of the treatment system operation, other than routine maintenance.
 - c) Final shutdown of the treatment system.

8. The permittee shall contract to have any and all solids and sludges generated by the treatment system for which this permit is issued removed off site by a properly licensed waste hauler for disposal at an EPA/MassDEP approved facility. The name and license number of the hauler along with the quantity of wastes removed and the date(s) of removal shall be reported by the permittee in writing to the appropriate MassDEP Regional Office.
9. Simultaneously with the permit renewal application at year fifteen (2032) following the initiation of plant operations, the permittee shall submit two reports to the Department for its review and approval:
 - a) An engineering report, prepared by a registered professional engineer, that outlines in sufficient detail what modifications (if any) to the facility or other changes are required to insure that the facility can remain in compliance with its GWDP and other applicable requirements through the next 5 year permit term (year 2037) and beyond; and
 - b) A financial plan that contains the cost estimates for implementing the facility modifications or other changes identified in the engineering report, and describes and demonstrates, how and when the permittee will finance the needed facility modifications or other changes.
10. In the event that effluent limits are not met, or the discharge is determined to impair groundwater quality in accordance with 314 CMR 5.16(1), the permittee may be obligated to modify, supplement or replace the permitted treatment process so as to ensure that the discharge does not impair the ability of the groundwater to act as an actual or potential source of potable water.
11. Pursuant to M.G.L. Chapter 21A, section 18(a), and 310 CMR 4.03, holders of this Permit may be subject to annual compliance assurance fees as assessed each year on July 1st and invoiced by MassDEP. Failure of the Permit holder to pay applicable annual compliance assurance fees shall result in the automatic suspension of the permit by operation of law under the statute. If fee non-payment continues for sixty days or more, MassDEP has the statutory option of revoking the Permit, denying any other pending permit applications filed by the Permit holder or taking other enforcement action. Permit holders are required to notify MassDEP in writing if they wish to relinquish or transfer a permit. Failure to do so will result in the continued assessment of fees.

D. Appeal Rights

During the thirty (30) day period following issuance of this permit, a Notice of Claim for an Adjudicatory Appeal may be sent by any person aggrieved (the "Petitioner") by the issuance to:

Case Administrator
 Office of Appeals and Dispute Resolution
 Department of Environmental Protection
 One Winter Street/2nd Floor
 Boston, MA 02108

310 CMR 1.01(6)(b) requires the Notice of Claim to: include sufficient facts to demonstrate aggrieved person status; state the facts which are grounds for the appeal specifically, clearly and concisely; and, state relief sought. The permit shall become or remain effective at the end of the

30 day appeal period unless the person filing the Notice of Claim requests, and is granted, a stay of its terms and conditions. If a permit is modified under 314 CMR 2.10, only the modified terms and conditions may be subject to an Adjudicatory Appeal. All other aspects of the existing permit shall remain in effect during any such Adjudicatory Appeal.

Per 310 CMR 4.06, the hearing request to the Commonwealth will be dismissed if the filing fee is not paid. Unless the Petitioner is exempt or granted a waiver, a valid check payable to the Commonwealth to Massachusetts in the amount of \$100.00 must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The filing fee is not required if the Petitioner is a city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority effective January 14, 1994, or any municipal housing authority; or, per MGL 161A s. 24, the Massachusetts Bay Transportation Authority. The Department may waive the adjudicatory hearing filing fee for a Petitioner who shows that paying the fee will create an undue financial hardship. A Petitioner seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

II. GENERAL PERMIT CONDITIONS

5.16: General Conditions

The following conditions apply to all individual and general permits:

(1) No discharge authorized in the permit shall cause or contribute to a violation of 314 CMR 4.00: *Massachusetts Surface Water Quality Standards*. Upon promulgation of any amended standard, the permit may be modified to comply with such standard in accordance with the procedures in 314 CMR 2.10: *Modification, Suspension, Revocation and Renewal of Permits and General Permit Coverage* and 314 CMR 5.12. Except as otherwise provided in 314 CMR 5.10(3)(c), 5.10(4)(a)2, and 5.10(9), no discharge authorized in the permit shall impair the ability of the ground water to serve as an actual or potential source of potable water. Evidence that a discharge impairs the ability of the ground water to serve as an actual or potential source of potable water includes, without limitation, analysis of samples taken in a downgradient well that demonstrates one or more exceedances of the applicable water quality based effluent limitations set forth in 314 CMR 5.10. In those cases where it is shown that a measured parameter exceeds the applicable water quality based effluent limitations set forth in 314 CMR 5.10 at the upgradient monitoring well, evidence that a discharge impairs the ability of the ground water to serve as an actual or potential source of potable water is deemed to exist if a measured parameter in any downgradient well exceeds the level of that same measured parameter in the upgradient well for the same sampling period. A statistical procedure approved by the Department shall be used to determine when a measured parameter exceeds the allowable level.

(2) Duty to Comply. The permittee shall comply at all times with the terms and conditions of the permit, 314 CMR 5.00, M.G.L. c. 21, §§ 26 through 53, and all applicable state and federal statutes and regulations.

(3) Standards and Prohibitions for Toxic Pollutants. The permittee shall comply with effluent standards or prohibitions established by § 307(a) of the Federal Act, 33 U.S.C. § 1317(a), for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

(4) Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and equipment installed or used to achieve compliance with the terms and conditions of the permit, 314 CMR 12.00: *Operation and Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Discharges*, and 257 CMR 2.00: *Certification of Operators of Wastewater Treatment Facilities*. All equipment shall be maintained in an acceptable condition for its intended use.

(5) Duty to Halt or Reduce Activity. Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production, discharges, or both, until the facility is restored or an alternative method of treatment is provided. A permittee may not raise as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(6) Power Failure. In order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either:

- (a) provide an alternative power source sufficient to operate the wastewater control facilities; or
- (b) halt, reduce or otherwise control production or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

(7) Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any adverse impact on human health or the environment resulting from non-compliance with the permit. Additionally, the permittee shall take all necessary steps to prevent an operational upset of the PWTF or POTW.

(8) Duty to Provide Information. The permittee and any operator of the permitted facility shall furnish to the Department within a reasonable time as specified by the Department any information which the Department may request to determine whether cause exists for modifying, suspending, revoking and reissuing, or terminating the permit, or to determine whether the permittee is complying with the terms and conditions of the permit.

(9) Inspection and Entry. The permittee shall allow the Department or its authorized representatives to:

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records required by the permit are kept;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (c) Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit; and
- (d) Sample or monitor at reasonable times for the purpose of determining compliance with the terms and conditions of the permit.

(9A) The permittee shall physically secure the treatment works and monitoring wells and limit access to the treatment works and monitoring wells only to those personnel required to operate, inspect and maintain the treatment works and to collect samples.

(9B) The permittee shall identify each monitoring well by permanently affixing to the steel protective casing of the well a tag with the identification number listed in the permit.

(10) Monitoring. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 unless other test procedures are specified in the permit.

(11) Recordkeeping. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and all records of all data used to complete the application for the permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time. Records of monitoring information shall include without limitation:

- (a) The date, exact place, and time of sampling or measurements;
- (b) The individual(s) who performed the sampling or measurement;
- (c) The date(s) analyses were performed;
- (d) The individual(s) who performed the analyses;
- (e) The analytical techniques or methods used; and
- (f) The results of such analyses.

(12) Prohibition of Bypassing. Except as provided in 314 CMR 5.16(13), bypassing is prohibited and the Department may take enforcement action against a permittee for bypassing unless:

- (a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (c) The permittee submitted notice of the bypass to the Department:
 - 1. In the event of an anticipated bypass, at least ten days in advance, if possible;
 - or
 - 2. In the event of an unanticipated bypass, as soon as the permittee has knowledge of the bypass and no later than 24 hours after its first occurrence.

(13) Bypass not Exceeding Limitations. The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if necessary for the performance of essential maintenance or to assure efficient operation of treatment facilities.

- (14) Permit Actions. The permit may be modified, suspended, or revoked for cause. The filing of a request by the permittee for a permit modification, reissuance, or termination, or a notification of planned changes or anticipated non-compliance does not stay any permit condition.
- (15) Duty to Reapply. If the permittee wishes to continue an activity regulated by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit. The permittee shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department in writing.
- (16) Property Rights. The permit does not convey any property rights of any sort or any exclusive privilege.
- (17) Other Laws. The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, nor does it relieve the permittee of its obligation to comply with any other applicable Federal, State, or local law, or regulation.
- (18) Oil and Hazardous Substance Liability. Nothing in the permit shall be construed to preclude the institution of any legal action or relieve the permittee of any responsibilities, liabilities, or penalties to which the permittee is or may be subject under § 311 of the Federal Act, 33 U.S.C. § 1321, and M.G.L. c. 21E.
- (19) Removed Substances. Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed in a manner consistent with applicable Federal and State laws and regulations including, but not limited to, the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26 through 53, and the Federal Act, 33 U.S.C. § 1251 *et seq.*, the Massachusetts Hazardous Waste Management Act, M.G.L. c. 21C, and the Federal Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.*, 310 CMR 19.000: *Solid Waste Management* and 310 CMR 30.000: *Hazardous Waste*.
- (20) Reporting Requirements.
- (a) Monitoring Reports. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) at the intervals specified in the permit. If a permittee monitors any pollutant more frequently than required by the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Beginning on December 2, 2017, a permittee shall submit all DMRs electronically, using the electronic reporting system designated by the Department. A permittee may seek a waiver of this requirement by submitting a written request for the Department's approval.
 - (b) Compliance Schedules. Reports of compliance or non-compliance with, or any progress reports on interim and final requirements contained in any compliance schedule in the permit shall be submitted no later than 14 days following each schedule date.
 - (c) Planned Changes. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility or activity which could significantly change the nature or increase the quantity of pollutants discharged. Unless and until the permit is modified, any new or increased discharge in excess of permit limits or not specifically authorized by the permit constitutes a violation.
 - (d) Anticipated Non-compliance. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in non-compliance with permit requirements.

(e) 24 Hour Reporting. The permittee shall report any non-compliance which may endanger health or the environment. Any information shall be communicated orally within 24 hours of the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the non-compliance, including exact dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance. The following shall be included as information which must be reported within 24 hours:

1. Any unanticipated bypass which exceeds any effluent limitation in the permit; and
2. Any violation of a maximum daily discharge limitation for any of the pollutants required by the permit to be reported within 24 hours.

