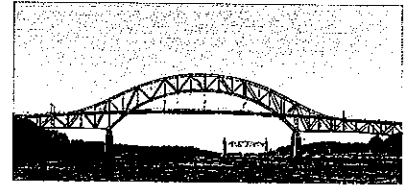


Board of Selectmen Meeting Notice AGENDA



WORKSHOP

<u>Date</u>	<u>Time</u>	<u>Location</u>
August 27, 2019	6:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

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

6:00 P.M Call Public Session to Order in Open Session

Executive Session:

Motion to enter Executive Session to review and take action on the following Executive Session Minutes for 2019:

- January 16 – Buzzards Bay Park/Playground (litigation); Haven Center (litigation); BFD (litigation)
- February 5 – Buzzards Bay Park/Playground (litigation); Easements (5)
- February 19 – Buzzards Bay Park/Playground (litigation); BFD (DLR)
- February 26 – Buzzards Bay Park/Playground (litigation); BFD (DLR)
- March 5 – Buzzards Bay Park/Playground (litigation); BFD (DLR); Easements (5)
- March 12 – Buzzards Bay Park/Playground (litigation);
- April 2 – Buzzards Bay Park/Playground (litigation); BFD (DLR); Easements (5)
- April 4 – Buzzards Bay Park/Playground (litigation);
- April 24 – Non Union Personnel contract
- May 7 – Buzzards Bay Park/Playground (litigation)
- May 8 – Town Administrator Contract
- May 13 – Town Administrator Contract
- May 14 – Town Administrator Contract
- May 14 – Buzzards Bay Park/Playground (litigation); BFD arbitration (DLR)
- May 20 – Town Administrator Contract
- May 28 – Cumberland Farms (litigation); BFD arbitration (DLR); Easements (5)
- June 11 – Buzzards Bay Park/Playground (litigation)

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

2019 AUG 27 AM 9:35
TOWN OF BOURNE

RECEIVED

Reconvene in public session

Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

6:45 P.M. Call Public Session to Order in Open Session

1. Approval of DPW Mechanic
2. Approval of DPW Promotion

7:00 P.M.

3. Review, Discuss and Appoint Town Administrator Search Committee

Approximately 8:00 P.M. – Joint Meeting with Finance Committee

4. Priority Based Budgeting
5. Adjourn

TOWN OF NEW BOURNE

2019 AUG 23 AM 9:35

RECEIVED

**Board of Selectmen
Minutes of Tuesday, August 27, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

.....

**TA Tom Guerino
ATA Glenn Cannon**

Selectmen

Judy Froman, Chair
James Potter, Vice Chair
George Slade, Clerk
Jared MacDonald
Peter Meier

2019 SEP 20 PM 11:52
TOWN OF BOURNE

6:00 p.m. Call Public Session to order in Open Session

Executive Session:

Motion to enter into Executive Session to review and take action on the following Executive Session Minutes for 2019.

- January 16 - Buzzards Bay Park/Playground (litigation); Haven Center (litigation); BFD (litigation)
- February 5 - Buzzards Bay Park/Playground (litigation); Easements (5)
- February 19 - Buzzards Bay Park/Playground (litigation); BFD (DLR)
- February 26 - Buzzards Bay Park/Playground (litigation); BFD (DLR)
- March 5 - Buzzards Bay Park/Playground (litigation); BFD (DLR); Easements (5)
- March 12 - Buzzards Bay Park/Playground (litigation);
- April 2 - Buzzards Bay Park/Playground (litigation); BFD (DLR); Easements (5)
- April 4 - Buzzards Bay Park/Playground (litigation);
- April 24 - Non-Union Personnel contract;
- May 7 - Buzzards Bay Park/Playground (litigation);
- May 8 - Town Administrator Contract
- May 13 - Town Administrator Contract
- May 14 - Town Administrator Contract
- May 14 - Buzzards Bay Park/Playground (litigation); BFD arbitration (DLR);
- May 20 - Town Administrator Contract
- May 28 - Cumberland Farms (litigation); BFD arbitration (DLR); Easements (5)
- June 11 - Buzzards Bay Park/Playground (litigation);

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements.

Roll call vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

Reconvene in public session.

Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

6:45 p.m. Chair call public session to order in open session

Meeting Called to Order

Madam Chair Froman called the meeting to order at 6:49 pm.

Tom Guerino said the agenda item number 2 is to be deferred.

Judy Froman reported on Executive meeting. The Board approved, withheld from disclosure, and sent to the RAO Executive Session minutes from: January 16, Feb 5, Feb 19 - amended, Feb 26, March 5, March 12, April 2, May 7, May 8, May 13, May 14, May 20, May 28, and June 11. Two of the Executive sessions that are listed, those meetings were canceled. There was a roll call vote, it was 4-0-0. Peter Meier was excused.

- 1. Approval of DPW Mechanic**
- 2. Approval of DPW Promotion**

Tom Guerino spoke about the mechanic positions in the DPW department. There was a vacancy for a mechanic. DPW undertook the appropriate interviews, posted it internally, ended up going outside and interviewed a few individuals. They selected a mechanic that will be starting at the appropriate grade but at step 2 in that grade. Person has been brought onboard and is pending confirmation by the Select Board.

Voted Peter Meier moved and seconded by Jared MacDonald to support the Town Administrators personnel recommendation. Vote 5-0-0.

Voted George Slade moved and seconded by Peter Meier to recess until 7:00.
Vote 5-0-0.

Workshop - 7:00 p.m.

Judy Froman said this is a workshop to identify a screening search committee for the Town Administrator's position. Ms. Froman said there was concern whether James Potter should be part of the process, because of a family member who is a town employee. On August 8th James Potter received a statement from the State Ethics Commission, Mr. Potter shared the filing with the Chair. The ethics ruling allows him to fully participate in the process. The only matter that would have prevented him from participating would be if the family member/employee was under disciplinary review and since the Town Administrator confirms that the employee was not, it is fine for Mr. Potter to be part of the process. Disclosure 23B form is on file with the Town Clerk.

Glenn Cannon and Tom Guerino excused themselves.

3. Review, Discuss and Appoint Town Administrator Search Committee

Judy Froman said the Board sent out communication requesting people to send in their letters of interest to serve on the Town Administrator Search Committee. 17 people responded. The Board will determine the number of people who will serve on that committee this evening.

Ms. Froman said John Johnson's has withdrawn his request. Janet Butler sent a message stating she had a prior engagement for this evening but is available for all the upcoming meetings.

Ms. Froman said the Board would like to know how you're (the candidates) experience would benefit this intense process. Ms. Froman spoke about the process for tonight for selecting people for the Search Committee. Each Board member has written down eight names. The Clerk will tally the votes, and read the person(s) with the most votes. The people who will serve on the committee need to be a resident of Bourne; staff can be appointed as ex officio members - not a voting member; two town employees requested to serve on the Search Committee.

The Board members agreed that 7 voting members is a good number for the Search Committee, could have more as ex-officio non-voting members.

Judy Froman said she would like to consider entertain having Erica Flemming and possibly Dave Pelonzi, and possibly have someone from the School Department on the Search Committee as ex officio non-voting members. Board members agree that having those representatives as part of the search process would be good.

George Slade spoke about the criteria the Select Board is looking at for people to serve on the Search Committee. The decision needs to be what is best for the Town.

Mr. Slade read the candidates with 5, 4, and 3, votes. The candidates are:
Janet Butler - 5 votes. Rick Howe, Alexander Joyce, Stephen Mealy - 4 votes. Richard Conron, Renee Gratis, Maria Oliva - 3 votes

Each candidate spoke briefly about why they would be a good representative for the Town Administrator Search Committee: Maria Oliva, Rick Howe, Stephen Mealy, Dick Conron, and Renee Gratis.

George Slade suggested to also select an alternate in case one of the people chosen could not serve. Mr. Slade read the names of the candidates who received 2 votes: Perry Davis, Judy Flynn, Jeremy Hutton, John Mulkeen, Kathleen Peterson, and John Redman.

Judy Froman spoke about how Maria Olivia couldn't be at the Sept 14th meeting and how another person withdrew their request because they couldn't be at the September 14th meeting.

Each candidate spoke about why they would be a good representative for the Town Administrator Search Committee: John Redman, Jeremy Hutton, Judy Flynn, and Dr. Perry Davis – who said he would be grateful to serve as an ex officio member.

David Pelonzi - Fire Department; spoke about why he would be a good candidate for the Town Administrator Search Committee, Mr. Pelonzi said he would be willing to serve as an ex officio member.

Jared MacDonald suggested to go with 7 members + 1 alternate (replacement); and 2 ex officio members – Erica Flemming and Mr. Davis.

Voted Jared MacDonald moved and seconded by Jim Potter to have 7 voting committee members plus 1 alternate if someone has to be removed.

Peter Meier said the Charter does not allow an alternate member, it states 5 or 9 members. James Potter said the alternate isn't an alternate member it is an alternate replacement if someone could not serve.

Jared MacDonald withdrew his motion. James Potter withdrew his second.

Voted: Jared MacDonald moved and seconded by James Potter to have a 7-person committee. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to appoint Jane Butler as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by George Slade to appoint Rick Howe as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to appoint Alexander Joyce as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by James Potter to appoint Stephen Mealy as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Voted: James Potter moved and seconded by Peter Meier to appoint Dick Conron as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by George Slade to appoint Renee Gratis as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by George Slade to appoint Maria Oliva as a voting member on the Town Administrator's Search Committee.

Maria Oliva withdrew her request to serve on the Committee because she would not be able to make it to the September 14th meeting.

Peter Meier withdrew his motion. George Slade withdrew his second.

Voted: Peter Meier moved and seconded by George Slade to appoint John Redman as a voting member on the Town Administrator's Search Committee. Vote: 5-0-0.

Rick Howe questioned what has been done to date. Judy Froman said the job has been posted, the applications have been sent to Community Paradigm Associates. They will meet on the 29th with the Town Administrator's Search Committee and hand over the hard copies of the profiles, which are confidential.

James Mulvey questioned if there is an Executive Order for the committee and who will be the Chair.

Judy Froman said the first meeting will include the consultant, she will be there as the Chair of the BOS. The session will open on August 29th at 6:00 p.m.; an introduction and election of officers. Ms. Froman read the Charge for the TA Search Committee.

The Town Administrator Screening Committee is responsible for presenting the names of 3-5 individuals, who shall be considered finalists, to the Board of Selectmen for consideration as appointment as the Town Administrator of Bourne. The Screening Committee members shall use their best judgment and understanding of the criteria for selection of the Town Administrator that is outlined in the Position Profile that has been prepared by the Town's recruitment consultant with the input and information of the Board of Selectmen and other town officials and community members; and that will be utilized in conducting outreach to solicit candidates for the position. The Screening Committee shall work collaboratively with the Town's recruitment consultant and Town designated Staff Leader in executing their responsibilities.

The Screening Committee's work shall include:

1. Meet to choose a committee Chairperson, Vice-Chairperson and Clerk
2. Meet with the Town's Recruitment Consultant to discuss questions regarding the Position Profile, review process of interviews, discuss questions as prepared by recruitment consultant and possible additional questions, and set interview dates.
3. Receive and review resumes of Semi-finalists as presented by the recruitment consultant.
4. Conduct interviews of selected candidates utilizing established questions.
5. Compare the experience, qualifications and interview performance of candidates to identify up to 5 finalists for reference and background check by the recruitment consultant.
6. Meet with the recruitment consultant to review the outcome of the reference and background checks and take a vote to present an unranked list of the chosen candidates to the Board of Selectmen.
7. Chairperson meets with the Board of Selectmen to present names and resumes of the Finalists.

