

TOWN CLERK BOURNE

Date April 6, 2021 <u>Time</u> 7:00 P.M.

Location Zoom Remote

Public Access: See Below

Note this Zoom videoconference meeting is being televised, streamed or recorded by Bourne TV.

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: 1-929-205-6099 Meeting ID: 819 9422 1959 Password: 800132

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above, or go to https://zoom.us/meetings and look for the Join Meeting button.

Participants wishing to speak should click the "Reactions" icon on the lower toolbar and then click "Raise Hand" in the dialog box to notify the Chair. The Chair will recognize participants.

For Participants who are calling into the meeting and wishing to speak should press *9 to notify the Chair. The Chair will recognize participants.

Please MUTE your phone/microphone upon entry.

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

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

- 1. Moment of Silence to recognize our Troops and our public safety personnel
- 2. Salute to the Flag
- 3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
- 5. Public Comment on Non-Agenda Items
 - Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

6. Minutes: 02.16.21

7. Appointments and Licenses

- a. Discussion and possible vote on a request by Chamber of Commerce to reserve the date for the Summer 2021 Concerts on the Canal and Canal Day in September 2021.
- b. 7:15 p.m. Cranberry's LLC, d/b/a The Bog Tavern, Kirk FitzGerald, Manager, to amend their Year Round Common Victualer License to include the addition of a Food Truck and service of all alcoholic beverages from the Food Truck, Mobile Beverage Cart & Stationary Kiosk on the grounds of the golf course.
- c. 7:30 p.m. KKP, Inc. d/b/a The Sagamore Inn, Suzanne Bilodeau, Manager, to amend their Year Round Common Victualer License to include the addition of an outside bar with 2 restrooms within an enclosed 30'x60' green area.
- d. 7:45 p.m. Edward H. Perkins, Jr., Manager Buzzards Bay Marina LLC, d/b/a East Wind Lobster and Grille, 2 Main Street, Buzzards Bay. Application for a Year Round Common Victualer License for the sale of wines and malt beverages to be consumed on the premise.
- e. Green Communities Presentation-Lisa Sullivan-Green Communities Regional Coordinator
- f. Calamar Construction Update

8. Selectmen's Business

- a. Board of Selectmen discussion and possible vote on establishing Bourne Community Service Officers (Constables) program under the Bourne Police Department
- b. Discussion and vote to regarding the Town Administrator's Organization/Reorganization Plan of the Department of Public Works and Information Technology Departments
- c. Discussion and possible vote on the Town Administrator's revised FY22 Sewer Budget and updated Enterprise Fund Sources and Uses
- d. Review Articles and Motions for the May 3, 2021 Special and Annual Town Meeting i. Board of Selectmen vote recommendations for Articles
- e. Discussion and vote to sign the May 2021 Election Warrant
- f. Board of Selectmen discussion and possible vote to appoint a retiree to the OPEB Trust
- g. Board of Selectmen discussion related to filling a Bourne Library Trustee vacancy
- h. Board of Selectmen discussion related to an alternate member for the Joint Base Cape Cod Military Civilian Community Council (MC3)

9. Town Administrator

- a. Update on DEP Notice of Non-Compliance at 239 Main Street-Bourne Community Center
- b. Request to authorize the Town Administrator to sign a lease contract greater than three years related to Bourne Police Department copiers

10. Correspondence

11. Adjourn



Town of Bourne

Special Event Permit Application for Buzzards Bay Park

Date of Application 2-19-21 Region Chamber of Commerce

Name of Organization: Cape Cod Canal

Organization's Mailing Address: 70 Main Street, Buzzards Bay, MA 02532			
Contact Person Marie Oliva Cell Phone # 508-566-9028			
Contact Person's Mailing Address 70 Main Street Property December 1000			
Contact Person's Mailing Address 70 Main Street, Buzzards Bay, MA 02532			
Event Information:			
Event Date: Every Thursday evening July & August Start Time: 6:30pm End Time: 8:30pm			
July 1, July 8, July 15, July 22, July 29, August 5, August 12, August 19, August 26			
Set Up Date Every Thursday evening July & August Set Up Time: 5:30pm End Clean: 8:30pm			
Description of Event: Concerts by the Canal; offering all types of music from local bands, average attendance 2-300 people each concert			
# of Participants 3 people to man the event # of Spectators 200-300 range			
Will your event require street closing? If Yes, see Bourne Police No			
A .			
Will there be food? No If Yes, see Board of Health			
Will there be vendors? Yes; no food, estimate a dozen pop ups 10' x 10'; no stakes in ground If Yes, see Board of Selectmen's Office and the Board of Health Yes			
Use of electricity/generators? Yes If Yes, see Bourne DPW Yes			
Will the Event require water? No If Yes, for what purpose?			
Use of Tents? No If Yes, please see			
Wish to block parking spaces?No If Yes, see DPW			



COMMONWEALTH OF MASSACHUSETTS

Charles D. Baker, Governor Karyn E. Polito, Lt. Governor Kathleen Theoharides, Secretary Patrick Woodcock, Commissioner

The Green Communities Division Partnering with Massachusetts Cities and Towns

Town of Bourne April 2021 Lisa Sullivan
Green Communities
Southeast Regional Coordinator

Green Communities Division

The energy hub for **all** Massachusetts cities and towns, not just designated Green Communities.







Green Communities Division Programs and Resources for Municipalities



Green Communities
Designation and Grant
Program



META grants
Municipal
Energy
Technical
Assistance



LED streetlight grant program



EVIP (Electric Vehicle Incentive Program) & Clean Cities Program



MassEnergyInsight
Energy tracking and
analysis tool

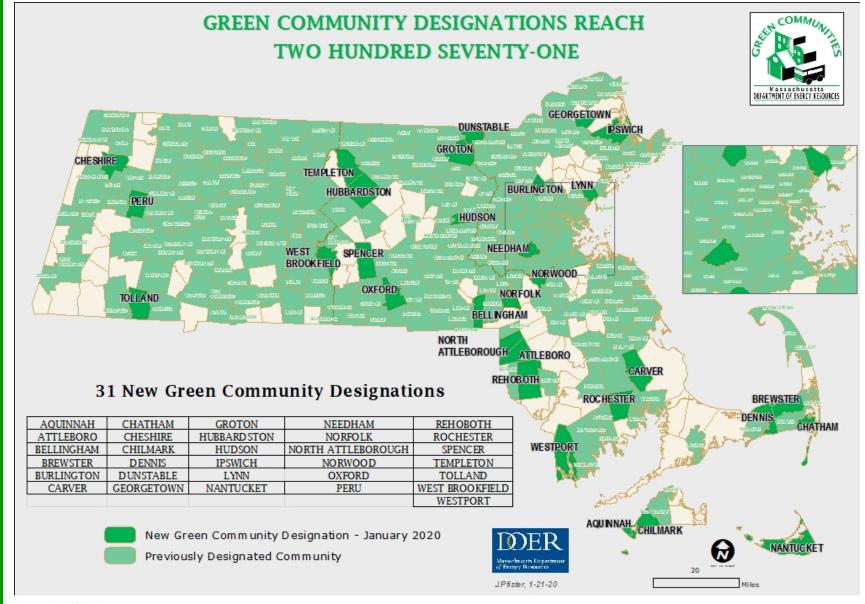
PACE (Property Assessed Clean Energy)
A partnership with Mass Development





Website filled with tools & resources www.mass.gov/orgs/green-communities-division



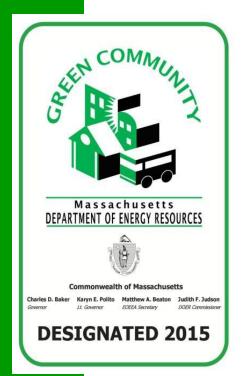




9 additional communities pending...



Up to \$20M/yr in grants and loans to **qualifying** communities





Grants fund energy efficiency initiatives & renewable energy, innovative projects





FUNDING SOURCES



Green Communities grants are funded by carbon allowance auction proceeds from the multi-state Regional Greenhouse Gas Initiative (RGGI-a cooperative effort among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont) to cap and reduce power sector CO₂ emissions.

&

Through Alternative Compliance
Payments by electricity suppliers that fail
to meet their renewable energy portfolio
requirements..





>\$136.4 M grants awarded



>\$20.8M savings/yr







Projected Savings

661,797 MMBTUs

51,723 mt CO₂ eq.



x 5,131



x 10,910





- Designation grant allocations based on a \$125k base plus a population/per capita income formula; maximum \$1M.
- Competitive grants available annually for eligible Green Communities. More than \$136.4M awarded in total for both designation and competitive grant programs to date
- Projects being funded include energy conservation measures

Bourne's Green Communities Neighbors

Community	Designation Year	Total Grants
Harwich	2018	\$152,910
Mashpee	2010	\$819,394
Orleans	2017	\$134,709
Provincetown	2011	\$349,031
Truro	2011	\$343,384
Wellfleet	2014	\$398,184





Designation Grant = \$125K + population & per capita income formula

Bourne's estimated designation grant amount:

\$172,000+

 Competitive grants available annually for Green Communities that have expended all prior grant funds.





Green Communities Designation and Grant Flowchart

Step 1

- Review Green Communities Designation Criteria Guidance
- Contact your Green Communities Regional Coordinator

Step 2

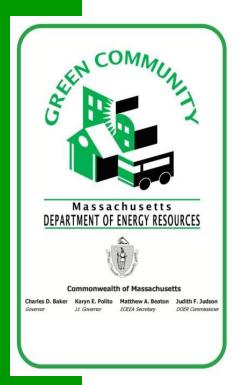
- Discuss Green Communities Designation with Local Government
- Receive local approval to apply for Green Communities status

Step 3

- Meet the 5 Green Communities Criteria and submit a Designation Application
- Receive Green Community Designation from DOER
- Apply for Green Community Grants







Qualification Criteria - Designation

- Adopt as-of-right siting for RE/AE generation, R&D, or manufacturing -
- 2. Adopt expedited permitting process
- 3. Create an Energy Reduction Plan to reduce energy use by 20% in 5 years
- 4. Adopt Fuel Efficient Vehicle Purchase Policy
- 5. Minimize life cycle cost in new construction → adopt the Stretch Code





Criteria 1 – As-Of-Right siting

For at least **one** of the following:

- Renewable or Alternative Energy Generating Facilities or;
- Renewable or Alternative Energy Research and Development (R&D) Facilities or;
- 3. Renewable or Alternative Energy Manufacturing Facilities in designated locations.





Criteria 2 – Expedited Permitting



12 months: date of initial application to date of final approval

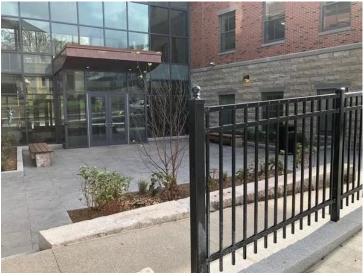
- Applies only to the proposed facilities subject to the As-of-Right-Siting provision.
- 2. Can apply the MGL c 43D permitting process to these zoning districts.





Criteria 3 – Energy Baseline & 20% Energy Reduction Plan





Calculate a Municipal Energy Use Baseline that includes:

- 1. Municipal Buildings & Schools
- 2. All Vehicles
- 3. Municipally Owned Street & Traffic Lights
- 4. Water & Wastewater facilities





Criteria 4 – Fuel Efficient Vehicles







- 1. Purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.
- 2. Police cruisers and other emergency vehicles are exempt until commercially available.
- 3. Heavy duty vehicles such as Fire Trucks, Ambulances and some DPW trucks are **exempt** (GVW of 8500 lbs. or more)



New Criteria 4 Guidance – February 2020

- 2 wheel drive car: 30 MPG
- 4 wheel drive car: 29 MPG
- 2 wheel drive van 22 MPG
- 4 wheel drive van 20 MPG
- 2 wheel drive pick-up truck: 21 MPG
- 4 wheel drive pick-up truck: 18 MPG
- 2 wheel drive sport utility vehicle: 24 MPG
- 4 wheel drive sport utility vehicle: 21MPG

VEHICLE RECYCLING

Recycling of vehicles – i.e., moving a previously purchased and used vehicle from one municipal department to another municipal department in need of a vehicle is only allowed if the vehicle being recycled to a new department is more fuel efficient than the vehicle it is replacing.





Criteria 5 – Minimize Life Cycle Costs

Require all new residential construction and new commercial and industrial real estate construction to minimize, to the extent feasible, the life cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

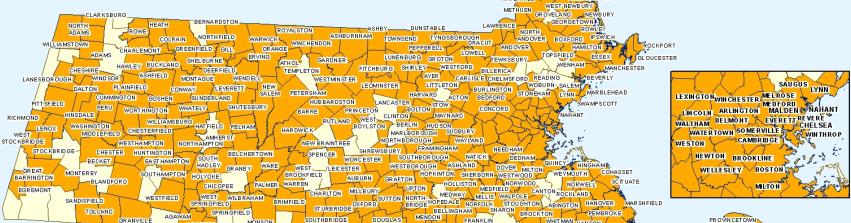
The DOER recommended way for cities and towns to meet this requirement is by adopting the BBRS Stretch Code (780 CMR115AA) an appendix to the MA State Building Code.





Stretch Code Adoption, by Community





NORTH ATTLEB OR OUGH NORTON

SEEKONK

DUDLEY

Two hundred eighty-seven (287) municipalities have adopted the Board of Building Regulations and Standards (BBRS) Stretch Code, as of January 11, 2021



DENNIS

MIDDLEBOROUGH

DOER, 1-27-21, jpfister

Stretch Code

- The Current Stretch Code ONLY applies to:
 - NEW residential construction and
 - NEW commercial construction > 100,000 sq. ft.or > 40,000 sq. ft. for conditioned spaces
- Additions, renovations & repairs are EXEMPT from the Stretch Code





Criterion 5 – Minimize Life Cycle Costs



Documentation for Criterion #5:

Stretch Energy Code

 Documentation of the city council or town meeting vote adopting 780 CMR 115.AA, MA Board of Building Regulations and Standards (BBRS) Stretch Energy Code.