(f) Other Non-compliance. The permittee shall report all instances of non-compliance not reported under 314 CMR 5.16(20)(a), (b), or (e) at the time monitoring reports are submitted. The reports shall contain the information listed in 314 CMR 5.16(20)(e).

(g) Toxics. All manufacturing, commercial, mining, or silvicultural dischargers must notify the Department as soon as they know or have reason to believe:

1. That any activity has occurred, or will occur, that would result in the discharge of any toxic pollutant listed in 314 CMR 3.17: *Appendix B - Toxic Pollutants* not limited by the permit, if that discharge will exceed the highest of the following notification levels:
 - a. 100 micrograms per liter (100 ug/l);
 - b. 200 micrograms per liter (200 ug/l) for acrolein and acrylonitrile, 500 micrograms per liter (500 ug/l) for 2,4-dinitrophenol, and for 2-methyl-4,6-dinitrophenol, and one milligram per liter (1 mg/l) for antimony;
 - c. Five times the maximum concentration value reported for that pollutant in the permit application; or
2. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

(h) Indirect Dischargers. All Publicly Owned Treatment Works shall provide adequate notice to the Department of the following:

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to § 301 or § 306 of the Federal Act, 33 U.S.C. § 1311 or 1316, if it were directly discharging those pollutants; and
2. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

(i) Information. Where a permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit the relevant facts or correct information.

(j) The permittee shall notify the Department in writing within seven days of any change in contract operators.

(21) Signatory Requirement. All applications, reports, or information submitted to the Department shall be signed and certified in accordance with 314 CMR 5.14 and 5.15.

(22) Severability. The provisions of the permit are severable. If any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

(23) Reopener Clause. The Department reserves the right to make appropriate revisions to the permit to establish any appropriate effluent limitations, schedules of compliance, or other provisions, as authorized by the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26 through 53, or the Federal Act, 33 U.S.C. § 1251 *et seq.*, to bring all discharges into compliance with these statutes.

(24) Approval of Treatment Works. All discharges and associated treatment works authorized in 314 CMR 5.00 shall remain in compliance with the terms and conditions of the permit. Any modification of the approved treatment works shall require written approval of the Department prior to the construction of the modification.

(25) Transfer of Permits.

(a) RCRA Facilities. Any permit which authorizes the operation of a RCRA facility subject to the requirements of 314 CMR 8.07: *Standards for all other RCRA Facilities* shall be valid only for the person to whom it is issued and may not be transferred.

(b) Transfers by Modification. Except as provided in 314 CMR 5.16(25)(a) and (c), a permit may be transferred by the permittee to a new permittee if the permit has been modified or revoked and reissued in accordance with 314 CMR 5.12(2), or a minor modification is made to identify the new permittee in accordance with 314 CMR 5.12(3) and (4).

(c) Automatic Transfers. For facilities other than Privately Owned Wastewater Treatment Facilities (PWTFs) that treat at least some sewage from residential uses, hospitals, nursing or personal care facilities, residential care facilities, or assisted living facilities, PWTFs that have been required to establish, fund and maintain financial assurance mechanism(s) pursuant to 314 CMR 5.15(6), and RCRA facilities subject to the requirements of 314 CMR 8.07: *Standards for all other RCRA Facilities*, a permit may be automatically transferred in accordance with 314 CMR 5.12(5).

(26) Permit Compliance Fees and Inspection Information. Except as otherwise provided, any permittee required to obtain a ground water discharge permit pursuant to M.G.L. c. 21, § 43, and 314 CMR 5.00 shall submit the annual compliance assurance fee established in accordance with M.G.L. c. 21A, § 18 and 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, as provided in 314 CMR 2.12: *Applications, Fees and Inspection Information*. The requirement to submit the annual compliance fee does not apply to any local government unit other than an authority. Any permittee required to obtain a ground water discharge permit pursuant to M.G.L. c. 21, § 43 and 314 CMR 5.00, may be required to submit inspection information annually, as provided in 314 CMR 2.12.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

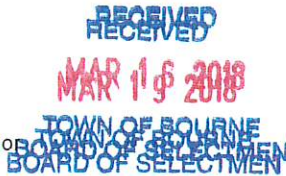
Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner



Groundwater Discharge Permit 974 - 0 Town of Bourne Buzzards Bay Wastewater Treatment Facility

Response to Comments

MassDEP issued a draft groundwater discharge permit (974-0) to the Town of Bourne (the “permittee”) for the Wastewater Treatment Facility (the “Facility”) on December 13, 2017. A public notice was published in the Environmental Monitor on January 10, 2018. MassDEP received comments on the draft permit from the Buzzards Bay Coalition (“BBC”). This document provides background on the permit and addresses the specific comments received.

After evaluating the comments received, MassDEP after consulting with the Permittee and BBC has made changes to the final Groundwater Discharge Permit, and will issue the permit as amended.

INTRODUCTION:

The Town of Bourne proposes to construct a wastewater treatment facility regulated under 314 CMR 5.00 that will accept up to 100,000 gallons per day of sewage from the community. The wastewater treatment facility will be located at Queen Sewell Park, Bourne.

RESPONSE TO COMMENTS RECEIVED

Comments from the Buzzards Bay Coalition:

Comment 1: The Town of Bourne should work with the town of Wareham to secure additional available capacity at the Wareham Pollution Control Facility as an alternative to constructing a new wastewater treatment facility.

MassDEP encourages such discussions, but it is ultimately up to the Town of Bourne to decide its best course of action.

Comment 2: Additional groundwater monitoring wells are needed to ensure the protection of Buttermilk Bay.

Based on discussions between the design engineer and MassDEP, two additional monitoring wells were added to the final permit.

P:\79\974 - 0 - Bourne - Buzzards Bay WWTF Response to Comments.docx

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Upper Cape Cod Regional Technical School

220 SANDWICH ROAD, BOURNE, MASSACHUSETTS 02532

www.uppercapetech.com

RECEIVED

MAR 22 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

Telephone: 508-759-7711

FAX: 508-759-7208

Dr. Robert A. Dutch
Superintendent

March 20, 2018

Mr. Tom Guerino
Town Administrator
Bourne Town Hall
24 Perry Ave.
Buzzards Bay, MA 02532

Dear Mr. Guerino:

Enclosed you will find the FY2017 Audited Financial Statements, FY2017 Report to School Committee and the Compliance Report for the End of Year Report FY2017.

If you have any questions, please feel free to contact me.

Very truly yours,



Robert A. Dutch, Ed.D.
Superintendent



Judge, Debbie

From: Guerino, Thomas
Sent: Friday, March 30, 2018 8:40 AM
To: Judge, Debbie
Subject: FOr Correspondence FW: Haven Center, Community host agreement
Attachments: HOST CA - Med and adult use Colocated - Bourne - v.1.-3.18.pdf

From: Chris Haven Center [mailto:chris.havencenter@gmail.com]
Sent: Friday, March 30, 2018 8:37 AM
To: Slade, George <gslade@townofbourne.com>
Cc: Froman, Judith <jfroman@townofbourne.com>; Meier, Peter <PMeier@townofbourne.com>; Pickard, Donald <DPickard@townofbourne.com>; Guerino, Thomas <TGuerino@townofbourne.com>
Subject: Haven Center, Community host agreement

Dear Chairman Slade,

Congratulations on Bourne's recent Special Town Meeting. Bringing this matter to voters was a courageous, forward-thinking action. The voters spoke clearly. They chose safe, regulated and taxed cannabis sales over the criminal black market that controls commerce today.

As you know, The Haven Center has recently decided to open an adult-use cannabis dispensing facility in Bourne to be co-located with our medical cannabis location. Serving the needs of medical cannabis patients has always been our focus and adult-use operations were not part of our original business plan. However, Massachusetts voters approved cannabis legalization in November 2016, many months after our appearance before the board. As the Special Town Meeting vote made clear, the people of Bourne approve of adult-use cannabis establishments. Legal adult-use sales will take cannabis out of the hands of the black market, improve public safety and return significant revenue to the town.

Our decision to convert a portion of our medical operation to adult use also recognizes that the Legislature granted existing medical license holders accreditation to be among the first to roll out adult use sales due to their vetted status, their experience and their advanced relationship with host communities. We are honored that the Legislature and regulators have placed PCR licensees at the vanguard of legal adult sales. This is an opportunity, and a responsibility, we feel should not be ignored. The Haven Center will operate in a responsible manner as a highly-qualified, fully-vetted group with deep experience in state licensing and regulatory compliance.

This process has been lengthy, rigorous and thorough — as it should be. We believe that organizations entrusted with growing and selling medical and adult-use cannabis should do so for the right reasons, have roots in the community and have proven themselves to be good citizens.

Please consider this letter a second formal request to execute the host community agreement. We are offering

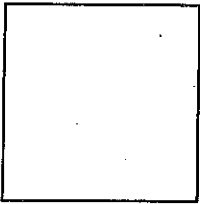
the three-percent gross sales maximum allowed by state law for adult use. In the spirit of good faith and good will, we are offering an additional three percent for our medical treatment center—which is not a state requirement. We do so to demonstrate continued commitment to our original medical mission and vision. Of course, our combined operation will also create more high paying jobs than originally anticipated , and we will prioritize the hiring of local residents.

As mentioned, The Haven Center received its PCR prior to July 2017 and thus enjoys grandfathered zoning status for its current Bourne location per state law. We trust the board is fully aware of this reality and we ask the board to recognize the will of Town Meeting voters. We look forward to fully resolving this in an expeditious manner and suggest that a next logical step would be to finalize the attached host community agreement at this time.

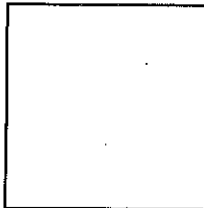
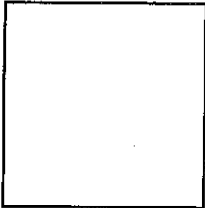
Please do not hesitate to contact me with any questions.

Thank you.

Best



Christopher Taloumis
CEO | The Haven Center Inc



CONFIDENTIAL -This message is protected by the Electronic Communications Privacy Act, 18 USCS § 2510 et seq., This message and any information contained in this communication including attachments, links to files and folders are strictly confidential are intended only for the person to whom it is addressed and is considered to contain proprietary and legally privileged information.