It is anticipated that the work of the Screening Committee will be completed within 4-8 weeks. The Committee shall function as a governmental body of the Town as defined in the Massachusetts Open Meeting Law, and utilize the provisions of said law pertaining to Executive Session in order to act in the best interests of the Town. To the extent permitted by law, the Screening Committee shall maintain the names and any information about the candidates in strict confidence until it votes its recommendations. Names and information pertaining to candidates not chosen as Finalists shall be retained as confidential.

Voted: James Potter moved and seconded by Jared MacDonald to nominate Jeremy Hutton as a replacement member if one of the members cannot serve.

Peter Meier said he will be voting against this motion because the Charter does not allow an alternate member.

Dick Conron questioned has the Board generated any hiring requirements. Judy Froman said the consultant has that information.

Vote: 4-1-0.

Voted: Peter Meier moved and seconded by Jared MacDonald to appoint Erica Flemming and Dr. Perry Davis and David Pelonzi as ex-officio members. Vote: 5-0-0

Voted: Peter Meier moved and seconded by Jared MacDonald to authorize the town staff that creates the appointments to use the Selectmen stamp for these appointments. Vote: 5-0-0

Approximately 8:00 p.m. - Joint Meeting with Finance Committee

4. Priority Based Budgeting

Finance Committee members present are: Judy Flynn, Amanda Bongiovanni, Renee Gratis, Bill Towne, Richard Lavoie, Rob Wheeler, Kathy LeGacy, Jim Sullivan, and Mary Jane Mastrangelo. Mary Jane Mastrangelo call the Finance Committee to order at 8:15

Tom Guerino and Glenn Cannon rejoined the meeting; Peter Meier was excused at 8:15 p.m. Others Present: Erica Flemming and Michael Ellis

Tom Guerino spoke about the time and effort that went into the Priority Based Budgeting by Glenn Cannon, Erica Flemming, and Michael Ellis. There have been positive outcomes we got from this process. If we were going to do this program, we would need a fulltime staff person dedicated to Priority Based Budgeting. Don't think the entire program is worth it.

Renee Gratis questioned if the department heads learned skills from this experience that they carry forward with. Mr. Guerino said yes and no. There are some department heads that will not sign-on to this way of thinking. There is benefit to everyone by looking at what they do and how they apportion their time to that, at lease on an annual or bi-annual basis. There is a benefit in strategic planning and goal setting, and goal attainment.

Mary Jane Mastrangelo said you can take a lot of the information that has come out of Priority Based Budgeting in a less structured data driven way that doesn't talk with our budget. Our department heads have to do the budget in the budget SoftWright software and then for Priority Based Budgeting they have to redo it in another way, the software doesn't intergrade.

Glenn Cannon went over Priority Based Budgeting program. Program Inventory, these are the projects the staff members work on throughout Town. Program Costing, this is a breakdown of staff time. Priority Based Budgeting for Bourne can be viewed online at: Onlinepbb.net/home

Michael Ellis said each department head is responsible for putting in their own projects/day to day inventory.

Richard Lavoie questioned is there any long-term value in maintaining parts of it/the analysis. Tom Guerino said yes, if it is done on a bi-annual or annual basis you could see over time what is taking the most resources and time. You can adjust priorities within staffing. It provides insight for what the issues are within the community within each of the departmental budgets.

Mary Jane Mastrangelo said it is good for communicating to the town people what the departments are doing and it would be clear where their time and resources are being spent.

Tom Guerino said one of the problems is that it isn't importable from SoftRight. Erica said the priorities that we are scoring these against are old priorities, or suggested priorities. To go back and realign the priorities with what the current Board and Finance Committee has is going to be a huge task.

Glenn Cannon spoke about program scoring. 4-Essential; 3-Strong; this is where the mandated project would be, State or Self Mandate, By-Law, Policy of the town.

Mr. Cannon said Priority Based Budgeting assigned us priorities that are nation-wide. Most communities have these 8 priorities: Safe Community, Economic Vitality, Land Use and Development, Culture and Recreation, Livable Neighborhood, Utilities, Sustainable Environment, Good Governments. The time to do this is after the budget is done, you would have to ask staff to go back in and reassess their programs based on the budget that you just gave them. Mary Jane Mastrangelo said we were supposed to develop the budget from this. Tom Guerino said we were supposed to be able to create a budget from this program.

James Potter said this program is a review of what you did for the current year, it doesn't guide you on how to handle the upcoming budget. You would have to know the priorities from top down, then you would have to budget for those priorities.

Judy Froman said she would like to know what you are pulling from this and what we can use going forward, to incapsulate the priority setting in terms of the budget. Erica Flemming said she liked moving forward with the GFOA budget. This doesn't show us what we want, maybe there wasn't enough training. A lot of people don't understand it.

Glenn Cannon said this can show us how we set our budget for the next year, you should have department data driving the budget.

Mary Jane Mastrangelo said they wanted a strategic 5-year plan. We don't have, as a town, a strategic plan. We need to lay out the budget priorities, you need to relate your priorities to the budget.

Tom Guerino said this could be a wonderful tool but the town doesn't have the staff to do it. Richard Lavoie said a tool could be critical, but not this one.

Jared MacDonald said showing staff how to break down what is going on in a department is good so they can set a good budget.

Amanda Bongiovanni recommended if we could pull out the data, the tasks of what they are doing, the description, if the department heads can present that to us as this is our tasks, this is what we are focusing our time on, what percentage of that is by mandate/requirement, these are other accomplishments, and how it has changed from prior years. That information would be helpful when presenting their budget. From a management perspective it may be helpful to make sure everyone is aligned with the Board of Selectmen's goals.

Tom Guerino said the Select Board and the Finance Committee need to be cognizant of departments of 1 person and what they can or cannot do.

Judy Froman questioned Erica Flemming if she knows any programs that could help, or towns that are able to set directions. Erica Flemming said there are programs, but they are personalized for each town. There are a lot of programs that could help with data analysis, projections and trends. Tom Guerino said Needham, Lexington, Arlington, Ashland, Wilbraham. Mary Jane Mastrangelo said some towns use GFOA. We need to get models and create an implementation plan and tasks.

Judy Froman questioned Mr. Guerino what do you think a future Town Administrator would need to move that type of agenda forward, having an implementation plan with prioritizing budgets. Tom Guerino said having a Budget Analyst, someone who can focus their time on that, maybe bring in another ATA for Administration/Financing. You will need to ask department heads what they need.

Mary Jane Mastrangelo said from the SWAT analysis the questions were what are the challenges, what are the opportunities, what would you like to do, what are you not able to do because you don't have the resources. These are the questions we want to address and have it consistent with each department.

Glenn Cannon said maybe we need the 5-year strategic plan before we take the next step.

Tom Guerino said you can have a master plan and within that master plan there can be 3 or 4, or more, different strategic plans. You need to approach the new TA in a cogent way, in a vote of the Board this is what our policy is, this is what our priorities are, this is how we want this accomplished.

Rob Wheeler suggested to table this discussion until the new Town Administrator, who may have experience with this, is onboard.

Amanda Bongiovanni suggested to take some of the ideas with the tasks, time allocation, what is required, and what they are able to do and maybe a section on what they are not able to do and roll it out as a template to get started on what we have now even before we have a new TA, so when they come onboard they can look at what we have now.

Judy Froman said there has been more cross departmental communication and cross Board and Committee communication. The Selectmen have Over Arching Goals which can be broken down into smaller goals. As a town we need to be more cohesive.

Jared MacDonald said we can use a lot of this information as a tool. It is important that we keep lines of communication going through the proper people.

Judy Froman said one of the action items is to download the information from Priority Based Budgeting. Another is that we need to go towards having a 5-year strategic plan and implementing the recording budget prioritizing plan and moving forward with it. Also have the Board of Selectmen think of what we want to have accomplished during the budgeting process; possibly looking at a SWAT approach.

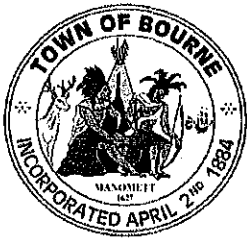
Tom Guerino said he asked department heads to have their budget in by Labor Day.

5. Adjourn

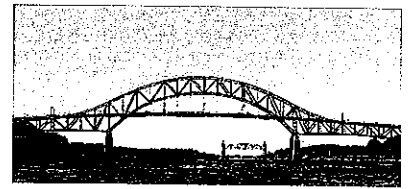
Voted: Jared MacDonald moved and seconded by Jim Potter to adjourn. Meeting adjourned at 9:34 pm. Vote 4-0-0.

Voted: Renee Gratis moved and seconded by William Towne to adjourn. Finance Committee Meeting adjourned at 9:34 pm. Vote: 9-0-0.

Respectfully submitted - Carole Ellis, secretary.



Board of Selectmen Meeting Notice AGENDA



Date

August 28, 2019

Time

8:15 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

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

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

8:15 P.M Call Public Session to Order in Open Session

1. Public Comment on Non-Agenda Items
2. The Selectmen will discuss and may vote on the Board of Health request for Special Counsel for the Savary Avenue Community Septic System
3. Adjourn

TOWN CLERK BOURNE

2019 AUG 26 PM 3:51

RECEIVED

BOARD OF SELECTMEN
Executive Session Minutes of Wednesday, August 28, 2019
Bourne Veterans' Memorial Community Center
239 Main Street
Bourne, MA

RECEIVED
2020 SEP 16 PM 1:31
TOWN CLERK BOURNE

.....
Selectmen

Judy Froman, Chair
James Potter, Vice Chair
George Slade, Clerk
Peter Meier
Jared MacDonald

Acting Town Administrator, Glenn Cannon

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

Meeting called to Order

Chairman Froman convened the meeting in open session at 8:15 p.m.

A motion was made by Jared MacDonald and seconded by George Slade to enter into Executive Session to discuss the request by the Board of Health to hire Special Counsel relative to the Savary Avenue Community Septic System.

The Motion was voted 5-0-0 to enter into Executive Session.

Froman – YES – Slade – YES – Meier – YES – MacDonald – YES – Potter – YES

During the Executive Session meeting, the Board of Selectmen noted that no questions were presented to the Board of Selectmen from the Board of Health and no one from the Board of Health showed up to address the Board of Selectmen on this topic

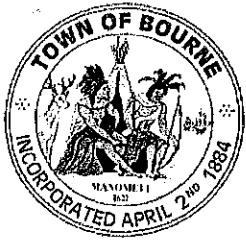
A Motion was made by Jared MacDonald, seconded by George Slade, to deny the request by the Board of Health for Special Counsel.

The Motion was voted 4-1-0 to deny the request for Special Counsel citing lack of information.

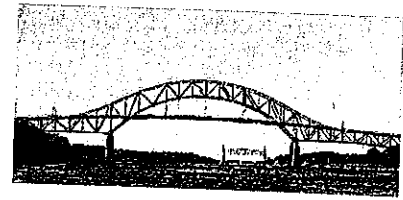
Froman - Yes - Slade- YES - MacDonald – YES – Potter – Yes – Meier- No

A Motion was made by Jared MacDonald and seconded by George Slade to adjourn the Executive Session.

The Motion was voted: Froman – YES – Slade – YES – Meier – YES – MacDonald – YES
Potter - YES



Board of Selectmen Meeting Notice AGENDA



Date

September 3, 2019

Time

6:00 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

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

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

6:00 P.M. Call Public Session to Order in Open Session

Executive Session:

Motion to enter into Executive Session to discuss and take action on the DRAFT lease for the National Marine Life Center. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the lease. Motion to enter Executive Session to conduct strategy related to ongoing litigation relative to Fire Department Local 1717. The Chair has declared that an open meeting may have a detrimental effect on the litigating position of the public body. Motion to enter Executive Session to discuss an interest in Real Estate as it relates to 100 Dr. Julius Kelly Lane, Pocasset. The Chair has declared that an open meeting may have a detrimental effect on the litigating position of the public body.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

Reconvene in public session

Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

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

Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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.