The Stretch Code is No Longer Much of a Stretch

- NEW Base Energy Code (IECC 2018) with minor Stretch Code revisions adopted by the state & took effect 8/2020.
- Current Base Code allows builders two options for residential and commercial new construction:

Prescriptive

- Checklist of compliance measures
- Inspections during and post construction

Performance

- Pre & Post construction energy modeling
- Inspections during and post construction





The Stretch Code is No Longer Much of a Stretch

- Major differences between the Base and Stretch Code are:
 - Removal of the prescriptive path option
 - HERS Rater needs to provide an Energy Model.
 - The cost to perform the modelling required by the Stretch Code can be covered by utility incentive.

Prescriptive

- Checklist of compliance measures
- Inspections during and post construction

Performance

- Pre & Post construction energy modeling
- Inspections during and post construction





What is a HERS Rating? (Home Energy Rating System)

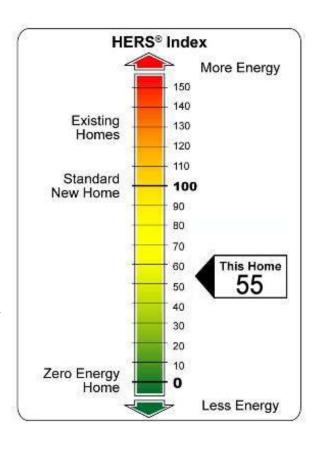
Annualized energy analysis

Heating, Cooling, Water Heating, Lighting and Appliances.... On site power generation-renewable energy

Reference Home

- Based on IECC 2006 Code
 (International Energy Conservation Code)
 Defined as 100 Points
- 1 percent change in consumption = 1 point

HERS 55 means about 45% more efficient than reference home







What is HERS Process?

- 1. Review Building Plans via

 Computer Energy Modeling
- 2. In-process inspections
 - First inspection
 - Duct tightness test (if applicable)*
 - Second Inspection(usually combined with 1st)
 - Insulation
 - Final Inspection
 - Blower door test*
- 3. Finalize energy model based on verified performance and equipment







^{*}Required by Base Energy Code 2015 IECC

Why Test Performance?

- Prescriptive codes don't guarantee good installation, air and water tightness, or that thermal insulation is effective.
- Small air gaps can reduce insulation R-values by 50% or more.
- HERS Raters provide third party verification







Proposed Timeline for Building Code Changes

- Anticipate a DRAFT of new Stretch Code to be published in 2021 for public comment
- Anticipate BBRS to hold public hearings in 2021
- Goal is to have new Stretch Code ready to align with the timing of state adoption of 10th edition of building code
 - This would require a Final vote of BBRS in 2021
 - January 2022 target effective date





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Green Communities Contact

Lisa Sullivan–Regional Coordinator

<u>Lisa.m.sullivan@mass.gov</u>

Office: (508)946-2822

Cell: (617)312-4018



www.mass.gov/orgs/green-communities-division

Sign up for email updates on our home page!







TOWN OF BOURNE

Town Administrator

24 Perry Avenue – Room 101 Buzzards Bay, MA 02532 www.townofbourne.com 508.759.0600, Ext. 1308



Anthony Schiavi, Town Administrator Email: aschiavi@townofbourne.com

March 8, 2021

Subject: Status Update

To: Mr. Michael Wetzel Calamar Construction Management, Inc. 3949 Forest Parkway, Suite 100 Wheatfield, NY 14120

Dear Mr. Wetzel,

At a recent meeting of the Bourne Board of Selectmen, the Calamar Project located at 13 Kendall Rae Place was discussed along with concerns related to poor site conditions, lack of any substantial work occurring for many months and possible problems with long-term exposure of structural components to the elements.

The Board of Selectmen are requesting a company corporate official attend a virtual meeting with the Board on Tuesday April 6, 2021 via Zoom teleconference to address these concerns and receive an update on when and how the project will be completed.

Please respond by Monday March 29, 2021 to the email address above regarding who will represent Calamar Construction Management, Inc. from the corporate office at this virtual meeting. Please supply contact information so that we can forward the Zoom meeting information to the identified corporate representative.

Respectfully,

Anthony Schiavi
Town Administrator

cc: Bourne Board of Selectmen



BOURNE POLICE DEPARTMENT

Policy and Procedure

Community Service Officers

2021-01

Date of Issue: 03/23/2021 Issuing Authority:

Review Date:

Revised: 03/23/2021

Director Paul J. Shastany

Certification Standards:

Accreditation Standards: 22.2.5, 61.3.4a-e

Optional Accreditation Standards:

Policy Statement 61.3.4 a Community Service Officers are part-time employees of the Town of Bourne. Their primary responsibility is to issue parking violations and direct motor vehicle and pedestrian traffic within town. Community Service Officers have **no** arrest powers or authority to issue motor vehicle citations.

Community Service Officers' **only** enforcement authority is the issuance of the Town of Bourne's Parking Violations.

Community Service Officers may be assigned to control pedestrian and vehicular traffic at fixed posts determined to be necessary by the Police Department's Chief or Commanding Officer. [61.3.4 a]

It shall be the policy of the Bourne Police Department to ensure that all Community Service Officers be compliant with all provisions of the laws, ordinances, and court decisions consistent with Motor Vehicle laws, Manual on Uniform Traffic Control Devices and accepted police procedures.

References

Massachusetts G.L. c. 41 §§ 91A & B.

Massachusetts G.L. c. 90 §§ 90 Massachusetts 701 CMR 7.00

Manual on Uniform Traffic Control Devices

Objective

- To clearly define that Community Service Officers do not have the status of sworn law enforcement officers or regular constables.
- To describe the duties of Community Service Officers.
- To ensure that Community Service Officers are trained in the duties which they are expected to perform.
- To ensure that uniforms of Community Service Officers are clearly distinguishable from those of sworn police officers.

Definition of Community Service Officer

- A. Community Service Officers are not sworn police officers and have absolutely no authority to effect seizures, serve warrants and other process, or make arrests. Community Service Officers are only authorized to issue Town of Bourne Parking Violations and direct motor vehicle and pedestrian traffic within the town.
- B. Community Service Officers are appointed and sworn in as Constables, pursuant to G.L. c. 41 § 91A by the Board of Selectmen with approval of the Town Administrator, upon recommendation by the Chief of Police.
- C. The power of Community Service Officers to direct motor vehicle and pedestrian traffic is strictly limited. Community Service Officers are authorized to direct, control, and regulate vehicular traffic. Such power shall only be exercised when in uniform, and only while performing an official assignment given by the Police Department.
- D. Community Service Officers shall be certified by Mass-Highway, or a Mass-Highway approved organization, to perform traffic control services on Public Roads.
- E. Community Service Officers shall obey, without reservation, the regulations of the department and all lawful commands of police officers.
- F. Community Service Officers are used, at the sole discretion of the Chief of Police, to direct traffic and facilitate the smooth flow of vehicular and pedestrian traffic.
- G. Upon request, Community Service Officers shall support, aid, and assist police officers in the lawful performance of their duties.
- H. Community Service Officers shall, by May 1 of each year, provide the Administrative Lieutenant a letter signed by a registered physician stating the Community Service Officer is capable of performing the duties of a Community Service Officer as described in this policy.

Additional Definitions

COMMANDING OFFICER - Officer(s) designated by the Chief of Police to be the Officer in Charge of Field Operations at the time.

COMMUNITY SERVICE OFFICERS – Those Community Service Officers so appointed by the Bourne Board of Selectmen for a period of three years.

Eligibility **61.3.4 b**

Any town resident 21 years old and over, shall be eligible to apply for a position as a Community Service Officer. Physical fitness shall be determined, when necessary, by examination by a licensed physician designated by the Chief of Police at the Town's expense [61.3.4.b] The physical standards shall be established by the Chief. Applications shall be submitted to the Chief of Police.

Appointment

The Chief of Police shall make recommendations to the Town Administrator and the Town Administrator to the Board of Selectmen who will make appointments to the position of Community Service Officer. Community Service Officers will be "at will" employees and may be terminated/separated for cause, resignation, or retirement.

All Community Service Officers are required to attend an annual organizational meeting prior to the start of each summer season and will be given notice at least one week prior to the scheduled meeting date.

When a change in the summer assignment requires the extension of coverage time, the Community Service Officer assigned to that post will be responsible to accommodate the change. Every reasonable effort will be made to accommodate the Community Service Officer if necessary, providing it does not interfere with the effective operation of the department. Such determination is final and binding and is not subject to the grievance procedure.

Locations 61.3.4 d e

Community Service Officers will be assigned to Beaches, Boat Ramps and Parking areas based upon determination by the Chief's designee, (Commanding Officer). The Commanding Officer will use such factors to include but not limited to, volume and numbers of vehicles parking in and around Beaches, Boat Ramps and Parking areas, location visibility, and site accident history. The Chief of Police or designee, and the Department of Natural Resources, may review the parking sites annually to determine if a Community Service Officer is needed near or at any of the Beaches, Boat Ramps and Parking areas.

[61.3.4 d e]

Duties **61.3.4 a**

A Community Service Officer's primary responsibility is to prevent parking congestion in and around the Town's Beaches, Boat Ramps and Parking areas. The secondary responsibility is to facilitate the safe crossing of pedestrians while crossing streets while walking to and from Beaches, Boat Ramps and parking areas within town. Community Service Officers shall make sure that all vehicular traffic has stopped before allowing pedestrians to cross. Community Service Officers will, by means of clear hand signals, direct motor vehicles to facilitate safe exits and entrance to Beaches, Boat Ramps and Parking Areas.

[61.3.4 a]

Duties (continued)

Community Service Officers will arrive at their locations at the assigned starting times (per Commanding Officer). The start/finish times shall be subject to change at the direction of the Commanding Officer and will be based upon conditions at individual locations.

Community Service Officers will use clear hand signals, to provide safe passage for pedestrians and vehicles in traffic. Community Service Officers shall use gaps in traffic, as may be available and stop traffic in a safe manner when necessary. Community Service Officers shall delay crossing pedestrians until they have a safe opportunity to cross them.

Community Service Officers will issue Parking Violations to any vehicle found parked in a manner that violates the Town's Traffic Rules and Orders. The Parking Violation shall clearly indicate the date and time of the violation, vehicle description and registration number, location of the violation, the violation(s) observed, total fine assessed, the Community Service Officers ID number and their signature. The Community Service Officer shall enter all Parking Violations issued during their assignment into the Department's Record Management System prior to the end of their Tour of Duty. Once entered into the Record Management System, the original copies of all parking violations shall be submitted to the Record's Department for processing. Any Parking Violations issued in error shall be submitted to the Commanding Officer along with the Voided Parking Violation form and all original copies of the violation.

Community Service Officers that observe a parking violation that creates an immediate safety concern or imminent road hazard will notify dispatch for a police officer to respond and evaluate.

Community Service Officers shall carefully document the description and registration number of all vehicles: violating their signals, committing moving violations hazardous to pedestrians under their charge, violating regulations regarding failure to stop for a Constable MGL Ch. 90 sec. 29., school buses or motor vehicle accidents observed by them. They will make full reports as to times, dates, details, and identifying information immediately to dispatch.

No Community Service Officer will wear their Community Service Officer clothing other than for the performance of his/her assigned duties. No Community Service Officers will smoke on duty, nor drink any alcoholic beverage before going on duty or while on duty.

A Community Service Officer who is unable to perform his/her assigned duty, for any reason, is required to call the Commanding

Officer/Police Department at least one hour before the hour in which he/she is due to report to his/her post/assignment to allow proper replacement coverage to be arranged. The Community Service Officer will be expected to give reason(s) why he/she is unable to perform his/her assigned duty. Failure of Community Service Officer to abide by the Rules and Regulations herein described may result in disciplinary action to include dismissal.

The Chief of Police, for the benefit of the Town and the Community Service Officers, has drawn up these Rules and Regulations. They are based on present needs. If specific issues that arise regarding duties and performance, appropriate action may be taken.

Training, Knowledge, and Skills

- A. The Board of Selectmen have the ultimate authority in appointing Community Service Officers.
- B. At minimum, Community Service Officers shall complete such annual in-service training as is required by the Chief of Police.
- C. Knowledge of hand traffic signals, cone/traffic patterns and manual operation of traffic signals is required. (MUTCD)
- D. Knowledge of the Town's geography, streets, and businesses is required.
- E. Ability to operate a motor vehicle within the Commonwealth of Massachusetts, including possession of a valid Massachusetts Class D Driver's license and knowledge of how to operate a passenger vehicle is required.
- F. Ability to effectively communicate, both written and oral, with the public.
- G. Certified and trained in the administration of CPR, AED, Naloxone, tourniquet application, and First Aid.
- H. Trained and proficient in the usage of all issued equipment.

Uniforms 22.2.5 61.3.4 c

Each Community Service Officer shall appear on his/her post in the authorized attire and with authorized issued equipment. The authorized attire/equipment shall consist of:

[61.3.4 c]

- High visibility traffic vest-must meet the ANSI/ISEA 107-2004 standard.
- High visibility traffic jacket-must meet the ANSI/ISEA 107-2004 standard.
- High visibility traffic gloves.
- Traffic hat.
- Duty pants/shorts.
- Black sneakers and black socks.
- Whistle.
- Town of Bourne Parking Violation Book(s) sufficient for the assigned shift.
- Flashlight, if working during low-light periods.

Uniforms (continued)

- Fully charged police portable radio.
- Pen and pocket notebook.

Note: The high-visibility traffic vest or jacket must be zippered while being worn at all times when performing Traffic Direction duties. Attire and equipment must be maintained in clean/neat, good working order. If the Community Service Officer becomes aware of non-functioning, damaged, lost, or stolen equipment, he/she shall report it immediately to his/her commanding officer.

Part I ADMINISTRATION OF THE GOVERNMENT

Title VII CITIES, TOWNS AND DISTRICTS

Chapter 41 OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND

DISTRICTS

Section 91A CONSTABLES; APPOINTMENT IN TOWNS

Section 91A. The selectmen in any town may from time to time appoint, for terms not exceeding three years, as many constables as they deem necessary.