K

Marilyn A. Jackson

September 9, 2017

To: Thomas Guerini, Town Administrator
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532

COA Advisory Committee – Letter of Intent

For the past year I have been a COA van driver as part of the tax credit workout program. It's been a pleasure to meet several of our town's citizens and hear a bit about their lives in Bourne. I also find myself in the community center often as I enjoy some of the COA's recreation programs—Mah Jongg, Canasta, Yoga.

Recently I spoke with Felicita Monteiro, Director, about an opening on the COA Advisory Committee. I have read the responsibilities and functions and would welcome the opportunity to serve/contribute to that Committee.

I have been a home owner and resident of Bourne for the past ten years. Prior to retiring, I was on the senior management team as Director of Development and Marketing for a non-profit hospice. In that capacity I served on several community boards and committees, and I am experienced in working with many volunteers.

Thank you for your consideration,

Marilyn A. Jackson

Mailing address:

Cc: Board of Selectmen

Felicita Monteiro, Director

Message:

The Town of Bourne Committee Vacancies list was brought to our attention

S-A-C

yesterday and we (my Wife and I) would like to inquire if the ones we are potentially interested in are filled by appointment or election.

Although we have been property owners in Bourne since 2005, this past summer we moved here full time and it is now our permanent residence. We both have post graduate degrees. My wife, Kathleen, was a clinical social worker and has graduate training in Social Work and Family Therapy. I have two post baccalaureate degrees in business. We have both enjoyed 40+ years of employment, though we are now primarily retired. Since moving here my wife has started a couple of activities associated with the Bourne Newcomers & Neighborhood organization (a knitting group and a book club). I have done some volunteer mentoring for a National Science Foundation initiative on entrepreneurship. See www.linkedin.com/in/carl-georgeson-90513 for my profile.

After reading the Town's 2017 Annual Report, we are specifically interested in the Bourne Cultural Council, the Education/Scholarship Committee and/or the Historic Commission. While we would each like to serve, we will not serve on the same committee.

We look forward to learning what are the next steps to serving on one or more of these organizations.

Sincerely
Carl & Kathleen Georgeson

SAC

Rebello, Mary

From: Sundman, Nancy
Sent: Wednesday, March 21, 2018 1:01 PM
To: Rebello, Mary
Subject: FW: Bourne Education Scholarship Committee
Attachments: ltr to join committee.3.20.18.doc

Nancy J. Sundman
Executive Assistant
Town of Bourne
508.759.0600, ext. 1503

From: Parker, Patti [mailto:pparker@bourneps.org]
Sent: Tuesday, March 20, 2018 4:06 PM
To: Sundman, Nancy <NSundman@townofbourne.com>
Subject: Bourne Education Scholarship Committee

Hi Nancy-
Attached please find a letter requesting that I be appointed to the Town of Bourne Education/Scholarship Committee. Please let me know if you need any further information.
Thank you for your help.
Patti Parker

--
Patti Parker
Nye Grant Coordinator

75 Red Brook Harbor Rd.
PO Box 512
Cataumet, MA 02534
March 20, 2018

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

To Whom It May Concern:

I am writing to express my interest in serving again on the Town of Bourne Education/Scholarship Committee. I have served on the committee since its inception, but when I received a notice last year asking if I wanted to continue, I neglected to respond and notify you that I would stay involved. I believe that my past experience on the committee, along with my continuing interest in supporting the education community enable me to me a productive member of the Town of Bourne Education/Scholarship Committee. Since the council is quickly approaching their busy season of reviewing grants, I would like to join in their efforts as soon as possible. I hope that you will consider me as a candidate.

Thank you for your assistance.

Sincerely,

Patricia Parker



**Town of Bourne
Interdepartmental Advisory Form**



5D

Start Date:	3/21/2018
Owner/Applicant:	Saade Pocasset Enterprises, LLC d/b/a Pocasset Service Station Joseph Saade, Manager
Project Location:	372 Barlows Landing Road, Pocasset, MA 02559
Nature of Request:	Class II Auto Dealers License
Liability Insurance Naming Town of Bourne as Additional Insured	Has applicant provided insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No

Map:	43.1	Parcel:	241.00	District:	
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Engineering:

Date of Recording:		Lot Area:	10890sf	Frontage:		Zone:	X
Resource District:	No	Town Road:	Yes	Paved:	Yes	Contiguous Lots:	No
Flood Zone:	X	Within 100' of Wetland:	No				

**Owner:
Remarks:**

3/28/2018 Timothy P. Lydon
Date Department Head

Planning Department: **Concurs** **Does Not Concur**

Remarks: Plan needs to show the Handicap Space.

3/29/2018 Coreen Moore/ag
Date Town Planner

Planning Board: **Concurs** **Does Not Concur**

Remarks:

3/29/2018 Elmer Clegg/ag
Date Board Member

Conservation Commission: **Must File** **Determination** **Notice of Intent**

Need not File

Remarks:

3/30/2018

Samuel Haines/tl

Date

Conservation Agent

Board of Health: Concur Does Not Concur

Remarks:

3/29/2018

Terri Guarino/ag

Date

Health Agent

Building Inspector: Concur Does Not Concur

Remarks:

3/29/2018

Roger Laporte/ag

Date

Building Inspector

Sewer Commissioners: Concur Does Not Concur

Remarks: na

3/23/2018

George M. Sala mr

Date

Department Head

Town Collector: Outstanding Taxes Taxes Paid In Full

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

Remarks:

3/21/2018

A Dastous

Date

Town Collector

Town Clerk:
If not corporation has business certificate been issued? Yes No

Remarks: Needs to file - Previous DBA EXPIRED in 2017 and they did not renew...IN PROCESS

3/21/2018

wjc

Date

Clerk's Office

Assessors:

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

Remarks:

3/21/2018

Karen Trudeau

Date

Assessors Office

Department of Public Works: Approved Disapproved Not Under DPW Jurisdiction

Remarks:

3/23/2018

George M. Sala mr

Date

Department Head

Department of Natural Resources: Approved Disapproved Not Under DNR Jurisdiction

Remarks:

3/29/2018

Tim Mullen

Date

Department Head

Police Department: Concurs Does Not Concur

Remarks: Entire operation must be contained on property.

3/21/2018

Chief Dennis R. Woodside

Date

Department Head

Fire Department: Concurs Does Not Concur

Remarks:

3/23/2018

Chief Sylvester

Date

Department Head

Board of Selectmen: Concurs Does Not Concur

Remarks:

Date

Chairman



JENNIFER COPELAND
ASSISTANT TOWN PLANNER

TOWN OF BOURNE
Office of the Town Planner

TOWN HALL 24 PERRY AVE.

BUZZARDS BAY, MA 02532

PHONE: 508-759-0600 ext. #1347 • FAX: 508-759-0611

Email: jcopeland@townofbourne.com



RECEIVED

MAR 20 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

M E M O R A N D U M

To: Saade Pocasset Enterprises, LLC
Cc: Nancy Sundman, Executive Assistant
From: Jennifer Copeland, Assistant Town Planner
Date: March 20, 2018
Subject: 372 Barlows Landing Road - Used Car Display

The Planning Office has reviewed the used car display plan submitted on March 20, 2018 for 372 Barlows Landing Road. The property currently operates as a gas station with an existing 1,728 square foot building and 11 parking spaces. The proposal is to utilize three of the existing spaces on the southwest side of the property as a used car display. There are no proposed building or parking space alterations on the site and no additional signage. Therefore, Site Plan Review- Special Permit is not required.

14 OF February 2018

**APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF**

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a _____ class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Pocasset Service station

(3 vehicles)

Business address of concern. No. 372 Barlows Landing Rd St.,
Pocasset MA 02559 City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? _____

SAADÉ Pocasset Enterprises LLC

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President JOE SAADÉ

Secretary _____

Treasurer _____

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? No

If so, is your principal business the sale of new motor vehicles? No

Is your principal business the buying and selling of second hand motor vehicles? Yes

Is your principal business that of a motor vehicle junk dealer? No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

Pocasset service station

372 Barlows station Rd Pocasset MA 0275901

8. Are you a recognized agent of a motor vehicle manufacturer? No

(Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? No

(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? Me

(Yes or No)

If so, in what city — town

Did you receive a license?

(Yes or No)

For what year?

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? No

(Yes or No)

Sign your name in full

JOSEPH SAADE

(Duly authorized to represent the concern herein mentioned)

Residence

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

License No. _____ granted _____ Fee \$ _____

Signed _____

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

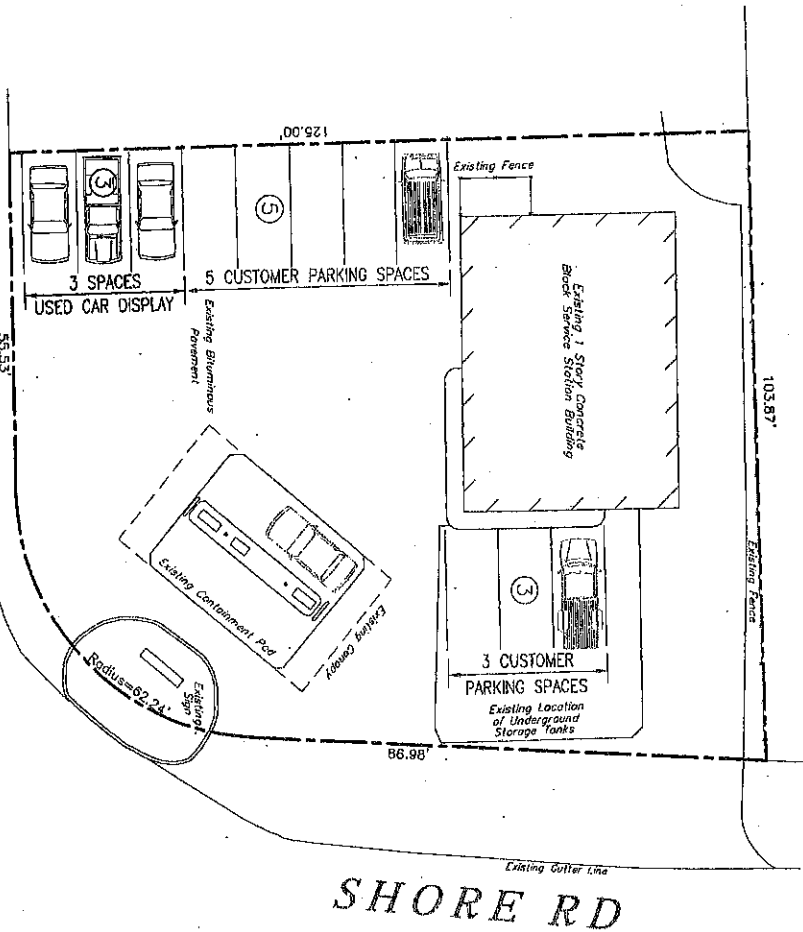
Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which will expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100. dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