1. Moment of Silence for our Troops and our public safety personnel
2. Salute to the Flag
3. Public Comment on Non-Agenda Items
4. Introduction of Perry Davis, PHD (Bourne Interim School Superintendent)
5. Approval of minutes: 07.30.2019; 08.06.19; 08.24.2019; 08.27.2019

SEP 03 2019 06:41:55
TOWN OF BOURNE

**Board of Selectmen
Minutes of Tuesday, September 3, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

TA Tom Guerino
ATA Glenn Cannon

Selectmen

Judy Froman, Chair
James Potter, Vice Chair
George Slade, Clerk
Jared MacDonald - excused
Peter Meier

RECEIVED
2019 DEC -9 PM 12:01
TOWN CLERK BOURNE

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise and Beth Treffeisen Cape Cod Times.

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

Documents

6:00 p.m. Call Public Session to order in Open Session

Executive Session: Motion to enter into Executive Session to discuss and take action on the DRAFT lease for the National Marine Life Center. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the lease.

Motion to enter into Executive Session to conduct strategy related to ongoing litigation relative to the Fire Department Local 1717. The Chair has declared that an open meeting may have a detrimental effect on the litigation position of the public body.

Motion to enter into Executive Session to discuss an interest in Real Estate as it relates to 100 Dr. Julius Kelly Lane, Pocasset. The Chair has declared that an open meeting may have a detrimental effect on the litigating position of the public body.

Roll call vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in opens session at the conclusion of Executive Session at approximately 7:00 P.M.

Reconvene in public session. Roll call vote to adjourn the Executive Session
Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

There was a motion moved by the Board of Selectmen, vote to approve and authorize execution of amended lease between the National Marine Life Center and the Town.

Motion that the Town Administrator be authorized extend the contract for Special Counsel Jack Collins in an amount not to exceed \$4500.00 to represent the town in litigation between the Town and Local 1717.

Motion to approve Special Counsel for an interest in Real Estate as it relates to 100 Dr. Julian Kelly Lane Pocasset.

All of the votes were 5-0-0 in favor.

Tom Guerino said the vote relative to the National Marine life center was pursuant to a vote that was taken at Town Meeting to authorize the Board of Selectmen to negotiate the terms of the lease.

Chair call public session to order in open session

Meeting Called to Order

Madam Chair Froman called the meeting to order at 7:19 pm.

Moment of Silence for our Troops and our public safety personnel /Salute the Flag

Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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 responsibility 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.

Public Comment – Non-Agenda Items

None requested.

Voted: Peter Meier moved and seconded by James Potter to move agenda item 8 Hen's Cove to number 5. Vote 4-0-0.

Voted: Peter Meier moved and seconded by James Potter to move agenda item 12 to Selectmen's Business. Vote: 4-0-0.

4) Introduction of Perry Davis, PHD (Bourne Interim School Superintendent)

Tom Guerino introduced the interim School Superintendent Dr. Perry Davis. Dr. Perry Davis introduced himself and briefly spoke about his background.

8) Frank Gasson – Hens Cove – Sam Haines, Conservation Agent

Judy Froman said the three topics that will be discussed tonight are: open the culvert between Hen's Cove and Barlow's Landing that was blocked during construction of the beach. Second one is open the dam from Barlow's Landing to Buzzards Bay. The third is to dredge Hen's Cove navigable channels and mooring areas. Also the concern about peat moss and EFLA, leachate into the silt that has been brought to the public awareness.

Frank Gasson, spoke about the construction of the beach and what it has done to the fish. The blocking of Hen's Cove, which has caused immense problems as far as the silting that has taken place there, the peat and saw grass is disappearing. It's creating havoc as far as the steamed clams – now there are more oysters than clams and quahogs. Spoke about Patuisset Island, pipes under Circuit Ave, it's not flushing out correctly, would like it opened up at the beach area.

If the dam is removed on the other side of Wings Neck Road that would allow the flushing out of Barlow's Landing and Hen's Cove. It could be done in a couple stages, because the ocean is rising, and there are diamond back turtles there. Would like to see something done. Would like to come back before the Selectmen possibly in December to see what the Board of Selectmen can do about this problem.

Sam Haines, Conservation Agent, said I think the water quality is the number one issue in this town, our economy runs on it, people are here because of our natural resources and water. The Wings Neck dam is on private lands, Bourne Conservation Trust land. Don't know about public funding on private lands. Would want to do some sort of feasibility study before we approach this. Want to make sure by reducing that you're not flooding other neighborhoods or changing hydrogeology. Right now we are concentrating on dredging Pocasset River and Little Bay.

Chris Southwood, Natural Resource Director, said regarding the dredging the next plan is Pocasset River and Little Bay. There are a lot of variables with Hens Cove regarding flushing and dredging. Regarding shell fishing, we have coordinated with Springs Institute, Division of Marine Fisheries, Joint Base Cape Cod, and URI to start conducting water sampling and shell fish sampling.

Sam Haines spoke about a previous dredge and the causeway that was built. The problem with this approach is these problems are complex, as sea level rises this area will washout. There is not a lot of room to put in a culvert in that area that would flush effectively. If you look at water quality you have to look it as a watershed approach. Don't want to flush and move containments from one body of water to another. We need to stop the point sources

and the sources of pollution, which are the septic tanks, stormwater runoff, and fertilizer. This is a long-term planning process. The roadways will have to be elevated eventually.

James Potter spoke about how long-term sewer in that area could help with nitrogen. Mr. Potter questioned have we been notified by any environmental agencies that there is a bigger problem here. We have closed shellfishing.

Sam Haines said the data we have is from the Buzzards Bay Coalition and over the past few years it has been pretty steady. There is nothing to suggest that there has been a steep decline, it has been closed for shellfishing for a long period of time. All our waterbodies are impaired. Total Max Daily Load (TMDL) are being developed so we can determine what is acceptable and what is not.

James Potter said the nitrogen loading does have to be looked at.
Frank Gasson said the state closed the shellfishing.

Jim Mulvey gave a brief background on the marsh/culvert/brook, and spoke about steps that should be taken to fix the problems.

Christopher Waite, Cedar Point Drive said there is a known root cause, blocking the culvert to make the beach. We are looking for a feasibility study and action plans.

Frank Berkman, Spruce Drive said Hens Cove is silting in because of changing the hydrodynamics of the watershed. The silting in effects the water quality. Also spoke about the bridge that connected the mainland to Patuisset Island.

Bud Bristow, Salt Marsh Lane, spoke about the marsh dying. The problem is historic. We can't wait 20 years to take care of it.

Martha Hoefler, Pocasset, said we are looking for the path. The Board of Selectmen, as town leaders, should know the committees/Boards that need to be involved and how to put together the plan that will work on these problems.

Mary Jane Mastrangelo, Cataumet, spoke about the Municipality Vulnerability Workshop. It's the first step in allowing Bourne to qualify for state funding to address these issues. Priorities were established at that workshop. Conduct engineering and vulnerability assessment of dams bridges and culverts, includes the evaluation of stormwater participation. Work on integrated water quality resource management.

Judy Froman said we will be discussing this at further Board of Selectmen meetings. We will take into the consideration the concerns that you have raised. We will come forward with a cohesive conversation, possibly in December, regarding which committees are involved, what types of things we would need to have, and how to approach this.

5) Approval of Minutes: 7-30-19; 8-6-19; 8-24-19; 8-27-19

Voted: George Slade moved and seconded by James Potter to approve the minutes from July 30, 2019. Vote: 3-0-1. Peter Meier abstained.

Voted: George Slade moved and seconded by James Potter to approve the minutes from August 6, 2019. Vote: 4-0-0.

Voted: Peter Meier moved and seconded by George Slade to approve the minutes from August 24, 2019. Vote: 3-0-1. James Potter abstained

Voted: James Potter moved and seconded by Peter Meier to approve the minutes from August 27, 2019. Vote: 4-0-0.

6) License/Appointments

a. Buzzards Bay Brewery – Blocks of 3 1-Day Licenses for the following dates

9-12-19; 9-13-19; 9-14-19

9-19-19; 9-20-19; 9-21-19

9-26-19; 9-27-19; 9-28-19

b. Suicide Prevention Week – September 8-14

c. Board of Council on Aging Appointment – Beverly Armando

d. Brain Injury Awareness – Amendment to Request

e. Request for installing sign for Hampton Inn on Town Directional Post

a. Buzzards Bay Brewery

Buzzards Bay Brewery LLC. William Russell, Manager, 98 Horseneck Road, Westport, MA. Location of project is 85 Main Street Buzzards Bay – 3,000 sq. ft. unit including 3 restrooms and bar. The request is for 3 1-day applications for the sale for wine and malt beverages as follows: 9-12-19; 9-13-19; 9-14-19; 9-19-19; 9-20-19; 9-21-19; 9-26-19; 9-27-19; 9-28-19. Hours of operation from 11:00 a.m. to 9:00 p.m. All wine and malt beverages will be delivered the day of each event and will be removed the last day of each event. Remarks: Planning Department – Does not concur: Amendment to SPR #498 and SP #02-2019 submitted to Planning Department and is pending Planning Board review. Planning Board – Does not concur. Conservation Commission – Must File – The building is not in compliance with the plans approved by the Conservation Commission. Further coordination is required with the Conservation Department once the Planning Board reviews the site revisions. Building Inspector – Does not concur – No building permit has been issued. Sewer Commissioners – Sewer Commissioners approved sewer allocation for 85-93 Main Street. Assessors – No – Need FOL. Police Department – Concerns for using one day license for this type of situation. Alcohol cannot be stored on site on any night between the dates by state law, meaning each and every day at the conclusion of the event, the alcohol must be removed from the property. Has this location passed all required permits for occupancy? If this is going to be a permanent business, why requesting numerous one-day licenses? ABCC states no person may be granted a special license while an application for an annual license is pending before the licensing authority. Recommend this request be referred to the state ABCC for further guidance. If the ABCC states this is acceptable, we have no issue with the license being issued as long as all laws are being

complied with, including no overnight storage. Fire Department – Still need certificate of occupancy and final inspection prior to sign off.

James Potter said he noticed there are a few town departments that did not approve this.

Sam Haines said during a routine site visit, the building was not in compliance with the plan that I received. Currently the building is not designed as permitted. I need a set of plans that is approved by the Planning Board for the revisions. I need to determine if those revisions are applicable under administrative approval or whether they need to go back to the Conservation Commission. Currently the building is not as designed, so I don't understand how they can get an occupancy permit.

Coreen Moore, Town Planning, said we did receive a modification plan for the building that was built, however that will not be heard until October 10th. We would not be able to sign off on an occupancy, they asked for a temporary occupancy but that has not come before the Board at this time. There hasn't been a formal request from us other than the initial permit that was given that is not in compliant as of today.

Tom Guerino said the Planning Board meets on the 12th of September. Is it too late to allow the building inspector to issue a temporary OC pending the other renovations to be authorized by the Planning Board? Coreen Moore said it is not too late to request.

Tom Guerino, said the fire chief would have to do an inspection of the property on or before September 9th. In this instance the Board of Selectmen could consider a conditional approval pending the Fire and Planning Board and the Building Inspectors OC, because the BOS don't meet in a regular business setting until October 1st. You do have a meeting on the 17th if the Chair wants to hear this matter on the 17th, so you could do something conditionally or you could wait until the 17th, and that would take care of all the issues.

George Slade said the onus would be on the Planning Board and the Fire Chief.
Peter said we have approved licenses with contingencies on the route slip before.

James Potter questioned what is the anticipated receipt of the license from the state. Mr. Russel said mid-September.

James Potter said his issue is we don't have a complete building, don't want to license a place that does not have an operational sprinkler. Our departments have to go through their processes. There are too many issues, conservation, planning, police, fire and the building department.