Part I ADMINISTRATION OF THE GOVERNMENT

Title VII CITIES, TOWNS AND DISTRICTS

Chapter 41 OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND

DISTRICTS

Section 91B APPOINTMENTS; QUALIFICATIONS; APPLICATION;

INVESTIGATION

Section 91B. Constables shall not be appointed by mayors or selectmen under section ninety-one or ninety-one A except as hereinafter provided. A person desiring to be appointed as aforesaid shall make a written application therefor to the appointing authority stating his reasons for desiring such appointment and such information as may be reasonably required by said authority relative to his fitness for said office. Such application shall also contain a statement as to the moral character of the applicant signed by at least five reputable citizens of the city or town of his residence, one of whom shall be an attorney-at-law. The appointing authority shall also investigate the reputation and character of every applicant and his fitness for said office. The chief of police or other official having charge of the police shall upon request give the appointing authority all possible assistance in making such investigation. The office of constable shall be filled only by appointment of an applicant hereunder

who is found by the appointing authority, after investigation as aforesaid, to be a person of good repute and character and qualified to hold said office.

PUBLIC HEARING NOTICE

BOURNE BOARD OF SELECTMEN

In accordance with the Town of Bourne Charter Section 5-2: Organization of Town Government and Section 5-3: Public Hearing and Effective Date, the Bourne Board of Selectmen will hold a public hearing on Tuesday, March 16, 2021 at 7:00pm via Zoom videoconference in order to review the Town Administrator's request to organize and/or reorganize the following departments.

- a. Reorganize the Department of Public Works (DPW) by removing the responsibility for the maintenance and repair of town buildings from the DPW and moving these responsibilities to a newly created and separate Facilities Department.
- b. Formally organize the Information Technology Department and to further move the Data Processing appropriation from the Finance Department and move it to the Information Technology Department.

BOARD OF SELECTMEN
Judy MacLeod Froman, Chair
James L. Potter, Vice Chair
George G. Slade, Clerk
Peter J. Meier
Jared P. MacDonald

Article 5

Administrative Organization.

Section 5-1: Table of Organization.

The town administrator shall annually submit a table of organization establishing personnel requirements within all town departments to the board of selectmen by June 1. The table of organization shall become effective unless rejected by the board of selectmen within 30 days following its submission.

Section 5-2: Organization of Town Government.

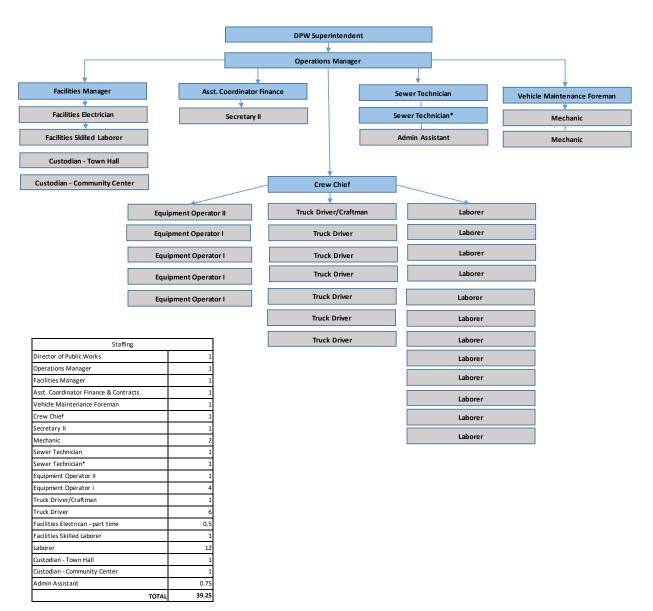
Subject only to the express prohibitions in the Constitution, General Laws or this charter, the town administrator may prepare a plan to organize, reorganize, consolidate or abolish any town agency as the town administrator considers necessary or advisable. The town administrator may prescribe the functions of any town agency and, for such purpose, transfer the powers and duties and, so far as is consistent with the use for which the funds were voted by the town, transfer the appropriations of 1 town agency to another; provided, however, that no function assigned by this charter to a particular town agency may be discontinued or assigned to any other town agency unless specifically authorized in this charter. The town administrator shall not be prohibited by this charter from including the department of public works or the department of integrated solid waste management in any plan to organize, reorganize, consolidate or abolish a town agency that the town administrator considers necessary or advisable in accordance with this section. Any proposed plan submitted under this section by the town administrator shall be approved by an affirmative vote of 3 members of the board of selectmen.

Section 5-3: Public Hearing and Effective Date.

Before the board of selectmen approves a proposed plan under section 5-2, it shall hold 1 or more public hearings on the proposal, giving notice by publication in a local newspaper at least 7 days in advance of the hearing. The notice shall describe the scope of the proposal and the date and place where the hearing will be held. The selectmen shall have 14 days after the close of the public hearing to propose amendments, if any, and vote on the final plan. The proposed organization shall become effective not sooner than 60 days following the selectmen's vote on the final plan. Where the reorganization moves a function or funding from 1 department to another, voters may petition for a special town meeting to address those changes.

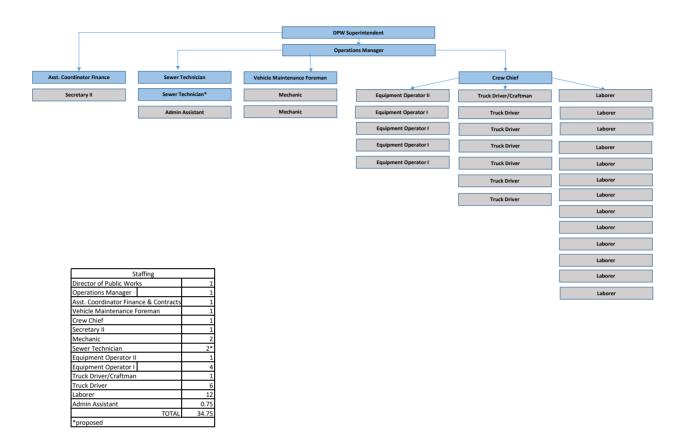
Section 5-4: Department of Public Works.

- (a) There shall be a department of public works which shall be responsible for those public works functions described in this article and as may be assigned from time to time by the board of selectmen, town administrator or town meeting.
- (b) The department of public works shall be under the direct control of a superintendent of public works who shall be appointed by and who shall be directly responsible to the town administrator. The superintendent of public works shall be a registered civil engineer or a person otherwise especially suited by education, training and previous experience to perform the duties of the office. The superintendent of public works shall keep full and complete records of the doings of the superintendent's office and shall render a report of all operations to the town administrator and board of selectmen as may be required. The superintendent shall keep the town administrator fully advised as to the needs of the town within the scope of the superintendent's duties.

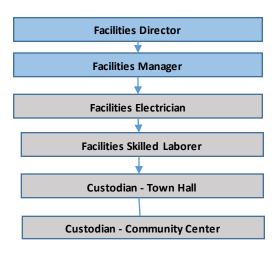


^{*}proposed

PROPOSED:



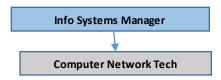
PROPOSED:



Staffing	
Facilities Director*	1
Facilities Manager	1
Facilities Electrician	0.5
Facilities Skilled Laborer	1
Custodian - Town Hall	1
Custodian - Community Center	1
TOTAL	5.5

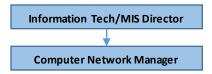
^{*}New Position Added FY22

CURRENT:



Staffing		
Info Systems Manager	1	
Computer Network Tech	1	
TOTAL	2	

PROPOSED:



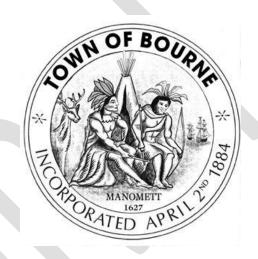
Staffing	
Information Tech/MIS Director*	1
Computer Network Tech**	0
Computer Network Manager	1
TOTAL	2

^{*} New Position FY22

^{**}Position Eliminated

Articles of the Warrant
For the Bourne
Annual Town Meeting
Monday, May 03, 2021
7:00 p.m.

Bourne Middle School Gymnasium



ANNUAL TOWN MEETING

<u>ARTICLE 1:</u> To see if the Town will vote the **following Consent Articles**, or pass any vote or take any other action relative thereto.

Sponsor – Board of Selectmen

- 1. <u>Regular Required Authorizations</u> To see if the Town will vote the **following regularly required authorizations**:
 - a. Assumption of liability in the manner provided by Section 29 and 29A of **Chapter 91 of the General Laws**, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, (including the Merrimack and Connecticut Rivers) in accordance with Section II of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, and further to assume liability pursuant to Section 1 of Chapter 814 of the Acts of 1972;
 - b. Road Contracts To see if the Town will vote to authorize the Town Administrator to enter into a contract with the Massachusetts Department of Transportation or the Federal Government for the construction and maintenance of public highways in the Town of Bourne for the ensuing year;
 - c. Grant Program Authorization To see if the Town will vote to authorize the Board of Selectmen and/or the Town Administrator to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Bourne by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program;
 - d. Contracts in Excess of Three Years To see if the Town will vote in accordance with the provisions of G.L. c. 30B, § 12(b), and Section 4-6 (l) of the Town Charter to authorize the Town Administrator or the Superintendent of Schools to solicit and award contracts for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen or the School Committee, as appropriate;
 - e. Authorize the Treasurer and the Town Collector, pursuant to Chapter 44, Section 53F, Massachusetts General Laws, as amended and supplemented, with the approval of the Board of Selectmen, to enter into agreements for periods not to exceed three years with banking institutions to maintain deposits in exchange for banking services;
 - f. Authorize the Board of Selectmen, pursuant to Chapter 44, Section 72, Massachusetts General Laws, as amended and supplemented, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.

- 2. <u>Elected Officials Salaries</u> To see if the Town will vote to fix the **salaries and compensation of all elected officials** of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended for the fiscal year commencing July 1, 2021 as follows:
 - a. Town Moderator: \$644
 - b. Selectmen 4 @ \$3,570 for total of **\$14,280**
 - **c.** Selectman (Chair) 1 @ \$4,590 for a total of **\$4,590**
 - **d.** Town Clerk: \$43,691
- 3. <u>Chapter 90</u> To see if the Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts for the construction, reconstruction and improvement on all approved public ways which qualify under the **State**Aid Highway (Chapter 90) guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the D.P.W. Superintendent, with the approval of the Board of Selectmen.
- 4. <u>Reserve Fund</u> To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$350,000 to establish the **Finance Committee Reserve Fund.**
- 5. Revolving Funds To see if the Town will vote under authority of M.G.L., Chapter 44, Section 53E ½ to establish **Revolving Funds** to be known as described below including spending authorization, revenue source, use of said fund and spending limit:

#	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2022 Spending Limit
1	Recreation Programs Fund	Recreation Department with the approval of the Town Administrator	All fees charged for all programs run by the Recreation Department	Purchase & Acquire recreational equipment and materials and part-time seasonal staff to facilitate seasonal recreational programs	\$ 175,000
2	Shellfish Propagation Fund	Department of Natural Resources with the approval of the Town Administrator	Fees for commercial shellfish licenses	Part-time salaries & expenses related to the propagation, cultivation, protection & study of shellfish	\$ 75,000
3	Transportation Revolving Fund	School Department with the approval of the School Committee	Fees for transportation services	To pay for transportation fees	\$ 50,000
4 5	Public Library Book Fund COA Supportive Day/Bridging the Years	Library with the approval of the Town Administrator COA with the approval of the Town Administrator	Fines & Fees received from overdue, lost, damaged materials Fees from and for Clients for Program Services	To purchase additional library books and materials To pay for services and expenses related to providing supportive day programs	\$ 20,000 \$ 100,000
6	COA Programs	COA with the approval of the Town Administrator	Fees & Charges from COA classes and programs	To pay the instructors and expenses of programs offered.	\$ 100,000

7	Community Building Rental Fund	Recreation Director with the approval of the Town Administrator	Fees from renting the building	To pay part time salaries and expenses related to the extra hours used for the rental of the building	\$ 10,000
8	Tax Title Collection Fund	Town Collector/Treasurer with the approval of the Town Administrator	Fees from tax takings, redemptions and foreclosures	To pay expenses related to tax takings, redemptions and foreclosures	\$ 60,000
				Total spending	\$ 590,000

6. <u>Accrued Contractual Compensated Absences</u> - To see if the Town will vote to appropriate, borrow or transfer from Free Cash the sum of **\$100,000** to fund the costs related to payments of **accrued contractual compensated absences upon retirement**.

MOTION: We move that the Town approve Article 1 as set forth in the Warrant and further move that the sum of \$350,000 for the Finance Committee Reserve Fund be raised and appropriated and \$100,000 be transferred from Free Cash as set forth in the article for Accrued Contractual Compensated Absences.

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to defray the **regular annual expenses** of the Town, or take any other action in relation thereto.

Sponsor – Board of Selectmen

Funding Sources:

MOTION: We move that the sum of Seventy One Million Seven Hundred Thirty Five Thousand Five Hundred Seventy Six Dollars (\$71,735,576) be hereby appropriated from the funding sources listed below to defray the expenses of the Municipal Town Departments in the chart entitled "These Amounts are to be Voted" as shown below for the fiscal year July 1, 2021 to June 30, 2022:

Raise and Appropriate from the FY22 Tax Levy and other General	\$ 68,877,887
Revenues from the Town	
PL874 Grant Funds	200,000
Ambulance Fund	1,325,000
Conservation Commission Receipts Reserved for Appropriation	30,000
Community Preservation Fund Revenues for Debt Expense	651,735
Community Septic Management Program	19,485
Waterway Improvement Fund	140,000
Capital Stabilization for Debt Expense	491,469
Free Cash	

Capital Stabilization for Debt Expense	491,469
Free Cash	_
Total	<u>\$ 71,735,576</u>
These Amounts are to be Voted:	
General Government	\$ 4,086,334
Public Safety	11,062,385
Public Works	2,726,650
Health & Human Services	1,105,973
Culture & Recreation	1,007,466
Bourne Public Schools	24,251,247
Upper Cape Cod Regional Technical High School	3,274,672
Shared Costs	17,363,849
Debt Service	6,857,000
Total	\$71,735,576

<u>ARTICLE 3:</u> To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the Sewer Department**, or take any other action in relation thereto. **Sponsor – Board of Sewer Commissioners**

MOTION: We move the sum of \$1,357,223 be authorized to be expended by the Sewer Commissioners for the operation of the Sewer Department for fiscal year July 1, 2021 to June 30, 2022 as follows:

Salaries & Wages	\$ 214,020
Expenses	\$1,093,203
Reserve Fund	\$ 50,000

And we further move that the sum of \$148,315 be transferred to the General Fund to offset Sewer Enterprise indirect expenses, and in order to meet this appropriation, we move that the sum of \$1,455,538 be raised from Sewer Enterprise Receipts and \$50,000 be transferred from Sewer Retained Earnings.