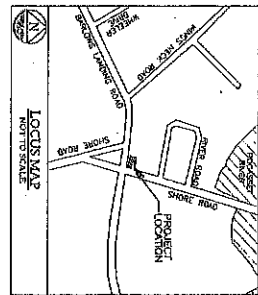


1"=20' SCALE IN FEET

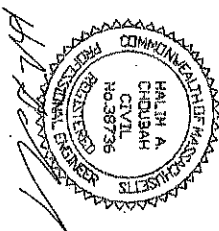
BARLOWS LANDING RD



SHORE RD



SYMBOL	DESCRIPTION
EP	PROPOSED LINE
---	DIST. EDGE OF PAVEMENT
---	EXIST. SIDE
---	EXISTING TRUCK LANE
---	EXISTING CHAIN LINK FENCE
---	NUMBER OF PARKING SPACES
⊙	EXISTING LIGHT POLE



- SIDE NOTES**
1. THERE WILL BE NO CHANGE IN GRADE FROM PROPOSED MODIFICATIONS SHOWN ON SITE PLAN.
 2. THERE WILL BE NO INCREASE IN RUNOFF OR IMPERVIOUS AREAS WITH PROPOSED MODIFICATIONS SHOWN ON SITE PLAN.
 3. THE SITE IS ALREADY DEVELOPED WITH AN EXISTING 1,728 SQUARE FOOT BUILDING AND APPROXIMATELY 9,162 SQUARE FEET OF PAVED PARKING AREAS.
 4. THESE PLANS ARE ASSOCIATED WITH THE ESTABLISHMENT OF A USED CAR SALES LICENSE LOCATED AT 372 BARLOWS LANDING ROAD.

Prepared For: JOE SMARÉ
 372 BARLOWS LANDING RD
 FOCUSSETT, MA

Project: PROPOSED MODIFICATIONS AT 372 BARLOWS LANDING RD, FOCUSSETT, MA

112 STATE ROAD ROUTE 01,
 NO. DUNSTON OAK MA 02849
 TEL: (408) 863-3300 FAX: (408) 488-8841
 www.hudnallgroup.com

Project Number: 14417
 Scale: AS SHOWN
 Designed By: HC
 Drawn By: CMS
 Checked By: HC
 Since: TBC

Issue Date: 03/01/2018
 No. Date: Revisions
 Description:

SHEET NUMBER 1 OF 1



**Town of Bourne
Interdepartmental Advisory Form**



SE

Start Date:	3/16/2018
Owner/Applicant:	4th of July Parade Jennifer Kennedy
Project Location:	Academy Drive and Main Street
Nature of Request:	<p>Annual Bourne on the Fourth of July Parade July 4, 2018 - 9:00 A.M. to 12:00 P.M. The Parade will begin at 10:00 a.m. and be approximately 90 minutes in length Start at Academy Drive and Main, proceed down Main Street and finish at the Bourne Veterans' Memorial Community Building parking lot.</p> <ol style="list-style-type: none"> 1. Use of town hall parking lot exclusively for parade participants, volunteers & town employees. 2. Permission to close Main Street from Perry Avenue to Academy Drive on July 4th from 9:45 to end of parade. 3. Permission to enforce a parking ban on Main Street from Perry Avenue to Academy Drive on July 4th from 9:45 until the end of parade. 4. Permission to enforce a parking ban for all of Perry Ave and Everett Rd from Perry Ave to the Town Hall's Everett Road exit. 5. Permission to enforce a parking ban for Cohasset Avenue starting at 9:45 with parking and travel restrictions beginning at 9:00 a.m. 6. Permission to hang banner over Main Street to be displayed approximately two weeks prior to the parade. 7. Insurance coverage from the Town for parade day. 8. Permission to place signs on the Main Street and Pocasset. Also, tent signs at various locations the week of the parade.
Liability Insurance Naming Town of Bourne as Additional Insured	Has applicant provided insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No

Map:		Parcel:		District:	
-------------	--	----------------	--	------------------	--

Engineering:

Date of Recording:		Lot Area:		Frontage:		Zone:	
Resource District:		Town Road:		Paved:		Contiguous Lots:	
Flood Zone:		Within 100' of Wetland:					

**Owner:
Remarks:**

3/30/2018 Timothy P Lydon
Date Department Head

Planning Department: **Concurs** **Does Not Concur**

Remarks:

3/16/2018 Coreen Moore/ag
Date Town Planner

Date

Town Collector

Town Clerk:

If not corporation has business certificate been issued? Yes No

Remarks: NA

3/21/2018

WJC

Date

Clerk's Office

Assessors:

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

Remarks: N/A

3/16/2018

Karen Trudeau

Date

Assessors Office

Department of Public Works: Approved Disapproved Not Under DPW Jurisdiction

Remarks: Please call George Sala [508.759.0600 X3225 or 508.326.1050] regarding trash

3/19/2018

George M. Sala [mr]

Date

Department Head

Department of Natural Resources: Approved Disapproved Not Under DNR Jurisdiction

Remarks:

3/16/2018

Tim Mullen

Date

Department Head

Police Department: Concur Does Not Concur

Remarks: Same as years past. PD will staff as we deem appropriate. PD will not post signs. Any and all signs must be removed and returned immediately after the parade. PD controls all street closures and when they will occur. Event Organizer must schedule an appointment with the Police Administration at least THREE weeks prior to event for final plan review.

3/20/2018

Chief Dennis R. Woodside

Date

Department Head

Fire Department: Concur Does Not Concur

Remarks:

3/20/2018

Chief Sylvester

Date

Department Head

Board of Selectmen:

Concur

Does Not Concur

Remarks:

Date

Chairman

RECEIVED

MAR 15 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

March 14, 2018

Mr. Tom Guerino
town Administrator
Town of Bourne

Dear Mr. Guerino,

I am writing to seek approval to organize and hold the 11th annual Bourne on the 4th of July Parade.

If approved, the parade will be held on Wednesday July 4th, 2018. The parade will begin at 10:00am and be approximately 90 minutes in length. It will follow the same route as last year.

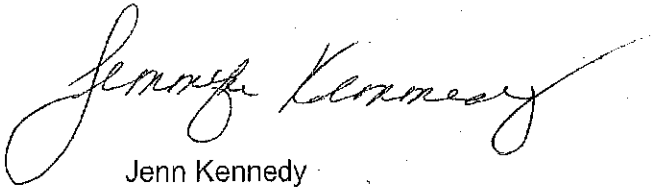
We would like approval from the town for the following items:

- Use of town hall parking lot exclusively for parade participants, volunteers and town employees.
- Permission to close Main Street from Perry Ave to Academy Drive on July 4th from 9:45 until the end of the parade.
- Permission to enforce a parking ban on Main Street from Perry Ave to Academy Drive on July 4th from 9:45 until the end of the parade.
- Permission to enforce a parking ban for all of Perry Ave and Everett Road from Perry Ave to the Town Hall's Everett Road exit.
- Permission to enforce a parking ban for Cohasset Ave starting at 9:45 with parking/travel restrictions beginning at 9am.
- Permission to hang a banner over Main Street to be displayed approximately two weeks prior to parade.
- Insurance coverage from the town for parade day.

We are looking forward to celebrating the 11th annual 4th of July Parade. It is such a great celebration for our country and our great town.

If you have any questions, please feel free to contact me at

Thank you,



Jenn Kennedy



**Town of Bourne
Interdepartmental Advisory Form**



SF

Start Date:	3/9/2018
Owner/Applicant:	Bourne Community Boating, Inc. Phinney's Harbor Day Fundraiser - Annual Event
Project Location:	Monument Beach and Monument Beach Marina [town ramp side] Emmons Road, Monument Beach [beach area, grass area, main dock and parking lot]
Nature of Request:	<p>Saturday - July 7, 2018 7:30 a.m. to 6:00 p.m. includes setup and takedown Annual Phinney's Harbor Day A family-oriented, community based event to celebrate our beautiful coastline while raising scholarship funds for the children of Bourne enrolled in the Bourne Community Boating Sailing School *5 K Road Race 8:30 AM - 10:30 AM [approx.: 200] *Raffles and Silent Auction *Entertainment License: Local Bands Will play from 1:00 p.m. to 5:00 p.m. playing on the beach/paved area. *Application for a Special One-Day License for Beer & Wine 1:00 p.m.-5:00 p.m. Approximately 300 people; use of the town parking lot. Will provide a designated area for consumption of beer & wine to be served in plastic cups adjacent to the tented food area. ID's will be checked before entering and bracelets will be worn one ID is approved. Food for sale from Gray Gables Market. The area will be fenced in with only 1 point of manned egress. A layout plan of facilities and fixtures, site plan and outside façade is available at the Town Administrator's Office.</p>
Liability Insurance Naming Town of Bourne as Additional Insured	Has applicant provided insurance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Map:	34.0	Parcel:	53.00	District:	
-------------	------	----------------	-------	------------------	--

Engineering:

Date of Recording:		Lot Area:	6.7	Frontage:	+500'	Zone:	R40
Resource District:	No	Town Road:	Yes	Paved:	Yes	Contiguous Lots:	No
Flood Zone:	VE 18'	Within 100' of Wetland:	Yes				

**Owner:
Remarks:**

3/28//18

Date Department Head

Planning Department: **Concurs** **Does Not Concur**

Remarks:

3/9/2018

Coreen Moore/ag

Date Town Planner

Town Clerk:

If not corporation has business certificate been issued? Yes No

Remarks: na

3/21/2018

wjc

Date

Clerk's Office

Assessors:

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

Remarks: N/A

3/12/2018

Karen Trudeau

Date

Assessors Office

Department of Public Works: Approved Disapproved Not Under DPW Jurisdiction

Remarks:

3/19/2018

George M. Sala [mr]

Date

Department Head

Department of Natural Resources: Approved Disapproved Not Under DNR Jurisdiction

Remarks: Concur with Chief Woodside. Will parking permits be waived or will there be a designated parking location for vehicles without permits?