James Potter said he is not convinced on the single day license, because when you have an application in for a permanent license, you cannot request single day licenses.

Tom Guerino questioned Mr. Haines as it relates to the Conservation Commission issue, would the Conservation Agent, if the Planning Board would allow a temporary OC until it got heard before the Planning Board, have an issue with that? Sam Haines said

Conservation would have no restriction on the occupancy permit. We look at the project and how it is designed and whether there was any variation from that. As long as the other parties are comfortable with the occupancy of the building, I don't think the Conservation Agent would have an issue.

Judy Froman said it is worthy of discussion, we have spoken about having completed applications, but we would like to see booming businesses in Buzzards Bay.

No vote was taken on this agenda item.

b. Suicide Prevention Week – September 8-14

Judy Froman read the Suicide Proclamation:

Whereas, in the United States one person dies by suicide every 12 minutes and 121 people die by suicide each day; and

Whereas, 20 veterans die by suicide each day; and

Whereas, suicide is the second leading cause of death for Massachusetts residents ages 15-44 and the suicide rate on the Cape and Islands is 1.4 times higher than the State average; and

Whereas, suicide is a tragic and disruptive event for families and communities – it is estimated that annually, there are 6.3 million suicide loss survivors who have lost a loved one to suicide, and

Whereas suicide is a public health issue and a community concern, and through increased education and awareness of this issue a great number of suicides can be prevented;

Therefore, we do hereby officially designate the week of September 8-14, 2019 as "SUICIDE PREVENTION WEEK" in Bourne, Massachusetts.

Voted: Peter Meier moved and seconded by James Potter to authorize the Board of Selectmen to sign the proclamation. Vote 4-0-0.

c. Board of Council on Aging Appointment – Beverly Armando

Beverly Armando briefly spoke about why she would like to be on the Council on Aging and what she has done in the past.

Voted: Peter Meier moved and seconded by George Slade to appoint Beverly Armando to the Council on Aging Board of Directors, term to expire June 30, 2022. Vote: 4-0-0.

James Potter said there are 2 more vacancies on the Council on Aging.s

d. Brain Injury Awareness – Amendment to Request

Chesa Conrad, 30 Lyman Street – Suit 10, Westborough, MA. Project location – Buzzards Bay Park. Request is for 9-21-19 from 9:00 a.m. to 2:00 p.m. Brain Injury Awareness Event – Walk & 5K (along Cape Cod Canal). Would like to host food trucks (will check with Town

Planner & Board of Health to see if allowed). Estimate Attendance: 500. Food will be served. Police/Fire detail required. Electricity needed.

UPDATE: 8/9/19 Applicant has requested a petting zoo as part of their event. Robert Orr, of the Organic Farm; they will be having goats, bunnies, ducks, and chickens. They provide sanitizer for all participants to use before and after. He is meticulous at cleaning up and keeps the wood chips from animals in their enclosed pens that look like pack and plays with a floor so nothing is left behind. Remarks: Planning Department – Food trucks for one day event – Special Permit not required. Permission may be needed from State and/or Army Corp of Engineer to use their property. Furnish Planning Office with a copy of State approval letter and a Site Plan. Street banners require Selectmen approval per §2866. Board of Health – 8/29/2019 need sketched plan re: petting zoo setup. Portable water required for handwash stations. Food vendors require to have food permits. 6/18/2019. Department of Public Works – Remove all trash. Police Department – Based on a 5K on canal, no food trucks, and petting zoo, nothing is needed from police. No police detail should be needed.

Judy Froman read the amended request.

Tom Guerino said the US Army Corp of Engineers has approved.

James Potter said he is concerned about the petting zoo and where it will be located. Peter Meier said we just invested money into the park, and not sure about having animals that might ruin the grounds. We should have a bond for this. Tom Guerino said we can ask for a bond of \$2,000

Voted: Peter Meier moved to approve with the conditions on the route slip and receipt of a \$2000 cash bond.

Peter Meier withdrew his motion.

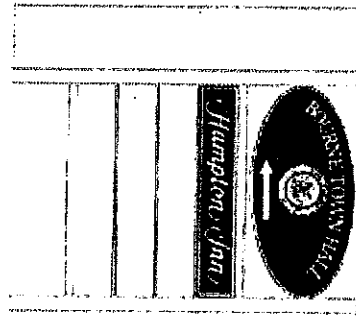
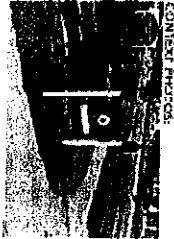
Voted James Potter moved and seconded by Peter Meier to approve the event as originally planned, with food vendors and food trucks and do not consider/allow the petting zoo at this time. Vote: 4-0-0.

e. Request for installing sign for Hampton Inn on Town Directional Post

Joe Buchholz, Kay Gee Sunshine Sign, requesting to install a directional signage for Hampton Inn located at 25 Perry Ave. Buzzards Bay. The Hampton Inn would like to advertise on the existing Bourne Town Hall directional sign. We are proposing raising the sign by installing new posts from its current height of 6' (ground to top of existing posts) to a height of 8' (ground to top of new posts), to allow for a 10.5"h x 4'8"w "tenant panel" to be added underneath the Bourne Town Hall sign. This has been approved by the Design Review Board referencing section 3.1.5 "Advertising on Public Ways" and section 3.1.6 "Signs".

LOCATION 5
Recommendation: Multi-tone sign

SIGN & SITE



RECOMMENDATION SIGN INFORMATION

Category:	Signage	Material:	Aluminum
Height:	7' 0"	Color:	White
Width:	4' 0"	Finish:	Paint
Weight:	150 lbs	Manufacturer:	Hampton Inn
Notes:	The sign is a multi-tone sign with a circular logo on the left and a rectangular sign with 'Hampton Inn' text on the right. The sign is mounted on a post with a pole cover.		

RECOMMENDATION SIGN INFORMATION

Category: Signage
Material: Aluminum
Color: White
Finish: Paint
Manufacturer: Hampton Inn

RECOMMENDATION SIGN INFORMATION

Category: Signage
Material: Aluminum
Color: White
Finish: Paint
Manufacturer: Hampton Inn

SIGN DETAILS



Joe Buchholz said it's similar to another sign down the road. Will raise the sign up 16" to allow the four business that will be going in there. We will extend the post with pole covers.

Tom Guerino questioned what will happen to the bike trail sign. Mr. Buchholz said he has no problem hanging it underneath.

Coreen Moore said this is similar to other signs around town. We say in our Bylaw that if there is a business off a main road; we allow them to use a town entity that is maintained by the town to put their sign on to direct people to the businesses. They pay for it initially, and we did approve a certain look. They said they would maintain the sign. The Design Review Committee did approve it, with the condition they go to the Selectmen and the Selectmen approve.

Voted: Peter Meier moved and seconded by George Slade to approve the application that was submitted. Vote: 4-0-0.

7) Barlow's Landing Dog Park Consultant – Barry Johnson

Barry Johnson, Chair Open Space Committee, point of personal privilege to let you know the CPC has an application for \$50,000 from Mr. Gasson on behalf of that project for engineering services. We will be entertaining that application along with others on the evening of Monday, September 16th.

Mr. Johnson said at the request of many people, commissioned a feasibility study for the possibility of creating a dog park at the parcel behind the Pocasset Fire Station. Neither the Open Space Committee nor the Community Preservation Committee has voted or taken a formal position on whether or not this is a suitable site for this particular project. The Board and the Open Space Committee have been provided a copy of this information I am presenting tonight.

There has been a great deal of work done on this proposal and on the establishment of possibly putting a dog park on the southern side of the canal, which was the original proponents request.

The Planning Dept has been working with Jennifer Copeland, on this project. Sam Haines from Conservation and Tim Lydon from Engineering in consultation with our committee has researched many sites, on two criteria, located on the south side of the canal and possibly needing a 2-acre lot size, and possibly have it on town owned land. Five sites were presented. Chester Park in Monument Beach, Hoxie School Ball Field, Monument Beach Fire Station; 315 Barlow's Landing Road behind the Pocasset Fire Station, and the Town Forest off County Road.

The project process: the town issued a proposal for a feasibility study and a preliminary sketch for this particular property. We awarded the project to Leonard Design associates. The scope of services was to do a complete feasibility study, develop a conceptual sketch, develop a project cost including construction and soft costs, and create a sight plan identifying infrastructure and permitting. The proposal for a study and conceptual sketch has been completed.

General considerations of the preferred park designs include two areas to separate large dogs from small dogs, parking area, access to water, a minimum of two gate entry point, four benches in a large section, 2 benches in a smaller section, plantings to buffer the park, and electricity.

Currently there are two basketball courts, located towards the rear of the park. I was unable to find a vote of a board or committee that established those two courts would be there. These two courts were in memory of David Duca a Bourne High School student. It was private money that constructed those two courts.

The total cost, based on the feasibility study it could range from \$350,000 - \$440,000. Funds that are available; we are holding in an article \$25,000 that was approved at Town Meeting and recommended by the CPC, that represents a 10% match of possibly getting \$250,000 from the Stanton foundation for the creation of a dog park.

Jen Copeland Assistant Town Planner, spoke about where the dog park would be at Barlow's Landing site. It would be located in the north eastern portion of the property. The existing court would be resurfaced and there would be a memorial stone put there. It doesn't have the separate area for small and large dogs, but it does have one bigger area, it is relatively flat, there is underground utilities at the site, there is existing parking already there.

Barry Johnson said this ends the actions from the Open Space Committee and the Community Preservation Committee on this particular project and this particular site. It is on town property, it is under the care custody control of the Board of Selectmen, we were asked to examine it to see if it was feasible. We are going to formally present the report to the Board of Selectmen and it is up to you what to do with it.

James Potter said it is a good location on this site, questioned the cost regarding the baseball outfield fence, handicapped parking, improvement to existing gravel and park signage \$40-50K, the price is low on that line item.

Peter Meier said am not in favor of having it at that site. We may have other properties in town that may be a better place for this. If we take those basketball courts out, we need a site for them, afraid they will not be put back.

Susan Barachini, Pocasset, said a dog park is strongly needed, but that area is well utilized by the community. With everything that goes on there between the events at the community building, the ball field, the tennis courts, the playground, and the welding business, there is no additional parking. The fecal matter from the dog waste would go into the marsh land that abuts the golf course. There isn't any extra space for a dog park. The dimensions aren't there for the size of the park that you would need.

Bob Dwyer, President of the Pocasset Village Association, said a dog park is in need but the suitability of this site has some deficiencies. Adding cars there for a dog park while there are games going on there, there is not enough parking. Regarding Community engagement,

this particular proposal would have been excellent for engaging the community earlier in the process.

Dale Wesley, Pocasset, Dog Owner, said would love to have a dog park. Spoke about how that location is not a good location for a dog park

Judy Froman said this conversation will continue because there is a lot of interest in having a dog park. A tremendous amount of work has been done.

9) 7:45 p.m. Nuovo Road – Work on Private Way/Betterments Hearing

Judy Froman said this is the Public meeting for a petition for repairs for a private way.

Tom Guerino said all the residents were notified within the 10-day notification by certified mail.

Timothy Lydon, Engineering Department, said we kicked off the Private Roads Acceptance Committee again. We were reexamining our policies and procedures. George Sala has given me a quote; it is well within the realm of the work that is needed. This road was built in the mid 1970's. Mr. Lydon spoke about the resurfacing of the road. Have an estimated cost of \$46,356.00.

Looking to let the residents know that any driveway upgrades, cobblestone that are in the road layout that the residents would like to keep may have to be removed on their own volition prior to the work because we can't guarantee the condition that we would leave that in on the side of the road.

Judy Froman questioned if approved at Special Town Meeting when would it be done. Tim Lydon said the plan is to be done next summer.