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

Sponsor – Board of Selectmen

<u>MOTION:</u> We move that the sum of \$10,620,251 be authorized to be expended for the operation of the Integrated Solid Waste Management Enterprise Fund for fiscal year July 1, 2021 to June 30, 2022 as follows:

Salaries & Wages	\$2,230,751
Expenses	\$6,889,500
Reserve Fund	\$ 600,000
Host Community Fee	\$ 900,000

And we further move that the sum of \$2,329,937 be transferred to the General Fund to offset the ISWM Enterprise Fund indirect expenses and in order to meet this appropriation, we further move the sum of \$12,585,188 be raised from ISWM Enterprise Receipts and \$365,000 be transferred from ISWM Retained Earnings.

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the **Fiscal Year 2022 Capital Budget**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: We move that the Town vote to appropriate \$2,737,510 to pay costs of the capital outlay projects listed in the schedule printed with the motion and to meet this appropriation, we move to transfer the sum of \$1,002,500 from ISWM Retained Earnings; \$200,000 from the Waterways Improvement Fund and \$1,535,010 from Free Cash to satisfy this article.

	Capital Budget - Fiscal Year 2022					
	Department Category Purpose Amount Source					
1	Police	Equipment	Electronic Control Weapons/Tasers	\$ 100,000	Free Cash	
2	Police	Transportation	Police Vehicles (4)	210,560	Free Cash	
3	Fire	Transportation	Pickup to Replace C-146	51,000	Free Cash	

4	Fire	Transportation	Pickup to Replace C-144	51,000	Free Cash
5	Fire	Equipment	2 nd Set of PPE & Extractors/Dryers	200,000	Free Cash
6	Fire	Equipment	COMIRS Radio Upgrade	91,000	Free Cash
7	Bourne Public Schools	Equipment	Technology Plan	293,000	Free Cash
8	Bourne Public Schools	Transportation	Minibus (2)	123,000	Free Cash
9	Public Works	Equipment	3CY Front End Loader	208,450	Free Cash
10	Public Works	Transportation	Chassis Rehab or R4 packer with		
			split body side loader	155,000	Free Cash
11	Public Works	Equipment	Air Compressor	25,000	Free Cash
12	Shore & Harbor	Infrastructure	Annual Dredging/Ramp/Pier	200,000	Waterways
			Repair		
13	Recreation	Transportation	Ford Transit Connect	27,000	Free Cash
14	ISWM	Transportation	Ford F550 1-ton Container Truck	100,000	Retained Earnings
15	ISWM	Equipment	25-ton hydraulic excavator	282,000	Retained Earnings
16	ISWM	Equipment	Low ground pressure bulldozer	597,000	Retained Earnings
	ISWM	Equipment	Roll Off Containers (4-40 yard)	<u>23,500</u>	Retained Earnings
			Total	<u>\$2,737,510</u>	

<u>ARTICLE 6:</u> To see if the Town will vote to hear **Reports and Recommendations** of Committees and Town Officers, or take any other action in relation thereto.

Sponsor – Board of Selectmen

MOTION: We move that the Town vote to hear reports and recommendations of Committees and Town Officers.

<u>ARTICLE 7:</u> To see if the Town will vote to close out and transfer available balances in previous Town Meeting Articles whose purposes have been satisfied or take any other action in relation thereto. Sponsor - Community Preservation Committee

Community Preservation Articles						
	Article Description	Voted	Balance	Fund To Return To		
1	Chester Park Playground	STM May 2015	\$6,258.75	Open Space Reserves		
2	Beach Access Mats	ATM May 2017	\$193.20	Open Space Reserves		
3	Improvements to Parcel Next to Aptucxet	ATM May 2018	\$45,179.78	Open Space Reserves		
4	Designs Monument Beach Boat Ramp	STM May 2014	\$6,434.88	Open Space Reserves		
Total Open Space				\$58,066.61		
5	Affordable Housing Specialist	ATM May 2018 \$10,572.35		Community Housing Reserves		
6	Affordable Housing Specialist	ATM May 2019	\$14,485.71	Community Housing Reserves		
		nunity Housing	\$25,058.06			

MOTION: We move that the Town vote to close out the articles as printed in the schedule in Article 7 of the Town Meeting Warrant and to transfer the balances as follows: \$58,066.61 to Open Space Reserves, and \$25,058.06 to Community Housing Reserves.

<u>ARTICLE 8:</u> To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following **Community Preservation Fund purposes**, and to meet said appropriation, to transfer from available funds or reserve from the FY2022 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto:

Sponsor - Community Preservation Committee

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend	
A	Bourne Housing Partnership	Affordable Housing Services and Support	Community Housing	\$59,200 from Community Housing Reserves	
В	Bourne Affordable Housing Trust	Emergency Rent and Mortgage Assistance	Community Housing	\$77,668.08 from Undesignated Fund Balance and 6,331.92 from Community Housing Reserves	
C	Bourne Archives	Catalog, Preserve, Re-Organize and Re-House the Vertical File, Replace 2 File Cabinets	Historic Preservation	\$27,500 from Historic Preservation Reserves	
D	Bourne Historical Commission	Interpretive Signage for Buzzards Bay Park Pediment	Historic Preservation	\$5,000 from Historic Preservation Reserves	
E	Open Space Committee	Improvements to Town Owned Open Space Parcels and Passive Recreation Projects	Open Space	\$75,000 from Open Space/Recreation Reserves	
			SUBTOTAL REQUESTS	\$250,700	
F	Community Preservation Committee	Reserve for Open Space	Open Space	\$848,581	2022 Open Space/Rec Estimated Revenues
G	Community Preservation Committee	Reserve for Community Housing	Community Housing	\$187,539	2022 Housing Estimated Revenues
Н	Community Preservation Committee	Reserve for Historic Preservation	Historic Preservation	\$187,539	2022 Historic Estimated Revenues
			SUBTOTAL RESERVES	\$1,223,659	
			TOTAL REQUESTS & RESERVES	\$1,474,359	

MOTION: We move that the Town vote, upon the recommendation of the Community
Preservation Committee, to raise and appropriate and reserve the sum of \$1,474,359 for the
Community Preservation Fund Projects and Special Purpose Reserves listed in the Community
Preservation Fund Committee report as printed in Article 8; and to meet this appropriation and
reserve, to appropriate the sum of \$1,223,659 from FY2022 Estimated CPA Revenues, transfer
\$65,531.92 from Community Housing Reserves, transfer \$32,500 from Historic Preservation
Reserve, transfer \$75,000 from Open Space Reserves and transfer \$77,668.08 from Community
Preservation Undesignated Fund Balance.

<u>ARTICLE 9:</u> To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the **administrative and operating expenses of the Community Preservation Committee,** or take any other action in relation thereto.

Sponsor – Community Preservation Committee

MOTION: We move that the Town vote, upon recommendation of the Community Preservation Committee, to appropriate the sum of \$75,000 for the purpose of administrative and operating expenses of the Community Preservation Committee for FY2022 and to meet this appropriation to transfer the sum of \$75,000 from the Community Preservation Undesignated Fund Balance.

<u>ARTICLE 10:</u> To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Capital Stabilization Fund**, or take any other action in relation thereto. **Sponsor – Board of Selectmen**

MOTION: We move that the Town vote to appropriate the sum of \$476,000 for the purposes of this article and to meet this appropriation to transfer the sum of \$476,000 from free cash.

<u>ARTICLE 11:</u> To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the **Human Services Grant program**, or take any action in relation thereto.

Sponsor – Board of Selectmen

Motion: We move that the Town vote to appropriate the sum of \$20,000 for the Human Services Grant Program and to meet this appropriation to transfer the sum of \$20,000 from free cash.

<u>ARTICLE 12:</u> To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the **Special Education Reserve Fund**, or take any action in relation thereto. Sponsor – Board of Selectmen

MOTION: We move that the Town vote to appropriate the sum of \$50,000 for the purposes of this article and to meet this appropriation to transfer the sum of \$50,000 from free cash.

<u>ARTICLE 13:</u> To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below:

AN ACT EXEMPTING THE CHIEF OF THE POLICE DEPARTMENT OF THE TOWN OF BOURNE FROM THE CIVIL SERVICE LAW

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the position of Chief of Police within the police department of the Town of Bourne shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in Section 1 on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

or take any other action thereon or in relation thereto.

Sponsor – Board of Selectmen

MOTION: We move that the Town vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth in Article.

<u>ARTICLE 14:</u> Shall the Town of Bourne request the Board of Selectmen to communicate to Governor Baker and the State Legislature that the Town favors using all means available at the **Pilgrim Nuclear Power Station** to ensure that: (1) spent nuclear fuel be secured in better quality dry casks and hardened onsite storage; and (2) spent fuel and dry casks be protected with heightened security to prevent intrusion in order to protect the health, welfare, and economic interests of the Town?

Sponsor – Board of Selectmen on behalf of Leona Bombaci and others

MOTION: We move that the Town So Vote.

<u>ARTICLE 15:</u> To see if the Town will vote to adopt the following as **Chapter 3, Article 3.1, Section 3.1.46 of the Town of Bourne Bylaws**:

The purchase by the Town of Bourne of either water or any other beverage in single use plastic containers is prohibited on town property. Any Town department when engaged in public health and safety operations shall be exempt from the Bylaw, Effective date: As soon practicable but no later than January 1, 2022. In the event of a declaration (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water for Bourne residents the Town shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended.

Sponsor – Board of Selectmen on behalf of Wendy Welsh and others

MOTION: We move that the Town So Vote.

ARTICLE 16: To see if the Town will vote to amend the Town of Bourne Bylaws, **Article 3.7.** Wetland and Natural Resources Protection, Section 3.7.4 Definitions: Regulations, "Wetland **Resource Values".** Section (d), by deleting the current Section (d) and inserting in its' place. d) Storm Damage Prevention means the project must be designed in a manner that ensures the prevention of damage to the Wetland Resource Area and abutting properties caused by, but not limited to, erosion and sedimentation, damage to vegetation, damage to property or buildings, or damage caused by the displacement of water, water-borne debris or water-borne ice. Within a velocity Zone the Commission may approve, "Dinghy Docks", as defined at Section 15.0 of the Town of Bourne Waterways Rules and Regulations; a seasonal small pier/dock as defined by the Massachusetts Department of Environmental Protection "General license Certification"; walkways permissible under 310 CMR 10.32(4); FEMA compliant structures; and other small projects deemed by the commission to meet the intent of this section. All projects must meet FEMA regulations and guidance for work within a flood zone and the Massachusetts State building code. Within the velocity zone the Commission may require the project engineer to certify in writing that the design of said project complies fully with the first sentence of Section 3.7.4(d) or that the project is designed to meet or exceed FEMA regulation & guidance; and the Massachusetts State building code regulations. Projects that fail to gain certification shall be deemed a threat to the health and safety of Bourne's residents and the proposed project shall be denied by the Commission, or take any action in relation thereto.

Sponsor – Conservation Commission

MOTION: We move that the Town So Vote.

ARTICLE 17: To see if the Town will vote to amend the Town of Bourne Bylaws, Article 3.7.

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

Sponsor – Conservation Commission

MOTION: We move that the Town So Vote.

ARTICLE 18: To see if the Town will vote to amend the Town of Bourne Bylaws, **Article 3.1 Public Safety and Good Order, Section 3.1.17 Hawkers and Peddlers**, by deleting Section 3.1.17 it in its entirety and inserting a new "Section 3.1.17 Hawkers and Peddlers: Door-to-Door Sales" as printed below, or take any action in relation thereto.

Section 3.1.17

Hawkers and Peddlers; Door-to-Door Sales

Purpose

This bylaw seeks to regulate the hawking, peddling and solicitation of goods within the Town through the issuance of licenses and imposition of other limitations on such conduct for the purpose of protecting the Town's residents from the disruption of peaceful enjoyment of their residences and from crime and fraud, and further, to allow reasonable access to residents by persons or organizations who wish to lawfully engage in commercial solicitation. This bylaw also seeks to provide residents the ability to verify the identity of those that are legitimately conducting business and to allow those residents who wish to not be interrupted by such sales a mechanism to avoid such encounters.

Definitions

- <u>Door-to-Door Sales</u>: The in-person solicitation or sales of goods or services for present or future delivery, including but not limited to magazine subscriptions and financial contributions, by entry upon residential property, including multifamily or duplex residential property, or by soliciting persons located on residential property from a street, sidewalk or other adjacent property, without the prior invitation of the person to be solicited.
- Solicitor/Hawker/Peddler: Any person, either principal or agent, who goes from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter or exposing therefor, any goods, wares, merchandise, or personal property of any nature, either on foot, or on/from any animal or vehicle, for immediate or future delivery, or for services to be furnished or performed immediately or in the future whether or not he or she collects advance payments on such sales.
- No Solicitation List: A list of residential addresses in the Town, organized alphabetically by street name, indicating those residential properties placed on the list at the request of the owner or occupant indicating that he or she does not want sales agents to enter his or her property. There shall be no names or other identifiers on this list.
- <u>Permit to Solicit and Sell</u>: A permit, issued by the Chief of Police, allowing for the solicitation of contributions or offering for sale of magazine subscriptions or any goods or services of any kind for present or future delivery within the Town of Bourne, as regulated by this bylaw.
- <u>Sales Organization</u>: Any entity engaged in the supervision, recruitment, retention or employment of a salesperson or salespersons, including any person or representative thereof.
- <u>Salesperson</u>: Any person engaged in door-to-door sales of goods or services for present or future delivery.