3/21/2018

Tim Mullen

Date

Department Head

Police Department: Concur Does Not Concur

Remarks: Detail officers required as in years past. Parking lot must be maintained for emergency vehicle access at all times, including the boat ramps. Parking must be orderly and in marked spots only. Event organizer must contact and schedule an appointment with the Police Administration at least THREE weeks prior to event date to review road race plan and this event.

3/20/2018

Chief Dennis R. Woodside

Date

Department Head

Fire Department: Concur Does Not Concur

Remarks:

3/20/2018

Chief Sylvester

03/29/18 10:06 AM

P:\Routing Slips\Phinney's Harbor Day-Eng.docx

Date

Department Head

Board of Selectmen: **Concurs** **Does Not Concur**

Remarks:

Date

Chairman

Cori-OK

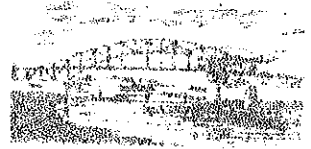


TOWN OF BOURNE

Board of Selectmen

24 Perry Avenue - Room 110
Bourne, MA 02532-3196
www.townofbourne.com

Phone: 508-759-8000 (503)
Fax: 508-752-4020



APPLICATION FOR THE USE OF TOWN PROPERTY

Individual/Organization Bourne Community Boating

Address (mailing) PO Box 3157 Bourne MA 02532

Home/Business Address _____

Home Telephone # _____

Business Telephone # 508-752-4020

Contact Person AMIG

Email address: amig@bcboating.com

(we) request the use of the following town owned property:

Name: Monument Beach between fixed pier and boat launch ramp

Location: Emmons Rd, Monument Beach

**** Please use attached map to show area to be used ****

Purpose: ***** Phinney's Harbor Day fundraiser for Bourne Community Boating Scholarship Fund.
To include: tent, food for sale, boat rides, music, beer and wine sales.

**** Please indicate if a tent will be used in front served/available or none ****

Date(s): Saturday July 7 2018

Time(s)
From: 5K 7:00am arrive, 8:30 event start (time first person will arrive)

To: 5K 10am event end, 10:30 cleanup end (time last person will leave)

From: Beach party 11:00 set up, 1pm Event Start (time first person will arrive)

To: Beach party 5pm event end, 6pm cleanup end (time last person will leave)

Copy of liability insurance with town name/insured must be provided insured
(PLEASE COMPLETE THE REVERSE SIDE OF THIS FORM)

I/we agree to pay the Town of Bourne a fee, if required, for use of such facilities.

Estimated Amount: 300

Will the affair be public? Yes No

Will admission be charged? Yes No

Signed Amy Wright

Identification Presented _____

HOLD HARMLESS AGREEMENT

It is agreed by Bourne Community Boating
Hereinafter called the Organization, that the Town of Bourne be absolved of any and all liability brought about by actions of the participants and/or patrons of the organization while using the facilities of the Town of Bourne for the purpose of

Phinney's Harbor Dday

It is further agreed that the Organization accepts responsibility for any and all damages caused by the participants and/or patrons of the Organization that are determined to be above and beyond what is considered normal wear and tear of the facilities.

Signature of Organization Amy Wright

Printed Name Amy Wright

Title Executive Director Dated 3/8/18

FOR TOWN ADMINISTRATOR'S USE ONLY

Estimated Facility Costs _____

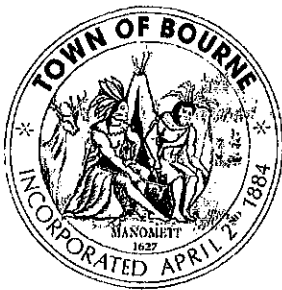
Total Estimated Costs _____

APPROVED _____ NOT APPROVED _____

Town Administrator

Thomas M. Gustin
Town Administrator

Approval is contingent upon your acceptance of the estimated costs as listed above. If for any reason, you no longer wish to use our facility, please contact us immediately.



TOWN OF BOURNE
 Town Offices
 24 Perry Avenue
 Buzzards Bay, MA 02534
 (508-759-0600 x503) Phone
 (508) 759-0620) Fax

SPECIAL ONE-DAY LICENSE APPLICATION

FEE _____

The undersigned hereby applies for a Special One-Day License in accordance with the provisions of the Statutes relating thereto:

PREMISES TO BE LICENSED: Phinneys Harbor Day

NAME: ~~Bonnie~~ Amy Gault

COMPANY: Bourne Community Boats

ADDRESS: _____

TELEPHONE: _____

EMAIL: amy @ bournecommunityboats.org

DATE(S) OF EVENT: July 7 2018

HOURS OF OPERATION: Beer Tent: Open 1pm-5pm

DESCRIPTION OF EVENT - include floor plan with estimated number of guests and plans for parking:
PHD is a fundraiser to support the PCB Scholarship Fund. Total estimated guests = 500. Plans for party attached.

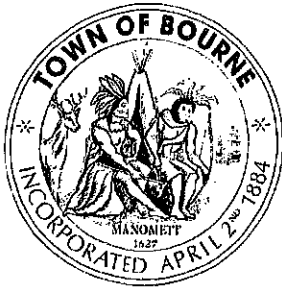
License is for the Sale of:
 All Alcoholic Beverages _____
 Wine & Malt Beverages Only
 Wine Only _____
 Malt Beverages Only _____

The Licensed Activity
 or Enterprise is:
 for profit _____
 non profit

- Yes, I have contacted the Fire Chief or the Building Inspector to begin the process of obtaining a "304 Certificate of Inspection", if it is determined that one is necessary.
- Yes, I have obtained a one-day \$1 million liability insurance policy naming the Town of Bourne as an additional insured

FOR OFFICE USE ONLY -

Board of Selectmen



TOWN OF BOURNE
Town Offices
24 Perry Avenue
Buzzards Bay, MA 02534
(508-759-0600 x503) Phone
(508) 759-0620) Fax

TOWN OF BOURNE
LIABILITY DISCLAIMER
FOR SPECIAL ONE-DAY LICENSE

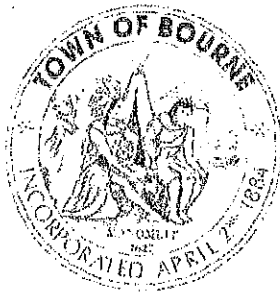
By exercising the privileges of this Special One-Day License in serving persons with alcoholic beverages, the Licensee is potentially exposed to significant liability for injuries and damages to the persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this Special One-Day License will be deemed to be acknowledgment that you are aware of this potential liability.

You are encouraged to discuss the risks associated with exercising your privileges of this Special One-Day License and the appropriate precautions to avoid injuries, damage and liability to others with your legal advisor.

The Town of Bourne and the Board of Selectmen acting as the Local License Authority shall not be liable to the Licensee or to others if injury or damage shall result from the exercise of this Special One-Day License.

Signature of Applicant

Date



TO THE LICENSING AUTHORITIES OF THE TOWN OF BOURNE:

The Undersigned hereby makes application for an ENTERTAINMENT LICENSE.

Location: Phinney's Harbor Day Fundraiser at Monument Beach

D/B/A: Bourne Community Boating

Date: Saturday July 7 2018

We/I hereby agree to conform in all respects to the conditions governing such license as printed in the Bylaws of the Town, and such other rules and regulations as the Selectmen may establish.

With the signing of this application the applicant acknowledges that:

- (a) It is understood that the Board is not required to grant the license;
- (b) In event of a proposed sale of a business requiring a *Entertainment License*, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Board of Selectmen a thirty-day notice of his intention to sell same before such application will be acted upon by the Selectmen;
- (c) That the license is subject to revocation if the holder of the license does not comply with state law, town bylaws or the Rules and Regulations of the Board.

Signature Name: _____

Signature Name: _____

Business Address: _____

Phone: (Home) _____

(Business) _____

NOTE:

- (a) If a corporation, state full names and addresses of principal officers;
- (b) If a co-partnership, information must be provided on each partner; if a corporation information must be provided on corporate officer making application.

Name: _____

Address: _____

Description of Applicant

Born in U.S. Yes No _____

Born Where: _____

Date of Naturalization: _____

Male or Female: Male Female

Photo (1 inch x 1 inch)

Name: _____

Address: _____

Description of Applicant

Born in U.S. Yes _____ No _____

Born Where: _____

Date of Naturalization: _____

Male or Female: _____

Photo (1 inch x 1 inch)

The Establishment shall operate as: Non Profit 501c3

- () Sole ownership
- () Limited Liability Corporation
- () Partnership - Total Number of Partners _____
- () Corporation based in _____

Corporate information required:

President: _____

Secretary: _____

Treasurer: _____

(Name)

(Address)

INFORMATION RELATIVE TO APPLICANT

Type of Entertainment to be Licensed: (please be specific) Phinneys Harbor Day fundraiser with live music, beer and wine tent, food for sale from gray gables market, free boat rides and trials at monument beach south of the fixed pier

Is the property owned by you? Yes _____ No X town of bourne property

Tenant at Will

Lease _____ Years _____

Hours of Operation: Setup start at 7:30am, 5K start at 8:30, beach party start at 1pm, end at 5pm, cleanup till 6.

Floor Space _____ Sq. Ft. Seating capacity (if any) _____

Parking capacity (if any) _____ Number of Employees _____

Seven (7) copies of the following items must be submitted with the application:

1. Layout plan of facility and fixtures Date received attached
2. Site Plan Date received _____
3. Outside Facade and Sign Plan Date received _____

If the facilities are not yet completed, provide estimated cost of work to be done:

\$ _____ Date received _____

Applicant's Resume Including References

FOR OFFICE USE ONLY

Scheduled hearing when application will be presented to Board of Selectmen for Processing

Date _____ Time _____

Board Action: Approved for processing Yes No Date _____

If approved for processing Department reports are due _____ for action at the _____ meeting of the Board of Selectmen.

Board Action: Approved: Yes No Date _____ License # _____

Rebello, Mary

From: Mary Rebello <MRebello@townofbourne.com>
Sent: Friday, March 9, 2018 1:30 PM
To: Rebello, Mary
Subject: Re: 2018 Event

Couple of little edits in bold, below. sorry if I wasn't clear on the applications for the 5K part! -Amy

Saturday - July 7, 2018

7:30 a.m. to 6:00 p.m. includes setup and takedown

Annual Phinney's Harbor Day

A family-oriented, community based event to celebrate our beautiful coastline while raising scholarship funds for the children of Bourne enrolled in the Bourne Community Boating Sailing School

*5 K Road Race **8:30 AM - 10:30 AM** [approx.: **200**]

*Raffles and Silent Auction

*Entertainment License: Local Bands

Will play from 1:00 p.m. to 5:00 p.m. playing on the beach/paved area.