James Potter said it might be a good opportunity to talk to anyone who has utilities under the road, it might be a good time to replace those.

Mr. Swartz gentleman in the audience, gave a brief history on the road. Regarding utilities there is a gas line going down the road. If anyone wanted to hook up to gas that would be the time to hook up.

Tom White, homeowner on the road, said they haven't been involved with the discussions, we have the biggest frontage on the project. We still have a lot of questions about this. Is this going to bring the road up to the level of a town road or is this just a repair. Tim Lydon said the way it is designed it is just a repair.

Tom White said for the go ahead to bring it up to town road you'd need 75% of the abutters to agree, we would not agree to the additional costs to that.

Tim Lydon said he can't speak to if it will be brought up to town standards, would have to review subdivision regulations.

Kathy White, Clark Road, questioned if the lean that is attached to the house is transferable to a new owner. Tom Guerino said it is attached to the property.

Voted: Peter Meier moved and seconded by George Slade to close the public hearing.
Vote: 4-0-0.

Voted: Peter Meier moved and seconded by George Slade to approve the betterment as presented to be forwarded to Town Meeting.

Tom Guerino said there will be an article on the October 21 Special Town Meeting with an estimate. There will be an estimated order of betterments, placed on the property with the registry of deeds, at that time; and at the completion of the job there will be a final order of betterments ordered on the property. That is when the homeowners meet with the assessor and determine on the term for the betterment.

Peter Meier said we have insurance that over 51% of the lineal frontage has approved to go forward with the initial \$23,000. Tim Lydon said the initial petition had 83%, we had 5 out of the 6 signatures.

Vote: 4-0-0.

10) Complete Streets – Steve Tupper, Transportation Planner – Cape Cod Commission

Steven Tupper, Transportation Program Manager Cape Cod Commission, went over the Complete Streets presentation.

A complete street is one that provides safe and accessible options for all travel modes – walking, biking, transit and vehicles – for people of all ages and abilities.

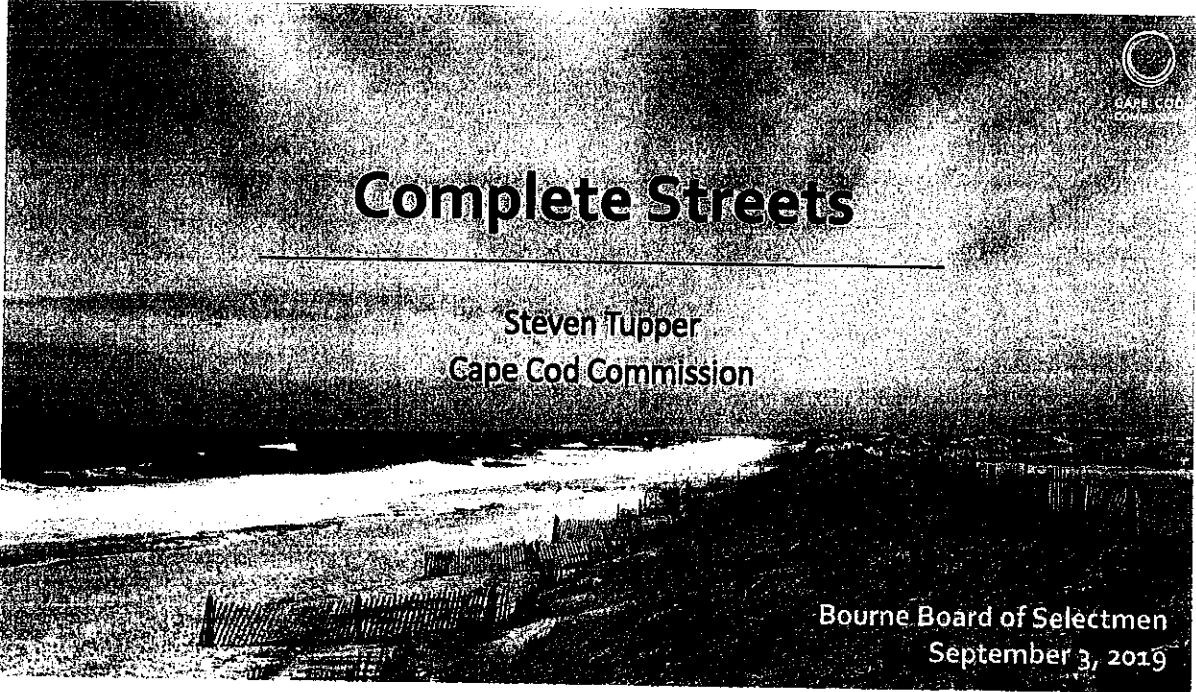
Mr. Tupper's presentation covered: Benefits of complete streets: Improved health through healthy transportation and Improved economy; Context Sensitivity;


MassDOT Complete Streets Funding Program: Background and program structure

Complete Streets Program: Policy Development; Prioritization Plan; Project Funding; and

Deadlines. More Information can be found at: masscompletestreets.com &

capecodcommission.org





 CAPE COD

 COMMISSION

Complete Streets

Steven Tupper

 Cape Cod Commission

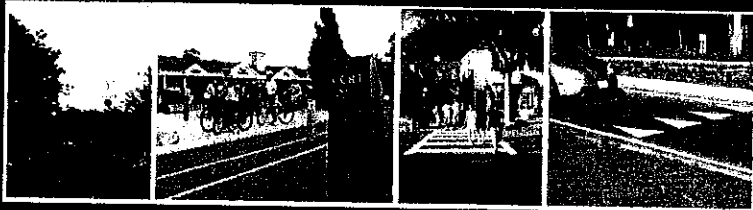
Bourne Board of Selectmen

 September 3, 2019

WHAT IS A COMPLETE STREET?

"A Complete Street is one that provides safe and accessible options for all travel modes – walking, biking, transit and vehicles – for people of all ages and abilities."

 (MassDOT definition)



BENEFITS OF COMPLETE STREETS

3

Improved health through healthy transportation

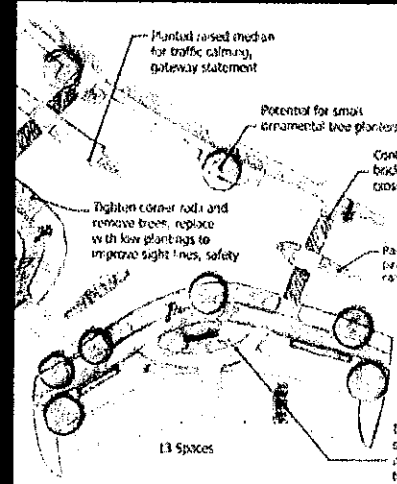
+ 65% of residents are more likely walk if sidewalks are present¹

Improved safety

- + Sidewalks reduce pedestrian crashes 88%²
- + Shoulders reduce pedestrian crashes 71%³
- + Countdown signals reduce crashes 25%²

Improved economy

- + Spurs economic activity and private investment⁴
- + Increases property values⁵



¹Tooth Heblans, L. et al. (2007). Researcher. Planning Walking and Biking: The complete Book. National Conference of State Legislatures. www.nationalconferencelibrary.org/pdfs/Researching_Walking_and_Biking.pdf. (HWA 7/10/07) National Complete Streets Coalition (2017). February 22. It's a safe bet on complete streets. (n.d.). Retrieved 2012, August 18, from <http://www.completestreets.org/what-we-do/press-releases/01/07/07-02-17-its-a-safe-bet-on-complete-streets/>

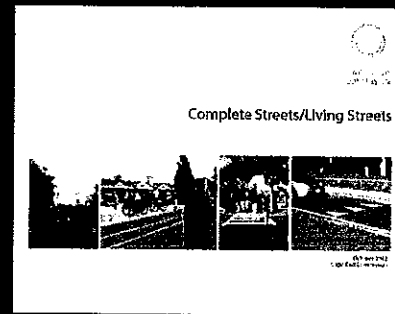
²Transportation Research Board of the National Academies (2004). August. Walking to work. Retrieved 2012, August 18, from <http://www.nationalacademies.org/trb/search/finding-the-walk/>

3

CONTEXT SENSITIVITY

Complete Streets are context sensitive – design elements will depend on:

- + Roadway type
- + Vehicle volumes and speeds
- + Density and type of development
- + Pedestrian and bicyclist demand
- + Constraints present



4

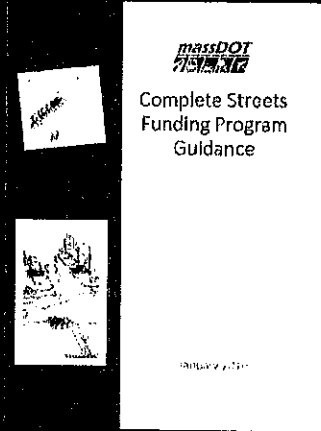
MASSDOT COMPLETE STREETS FUNDING PROGRAM

Background

- + Funding authorized by 2014 Transportation Bond Bill "to reward municipalities that demonstrate a commitment to embedding Complete Streets in policy and practice with technical assistance and construction funding"¹

Program Structure

- + Tier 1: Training and Complete Streets Policy Development
- + Tier 2: Prioritization Plan Development (up to \$38,000 per community available for technical assistance)
- + Tier 3: Project Funding for Construction (up to \$400,000 available per community for eligible construction expenses)



¹For details see: www.mass.gov/completestreets/

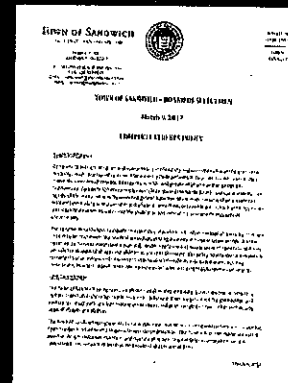
COMPLETE STREETS PROGRAM: POLICY DEVELOPMENT

Municipal Complete Streets Policy be adopted as a bylaw, ordinance or administrative policy by the municipality's highest elected body.

The policy must:

- + Include a vision and intention for how and why the community wants to advance Complete Streets.
- + Demonstrate a core commitment to implementing Complete Streets in all phases of all projects. Specify any exceptions.
- + Detail best practices that will be implemented by the Town.
- + Describe the implementation of the policy.

Cape Cod Commission staff have developed a model policy to assist Towns as they craft their policies.



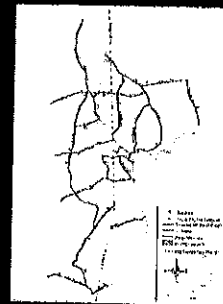
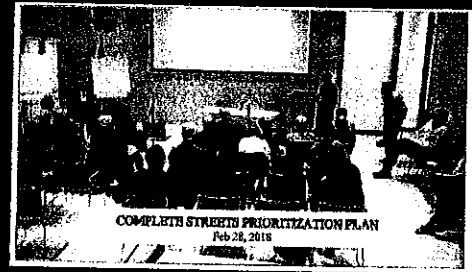
COMPLETE STREETS PROGRAM: PRIORITIZATION PLAN

Prioritization Plan must:

- + Be based on a community-driven process
- + Identify all potential projects
- + Rank projects based on evaluation criteria
- + Be approved by MassDOT

Funding is available for plan development.

Existing municipal plan, such as Local Comprehensive Plans, Master Plans, and Bicycle Plans, can be the basis of the prioritization plan.