General Regulations

No person, organization, hawker or peddler, shall solicit contributions or offer for sale magazine subscriptions or any goods or services of any kind for present or future delivery within the Town of Bourne without first obtaining a Permit to Solicit and Sell issued by the Chief of Police. The fee for such permit shall be \$50.00 and any such permit shall be valid for a period of no more than one hundred twenty (120) days. Anyone conducting Door-to-Door Sales must obtain a Permit to Solicit

and Sell and abide by all Door-To-Door Sales Regulations listed in this bylaw. The door-to-door sales of magazines/periodicals shall be in accordance with MGL Chapter 101 Section 34. The Police Department will maintain, in a manner accessible to the public, a current list of all approved and active permits, including the time period for which the Permit to Solicit and Sell is authorized.

Door-to-Door Sales Regulations

- 1. No salesperson shall engage in door-to-door sales without first receiving a Town of Bourne Permit to Solicit and Sell and must abide by all other regulations under this bylaw.
- 2. No sales organization shall allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Bourne Permit to Solicit and Sell.
- 3. No salesperson shall solicit sales from a person situated within a residential property included on the "No Solicitation List", including any solicitation of such person from a street, sidewalk, or other adjacent property.
- 4. Each salesperson shall carry a Town of Bourne Permit to Solicit and Sell and display a company or state issued photo ID at all times while engaged in door-to-door sales and shall display said permit upon request by any police officer or any person present at a residential property where door-to-door sales are solicited.

"No Solicitation" List

A No Solicitation List shall be established and maintained by the Town of Bourne. Residents may submit their property for inclusion on the list without charge by making such request in person at the Police Department or in any other manner as determined by the Chief of Police. Upon approval and issuance of a Town of Bourne Permit to Solicit and Sell, each salesperson shall be provided with the most currently available copy of the No Solicitation List. An updated list shall be made available to the Town Administrator's Office at a regular interval. Once a property is submitted to the town for inclusion on the No Solicitation List, said property shall remain on the list until removal is requested by the current property owner.

Application Requirements

Each hawker/peddler operating in the Town of Bourne, or salesperson performing door-to-door sales activities within the Town of Bourne, must apply individually to the Chief of Police by submitting an application along with a fee of \$50 (per individual applicant). The fee will be used to cover the cost of investigating the facts stated in the application. Each applicant must complete a sworn application in writing at least ten (10) working days prior to the requested starting date for solicitation. The application shall include the following information: name; physical description; date of birth; permanent residential address of applicant; full local address of applicant (if different from residential address); home telephone number; current cell phone number; temporary local address; sales organization information; sales supervisor identity; nature of the business to be conducted; names of manufacturer of source merchandise; proposed method for delivery; duration (not to exceed 120 days) of the hawking/peddling/door-to-door sales activity (including times and days); and make/model/color/registration number of any vehicle(s) used to transport the sales agent or sales materials. The application shall be accompanied by the following: a copy of a current governmentissued photographic identification; a copy of the sales organization issued credentials (if applicable); and a statement as to whether or not the applicant has been convicted of any crime listed in the "Investigation and Issuance" section of this bylaw or is a Level 2 or Level 3 Sex Offender required to register with the Massachusetts Sex Offenders Registry Board. A digital photograph shall be taken by the police department at the time the application is filed.

Investigation and Issuance

If after an investigation and review of the facts contained in the Permit to Solicit and Sell application, but in no event more than ten (10) working days after receipt of a fully-completed application, the Chief of Police is satisfied the applicant is of suitable character consistent with the bylaw, the applicant shall be granted a Permit to Solicit and Sell. This Permit to Solicit and Sell shall include identifying information of the salesperson, a description of the authorized solicitation, a photograph of the salesperson, and the expiration date of the permit. Persons engaged in solicitation or peddling as defined in this bylaw must display the Permit to Solicit and Sell while soliciting or peddling and present the permit to any police officer, authorized enforcing agent, or person solicited upon request.

The Chief of Police shall refuse to issue a Permit to Solicit and Sell to any organization or individual whose Permit to Solicit and Sell has been revoked for a violation of this bylaw within the previous two-year period or who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, felony assault, distribution or trafficking of any controlled substance, or any larceny offense that is a felony, as such persons pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Chief of Police shall also refuse to grant a Permit to Solicit and Sell to a person who is a sex offender required to register with the Massachusetts Sex Offenders Registry Board and who is finally classified as a Level 2 or Level 3 Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sexual crimes. The Town shall not make an adverse determination based on criminal history or sex offender status without first notifying the applicant of the potential adverse determination. The Town shall provide the applicant with information regarding the source of the criminal history or sex offender status. The Town shall identify the part of the history which appears to make the applicant unsuitable. The Town shall afford the applicant the opportunity to dispute the accuracy of the criminal history or sex offender status or otherwise present to the Town any mitigating or other circumstances bearing on the history.

Records

The Chief of Police shall maintain all pertinent records of Permits to Solicit and Sell issued and violations recorded.

Exemptions

Nothing in this bylaw shall be construed to impose any license requirement or otherwise restrict or in any way regulate any activity for non-commercial purposes, including, but not limited to, any activity for religious, charitable, civic, or political purpose, regardless of whether such activity includes acts that would otherwise constitute soliciting.

Additionally, in accordance with Massachusetts General Law Chapter 101 Section 17, persons and organizations offering for sale newspapers, religious publications, ice, flowering plants, and such flowers, fruit, nuts, and berries as are wild and uncultivated shall be exempt from paying the Permit to Solicit and Sell fee; however, they must still make themselves known to the Chief of Police and abide by all other regulations in this bylaw.

Violations and Penalties

It shall be the duty of any police officer of the Town to require any person seen soliciting or peddling and who is not known by such officer to be duly licensed, to produce his or her Permit to Solicit and Sell and to enforce the provisions of this bylaw against any person found to be violating the same. Police officers shall utilize the Town's Non-Criminal Citation for issuing any violations of this bylaw. Any violation of a provision of this bylaw shall be punished by a fine of three hundred dollars (\$300). Each day on which a violation exists shall be deemed to be a separate offense. Upon the

occurrence of a second or subsequent violation of this bylaw by any salesperson, the Chief of Police may request a hearing before the Board of Selectmen for the purpose of determining if two or more violations of this bylaw occurred. If the Board of Selectmen makes such a determination, they may utilize the hearing to decide if the salesperson's or organization's Permit to Solicit and Sell, should be suspended or revoked for a determined period of time. The salesperson and sales organization being reviewed will be provided with fourteen (14) days written notice prior to any such hearing. A Permit to Solicit and Sell may be suspended immediately by the Chief of Police, without notice or hearing, if the public safety or welfare so requires for any of the following: fraud, misrepresentation, or false statement contained in the Permit to Solicit and Sell application; fraud, misrepresentation, or false statements made in the course of carrying on the business of solicitation; any violation of this bylaw; conviction of any crime listed in the "Investigation and Issuance" section of this bylaw or classification as a Level 2 or Level 3 Sex Offender; conducting the business of soliciting or peddling in an unlawful manner or in such a manner as to constitute a breach of the peace, or to constitute a menace to health, safety, or the general welfare of the public; and, high-pressure tactics, harassment, or a failure to accept a refusal as an answer. If a Permit to Solicit and Sell is suspended or revoked under the provisions of this section, notice of a hearing with regard to the same shall be given forthwith in accordance to the "Appeals and Hearings" section of this bylaw.

Appeals and Hearings

Any person or organization who is denied a Permit to Solicit and Sell may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within five (5) days after receipt of the notice of denial. The Board of Selectmen shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal. If the notice of appeal is received by the Board of Selectmen less than 72 hours before their next meeting, the appeal may be scheduled for the following meeting. Saturdays, Sundays, and legal holidays shall not count towards this 72 hour period. If the Board of Selectmen fails to make a determination regarding a denial of a Permit to Solicit and Sell within thirty (30) days after receiving the notice of appeal, the Permit to Solicit and Sell shall be deemed granted.

A notice of hearing for revocation or suspension of a Permit to Solicit and Sell shall be given forthwith in writing, setting forth specifically the grounds of the complaint and a time and place of the hearing. Such notice shall be hand delivered to the licensee or forwarded by certified mail to the licensee at his or her last known address at least five days prior to the hearing date. If the Board of Selectmen fails to make a determination regarding a suspension or revocation of a Permit to Solicit and Sell within thirty (30) days after a licensee receives notice, the Permit to Solicit and Sell shall be deemed reinstated.

Expiration

All Permits to Solicit and Sell in the Town are valid only for the particular dates specified thereon, and in no case, for longer than 120 days.

Severability

The invalidity of any portion(s) of this bylaw shall not invalidate any other portion, provision or section thereof.

Sponsor - Bylaw Committee

MOTION: We move that the Town So Vote.

ARTICLE 19: To see if the Town will vote to authorize the Board of Selectmen to Petition the General Court to amend the provisions of Massachusetts General Laws Chapter 29C, Section 19 by adding language authorizing the Cape Cod and Islands Water Protection Fund to provide subsidies and other assistance for Water Pollution Abatement Projects for Buzzards Bay in accordance with an Intermunicipal Agreement pursuant to Massachusetts General Laws Chapter 40, Section 4A, or take any action in relation thereto.

Sponsor - Board of Selectmen

MOTION: That the Town vote to authorize the Board of Selectmen to Petition the General Court for Special Legislation to accomplish the following:

To amend the provisions of Massachusetts General Laws Chapter 29C, Section 19 by adding language authorizing the Cape Cod and Islands Water Protection Fund to provide subsidies and other assistance for Water Pollution Abatement Projects for Buzzards Bay in accordance with an Intermunicipal Agreement pursuant to Massachusetts General Laws Chapter 40, Section 4A.

ARTICLE 20: To see if the Town will vote to amend the Bourne Zoning Bylaws relative to the Floodplain Regulations as follows, delete **Section 3100 Lowland regulations** in its entirety and replace with the following, or take any other action relative thereto: **Sponsor – Planning Board**

SECTION III GENERAL REGULATIONS

3100. LOWLAND REGULATIONS -

3110. Floodplain Overlay District Provisions.

3111. Purpose and Intent. The Floodplain Overlay District is herein established as an overlay district. The District includes all special flood hazard areas designated within the Town of Bourne on the Barnstable County Flood Insurance Rate Map (FIRM) dated July 6, 2021 issued by the Federal Emergency Management Agency for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 6, 2021 The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk and Engineering Department.

The purpose of the Floodplain Overlay District is to:

- 1) Ensure public safety through reducing the threats to life and personal injury
- 2) Eliminate new hazards to emergency response officials
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding
- 5) Eliminate costs associated with the response and cleanup of flooding conditions
- 6) Reduce damage to public and private property resulting from flooding waters
- **3112. Floodplain Definitions** The following definitions are specific to these Lowland Regulations, and shall have the meanings ascribed to such definitions herein.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
- (1) By an approved state program as determined by the Secretary of the Interior or
- (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance,

or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in $\S60.3(b)(5)$, (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

3120. PROCEDURAL REQUIREMENTS

3121. General Performance Standards

- <u>a)</u> All development in the Floodplain Overlay District, including structural and nonstructural activities, whether permitted by right or by special permit, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:
 - 1) Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR);
 - 2) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
 - 3) Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
 - 4) Coastal Wetlands Restriction DEP (currently 310 CMR 12:00;
 - 5) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

- Substantial Damage and Substantial Improvements are subject to cumulative costs. All permits for the same structure within a two-year period are considered a single improvement and/or repair. This period runs two (2) years prior to the issuance of any permit under consideration.
- <u>c)</u> The following shall be prohibited in the Floodplain Overlay District: mobile homes, mobile home parks, and campgrounds. In 'VE' Zones, the following are also prohibited: any man made alteration of sand dunes, which would increase potential flood damage.
- <u>d)</u> Where these Floodplain Overlay District Provisions impose greater or lesser restrictions or requirements than those of other applicable bylaws or regulations, the more restrictive shall apply.
- <u>e)</u> Designation of community Floodplain Administrator: The Town of Bourne hereby designates the position of the Chief Zoning Enforcement Officer to be the official floodplain administrator for the Town.
- Permits are required for all proposed development in the Floodplain Overlay District. The Town of Bourne requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of

agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

- Assure that all necessary permits are obtained: Bourne's permit review process includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.
- Nariances to building code floodplain standards: The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files. The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.
- i) AO and AH zones drainage requirements: Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
- j) Subdivision proposals: All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:
 - (a) Such proposals minimize flood damage.
 - (b) Public utilities and facilities are located & constructed so as to minimize flood damage.
 - (c) Adequate drainage is provided.
- <u>k)</u> Abrogation and greater restriction section: The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.
- <u>l)</u> Disclaimer of liability: The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.
- <u>m</u>) Severability section: If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

3122. Base Flood Elevation and Floodway Data.

a) In A Zones, in the absence of FEMA base flood elevation data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

- b) Base Flood Elevation Data. Base Flood elevation data is required for Subdivisions proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones
- c) Floodway encroachment
- d) In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

3123. Notification of Watercourse Alteration.

In a riverine situation the Planning Board shall notify the Conservation Agent who shall in turn notify the following of any alteration or relocation of a watercourse.

- a) Adjacent Communities
- NFIP State Coordinator
 Massachusetts Department of Conservation Services 251 Causeway Street, Suite 600-700
 Boston, MA 02114-2104
- c) NFIP Program Specialist

3124. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief 99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114 Federal Emergency Management Agency, Region I 99 High Street, 6th Floor Boston, MA 02110

3125. Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

3126. Recreational vehicles

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

3130. Cranberry Bogs.

- a) No cranberry bog shall be created, and no land shall be separated from premises containing an active cranberry bog, in such manner as to leave less than 100 feet of separation between the bank of the bog and the property line, as proposed.
- b) In any development under Section 4600 Open Space Community, no dwelling shall be separated by less than 200 feet from any active cranberry bog bank, and the plan design shall minimize the number of dwelling units located within 300 feet of the bog bank.

MOTION: We move that the Town So Vote.



Barnstable, ss.