*Application for a Special One-Day License for Beer & Wine 1:00 p.m.-5:00 p.m.

Approximately 300 people; use of the town parking lot. Will provide a designated area for consumption of beer & wine to be served in plastic cups adjacent to the tented food area. ID's will be checked before entering and bracelets will be worn one ID is approved. Food for sale from Gray Gables Market.

The area will be fenced in with only 1 point of manned egress.

A layout plan of facilities and fixtures, site plan and outside façade is available at the Town Administrator's Office.

On Fri, Mar 9, 2018 at 1:21 PM, Rebello, Mary <MRebello@townofbourne.com> wrote:

Hi Amy...

Please check the following description for your event for accuracy and let me know if correct.

Saturday - July 7, 2018

7:30 a.m. to 6:00 p.m. includes setup and takedown

Annual Phinney's Harbor Day

A family-oriented, community based event to celebrate our beautiful coastline while raising scholarship funds for the children of Bourne enrolled in the Bourne Community Boating Sailing School

*5 K Road Race 7:00 AM - 10:30 AM [approx.: 300]

*Raffles and Silent Auction

*Entertainment License: Local Bands

Will play from 1:00 p.m. to 5:00 p.m. playing on the beach/paved area.

*Application for a Special One-Day License for Beer & Wine 1:00 p.m.-5:00 p.m.

Approximately 300 people; use of the town parking lot. Will provide a designated area for consumption of beer & wine to be served in plastic cups adjacent to the tented food area. ID's will be checked before entering and bracelets will be worn one ID is approved. Food for sale from Gray Gables Market.

The area will be fenced in with only 1 point of manned egress.

A layout plan of facilities and fixtures, site plan and outside façade is available at the Town

Administrator's Office.

Thanks

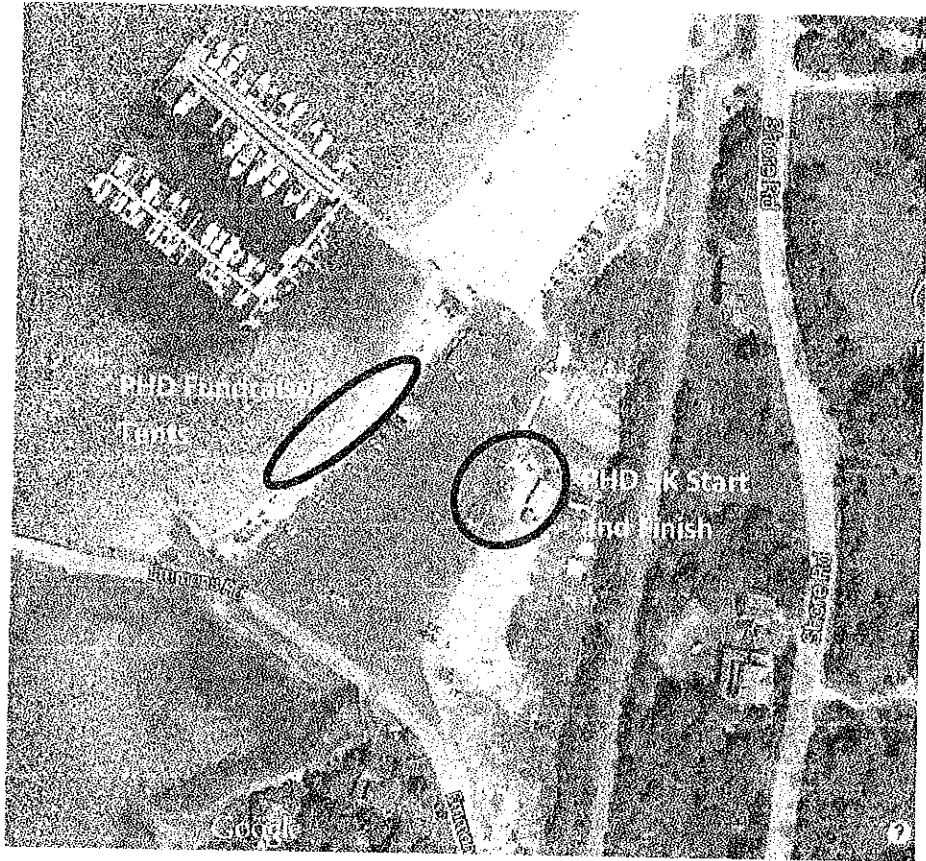
Mary

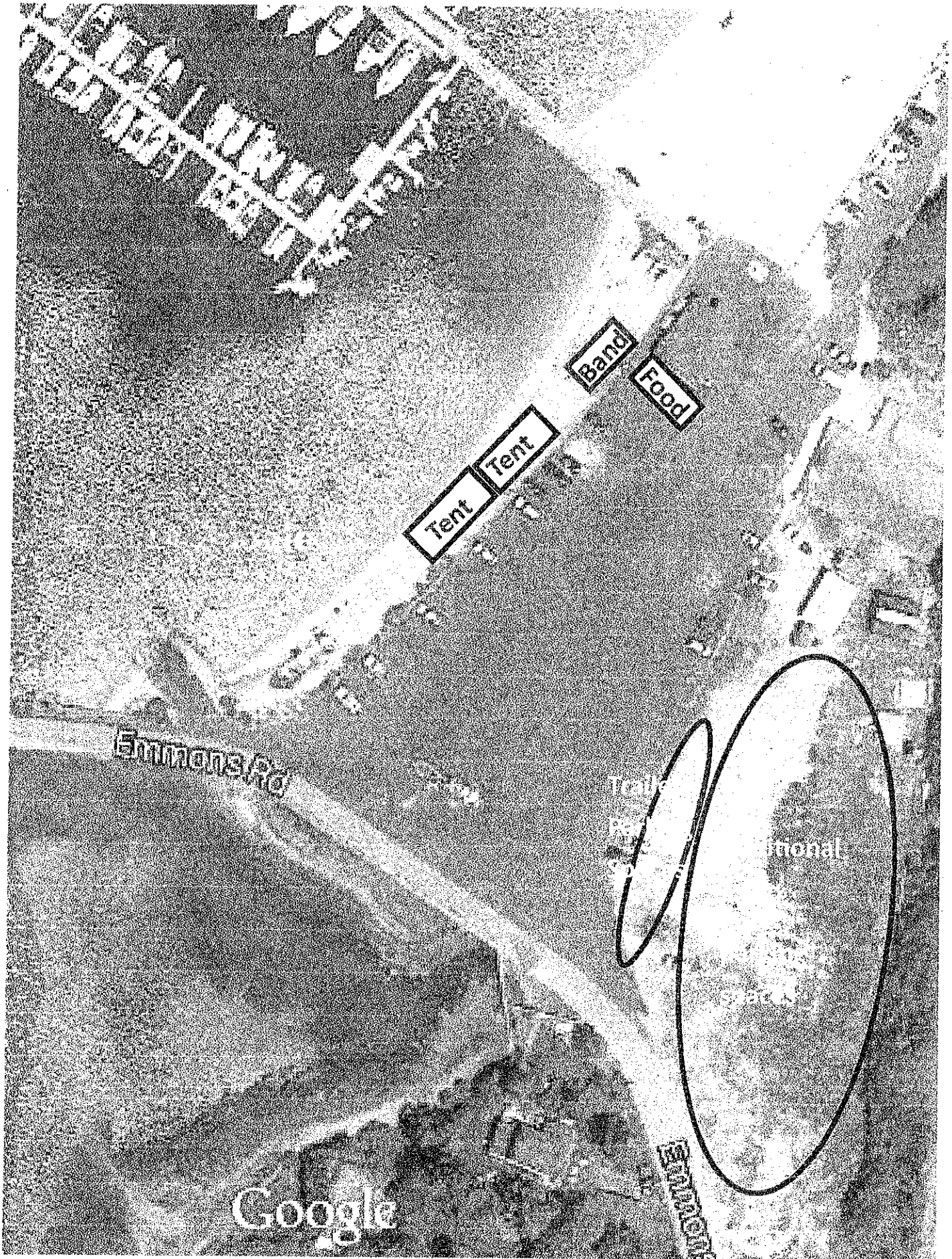
Mary Rebello

mrebello@townofbourne.com

508.759.0600 x1503

508.759.8026 - fax





Tent Tent

Band Food

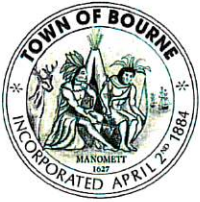
Emmons Rd

Google

Circle 1

Circle 2

Emmons Rd



TOWN OF BOURNE
Treasurer's Office
 24 Perry Avenue
 Buzzards Bay, MA 02532-3441
 www.townofbourne.com



Karen E. Girouard, Treasurer/Collector
 Jean A. Garvey, Asst. Treasurer/Asst. Collector

OFFICE: (508) 759-0600 Ext. 1506
 FAX: (508) 759-8026

Board of Selectmen

General Obligation Bond Signing

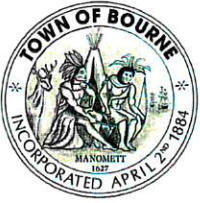
On March 28, 2018 the Town of Bourne sold \$10,000,000.00 in General Obligation Bonds for the new Peebles School Project. This authorization was voted at the October 17, 2016 Special Town Meeting and December 6, 2016 ballot election.

The Town received 7 competitive bids on the March 28, 2018 sale and the notes were awarded to Janney Montgomery Scott, LLC. After reviewing our policies and financial data during our conference call, Standard & Poor's reaffirmed our AA+/Stable. The following is a summary of the results of the sale:

Bidder	TIC
Janney Montgomery Scott LLC	2.968253% ***
JP Morgan Securities	2.996040%
Morgan Stanley & Co., LLC	3.007512%
UBS Financial Services, Inc	3.011849%
Robert W Baird & Co, Inc	3.042922%
Bank of America Merrill Lynch	3.052142%
FTN Financial Capital Markets	3.107611%

*****Includes a \$603,340.00 Premium that will be used to offset total borrowing for the Peebles School Project**

Karen Girouard, Treasurer/Collector



TOWN OF BOURNE
Treasurer's Office
24 Perry Avenue
Buzzards Bay, MA 02532-3441
www.townofbourne.com



Karen E. Girouard, Treasurer/Collector
Jean A. Garvey Asst. Treasurer/Asst. Collector

OFFICE: (508) 759-0600 Ext. 1506
FAX: (508) 759-8026

Board of Selectmen

Bond Anticipation Note Signing

You will be signing documents for a BAN note sale. On March 28, 2018 the Town of Bourne sold \$2,471,053.00 Series A Bond Anticipation Notes and \$1,350,000.00 in Series B Bond Anticipation Notes. These authorizations were voted at the October 17, 2016 Special Town Meeting and the May 1, 2017 Annual Town Meeting.