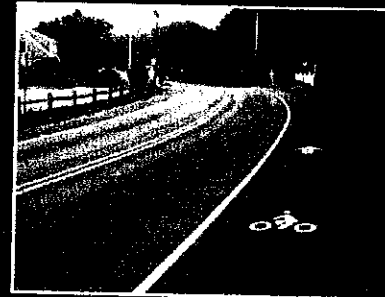


Project ID	Project Name	Priority	Category	Notes
001	Central Street	High	Reconstruction	...
002
003
004
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012
013
014
015
016
017
018
019
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049
050

COMPLETE STREETS PROGRAM: PROJECT FUNDING

Eligible project type

- + Municipal roadways
- + New construction, reconstruction, some types of rehabilitation
- + Standalone projects or element of larger projects (up to \$400,000 per request/funding round)
- + Be approved by MassDOT



Typical projects

- + Pavement markings and signage
- + Intersection or crossing improvements
- + New or improved sidewalks, bike lanes, or paths
- + Bus stop amenities or improvements

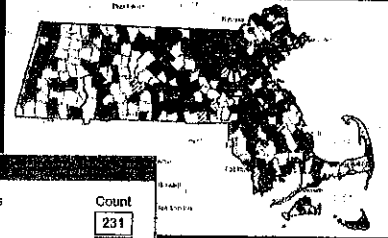


COMPLETE STREETS PROGRAM: DEADLINES

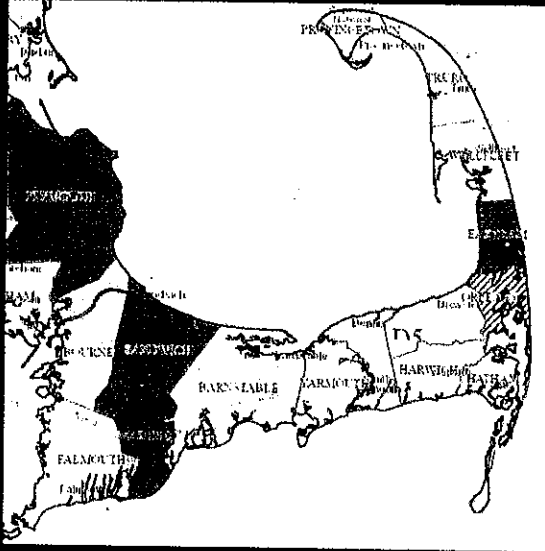
	Tier 1 Policy	Tier 2 Prioritization Plan	Tier 3 Construction Application	Notice to Proceed
Round 1	Rolling	April 1	May 1	Mid-July/ Mid-late August
Round 2		September 1	October 1	Mid-January/ Mid-late February
MassDOT Response Time	Allow 3 weeks for Policy Score	3-4 weeks for Plan review. Allow time for revisions.	2.5 months for application review	1-1.5 months from award notification

MASSDOT COMPLETE STREETS FUNDING PROGRAM

Current Program Participation



MAP LEGEND ▲	
Municipal Status	Count
✓ Registered	231
✓ Letter of Intent (LOI)	7
✓ Approved Policies	203
✓ Approved Prioritization Plan	161
✓ Approved Projects	
✓ 2020	18
✓ 2019	35
✓ 2018	45
✓ 2017	26



As of 8/30/19. See: www.mass.gov/transportation



Peter Meier said this is something we should look into as a policy and what we can do going forward.

Glenn Cannon confirmed that the next step for the Town of Bourne would be a policy. Mr. Tupper said you can start developing the policy or, if you know you want to develop a policy but don't understand the details you can put out a notice of intent and that allows you to get assistance with working on the policy.

11) Unsafe Structure - 228 Main Street - Rinkey Management Group LLC.

Tom Guerino said a demolition construction permit has been pulled. We were assured it is coming down on September 11, 2019. If it is not down on September 11 it can be an agenda item for the next Selectmen meeting.

Jim Potter said we voted this building be down by September 1st, whether they pulled the demo permit or we as a town demolished it and they would pay. I don't think it has to be an agenda item. The town already has authorization to remove the structure.

Tom Guerino said we will discuss with the building inspector and will report to the Board of Selectmen on the 17th as to what the disposition will be.

Judy Froman said the building owners will be notified that September 11th is the last date.

13) Potential ISWM Land Acquisition – Dan Barrett

Dan Barrett spoke about the future expansion of the landfill and the land acquisition. Would like to give the Board of Selectmen options for expansion. We had the option to buy 12 acres of land on the south side of the existing facility. We asked for permission to pursue purchasing that land. It was the last parcel of land contiguous to the landfill. As we move forward on our next expansion, we will have to go for a new site assignment, we will have to go back to MEPA.

We have to provide access to the 12-acre parcel, so we can determine if we can expand out there. This is prime habitat for eastern box turtles. Natural Heritage and Endangered Species program and the Massachusetts Endangered species Act provide opportunities for mitigation, we would have to provide 18 acres to mitigate this.

We have identified some parcels. One requirement is you have to provide mitigation land, which is of equal or higher value for eastern box turtle habitat. We found a couple parcels that meet the requirements, they are still available. Both owners of the two parcels have indicated that they are willing work with us. They would like to see options that will benefit them and the town.

The two parcels of land that are available are located south of the Otis rotary on the east side of Route 28. Its eastern boundary abutted by the National Cemetery, western boundary by Route 28, bounded on the north side by land owned by the town of Bourne and currently under conservation restriction, to the south is land owned by the Town of Bourne currently under conservation restriction. One parcel has 6.18 acres, the other has 6.5, 12.6 acres in total. Mr. Barrett explained where the building would be moved to and how the land would be used.

If we are able to pursue the two pieces of land, we would have the acreage we need. We need to get approval from the Board of Selectmen to approach and negotiate the land owners with the help from Town Counsel.

Tom Guerino said we need the Select Board to endorse the concept of what we are doing. That would allow us to work with Town Counsel. If the Select Board were to approve the real estate negotiations, the appraisal of the property would need to be updated.

Dan Barrett said we will determine if we need an RFP process. Hoping to do this through ISWM retained earnings.

Judy Froman questioned if we had to wait until a spring Town Meeting what would the ramifications be? Dan Barrett said we should be OK, but we'd hate to lose the parcel, if someone else decides to purchase it.

James Potter said we should look at any other opportunities, it would be good to have a plan b. We could also approach the state and Joint Base Cape Cod about property. Dan

Barrett said the Joint Base Cape Cod already has restrictions; we are looking for land that isn't currently restricted. The Base is highly restricted.

Voted: Peter Meier moved and seconded by George Slade to endorse the work that is currently being done by Administration and the Landfill Enterprise to acquire property for offset purposes for the expansion of Phase 7,8, & 9 and to report back to the Select Board at critical junctions of the process. Vote: 4-0-0

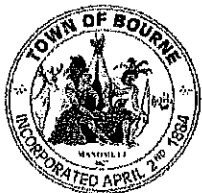
14) Selectmen's Business

- a. Town Administrator Recruitment Update**
- b. Community Engagement Committee - Update and Charge**
- c. Private Roads Acceptance Committee - General Update**
- d. Chair to provide update regarding Massachusetts Maritime Academy**

a. Town Administrator Recruitment Update: Judy Froman said there are 32 applicants. The Search Committee is underway and actively reviewing the profiles. They will have a meeting this week and will have full day interviewing on Saturday Sept. 14th.

b. Community Engagement

James Potter spoke about the Community Engagement Committee update. This is to help the committee. He'd like the Board members to review this; the appoints are for one member of the Bourne Cultural Council, one member of the Bourne Board of Selectmen, one member of the Bourne Finance Committee, The Town Administrator or his/her appointee, and three citizens at large.



Bourne Community Engagement Committee

Bylaw and Establishment

Section 1.6.1. Membership: There is hereby established in the Town of Bourne, an Engagement Committee, consisting of seven (7) members. The composition of the Committee, the appointment authority and the term of office for the committee members shall be as follows:

Three (3) residents at-large, and registered voters in the Town of Bourne, appointed by the Board of Selectmen.

- One member of the Bourne Cultural Council**
- One member of the Bourne Board of Selectmen**
- One member of the Bourne Finance Committee**
- The Town Administrator or his/her appointee**

Present members shall continue their respective terms in office as they were originally appointed. As said terms expire, appointments shall be made for up to three (3) year terms in a manner so

that the terms of all members do not expire in the same year as provided in Section 2.4.3 of these Bylaws. Members may be reappointed, and they shall serve without compensation. Any vacancies shall be filled for the remainder of the vacant term.

If any of the appointing authorities above cease to exist, the Board of Selectmen shall appoint in place of such appointing authorities, individuals qualified to serve on said Events Committee, as appointees at-large. Each appointing authority shall have (90) ninety days to make its appointments, after both passage of this bylaw, and approval by the Attorney General of the Commonwealth.

Section 1.6.2. Officers:

The Community Engagement Committee shall have a Chairperson, Vice-Chairperson and a Clerk, and all of whom shall be elected from among the membership no later than its second meeting held on or after July 1 of each year.

Section 1.6.3. Duties:

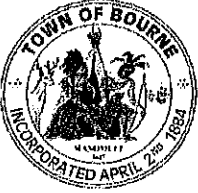
The Bourne Engagement Committee mission is to sponsor and encourage community events, projects, activities, services, programs, and public improvements which are of mutual interest to the visitors and residents of the Town of Bourne, and, which strengthen the Town by fostering community involvement and spirit. The Committee shall create an application for funding and invite organizations or individuals to submit on events or activities that will benefit the Town of Bourne and its citizens. In no event may a Member present a project before the Committee. The Committee shall provide quarterly reporting to the Board of Selectmen and Town Administrator.

Section 1.6.4. Funding:

The Committee is hereby authorized to make recommendations to the Town Meeting to expend for the purposes set forth in this bylaw, all moneys that are made available to it by appropriation, by gifts or grants, or by transfer of funds authorized by law. Any and all contracts for supplies, services, programs, and projects authorized by the Committee shall be awarded and executed by the Town Administrator on the recommendation of the Committee, subject to compliance with applicable procurement laws of the Commonwealth.

Section 1.6.5. Administration:

The Committee is authorized to spend up to five percent (5%) of the annual appropriation to the Community Engagement fund for advertising, publications, general administrative costs or other activities deemed appropriate by a majority vote of Committee.



Bourne Community Engagement Committee

EVENT ASSISTANCE APPLICATION GUIDELINES

The Town of Bourne announces the availability of up to \$50,000 in available funding for the marketing and production of events or programs that promote Bourne as a tourist destination and that strengthen community character. **Events shall take place between September, 2019 and December, 2020.**

The Tourism Grant is a reimbursement program to help offset the expenditures associated with special events and programs. Funding is intended to encourage the establishment of new events or the expansion of existing events that help to sustain Bourne's tourism industry and promote the community for residents, visitors, and businesses.

Applications for this funding cycle will be accepted from September 1, 2019 thru June 30, 2020 at 4:00 pm, to the Board of Selectmen's Office at Town Hall.

2019 APPLICATION FORMS ARE NEW THIS YEAR.

BACKGROUND

Authorized by Town Meeting, the Engagements Committee will utilize the event assistance application process to determine future funding for Tourism-related activities, events, and other programs on an annual basis for Bourne. Funding is administered through both the Bourne Engagements Committee and executed by the Town Administrator.

The program is intended to promote and enhance tourism and community engagement, with an emphasis on encouraging events during the off- or shoulder-seasons. Funding is subject to availability, and continued financial support is determined by Town Meeting.

AVAILABLE FUNDING

Up to \$50,000 in funding is available for this grant round. **There is, however, no commitment to disburse this full amount.** The Committee reserves the right to grant less than requested amounts and to place conditions on funding awards.

ELIGIBILITY

Proposals will be accepted from any individual, business, municipal department, or non-profit organization conducting an event located in the Town of Bourne that are scheduled to take place between September 1, 2019 through December 31, 2020.

Final Reports for the 2019 grant assistance cycle shall be submitted by December 31, 2020.

Written extension requests shall be considered on a case-by-case basis.

EXPENDITURES

Eligible Expenditures –

- The event must be open to the public.
- The event must be developed and conducted by a non-profit, Town Department, or town-sponsored organization.