To either of the Constables in the Town of Bourne: Greetings

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Bourne qualified to vote in elections to meet in

BOURNE VETERANS MEMORIAL COMMUNITY CENTER - PRECINCT 1
BOURNE VETERANS MEMORIAL COMMUNITY CENTER - PRECINCT 2
BOURNE VETERANS MEMORIAL COMMUNITY CENTER - PRECINCT 3
BOURNE MIDDLE SCHOOL - PRECINCT 4
ST. JOHN'S PARISH CENTER - PRECINCT 5
ST. JOHN'S PARISH CENTER - PRECINCT 6
BOURNE MIDDLE SCHOOL - PRECINCT 7

Tuesday, the 18th day of May, 2021 at 7:00 o'clock a.m. until 8:00 p.m., then and there for the following purpose.

To cast their votes in the Election of Officers in the Town of Bourne for the following offices:

- 1 Moderator for one year
- 2 Selectmen/Sewer Commissioners for three years
- 1 Town Clerk for three years
- 2 Members, Board of Health for three years
- 1 Member, Board of Health for two years
- 2 Trustees, Jonathan Bourne Public Library for three years
- 3 Members, Planning Board for three years
- 1 Trustee, (Veteran) Bourne Veterans' Memorial Community Building for three years
- 1 Trustee, (Non-Veteran) Bourne Veterans' Memorial Community Building for three years
- 2 Members, School Committee for three years

2 Members, Bourne Recreation Authority for1 Member, Bourne Housing Authority for fiveand all other candidates that may appear	ve years		
Judith MacLeod Froman	James L. Potter		
George G. Slade, Jr.	Peter J. Meier		
Jared P. Mad	eDonald		
Barnstable, ss.	Bourne, Massachusetts		
By virtue of the Authority vested in me, I have warrant in the Bourne Veterans' Memorial Co Middle School, St. John's Parish Center and in Bourne viz: Buzzards Bay Post Office, Bourne Pocasset Post Office, Cataumet Post Office, and	n the following post offices in the Town of e Post Office, Monument Beach Post Office,		
Dated thisday of	, 2021		
Constable			
Received in the Town Clerk's Office			
Barry H. Johnson, Town Clerk	<u></u>		

Karen Girouard



March 25, 2021

Nancy Sundman, Executive Asst. to the Town Administrator/Board of Selectmen 24 Perry Avenue Buzzards Bay, MA 02532

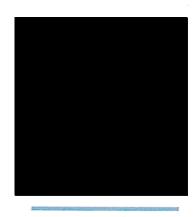
Dear Nancy,

I would like to apply to serve as a retiree member (trustee) of the Town of Bourne OPEB trust. Having served as the long time Administrator of the Town's health plans, I feel I have the intimate knowledge and understanding of the long history of managing it's self insured plans along with a commitment to keep a healthy relationship between providing a good and fair benefit while staying fiscally responsible. I have attached my resume and look forward to hearing from the Town.

Sincerely yours,

Karen Girouard

KAREN GIROUARD



PROFILE

Retired Certified Treasurer/Collector for the Town of Bourne with extensive experience in municipal finance, payroll, personnel and administration of all benefits for the Town of Bourne employees and retirees.

Experience

Treasurer/Collector Town of Bourne, Bourne, MA 2006-2018
Reported directly to the Finance Director, while managing a department of 4 full time employees. Responsible for the care and custody of all monies of the Town, to include collection of all taxes committed, departmental revenue, investments and borrowings. Managed, coordinated and administered the Town's benefits. Filed all required financial, insurance and employee payments and reports as it related to each function handled in the department. Frequently tasked with special projects for the Finance Director and Town Administrator related to finance and personnel.

Assistant Treasurer Town of Bourne, Bourne, MA 1989-2006
Reported directly to the Town Treasurer. Mainly responsible for many Human Resource duties, to include monitoring and administrating the Town's benefit and self insured plans, managing daily and weekly payroll functions and maintaining employee files. Assisted Treasurer with special projects and daily financial duties

Account Clerk II Town of Bourne Bourne, MA 1987-1989
Reported directly to the Town Clerk/Treasurer performing duties related to daily functions in both departments.

Associate Program Analyst Raytheon Company Waltham, MA 1985-1987

Monitored and analyzed labor and materials cost for various production programs to include financial data, sales forecasting and quality control related to these programs.

Education

UMass North Dartmouth — B.S. Human Resource Management 1985

Cape Cod Community College — A.A. Accounting 1983

References

Upon Request

Bourne Board of Library Trustee 2021 APR - 1 PM 12: 49 Vacancy Announcement TOWN CLERK BOURNE

The Bourne Board of Selectmen invite interested residents to apply to serve as a member of the Bourne Board of Library Trustees for an unexpired term until the **2022** annual town election in May. Interested candidates should submit a letter of interest and resume to George G. Slade, Jr., Clerk, Bourne Board of Selectmen, c/o Bourne Board of Selectmen, 24 Perry Ave Buzzards Bay, MA 02532 no later than 4:00PM on **Friday April 9, 2021**. Email submissions are highly encouraged and should be sent to George Slade at <u>gslade@townofbourne.com</u>. Candidates will be interviewed at a joint meeting of the Board of Library Trustees and Board of Selectmen on Tuesday April 13, 2021 at 6:00PM. For further information on the vacancy, duties and responsibilities, please call Anthony Schiavi, Town Administrator at 508.759.0600 ext. 1304 or email ASchiavi@townofbourne.com.



Selectmen's Correspondence

April 6, 2021

- A. DEP Non- compliance letter
- B. ABCC Advisory regarding outdoor table service
- C. Thank you letter from Big Brothers/Big Sisters
- D. Upper Cape Regional Technical School District Committee meeting notes February 11, 2021
- E. Bourne Historical Society Letter regarding wastewater outfall
- F. Letter from the Commonwealth of Massachusetts searching for lease space
- G. Letter from K. Wood requesting permission to use the Park for a Vendor Fair
- H. FEMA letter of map revision (flood zone designation) for 276 Scraggy Neck Road
- I. Email from K. McCallion regarding retained earnings
- J. Email from M. Macrina regarding sewer rates
- K. Email from A. Nardi regarding sewer rates
- L. Email from S. Page regarding sewer rates
- M. Letter from M. Dunn regarding sewer rates
- N. Letter from N. Langille regarding sewer rates



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 Kathleen A. Theoharides Secretary

> Martin Suuberg Commissioner

March 9, 2021

Town of Bourne
Attn: Judith MacLeod Froman, Chair
Bourne Selectboard
24 Perry Avenue
Buzzard Bay, Massachusetts 02532-3441

RE: BOURNE

Release Tracking Number: 4-0016075

Bourne Community Building,

Former Phil's Auto 229-239 Main Street

NOTICE OF NONCOMPLIANCE

ENFORCEMENT DOCUMENT NUMBER

00010578

THIS IS AN IMPORTANT NOTICE. FAILURE TO TAKE ADEQUATE ACTION IN RESPONSE TO THIS NOTICE COULD RESULT IN SERIOUS LEGAL CONSEQUENCES.

Dear Ms. MacLeod Froman:

The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP or the Department) is tasked with ensuring the cleanup of oil and hazardous material releases pursuant to the Massachusetts Oil and Hazardous Material Release Prevention and Response Act (M.G.L. Chapter 21E). The law is implemented through regulations known as the Massachusetts Contingency Plan (310 CMR 40.0000 et seq. – the MCP). Both M.G.L. c. 21E and the MCP require the performance of response actions to provide for the protection of harm to health, safety, public welfare and the environment which may result from releases and/or threats of releases of oil and/or hazardous material at disposal sites.

REASON FOR THIS NOTICE

You have not conducted response actions at the above site in compliance with the MCP. A Tier Classification Submittal, Phase IV Completion Report, and Permanent or Temporary Solution Statement have not been submitted to MassDEP as required.

SITE STATUS

MassDEP has reason to believe that there have been one or more releases of oil and/or hazardous materials at the above-referenced property located at 229-239 Main Street (the Site), which require one or more response actions. The MassDEP issued a Notice of Responsibility to you (as used in this notice, "you" and "your" refers to Town of Bourne) on April 12, 2001, explaining your statutory liabilities and has assigned Release Tracking Number (RTN) 4-0016075 to the Site. As outlined in the NOR, as the current owner, you are a Potentially Responsible Party (PRP) for this site.

This Notice of Noncompliance (NON) is provided to inform you that you are not in compliance with the MCP. MassDEP has no record of your completing the response actions required by the MCP to address this release.

The enclosed NON outlines the provisions of the MCP that you have not complied with. Contained within the Noncompliance Summary are the necessary actions you must complete to return to compliance. Additionally, there is a prescribed deadline for your completion of the action(s).

MassDEP may assess a Civil Administrative Penalty in excess of several thousand dollars if you continue to be in noncompliance with the violation(s) cited herein.

Notwithstanding this NON, MassDEP reserves the right to exercise the full extent of its legal authority in order to obtain compliance with all applicable requirements, including, but not limited to, criminal prosecution, civil action including court-imposed civil penalties, or administrative penalties assessed by MassDEP.

Attachment 2 of this NON is a Fact Sheet containing supplemental information.

If you have any questions regarding this matter, or if you would like to discuss compliance with this NON, please contact Allen Hemberger at the letterhead address or by email at allen.hemberger@mass.gov. All communications regarding this matter must reference Release Tracking Number 4-0016075.

Sincerely,

John T. Handrahan, Chief Site Management/C&E Section Bureau of Waste Site Cleanup

H/AH/lg

Enclosures:

Notice of Noncompliance

Attachment 2: Supplemental Information Regarding This Notice of Noncompliance

CERTIFIED MAIL # 7019 2280 00002 2137 0444 RETURN RECIEPT REQUESTED

ec:

Terri Guarino, Health Agent

Bourne Board of Health

tguarino@townofbourne.com

DEP-SERO

Attn: Lisa Ramos, Regional Enforcement Office

cc:

DEP-SERO

Attn: Regional Enforcement Office

NOTICE OF NONCOMPLIANCE

ENFORCEMENT DOCUMENT NUMBER 00010578 RELEASE TRACKING NUMBER 4-0016075

NAME OF ENTITY IN NONCOMPLIANCE:

Town of Bourne 24 Perry Avenue Buzzard Bay, Massachusetts 02532-3441

LOCATION WHERE NONCOMPLIANCE OCCURRED OR WAS OBSERVED:

Bourne Community Building - Former Phil's Auto 229-239 Main Street Buzzards Bay, Massachusetts

DATES & DESCRIPTION OF REQUIREMENT(S) NOT COMPLIED WITH:

1. Violation of 310 CMR 40.0560(7) – Tier Classification Extensions

Except where a site has filed a Permanent Solution Statement or a Downgradient Property Status Submittal, all sites for which MassDEP receives notification of a release or threat of release of oil and/or hazardous material pursuant to 310 CMR 40.0300 shall be Tier Classified in accordance with 310 CMR 40.0500. The site was Tier Classified on January 23, 2002. A Tier Classification Extension must be submitted within five years of the date of the initial Tier Classification to conduct ongoing MCP response actions at the Site.

To date, MassDEP has not received a Permanent Solution Statement, Downgradient Property Status Submittal, or a Tier Classification Extension for the Site. The deadline for submittal for the Tier Classification Extension was January 23, 2007. Therefore, you are not in compliance with the provisions of 310 CMR 40.0560(7).

2. Violation of 310 CMR 40.0877 - Phase IV Status Report and Remedial Monitoring Report

A Phase IV Remedy Implementaion Plan was submitted to MassDEP on April 5, 2002. Phase IV Status Reports shall be submitted to MassDEP every six months thereafter until a Permanent Solution, a Temporary Solution, or Remedy Operation Status (ROS) has been achieved.

The last Phase IV Status Report for the Site, dated September 29, 2006, was received by MassDEP on October 24, 2006. Therefore, you are not in complianace with the provisions of 310 CMR 40.0877.

3. Violation of 310 CMR 40.0560(2)(e) – Deadline for Permanent or Temporary Solution Statement

Pursuant to 310 CMR 40.0560(2)(e), a Permanent Solution Statement or Temporary Solution Statement, prepared pursuant to 310 CMR 40.1000, or a Remedy Operation Status Submittal pursuant to 310 CMR 40.0893, is due to be submitted to MassDEP within five (5) years of the effective date of the Tier Classification. Given the effective date listed above, one of these documents was due to be submitted by January 23, 2007.

To date, you have not submitted a Permanent Solution Statement, Temporary Solution Statement, or Remedy Operation Status Submital to MassDEP. Therefore, you have failed to comply with the provisions of 310 CMR 40.0560(2)(e).

DESCRIPTION AND DEADLINES OF ACTIONS TO BE TAKEN:

- 1. By June 5, 2021, submit to MassDEP a Tier Classification Extension.
- 2. **By June 5, 2021,** submit to MassDEP a Phase IV Status Report.
- 3. **By March 5, 2022,** submit to MassDEP either a Permanent Solution Statement, a Temporary Solution Statement, or a Phase V Remedy Operation Status.

All items must be prepared in accordance with the MCP.

Notwithstanding this NON, MassDEP reserves the right to exercise the full extent of its legal authority to obtain compliance with all applicable requirements, including but not limited to, criminal prosecution, civil action including court-imposed civil penalties, and Civil Administrative Penalties issued by MassDEP.

By:

John T. Handrahan, Chief Site Management / C&E Section Bureau of Waste Site Cleanup

Date: March 9, 2021

ATTACHMENT 2

SUPPLEMENTAL INFORMATION FACT SHEET REGARDING THIS NOTICE OF NONCOMPLIANCE

This attachment further explains why this Notice of Noncompliance (NON) has been issued to you.

Why was I issued this NON?

MassDEP's records indicate that you are not in compliance with the MCP. This NON was issued to inform you of this fact and offer you an opportunity to come back into compliance by submitting information to MassDEP by the deadlines specified in the NON. You are listed in MassDEP's records as the person who is responsible for cleaning up the release cited in the attached NON. For example, at the time you or another party notified MassDEP that the release occurred, you either informed MassDEP that you accepted responsibility for the cleanup or you were sent a "Notice of Responsibility" (NOR) by MassDEP informing you that you are responsible for the release. In either case, MassDEP has reason to believe that you are an owner, operator, generator, transporter, disposer, or person who otherwise caused the release or threat of release of oil and/or hazardous materials cited in the attached NON. This means that, under Section 5 of M.G.L. Chapter 21E, you are a *Potentially Responsible Party* (PRP) and liable for response action costs associated with the release. As a PRP, you are required to conduct and complete certain response actions outlined in the MCP to clean up the release of oil and/or hazardous materials expeditiously.