The Town received 3 competitive bids for the Series A BAN and 2 competitive bids for the Series B BAN. Both notes were awarded to Eastern Bank. Standard & Poor's reaffirmed the Town's AA+/Stable rating for this sale. The following is a summary of the results of the sale:

Series A BAN

Bidder	Rate	PREMIUM	NIC
Eastern	3.00%	\$18,450.90	1.738%
TD Securities	3.00%	\$17,816.29	1.781%
Jefferies	3.00%	\$17,717.45	1.788%

Series B BAN

Bidder	Rate	PREMIUM	NIC
Eastern	3.00%	\$16,038.00	1.812%
TD Securities	3.25%	\$17,199.00	1.976%

Karen Girouard, Treasurer/Collector

PART I
THE NOTES

DESCRIPTION OF THE NOTES

The Notes will be dated April 12, 2018. The Series A Notes mature on November 15, 2018 and the Series B Notes mature on April 12, 2019, with interest at the rate or rates determined upon their sale payable at maturity. The Notes will be issued in book-entry form in principal amounts of \$1,000 or integral multiples thereof, with one denomination of \$1,053 of the Series A Notes maturing November 15, 2018, with transfer of the Notes on the records of The Depository Trust Company and its participants. Interest on the Series A Notes will be payable at maturity and will be computed on the basis of 30 day months and a 360 day year (213/360) and the Series B Notes will be payable at maturity and will be computed on the basis of 30 day months and a 360 day year (360/360). The Notes will be issued without the option of prior redemption. Both principal and interest will be payable to DTC by U.S. Bank National Association, Boston, Massachusetts, or its successor, as Paying Agent.

AUTHORIZATION AND USE OF PROCEEDS-SERIES A

The Series A Notes consist of the following amounts and authorizations:

<u>Amount</u>	<u>Purpose</u>	<u>Statutory Authorization</u>	<u>Vote Date</u>
\$ 555,000	Buzzards Bay Park	MGL, Ch. 44, s. 7(1)	05/01/17
335,000	Wastewater Planning	MGL, Ch. 44, s. 7(7)	05/01/17
288,000	DPW Equipment	MGL, Ch. 44, s. 7(1)	05/01/17
260,000	Packer Truck	MGL, Ch. 44, s. 7(1)	05/01/17
240,000	Road Repair-Elgin Road	MGL, Ch. 44, s. 7(5)	05/01/17
49,000	Private Road Repair-Laura Lane	MGL, Ch. 44, s. 7(1)	10/17/16
75,000	Road Repair-Nairn Road	MGL, Ch. 44, s. 7(5)	05/01/17
210,000	Voice-over IP System	MGL, Ch. 44, s. 7(1)	05/01/17
150,000	School-Asbestos Abatement	MGL, Ch. 44, s. 7(1)	05/01/17
134,053	Police Cruisers	MGL, Ch. 44, s. 7(1)	05/01/17
75,000	Community Building Security	MGL, Ch. 44, s. 7(1)	05/01/17
62,000	School-SPED Bus	MGL, Ch. 44, s. 7(1)	05/01/17
38,000	Fire Car	MGL, Ch. 44, s. 7(1)	05/01/17
<u>\$2,471,053</u>			

\$2,422,053 of the Note proceeds will be used to provide temporary financing for the projects. \$49,000 of the Note proceeds, along with \$81,000 of current revenues, will be used to pay the like amount of Notes maturing on April 12, 2018.

AUTHORIZATION AND USE OF PROCEEDS-SERIES B

The \$1,350,000 Series B Notes are authorized pursuant to Massachusetts General Laws, Chapter 44, Section 7(1), as amended, and a vote to the Town on February 16, 2016 (Article 9) for land acquisition associated with the Town Landfill ("ISWM"). The Town currently has a like amount of notes outstanding which will be redeemed with this issuance of notes. Although constituting a general obligation of the Town, the debt service on the is expected to be paid, in the first instance, from landfill revenues.

SECURITY AND REMEDIES

Full Faith and Credit. General obligation bonds and notes of a Massachusetts city or town constitute a pledge of its full faith and credit. Payment is not limited to a particular fund or revenue source. Except for "qualified bonds" and setoffs of state distributions, no provision is made by the Massachusetts statutes for priorities among bonds and notes and other general obligations, although the use of certain moneys may be restricted.

6

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Bourne, Massachusetts (the "Town"), certify that at a meeting of the board held April 3, 2018, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$10,000,000 General Obligation School Bonds of the Town dated April 12, 2018 (the "Bonds") to Janney Montgomery Scott LLC at the price of \$10,603,340.00 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on April 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2019	\$500,000	5.00%	2029	\$500,000	4.00%
2020	500,000	5.00	2030	500,000	4.00
2021	500,000	5.00	2031	500,000	3.00
2022	500,000	5.00	2032	500,000	3.00
2023	500,000	5.00	2033	500,000	3.00
2024	500,000	5.00	2034	500,000	3.125
2025	500,000	5.00	2035	500,000	3.125
2026	500,000	5.00	2036	500,000	3.25
2027	500,000	4.00	2037	500,000	3.25
2028	500,000	4.00	2038	500,000	3.25

Further Voted: to approve the sale of \$2,471,053 3.00 percent General Obligation Bond Anticipation Notes, Series A (the "Series A Notes") of the Town dated April 12, 2018 and payable November 15, 2018 to Eastern Bank at par and accrued interest plus a premium of \$18,458.76.

Further Voted: to approve the sale of \$1,350,000 General Obligation Bond Anticipation Notes, Series B (the "Series B Notes" and together with the Series A Notes, the "Notes") of the Town dated April 12, 2018 and payable April 12, 2019 to Eastern Bank at par and accrued interest plus the premium of \$16,038.00.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement, as amended, dated March 22, 2018 and a final Official Statement dated March 28, 2018 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement, as

amended, dated March 22, 2018 and a final Official Statement dated March 28, 2018, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: April 3, 2018

Clerk of the Board of Selectmen

2018 Seasonal Population Increase Estimation Form

7

City / Town:

Date:

Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

, estimated that the temporary increased resident population
Date of Meeting

of , as of July 10, 2018 will be .
City / Town Name Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,
Local Licensing Authorities

RECEIVED

FEB 26 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

February 23, 2018

8A

Attention: George Slade
CC: Bourne Board of Selectmen
CC: Town Administrator Thomas Guerino

Dear Chairman Slade and Fellow Members of the Bourne Board of Selectmen:

Our family is respectfully requesting that the Bourne Board of Selectmen accept our request that the naming of the basketball court behind the Bourne Veterans Memorial Community Center in memory of our son Jason Comoletti, who passed away on June 14, 2017, be ***placed on your earliest agenda and voted on*** in accordance to the Board's naming policy that was in place at the time when this Board of Selectmen was first made aware of this request, and while the current Board who received that notice is still intact.

I would like to point out that in the July 11, 2017 Bourne Board of Selectmen's meeting minutes under the "Correspondence section in item D" that the first request seeking support from this Board of Selectmen for naming the basketball court was made by town of Bourne resident Nicholas Bevilacqua. It is also worth mentioning that Selectman Don Pickard spoke about this request in the same minutes just below the final "Correspondence" line item.

It is also worth noting that shortly after the July 11, 2017 Selectmen's meeting, and prior to the August 8, 2017 Selectmen's meeting, that I personally hand delivered a petition with more than 1,200 signatures regarding this naming request to Selectman Peter Meier who then delivered it to the Town Hall where it has been placed on file in the Town Administrator's Office which is indicated in the Board of Selectmen's Minutes dated August 8, 2017 in the "Correspondence" section.

We are aware that during the December 19, 2017 Bourne Board of Selectmen meeting that the Board voted in a new policy titled "**Naming of Town owned Property and Placement of Memorial Objects**" as stated in "agenda item #8 subsection a" during that meeting. However, it has come to our attention by many in the community who believe that this policy should not have any bearing on our particular request due to the Board of Selectmen first being made aware of our intentions long before the December 19, 2017 Policy vote. We also believe that "past practice" in the naming of property in town should apply to our request.

Glenn Comoletti

Naming Town Owned Property and Placement of Memorial Objects

Purpose

The Bourne Board of Selectmen shall be responsible for the naming of town owned property – identified as being under the care, custody and control of the Town of Bourne – and shall handle all requests with serious and consistent consideration. Property includes, but is not limited to, public buildings, areas within public buildings, recreational areas, memorial objects, and town-owned land, all of which does not fall under another governing body or entity. In addition, there is a provision for placing memorial objects on town-owned property.

Policy

The Board of Selectmen is responsible for the naming (or renaming) of any town owned properties as noted in the Policy Purpose and fall under the jurisdiction of the Board of Selectmen.

The Board of Selectmen shall implement and maintain a consistent process for evaluating naming proposals.

When naming requests are considered, the priority shall be with naming property after person(s) or organizations which:

- Have geographical, historical or cultural significance to the town or region.
- Have held leadership role (s) in the Town, such as through distinguished service in the military, law enforcement, safety, public office, or as a public servant.
- Have made significant financial and civic contributions to the Town, or that have made a direct financial grant to the Town for purposes of developing a particular public property.
- Have been deceased no less than five years

The request for placing memorial objects (artwork, signs or other fixtures, etc.) shall also be in writing and it must be supported by 10 or more registered voters of the Town as evidenced by validated signatures. Such memorial objects examples include, but are not limited to plaques, ornamental signs, sculptures, banners, benches, plantings, and detached structures.

For property under the care, custody and control of the Conservation Commission, the Trustees of the Veterans Memorials, or the Trustees of the Library, or any other such designation, such approval of a naming request shall be determined in a joint meeting of the Board of Selectmen and the respective Commission or Board.

School properties, by State Law, fall under the jurisdiction of the School Committee.