Ineligible Expenditures –

- The event cannot be fully-funded exclusively by the BEC financial assistance, and thus requires other funding mechanisms and support.
- Events held by for-profit organizations are not eligible.
- Reimbursement for Apparel costs
- Reimbursements for airfare, hotel, meals, and alcohol.

CONTRACT REQUIREMENTS

Event organizers are required to enter into a contractual agreement with the Town. A model contract (TOURISM GRANT AGREEMENT) is included in Attachment A.

Events in receipt of Bourne Engagements Funds are NOT ELIGIBLE to seek Fee Waivers from the Town of Bourne.

Funding shall be contingent upon a specific date for the event and may be further conditioned by Committee or by Contract Documents.

Funding will be made available on a **reimbursement** basis.

All print media (including brochures, posters, programs and web advertising) must display the *Bourne Engagements Committee logo* and use the tag line "Sponsored in part by the Town of Bourne's Engagements Committee". All broadcast advertising must contain the tag line "Sponsored in part by the Town of Bourne's Engagements Committee".

Event organizers are required to complete a Final Report as noted in the Tourism Grant Agreement (Attachment 1).

The final payment from the Town (in no less than 25% of the total grant award) shall be contingent upon receipt of a Final Report and any other Committee-required materials. For events utilizing Town-owned land, applications for the Utilization of Town-Owned Land should be completed and submitted to the Town Administrator's office. Funding will be contingent upon the Town's approval for use of the land.

Applicants are required to document the event through photographs and video (these will be submitted electronically as part of the Applicant's Final Report). Photographs should be a minimum 300dpi high resolution. In addition, applicants agree to permit photographs and video recording of special events. All materials may be used for marketing purposes.

APPLICATION INSTRUCTIONS

APPLICATION SUMMARY – Complete and sign the Application Summary Form included in Attachment 3.

NARRATIVE - Provide a narrative and supporting materials where relevant that answer the following questions:

- Event Summary - Describe the event, its target audience, and projected attendance

figures noting how attendance is tracked and/or projected. Describe what makes the event unique and how it serves as a draw for visitors to come to Bourne. Note explicitly how you plan to use the requested Tourism funds.

- **Event Logistics/Management** - Describe how your event or program will be managed and how the management of the event has evolved over time. If you rely on volunteers, note how you recruit new volunteers, provide training, and assign responsibility. Provide information for key volunteers regarding their experience and areas of responsibility. Describe in detail your planning efforts/logistics associated with your event as well as any associations you may have with community organizations or businesses, noting the specifics of how these organizations/businesses will support your event.
- **Financial Management** – Describe how the event is managed financially, noting how budget/funding decisions are made and how funds are raised (i.e. fees/sponsorships/ticket sales/vendors/etc.). Describe how budget shortfalls are handled. How does the event plan for long-term financial stability? Is there a rainy day fund?
- **Marketing** – Utilizing the table in Attachment 3 (Marketing Plan), provide details regarding your marketing plan for the event and how you plan to track your marketing efforts. Describe in detail our planned use of social media and other online marketing and how you will track performance for each.

4

- **Economic Impact** – Describe the direct and indirect impact of your event on local businesses. Quantify the impact as much as possible.

BUDGET

A Model Budget Form is available at Attachment A-3. It is a Microsoft Excel file that may be edited. Every effort has been made to identify relevant budget lines and categories. A completed budget is required with the application.

- **Additional categories of INCOME and EXPENSE may be added to the spreadsheet by Inserting a Row in the relevant section. If you modify the spreadsheet, please double check that sub-totals and totals calculate correctly.**
- For **INCOME CATEGORIES** (i.e. Sponsorships, Contributions, and Fees): Please itemize by source (identifying each by name). If there are more than 3 sources, additional rows may be added by Inserting a Row in the relevant section.
- For **EXPENSE CATEGORIES**: Please itemize wherever possible, identifying discrete costs for various items/services associated with the event/program. Advertising expenses should be itemized by outlet and target audience.
- A category for **TOWN FEES** is included. **Please note that Town fees will NOT**

BE WAIVED for Events funded through the Bourne Engagements Committee Funding mechanism. Every effort should be made to identify and account for the relevant fees during the planning process for your event/program.

- While In-Kind Contributions are vitally important to the success of an event, they will not be counted towards income. Rather, they will be separately itemized at the end of the budget forms.
- For ongoing events or programs, provide information on past actual expenditures as well as budgeted amounts for the proposed event, project, or program.

REQUIRED DOCUMENTATION

Applicants are required to submit one hard copy and one electronic (.pdf) of the following documents:

- Tax Determination Letter OR Form 1023 (if tax status is pending)
- W-9 Form
- Form PC (Massachusetts Office of Attorney General)
- Annual Corporate Report (Massachusetts Secretary of State)
- Form 990

SUBMISSION REQUIREMENTS

Application materials (7 hard copies) and REQUIRED DOCUMENTATION [1 hard copy and 1 electronic (.pdf) copy] shall be delivered to the **Board of Selectmen's Office**, located at Bourne Town Hall, 24 Perry Ave, Bourne MA 02532. Electronic copies should be submitted to:

Late or Incomplete applications will not be considered.

A complete submission will include:

- Application Summary A-1 (7 hard copies)
- Narrative A-2 (7 hard copies)
- Expense Report A-3 (7 hard copies)
- Deposit Form A-4 (7 hard copies)
- Final Report A-5 (7 hard copies)
- Marketing Plan (7 hard copies)
- Application Summary (7 hard copies)
- Required Documentation [1 hard copy and 1 electronic (.pdf) copy]

APPLICATION REVIEW

Applications will be reviewed by the BEC at a publicly noticed open meeting. Applicants may be asked to attend a meeting to discuss their application(s).

Applications shall be reviewed for completeness and for organizational capacity to successfully carry out the proposed event. Each narrative question and the budget shall be reviewed as follows:

Highly Advantageous - Answer provides all required information and demonstrates capacity in the area noted.

Advantageous - Answer provides only some required information and/or demonstrates capacity in only some areas noted.

Not Advantageous - Answer provides only some required information and does not demonstrate capacity in area noted.

Unacceptable - Answer does not provide required information and does not demonstrate capacity in area noted.

c. Private Roads Acceptance Committee: Tim Lydon gave a brief background of the Private Roads Acceptance Committee. A lot of the roads we haven't accepted are cul-de-sacs, minor roads, subdivisions that are one way in-one way out. All the major roads, local streets are the roads we have accepted. We wanted to discuss how we can help people with private roads, how can we go forward and what can we do. We decided to create a draft policy/procedure guide to help citizens become educated with what is going on with the roads and what roads are accepted. I created a draft guide for road betterments, temporary repairs, which is almost finalized. Then I was going to come up with a private roads acceptance draft of what we currently do. Hopefully this is a goal for the Selectmen.

Judy Froman said it is part of one of our eight goals.

d. Chair to provide update regarding Massachusetts Maritime Academy

Judy Froman said there was a letter in our packed from Admiral MacDonald from Mass Maritime, following up from the Taylors Point meeting.

12) Policies Plan of Action - Judy Froman

Judy Froman handed out a refresher on the policies. We should add on to the list the Complete Streets Policy. Ms. Froman proposed to have a small working group (two people) of the Select Board who will be putting forward a draft of a policy each month. The sense from the Board during the goal setting time is that we need to address some of the policies that we don't have and update the ones we do have that are urgent.

15) Town Administrator Report

a. Academy Drive - Street Lighting

Tom Guerino said we are working with Cape Light Compact. The engineer was putting together a feasibility action plan. Going northerly on Academy drive there are a number of

polls without fixtures, we need to find out what the cost is for those fixtures. The primary goal is to do what we can to increase the lumens on the existing polls that are lit. Put additional lighting/looking at lumens on Bourne Neck Drive.

Will reach out to the engineer this week.

Mr. Guerino spoke briefly about the storm (Dorian). MEMA has not mobilized, they are monitoring the situation. Sargent Stow has been put in charge of this. We may see some heavy rains, coastal erosions, and riptides. The Barnstable County group is monitoring and will set up calls as necessary. www.mass.gov/mema will give updates as to what the Commonwealth is doing in relation to the storm.

Peter Meier spoke about the concern with EEE grade that has been bumped up to moderate, and what the town is doing/not doing about it. Tom Guerino said we are in the same situation we have been in for the last two weeks. There has been no additional warning put forward for the town of Bourne. There has been aerial spraying in other towns in the area, that has not occurred here. The Health Department gets all the notifications as it relates to this, and if there is any change to the notification it will be posted.

16) Correspondence

James Potter brought the Board and the public up to date on the correspondence

- A. Letter from Richard Conron regarding supporting the success of a new Town Administrator.
- B. Letter from Robert Parady withdrawing his name from consideration for appointment as Bourne Representative to CCRAT Advisory Board.
- C. Letter from Attorney General's Office regarding Open Meeting Law Complaint.
- D. Weights and Measures quarterly report from April 1 to June 30, 2019
- E. Massachusetts Army National Guard is preparing environmental documentation for proposed construction and operation of a Multi-Purpose Machine Gun Range at Cape Edwards.
- F. Algonquin Gas is presently clearing/cutting trees and brush within the right of way limits located on or near your property. It is imperative that access to maintain and operate the pipeline is not blocked or impaired by objects. Notice to landowners is attached.
- G. Letter from ISO to Building Inspector Roger Laporte regarding Building Code Effectiveness Grading Schedule Results.
- H. Letter from the Town of Falmouth Marine and Environmental Services notifying that the town of Falmouth has posted a Pilot Project Notice of Project Change relevant to the Final Environmental Impact Report for Energy and Environmental Affairs.
- I. Housing Assistance sent an invitation to attend the Cape Housing Institute.
- J. Bylaw Committee meeting notice for Wednesday, September 4th at 4:30 p.m.

George Slade read the letter from Richard Conron:

Bourne Select Board members have a short-term critical task ahead of them, hiring a new town administrator who will ensure the current quality of life for Bourne residents in partner with the Board to execute plans and meet goals that add value to the town. As I look at these tasks, I would suggest that the Boards focus, when working with the new town administrator, be accountability. Here are some simple steps the Board should consider to ensure success:

Clear expectations. The first step is to be crystal clear about what you expect. This means being clear about the outcomes you're looking for, you'll measure success.

Clear capability. What skills does the new town administrator need to meet the Boards expectations? What resources will he/she need? If the person does not have what's necessary, can they acquire what's missing?

Clear measurement. Nothing frustrates leaders more than being surprised by failure. Sometimes this surprise is because the person who should be delivering is afraid to ask for help. Sometimes it comes from premature optimism on both sides.

Clear feedback. Honest, timely, open, ongoing feedback is critical. People should know where they stand. This feedback should not be eliminated to an annual performance review. If the Board has clear expectations, capability, and measurement, the feedback can be fact-based and easy to deliver.

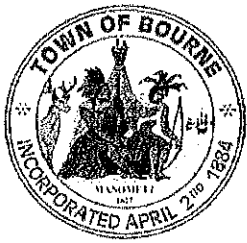
Clear consequences. If the Board's been clear in all of the above ways, it can be reasonably sure that it did what's necessary to support their new town administrator's performance and support the common vision of moving the town forward.