What happens if I fail to comply with or respond to the NON?

You have specified deadlines for compliance with the NON. If you fail to comply, you may be assessed a penalty by MassDEP. Your total penalty exposure can be considerable. For example, penalties can be assessed for each day you remain in noncompliance. You could be penalized thousands of dollars if you fail to comply with or respond to the NON by the deadline. Please refer to the Civil Administrative Penalty Statute, Chapter 21A, Section 16 and 310 CMR 5.00, the Civil Administrative Penalty Regulations, for complete details on the Administrative Penalty rules.

When the cleanup contractor finished the work in the field, I thought my dealings with MassDEP were finished. What more do I have to do?

This is a common question asked when a NON is received. PRPs often think their dealings with MassDEP are over when, for example, the fieldwork is completed by an environmental consultant. Examples of this type of fieldwork include cleaning up a spill from a saddle tank leak on a roadway, or removing contaminated soil from a tank excavation during a tank replacement or contaminated debris from a fire. The fieldwork may be complete, but you still must submit paperwork to MassDEP to prove that the cleanup was undertaken in compliance with the MCP.

The MCP includes deadlines by which you must complete response actions and submit information about those response actions to MassDEP. MassDEP tracks the progress of cleanups by checking to see if you are sending information about your cleanup progress to MassDEP on time. For example, if a Permanent or Temporary Solution Statement is not received by MassDEP before the 1-year anniversary date of the release, MassDEP must assume that the environmental cleanup has not been completed. For work to continue after the 1-year anniversary date of the release, the MCP requires that you submit a Tier

Classification Submittal to MassDEP. If MassDEP does not receive either a Permanent or Temporary Solution Statement or Tier Classification Statement by the 1-year anniversary date, MassDEP must assume that you are not implementing any cleanup at all. Without your cooperation in obtaining the cleanup information, MassDEP does not know whether serious environmental problems are being addressed. If work is not being performed, MassDEP must take action to ensure it happens. On the other hand, you may have finished the cleanup but neglected to forward the cleanup documentation required by the MCP.

What do I have to do to comply with the NON?

First, all response actions not directly managed by MassDEP staff must be overseen and directed by a "Licensed Site Professional" or LSP. LSPs are licensed by the Commonwealth, and their stamp and signature are required (together with yours) on all but one form you must submit to MassDEP. If you are not familiar with the forms and information required for you to comply with this NON, contact the environmental consultant who worked on your cleanup. If you have not undertaken any cleanup work, contact an LSP immediately. A list of LSPs may be obtained by calling (617) 556-1091 or viewing the list on the Internet at http://www.state.ma.us/lsp.

The documents you must submit to MassDEP require LSP stamp and signature. For example, when a cleanup is completely finished, the MCP requires that you submit a closure document (Permanent or Temporary Solution Statement) to MassDEP in which you attest that you have completed the cleanup in accordance with the MCP. If you do not submit a Permanent or Temporary Solution Statement to MassDEP, the case remains open in MassDEP's files even if the fieldwork is completely finished. If you received this NON and you think the fieldwork is completely finished, call your environmental consultant and LSP to find out how to have a Permanent or Temporary Solution Statement prepared and submitted to MassDEP.

If more environmental studies or cleanup are needed (for example, following the initial cleanup of a highway spill or soil contamination found during a tank replacement), you must submit paperwork to MassDEP describing your plans to continue the work in a timely manner. Again, these forms must contain an LSP's stamp and signature, and be co-signed by you. Depending on the circumstances, the possible submittals are an Immediate Response Action (IRA) Plan, IRA Status Report, IRA Completion Statement, and/or a Tier Classification Submittal.

You should also be aware that MassDEP does not become involved in or help mediate billing disputes with insurance companies, consultants, or LSPs. A common response to a NON is that an insurance company is slow on paying cleanup bills or will not cover various cleanup costs. Environmental consultants and LSPs may not submit MCP forms because their clients have not paid their bills. These matters must be resolved privately by you. You ultimately must comply with the attached NON or be subject to significant penalties from MassDEP.



Commonwealth of Massachusetts Alcoholic Beverages Control Commission 95 Fourth Street, Suite 3 Chelsea, Massachusetts 02150

ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING EXTENSION OF ALLOWANCE OF OUTDOOR TABLE SERVICE

On September 10, 2020, Governor Charlie Baker issued an Order Making Certain Phase III Adjustments (also known as COVID-19 Order No. 50), which extends the period for outdoor table service by licensees licensed for on-premises consumption. The text of the Governor's Order can be found HERE.

Pursuant to this Order, local licensing authorities ("LLA") may approve requests for expansion of outdoor table service or extensions of earlier granted approvals issued pursuant to Section 4 of COVID-19 Order No. 35¹, from November 1, 2020, for any period up to and until sixty (60) days after the end of the state of emergency. The LLA may issue extensions automatically to all licensees, or may do so on request from individual licensees.

The LLA may modify any prior approvals as the LLA deems proper and appropriate, including addressing snow removal, pedestrian traffic, and other similar concerns.

Any licensee that was previously granted approval but is not granted an extension by the LLA may still operate outdoor table service until November 1, 2020.

ABCC approval is <u>not</u> required on these extensions. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through sixty (60) days after the end of the state of emergency and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued September 11, 2020)

Telephone: (617) 727-3040 * Fax: (617) 727-1510 * www.mass.gov/abcc

¹ The text of COVID-19 Order No. 35 can be found HERE.



TOGETHER, WE ARE DEFENDERS OF POTENTIAL

03/23/2021

Town of Bourne 24 Perry Avenue

Buzzards Bay, MA 02532

Dear Town of Bourne,

I was thrilled to see your organization's recent donation of \$1000.00! When you help fund a match, you **empower potential in youth**. Thanks to you, children are matched with mentors who inspire them, guide them, and make connections that lead to the biggest possible futures.

Town of Bourne support is essential, because our mission is urgent and the need is great. We work with hundreds of children in communities across Cape Cod and on Martha's Vineyard, and with your help, we can reach hundreds more.

Once again, thank you! Thank you for standing with us and the children we serve. Thank you for being a positive force for change in our community. And thank you for



investing in meaningful relationships that help kids to harness their own true potential!

Sincerely,

JR Mell

Regional Director

Big Brothers Big Sisters of Eastern Massachusetts is certified as a non-profit corporation under Section 501 (c) 3 of the IRS Code. The tax identification number is 04-2074462. For tax purposes, no goods or services were received in exchange for your gift.

UPPER CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT COMMITTEE FEBRUARY 11, 2021 MEETING HELD AT THE SCHOOL 220 SANDWICH ROAD, BOURNE, MA 02532

<u>PRESENT:</u> Robert Fichtenmayer, Chair; Ellen Barber; Dominic Cammarano; Thomas Corriveau; Mary Crook; Christine Marcolini; David P. Sampson; Maryann Smith; Roger Forget; James McCue; Sharon Brito, Recording Secretary.

ABSENT: Michael Degan.

BOURNE BD OF SELECTMEN RCUD 2021 MAR 15 AM11:52

The meeting was called to order at 6:18 p.m. followed by the Pledge of Allegiance to the Flag. Mr. Fichtenmayer announced that the meeting was being recorded via an audio device.

STUDENT ADVISORY REPRESENTATIVE: Juniors Jessica Rotondo from Environmental Technology and Matthew Wright from Information Technology discussed recent student activities including the ASVAB and PSAT tests that were administered last month. The students asked if any of the sports that were cancelled in the fall or winter would happen this year. Mr. McCue responded that the Fall 2 season would begin in early March and would include soccer, ice hockey, football, volleyball, golf and cross country. It will be a ten-game season for most sports.

STUDENT SPOTLIGHT / CURRICULUM UPDATE: Although there was no formal student spotlight this month, Mr. Forget shared that the Culinary Arts students and staff did a cooking demonstration and served dinner to the School Committee in the demonstration kitchen prior to the start of the meeting. He commended the students for the excellent presentation.

At this point in the meeting, the Superintendent introduced David J. Sampson to the committee. Mr. Sampson is a technology consultant for the district and has been working with Mr. Forget in spearheading the recruitment marketing campaign. He explained the challenges that have come with not being able to hold the grade eight open house this fall which allows prospective students the opportunity to tour the school and to complete the online application on-site that evening. To address this, an e-mail marketing campaign was initiated at the end of January which involved e-mailing the families of all eighth-grade students in the district. Each week prospective students receive an e-mail encouraging them to begin the application process. Each e-mail also contains two or three short videos featuring current students highlighting different technical shops. The open rate of the e-mails is encouraging as is the number of new applications since the initiative began. Even without being able to hold the grade eight open house, the total number of applications as of February 11th is only four less than last year. Mr. Sampson played two of the videos for the committee; the general welcome video as well as the video highlighting Veterinary Science.

PUBLIC PARTICIPATION: None.

<u>APPROVAL OF MINUTES:</u> A <u>motion</u> was made by Mr. Corriveau, seconded by Mrs. Crook, for approval of the minutes of the January 21, 2021 regular meeting. <u>Motion passed unanimously.</u>

<u>COMMUNICATIONS:</u> The Superintendent read a letter from Carpentry teacher, Kevin McFadyen, indicating his intention to retire at the conclusion of the 2021-2022 school year. He then read a letter from the Board of Education in Nursing accepting the Practical Nursing program's program change report to increase enrollment by ten students and granting the program continued full approval status.

Mrs. Crook made a <u>motion</u>, seconded by Mr. Corriveau, to move to Agenda Item 12A. <u>Motion passed unanimously</u>

NEW BUSINESS:

Current Trends in Technical Programs / Future Needs — Nolan LeRoy, Technical Supervisor, reviewed the enrollment numbers in the fifteen technical programs, focusing on the increasing numbers in the Engineering program. He discussed some of the recent changes in the program including a new teacher, a new direction for the program and for freshman exploratory, and new industry partnerships. New program partners include Falmouth Scientific, IDEX Health and Sciences, Pocasset Machine Corporation, Resolute Marine, Richards Design, and SenCorp White. Mr. LeRoy explained the need for a new outbuilding to house the Engineering program to allow them more space for the program, presenting a conceptual sketch for the proposed building. Finally, he discussed current co-op placement numbers for students in all of the shops stating that there are 127 juniors and seniors participating in co-op at this time for approximately 100 employers.

REPORT OF COMMITTEES:

Policy – Ms. Crook, Chair of the Policy Sub-Committee, reported that the sub-committee met on February 8th to review sixteen policies; five of which will be presented to the committee for a first reading. The next meeting is scheduled for March 1st at 5 p.m. **Building** – Mr. Forget reported that the Building Sub-Committee met on February 8th to begin discussions around the construction of an Engineering building. The sub-committee agreed to move forward with the planning process. The sub-committee also discussed constructing two outdoor classrooms; one in the quadrangle, and one near Vet Tech and the wastewater building. The outdoor classrooms are in the initial design phase at this point.

TREASURER'S REPORT: Mr. Forget distributed the Treasurer's Report for warrants #30 and #32, highlighting the larger expenditures on the warrants including cafeteria food, student busing, and utilities. He also discussed revenue received from the wind turbine with ConEd and net metering credits from the solar canopies.

<u>SUPERINTENDENT'S REPORT:</u> Mr. Forget informed the committee that he has been working with the Sandwich Fire Department to schedule COVID-19 vaccinations for all employees. The first dose was originally scheduled to be administered tomorrow. Unfortunately, that is not going to happen due to a shortage of vaccines at this time. There is now an initiative underway to make Upper Cape Tech a vaccination site. The Superintendent will keep the committee informed as this progresses.

PRINCIPAL'S REPORT: Mr. McCue thanked Mr. Rabinovitch, the Athletic Director, for his persistence in bringing sports back, stating how much the students need to be able to participate in sports for at least part of the year. He informed the committee that the SkillsUSA district competition will be held on February 26th with 38 students testing in the gymnasium and the grade 10 and 12 students testing at home as it is a remote week for those grades. The Principal then discussed the Senior Spotlight that appears weekly in the Bourne Enterprise highlighting a senior from Bourne High School. After some phone calls to the newspaper, the Enterprise will now be highlighting UCT students on their website. Mr. McCue concluded his report by informing the committee that admission interviews for the Class of 2025 will be taking place throughout the day on February 16, 17, and 18 during the school vacation week.

NEW BUSINESS:

Vehicle Purchase Approval – The Superintendent informed the committee that the suggested vehicle for purchase will be a replacement for the old Ford van. Although the specifications included in the mailout list an 8' bed, it seems that a 6.5' would be a better option. Mr. Forget stated that adding a truck to the vehicle fleet provides more versatility than an Explorer, mini-van, or sedan. Mrs. Smith made a motion, seconded by Mr. Sampson, to approve the purchase of a 2021 Ford Super Duty F-250 SRW XLT 4WD truck in the amount of \$41,321.55 from the Transportation Stabilization fund. Motion passed unanimously.

FY2022 Proposed Budget – Mr. Forget presented an overview of the proposed FY2022 budget comparing the FY21 approved amounts by line item to the proposed line item amounts for FY2022. He compared the per pupil cost for a town to send a student to UCT as opposed to the DESE profile per pupil costs. Mr. Forget also reviewed the student enrollment by town. There is a 2.428% increase in the proposed FY22 budget over the FY21 approved budget. The proposed net foundation budget for FY2022 is \$12,388,445.00. Finally, the Superintendent showed the percentages of the different areas of the foundation budget with instruction being the largest percentage at 61.26%. As part of the presentation, Mr. Forget highlighted some of the building improvements

made thus far this fiscal year including the relocation of Health Technology into the Practical Nursing building, completion of the science laboratories, completion of the Veterinary Tech building, updating of the boiler system, and replacement of the school sign at the bottom of the hill. Mr. Forget also discussed the significant number of graduates who have returned to UCT over the years to begin their careers in education to include eight teachers and three paraprofessionals. He also discussed some of the municipal projects the students have worked on to assist the district towns citing examples from Horticulture, Carpentry, Environmental Technology, Electrical, Plumbing, and Veterinary Tech. Mr. Cammarano expressed his pleasure with the fact that the proposed budget is less than a 3% increase over last year's budget.