In the case of a written proposal by an applicant for memorialization of a Veteran, the Board of Selectmen shall forward a copy of the request to the Trustees of Veteran's Memorials for consideration and verification of necessary documentation. The Trustees shall make a recommendation to the Board of Selectmen as to the naming of Town property or memorial objects in honor of the Veteran.

This Policy may be amended or rescinded by the Board of Selectmen by majority vote.

Process for Naming Town Property

A written request to name public property which includes, but is not limited to, public buildings, areas within public buildings, recreational area, memorial objects, town-owned land, must be submitted to the Board of Selectmen signed by 50, or 10 (for memorial objects), registered voters validated by the Town Clerk.

The written request must explain the following, as applicable:

- How has this person(s) or organization had geographical, historical or cultural significance to the Town or region?
- What leadership role(s) in the Town, such as through distinguished service in the military, law enforcement, safety, or public office or as a public servant?
- What significant financial and civic contributions to the Town for the purposes of developing a particular public property?
- What is the proposed memorial (plaque, statue, sign, etc.)? What is the property location (building, part of building, recreational area, etc.)?
- Verification that person is deceased no less than 5 years prior to the request.

Following certification by the Town Clerk, the Board of Selectmen shall schedule a public hearing either as part of a Board meeting or as a separate public hearing to discuss the public property naming request. Decisions for placement of memorial objects shall be made during a regularly scheduled meeting of the Board of Selectmen.

The Town Clerk will verify that the property has not already been named and indicate any other properties named after this person(s) or organization.

Upon Board of Selectmen's initial approval of the naming, the next level of review and approval encompasses the design of artwork, signs or other fixtures on property under the jurisdiction of the Board must be reviewed and approved along with the cost of any signage and its ongoing maintenance, as well as who will be bearing the costs (petitioner, the Town, or another entity). In advance of final approval, the Board will seek advice of appropriate boards, committees, and/or departments.

Adopted: 12/19/2017

BOARD OF SELECTMEN Rules of Procedure

I. PROCEDURAL MATTERS

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

II. NATURE OF POLICIES AND PROCEDURES

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

III. PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES

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

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

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

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

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

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

IV. AUTHORITY AND ROLE OF THE BOARD OF SELECTMEN

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

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

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

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

V. ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS

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

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

VI. RESPONSIBILITIES OF THE OFFICERS OF THE BOARD

The Chairman shall:

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

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

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

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

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

VII. MEETINGS OF THE BOARD

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

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

VIII. MEETING PROCEDURES

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

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

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

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

VIII. BOARD MEETINGS: EXECUTIVE SESSIONS

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

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

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

X. AGENDA PROCEDURES

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

Agenda items may include:

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

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

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

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

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

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

XI. MEETING MINUTES

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

XII. BOARD APPOINTMENTS

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

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

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

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

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

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

XIII VOTING PROCESS FOR MULTI MEMBER BOARDS

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

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

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

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

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

XIV. Board of Selectmen New Committee Procedures

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

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

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

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

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

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

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

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

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

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

SPECIAL PERMIT RULES AND PROCEDURES

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

Applications:

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

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

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

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

NOTICE OF HEARING

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

HEARINGS

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

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

DECISIONS

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

RECORDS OR PROCEEDINGS

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

BOARD OF SELECTMEN

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

Adopted on August 28, 2001
Amended November 12, 2002 by adding section 2.4.2
Amended July 13, 2004 -Special Permit Rules & Procedure added
Revised: May 16, 2006
Revised: November 21, 2006
Revised: May 1, 2007
Revised: April 29, 2008
Revised: December 17, 2013
Revised: February 24, 2015

10A

Recreational Cannabis
Short Term 6 month ** Work Plan

Town Meeting Anticipated Town Meeting date of October 1, 2018

ACTIVITY	ACTIONS	BY WHEN
<p>1. Establish working group Bring together Community Boards, Staff and Business leaders – 9 person - facilitated</p>	<p>1. Stakeholders roundtables in conjunction with Planning Board and Facilitator timetables through May and June, 2018</p>	<p>April 30, 2018 May 30, 2018</p>
<p>Team: Partnership group – Reps. From BOS, Health Department, Planning Department, Planning Board, Police, Chamber of Commerce, Town Administrator, Building Inspector, Finance Committee</p>	<p>2. Determine recommendations for retail facility quotas</p>	<p>May 15, 2018</p>
<p><i>Subcommittees may include: financial, health, HCA, public safety</i></p>	<p>3. Obtain recommended zoning limitations from Planning Board</p>	<p>June 1 – June 15</p>
	<p>Determine what Types of Licenses to be recommended by Town/BOS Address impediments. (cultivation. Craft, lab. Research, Transport., etc.)</p>	<p>June 1 – June 15</p>
	<p>4. Follow Process of Planning Board for Zoning Hearings</p>	<p>Dependent of Planning Board work outcomes</p>
	<p>5. Establish Special Town Meeting Date for October 1, 2018 – Close warrant August 14 requirements</p>	<p>July 24, 2018</p>



Commonwealth of Massachusetts

Opportunity Zones

(From Secretary Jay Ash)

Good Afternoon!

On behalf of Governor Baker and Lt. Governor Polito, I want to thank you to all the municipalities that have been able to join me for discussions regarding the Federal Opportunity Zones program. I am happy to say that through our interactions, and other outreach efforts, we have been able to speak with nearly all eligible municipalities and gather your thoughts on the program.

To recap our discussions, the Tax Cut and Jobs Act of 2017 authorized the US Treasury, in consultation with state Governors, to establish Opportunity Zones. In O-Zones, qualified Opportunity Funds can make business and real estate investments and receive favorable tax treatment. O-Zones are nominated by governors, and cannot be more than 25% of a state's low-income census tracts. Those nominations are due as early as March 21nd, but the deadline is likely to extend into April, giving us more time to decide which 138 of the Commonwealth's eligible low-income census tracts have the potential to attract the most investment if nominated.

On March 1st we informed eligible municipalities that we will hold a competitive application process for municipalities to apply for designations. As stated in past discussions, we are seeking information about opportunities, planning, and demographics within the application. We are also committed to regional equity and to ensuring representation of diverse types of communities when it comes to the selection of those tracts which will be nominated. In order to ensure that regions across the state are able to use this tool, we will limit municipal applications to a maximum number of tracts:

- Communities with at least 15 eligible tracts may apply for designation for up to 20% of those tracts;
- Up to 10% of designations will be allocated to rural communities with populations lower than 10,000;
- All other communities may apply for designation for up to 2 of those tracts.

The application, available [here](#), asks municipal governments to propose a single tract, or a set of tracts, for designation. Applications will be evaluated based on potential opportunities within the zone, planning work done at the local level to prepare for success, and the need of the application area and the surrounding community. Applications will be due by March 22, and designated tracts will be announced in April.

Please reach out to my office with any questions, and I look forward to continuing to work with you all on this program and others going forward. We are always happy to talk about how our full array of tools and incentives could help communities succeed.

Cheers!

Jay



Summary

- The **Tax Cut and Jobs Act of 2017** created the Opportunity Zone Program, designed to incentivize investment in low income areas by offering favorable federal tax treatment for investors.
- Under the program, Governors may designate up to 25% of low-income community census tracts within their state as **Opportunity Zones**.
- Investors may invest capital gains into these zones, and both defer and reduce their federal tax liability for those capital gains.
- These investments must be made through privately-created **Opportunity Funds**.
- **This program will have no impact on state tax policy.**



Benefits for Investors

- Investors who choose to invest in these funds defer and reduce their federal tax obligation:
 - Any capital gains taxes owed on investments into an Opportunity Fund are deferred for up to 8 years, depending on the duration of the investment.
 - When capital gains taxes are paid, the investor pays taxes on the lesser of the original Opportunity Zone investment, or the fair market value of the investment at the time of claim.
 - Thus, if the investor sees a loss on the investment into an Opportunity Fund, it reduces the amount of capital gains taxes they pay.
 - If the investment stays in the Opportunity Fund for 5 years, federal capital gains taxes owed on the original investment are reduced by 10%. If it stays in for 7 years, federal capital gains taxes are reduced by an additional 5%.
 - If the investment stays in the Opportunity Fund for 10 years, any profits from the fund's investments do not incur capital gains taxes. If the original investment stays in the fund for less than 10 years, capital gains taxes are due on profits from the fund's activity.



Zone Designation

The Commonwealth's only formal role in the Opportunity Zone Program, as defined in the authorizing legislation, is to designate census tracts as Opportunity Zones.

- The Opportunity Zone legislation defines "Low Income Community" census tracts as those tracts with a poverty rate above 20%, or a median family income (MFI) below 80% of the higher of the surrounding MSA MFI or State MFI.
- Governors may designate a number of census tracts equal to 25% of the Low Income Community tracts in their state, as of the 2011-2015 census, as Opportunity Zones. This census data indicates that Massachusetts has 547 Low Income Community tracts, and may therefore designate up to 137 census tracts as Opportunity Zones.
 - Additionally, implementation guidance allows states to designate tracts that qualify as Low Income Community tracts under the 2016 census, but eligible tracts in this category do not add to the 25% cap. Massachusetts has an additional 31 tracts eligible due to this guidance.
- **At least 95% of designated tracts must be Low Income Community tracts.** The remaining may be tracts that are adjacent to Low Income Community Tracts, and which have an MFI under 125% of the qualifying, adjacent, Low Income Community tract.
- **Formal designation will be done by the Governor through the U.S. Department of the Treasury,** and the Treasury has delivered an online tool to Governors for designation. Once approved by the Treasury, Opportunity Zones will remain in place for 10 years.
- Designations will be due to Treasury on **March 22** (90 days after the signing of the bill), though it is possible to request a 30 day extension. Treasury will have 30 days to review the designations and finalize zones.



Opportunity Funds

- In order for an investment to receive preferential federal tax treatment, it must be directed through an Opportunity Fund.
- Opportunity Funds are investment corporations or partnerships designed to invest in Opportunity Zones (at least 90% of the fund's assets must be in designated zones).
- There are no statutory restrictions on who can set up an Opportunity Fund, or on their internal structure. The creation and monitoring of Funds will be supervised by Treasury and the IRS.
- Funds may invest in businesses, partnerships, or business property, subject to IRS restrictions.
 - The Opportunity Zone statute includes language that makes it more difficult to acquire, hold, and flip property without making a substantial investment in it.
 - Opportunity Funds cannot make qualified investments into property that was owned by the fund, or by the controller of a fund, before 12/31/17.