At this point in the meeting, Mr. Fichtenmayer reminded the committee that he is currently their representative to the Cape Cod Collaborative Board of Directors. The meetings are held on the second Wednesday of the month at 5:15 p.m. in Osterville. He offered to stay on in that role if the committee wanted him to do so. Mrs. Crook made a motion, seconded by Mr. Corriveau, to appoint Mr. Fichtenmayer as the committee's representative to the Cape Cod Collaborative Board of Directors. Motion passed unanimously.

Mr. Corriveau made a <u>motion</u>, seconded by Mr. Cammarano, to adjourn the regular meeting at 8:08 P.M. <u>Motion passed unanimously</u>.

A True Copy Attest

Date: 3 11 2 1 (Seal)

Sharon R. Brito, Secretary

Documents reviewed / referred to:

- 02/11/2021 School Committee Packet
- Marketing and Recruitment PowerPoint
- Letter Dated 01/26/2021 from K. McFadyen
- Letter Dated 02/10/2021 from the Board of Registration in Nursing
- Technical Programs PowerPoint Presentation
- 02/11/2021 Treasurer's Report
- FY22 Preliminary Budget Presentation
- Enrollment Numbers



Bourne Historical Society, Inc. Box 3095, Bourne, Massachusetts 02532-0795

(508) 759-9487

Aptucxet Trading Post • Gray Gables Train Station • Windmill Gift Shop • Museum Rooms, Jonathan Bourne Historical Center

Honorable Board of Selectmen
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532

RE: Wastewater Outfall

BOURNE BD OF SELECTMEN 15 March 2021 MAR 16 AMB 3

The Honorable Board of Selectmen:

I am writing on behalf of the Bourne Historical Society Board of Directors and Trustees. The Society has owned and operated a Museum Complex in the Town of Bourne abutting the Cape Cod Canal for over 100 years. We are very disappointed to learn that the Massachusetts Maritime academy has had a permit to discharge wastewater directly into the Canal.

It is difficult to understand why your Board is OK with this and is considering a significant expansion of wastewater disposal into the Cape Cod Canal.

The current permit issued in 2011 allows up to 77,000 gallons per day – over a half million gallons per week. For over a decade this nutrient rich wastewater has been impacting our town. Many of our coves and bays from Buttermilk Bay to Pocasset have very likely been impacted.

The MA Maritime Academy outfall should be denied and shut down for at least a year before accurate nutrient studies can be undertaken in our waters.

The current situation is very disheartening. You only have to look at Wareham and Plymouth to see the environmental disasters that former leaders have set upon their communities.

Sincerely,

President

Bourne Historical Society, Inc.



The Commonwealth of Massachusetts

Executive Office for Administration and Finance Division of Capital Asset Management and Maintenance One Ashkurton Place

> Boston, Alassachusetts 02108 Tel: (617) 727-4050 Fax: (617) 727-5363

MICHAEL J. HEFFERNAN SECRETARY ADMINISTRATION & FINANCE

CAROL W. GLADSTONE COMMISSIONER

March 17, 2021

Chair

153-22-21 Board of Selectmen Town of Bourne

24 Perry Avenue

Buzzards Bay, Massachusetts 02532

BOURNE BD OF SELECTME RCUD 2021 MAR 19 AM10:37

RE: Commonwealth's Search for Lease Space

Dear Sir or Madam:

We wish to notify you that the Division of Capital Asset Management and Maintenance has issued a Request for Proposals (RFP) seeking to lease space in your community as summarized below:

Location:

Barnstable, Bourne (east of the Canal), Dennis, Falmouth, Mashpee,

Sandwich, or Yarmouth

Type of Space:

Client Service and Administrative Office

Amount of Space:

Approximately 16,300 square feet of Usable Area

For Use By:

Department of Children and Families

Project Number:

202102000.1

The deadline for submission of proposals is April 15, 2021 at 2:00 p.m. The RFP can be viewed and downloaded from COMMBUYS using the link at http://www.mass.gov/dcamm/leasing. You may also email leasing.dcamm@mass.gov or call 857-204-1355 to request a copy of the RFP, referencing the agency name and project number in your request.

Sincerely,

Dan Cordeau

Director, Office of Leasing and State Office Planning

muil Corder

cc: Matthew Cocciardi, DCAMM John Prudente, DCAMM

3/17/2021

To whom it may concern,

My name is Krystie and for the past 10 years I have worked alongside many Vendors at craft shows and Farmers Markets. About 5 years ago, myself and a few other Vendors created a board to help make a diverse vendor experience. Unfortunately due to covid, the location we typically use has not yet decided if they plan to hold events this year.

As it stands right now, we have approximately 45+ vendors that are eagerly looking to jump back into the Market Season.

With your permission and permit I hope to be able to use your Park near the Chamber of Commerce, to create a fun and family friendly experience with a Vendor Fair.

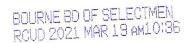
In the past our vendors have included but not limited to; Face Painting, Wood Crafters, Knitters, Soap Makers, Pottery, Handmade Jewelry, Small Live Performers and more. Even our friends from Child's Play Alpaca bring a couple of their animals for children to get pictures with. Our vendors have been carefully selected over the years to ensure we have only the best products and most respectful vendors. Everyone chips in to make sure our location is free and clear of trash and debris. Our Alpaca friends are given special mats for them to walk to prevent grass from being burned. All our vendors are required to use tent weights and not stakes to prevent damage to the grass.

I'm hoping to hold this event Sunday May 16th from 10-3pm with a setup time no earlier than 8am and a pack out time no later than 5pm. I myself would personally be on the property by 7am and I would be there until everyone else has left to make sure everything is cleaned up. If given this opportunity, the board and myself would create a printed plan as to where each table would be set up. Depending on how it went, I would love to make it a monthly event hopefully beginning in May thru early September.

With COVID-19 still being a threat to our communities, our vendors will be required to wear masks and also provide hand sanitizer for their customers at each table. Our tables will be 6ft apart and I know some vendors even have plastic shields to separate themselves from the customers. Further measures like snow fencing to encourage a one way traffic is also something we are considering as I think that would also be a good way for people to see our signs requiring masks. We also have a strict no smoking and no alcohol consumption policy during our events.

I know this is a lot to consider during these times, I can assure you that I will do everything in my power to keep everyone safe and the park tidy. We are always open to suggestions and guidelines. Our vendors are some of the most fantastic people I have ever had the pleasure of meeting and I know they would greatly appreciate the opportunity to sell at your beautiful and scenic park.

Thank you so much for your time and consideration, Krystie Wood





Federal Emergency Management Agency

Washington, D.C. 20472

March 19, 2021

THE HONORABLE JUDITH MACLEOD-FROMAN
CHAIR, BOARD OF SELECTMEN
TOWN OF BOURNE
24 PERRY AVENUE
BUZZARDS BAY, MA 02532

CASE NO.: 21-01-0580A

COMMUNITY: TOWN OF BOURNE, BARNSTABLE

COUNTY, MASSACHUSETTS

COMMUNITY NO.: 255210

DEAR MS. MACLEOD-FROMAN:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision based on Fill (LOMR-F) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Sincerely,

Luis V. Rodriguez, P.E., Director

Engineering and Modeling Division

Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMR-F DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator Community Map Repository Region Mr. Zachary Basinski

BOURNE BD OF SELECTMEN RGUD 2021 MAR 29 AM10:38



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION					
COMMUNITY	TOWN OF BOURNE, BARNSTABLE COUNTY, MASSACHUSETTS	Lot 4, Estate of Cecile T. Wood, as described in the Quitclaim Deed recorded as Document No. 7327, in Book 31082, Pages 299 through 305, in the Office of the Register of Deeds, Barnstable County, Massachusetts					
	COMMUNITY NO.: 255210	The portion of property is more particularly described by the following metes and bounds:					
AFFECTED MAP PANEL	NUMBER: 25001C0492J						
	DATE: 7/16/2014						
FLOODING SOURCE: BUZZARDS DAT		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY:41.663473, -70.629123 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD					
DETERMINATION							

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
			276 Scraggy Neck Road	Portion of Property	X (shaded)	ł	ı	15.0 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION ZONE V

PORTIONS REMAIN IN THE SFHA

STATE LOCAL CONSIDERATIONS

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director Engineering and Modeling Division

Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING on the northerly side of Scraggy Neck Road at a CB BROKEN; THENCE North 9°25'18" East, 88.09 feet; THENCE North 79°24'54" East, 20.85 feet to a point of non-tangency; THENCE South 75°28'30" East, 18.69 feet to a point of non-tangency; THENCE North 76°26'32" East, 41.20 feet to a point of non-tangency; THENCE South 71°04'09" East, 24.02 feet to a point of non-tangency; THENCE North 80°05'40" East, 16.86 feet to a point of non-tangency; THENCE South 14°22'18" West, 117.04 feet to a point of non-tangency; THENCE North 82°34'42" West, 51.11 feet to a point of non-tangency; THENCE North 73°07'42" West, 55.03 feet to the POINT OF BEGINNING

ZONE V (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property, but not the subject of the Determination/Comment Document, is located within a Coastal High Hazard Area (Zone V, VE or V1-30). Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. No construction using fill for structural support or that may increase flood damage to other property may take place in these areas.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMR-F DETERMINATION DOCUMENT (REMOVAL))

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director Engineering and Modeling Division

Federal Insurance and Mitigation Administration

Subject:

FW: [Bourne MA] sewer shortfall (Sent by Kathleen McCallion

From: Contact form at Bourne MA [cmsmailer@civicplus.com]

Sent: Thursday, April 01, 2021 4:05 PM

To: All Selectmen

Subject: [Bourne MA] sewer shortfall (Sent by Kathleen McCallion,

Hello All Selectmen,

Message:

I am pleading for you all to support the Finance Committee recommendation for \$135,000 of retained earnings to support the budget. I feel very strongly that the burden of this shortfall should be paid for by the whole town and not just a select few. Please help us with this request.

Subject:

FW: [Bourne MA] Sewer increase rate (Sent by Marion Macrina,

From: Contact form at Bourne MA [cmsmailer@civicplus.com]

Sent: Wednesday, March 31, 2021 2:35 PM

To: All Selectmen

Subject: [Bourne MA] Sewer increase rate (Sent by Marion Macrina,

Hello All Selectmen,



Message:

I am asking that you please consider support of the Finance Committee's recommendation to use the \$135,000 of retained monies. We have all suffered through this last year and it seems clearly unfair for \$1,000 people to be fined because we have a certain sewer system.

Subject:

FW: [Bourne MA] Sewer financing (Sent by Ann Nardi,

Jim Potter

Vice Chairman, Bourne Board of Selectmen Chairman, Bourne Sewer Commissioners

jimpotter@townofbourne.com

From: Contact form at Bourne MA [cmsmailer@civicplus.com]

Sent: Wednesday, March 31, 2021 3:13 PM

To: All Selectmen

Subject: [Bourne MA] Sewer financing (Sent by Ann Nardi,

Hello All Selectmen,



Message:

It is extremely important and necessary to

Please support the Finance Committee recommendation for \$135,000 of retained earnings to support the budget.

The latest sewer financing proposal is for users (approximately 1,000) including virtually everyone on Taylor's Point as well as many in Hideaway Village may increase your sewer bill up to \$500. I have been trying to get assistance from the Town on this issue. I zoomed into and spoke at the last Finance Committee Meeting (3/29/2021) and voiced my concerns. Mary Jane Mastrangelo, Chair of the Finance Committee, is very helpful and sympathetic to our concerns.

A few years ago at the Town Meeting the Town voted to build a sewerage treatment plant. It had the support of the Selectman and the Finance Committee as well as the Townspeople. It was anticipated that the availability of sewerage would draw additional business into the Town and Buzzards Bay area and provide significant tax revenue to the Whole Town of Bourne. Because of Covid and other factors this hasn't happened so to maintain the plant it is costing a significant amount of money especially without new business customers.

The majority of the Selectman have refused to support paying the maintenance on it and want to put the burden on the 1,000 or so current users of the current system (not the new system) to pay this anticipated shortfall. The Town as a whole was due to benefit from this and the shortfall should be paid for by the whole Town through the budget and not by just the 1,000 customers of the old sewer system. The old system that we have is working properly and is being paid for through our sewer bills and is not being replaced.

It is not right that the Town should put the burden of expense on the select few for a Town Voted Project. That is discriminatory and just plain wrong!

Some Selectman members are not even in support of using \$135,000 from Retained Earnings to support funding of part of this shortfall on this Town sewer project. Peter Meier is supportive of our concerns but I fear the majority of the remaining Selectman are not on our side. If you are a voter make sure who you vote for is in support of your concerns.

Subject:

FW: [Bourne MA] Sewer bill increase (Sent by Susan PAGE,

From: Contact form at Bourne MA [cmsmailer@civicplus.com]

Sent: Friday, April 02, 2021 8:42 AM

To: All Selectmen

Subject: [Bourne MA] Sewer bill increase (Sent by Susan PAGE,

Hello All Selectmen,



Message:

I'm writing to ask you to support the FinCom recommendation to retain earnings to support Sewer Budget, helping us on fixed incomes with this projected sunstantial increase.

Thank you,

April 2, 2021

To: The Town of Bourne Selectman
Anthony Schiavi

Subject: Sewer Costs

Please support the Finance Committee recommendation to take \$135,000 - \$150,000 from Retained Earnings to support the shortfall in costs for the Sewer Plant.

Maureen E. Dunn

BOURNE BD OF SELECTMEN ROUD 2021 APR 2 PM1:11 April 2, 2021

To: The Town of Bourne Selectman
Anthony Schiavi

Subject: Sewer Costs

Please support the Finance Committee recommendation to take \$135,000 - \$150,000 from Retained Earnings to support the shortfall in costs for the Sewer Plant.

Meil F. Langille

Neil F. Langille