Richard Conron
29 Mashnee Rd
Bourne, Ma 02532
Tel: 508-759-1559

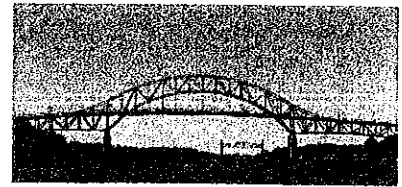
17) Adjourn

Voted Peter Meier moved and seconded by James Potter to adjourn. Meeting adjourned at 10:24 pm. Vote 4-0-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Selectmen Meeting Notice AGENDA



Date

September 10, 2019

Time

5:30 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

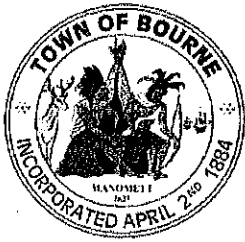
Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

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

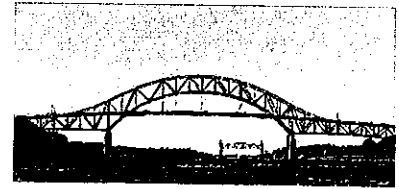
5:30 P.M Call Public Session to Order in Open Session

1. Public Comment on Non-Agenda Items
2. The Selectmen will discuss and may vote on the Zoning Board of Appeals request for Special Counsel for the 230 Sandwich Road 40B Permit
3. Adjourn

2019 SEP -6 PM 4:03
TOWN OF BOURNE



Board of Selectmen Meeting Notice AGENDA



Date
September 17, 2019

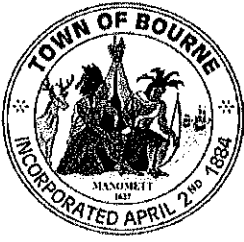
Time
5:45 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

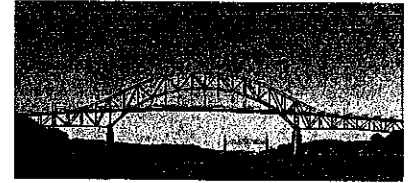
5:45 P.M Call Public Session to Order in Open Session

1. Call the meeting to order
2. Town Administrator Report
 - a. Hiring of Assistant Librarian Director
3. Adjourn

2019 SEP 13 PM 12:21
TOWN OF BOURNE
COMMUNITY CENTER



Board of Selectmen Meeting Notice AGENDA



<u>Date</u>	<u>Time</u>	<u>Location</u>
September 24, 2019	6:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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

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

6:00 P.M Call Public Session to Order in Open Session

Executive Session:

Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to easements or licenses on:

- Map 35.0 Parcel 143 – 4 Henry Drive Extension,
- Map 35.0 Parcel 144 – 4 Henry Drive,
- Map 35.0 Parcel 145 – 3 Henry Drive;
- Map 51.3 Parcel 62 – 40 Squeteague Harbor Road;
- Map 23.0 Parcel 4 – 90 Main Street;
- Map 42.0 Parcel 89 – 11 Bassett's Island.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements and interest in real property.

Roll call Vote to convene in Executive Session for the purposes stated.

Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to discuss interest in real property. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements and interest in real property.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

7:00 P.M. Reconvene in public session

Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

1. Moment of Silence for our Troops and our public safety personnel

2019 SEP 20 PM 12:39
TOWN CLERK BOURNE

RECEIVED

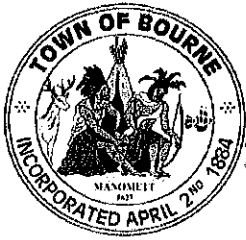
2. Salute to the Flag
 3. Discussion of Real Property – 3 Henry Drive, 4 Henry Drive and 4 Henry Drive Extension
 4. Paradigm Community announcing the Candidates for the Town Administrator position
 5. Selectmen’s Business
 - a. Appoint Acting Town Administrator
 - b. Appoint Acting Parking Clerk
 - c. Reconsidering the date of the Special Town Meeting
 - d. Buzzards Bay Brewery - Blocks of 6-1 Day Licenses for the following dates
09.26.19; 09.27.19; 09.28.19; 10.03.19; 10.04.09; 10.05.19; 10.10.19; 10.11.19;
10.12.19; 10.17.19; 10.18.19; 10.19.19; 10.24.19; 10.25.19; 10.26.19; 10.31.19;
11.01.19; 11.02.19
 6. Town Administrator Report
 - a. Appointment of Inspector of Buildings
-

WORKSHOP AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
September 24, 2019	7:30 P.M.	Bourne Veterans’ Memorial Community Center 239 Main Street, Buzzards Bay

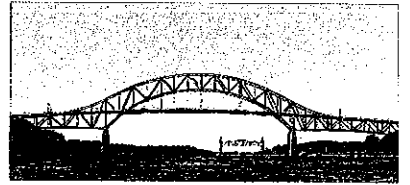
Note this meeting is NOT being televised or recorded.

- Selectmen’s Goals
 - Community Engagement Committee
 - Hire Town Administrator
 - Update Town Website
- Adjourn



Board of Selectmen Meeting Notice

2019 SEP 23 PM 2:55
AGENDA
AMENDED



Date

September 24, 2019

Time

7:00 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

EXECUTIVE SESSION CANCELLED FOR 6:00 P.M.

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

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

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

1. Moment of Silence for our Troops and our public safety personnel
2. Salute to the Flag
3. Discussion of Real Property – 3 Henry Drive, 4 Henry Drive and 4 Henry Drive Extension
4. Paradigm Community announcing the Candidates for the Town Administrator position
5. Selectmen's Business
 - a. Appoint Acting Town Administrator
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11.01.19; 11.02.19
6. Town Administrator Report
 - a. Appointment of Inspector of Buildings

WORKSHOP AGENDA

Date

September 24, 2019

Time

7:30 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

Note this meeting is NOT being televised or recorded.

- Selectmen's Goals
 - Community Engagement Committee
 - Hire Town Administrator
 - Update Town Website

- Adjourn

**Board of Selectmen
Minutes of Tuesday, September 24, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

TA Tom Guerino
ATA Glenn Cannon

Selectmen

Judy Froman, Chair
James Potter, Vice Chair
George Slade, Clerk
Jared MacDonald - arrived at 7:06
Peter Meier - Excused

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise.

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

6:00 p.m. Executive Session Canceled

Judith Froman informed the public that they canceled the Executive Session. There is a proposed motion to continue the Public Session Agenda item on Henry Drive until the Public Session Meeting of the Board of Selectmen on October 1, 2019.

Voted: James Potter moved and seconded by George to Slade to continue the Public Session Agenda item on Henry Drive until the Public Session Meeting of the Board of Selectmen on October 1, 2019. Vote: 3-0-0.

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

Meeting Called to Order

Madam Chair Froman called the meeting to order at 7:00 pm.

Moment of Silence for our Troops and our public safety personnel /Salute the Flag

Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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 responsibility and professional leadership and in partnership

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with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

Point of privilege

Judy Froman took a moment for a point of personal privilege. Ms. Froman spoke about the Bourne Intermediate School ribbon cutting. Thanked the School Building Committee and the leadership of Jim for having a project that came in under budget and on-time.

Ms. Froman read the Citation for Mr. Guerino. The Town of Bourne Board of Selectmen official citation. Be It hereby known to all that the Town of Bourne hereby offers its congratulations to Thomas Guerino in recognition of your outstanding contribution, dedication, and professionalism to the residents and staff of the Town of Bourne during your 14 ½ years as Bourne's second Town Administrator.

Tom Guerino expressed his appreciation during this transition period for the professionalism that the Board of Selectmen have provided. Thanked the Board for their understanding and help during this transition.

George Slade said there is an opportunity to stop by and say farewell to Mr. Guerino on Monday afternoon between 3:30 p.m. -5:00 p.m. here at the Community Center.

3) Discussion of Real Property – 3 Henry Drive, 4 Henry Drive, and 4 Henry Drive Extension

4) Paradigm Community announcing the Candidates for the Town Administrator position

Stephen Mealy, Chairman for the Town Administrator Screening Committee.

Members include Janet Butler, Rick Howe, Richard Conron, Renee Gratis, John Redman, and the late Alec Joyce. Ex-officio members included Erica Flemming, Bourne's Financial Director, and Dr. Perry Davis, Bourne's Acting School Superintendent. Sharon Flaherty and Bernard Lynch of Paradigm Associates also assisted the committee.

Mr. Mealy spoke about the members that assisted in the meetings. They were tasked to review applications from 32 individuals, and bring forward those individuals to the Board whom we felt were experienced and pro-active municipal professional, with exceptional leadership and organizational skills. Mr. Mealy explained what qualifications they were looking for in the candidates. The committee met all the requirements and have brought to the Select Board a list of excellent candidates. All the meeting minutes for both regular and executive session have been filed with the Town Clerks office.

Bernard Lynch, Paradigm, spoke about the members of the screening committee and bringing forward the best possible candidates. The committee narrowed the candidates down to 6 that were interviewed. Bringing forward 3 candidates for the Select Board. We are working on the reference reports, will get those to the Board by October 4th.

First candidate – Robin Craver is the Town Administrator for the town of Charlton for approximately 13 years. Prior to that she had been with the town of Webster for 2 years. Holds a Master Degree in Public Administration from Bridgewater State College.

Second candidate – Anthony Schiavi was the Town manager for the town of Ashland for 3 years. Prior to that served as an officer in the Air Force and was stationed at Otis Air National Guard Base, Cape Cod. Has a Master's Degree in Business Administration from City University of Seattle and Bachelor's Degree from Assumption College.

Third candidate - Robert Whritenour is the Town Administrator for Oak Bluffs, for about 8 years. Before that he served as the Town Manager for the town of Falmouth. Prior to that he served as the Town Administrator for the town of Mashpee for 9 years. Has a Master's Degree from the University of Maine Orono.

All the candidate have experience as a Town Manager or Town Administrator. They all have a Master's Degree, and all meet the qualifications that the Board set forth. Mr. Lynch provided the Board members with a draft set of questions. Asked the Board Members to look over the questions and email him any edits/comments/other questions.

Meet with the Candidates on October 5th 11:00 a.m.

Tom Guerino requested to take agenda item 6 out of order.

Voted: George Slade moved and seconded by Jared MacDonald to take agenda item 6 out of order. Vote: 4-0-0.

6) Town Administrators Report

a. Appointment of Inspector of Buildings

Tom Guerino introduced and spoke about the new Inspector of Buildings Kenneth Murphy. He has a degree from Wentworth and has substantial building inspection experience in the town of Harwich. The screening committee included Roger Laporte, myself, Glenn Cannon and Tim Lydon.

Roger Laporte spoke about Kenneth Murphy and how he meets the needs for the town as the new Inspector of Buildings. He is presently the local inspector in Harwich, he has all his certifications and plans on starting October 15th. Kenneth Murphy briefly introduced himself.

George Slade spoke about Ken's position as Project Manager for Center Point Design in Chatham. Mr. Murphy said that is his own business, he wants to stay up to day on design work and what is going on in the industry of construction. James Potter brought up the conflict of interest, being wary of conflict of interest with providing any documents that he may be reviewing. Mr. Murphy said as a Building Inspector he is not allow to bring any design work to the town he works in. Tom Guerino requested the Select Board to consider waiving the 14-day waiting period.

Voted: Jared MacDonald moved and seconded by George Slade to waive the 14-day waiting period. Vote: 4-0-0.

4) Selectmen's Business

a. Appoint Acting Town Administrator

b. Appoint Acting Parking Clerk

c. Reconsider the date of the Special Town Meeting

d. Buzzards Bay Brewery - Blocks of 6-1 Day Licenses for the following dates:

1) 09-26-19; 09-27-19; 09-28-19;

2) 10-03-19; 10-04-19; 10-05-19;

3) 10-10-19; 10-11-19; 10-12-19;

4) 10-17-19; 10-18-19; 10-19-19;

5) 10-24-19; 10-25-19; 10-26-19;

6) 10-31-19; 11-01-19; 11-02-19

a. Appointing Acting Town Administrator

Judy Froman spoke about appointing an Acting Town Administrator which would be effective October 1st. Discuss the possibility of having the Assistant Town Administrator, Glenn Cannon serve at the Acting Town Administrator.

Voted: Jared MacDonald moved and seconded by James Potter to appoint Glenn Cannon to start serving as the Acting Town Administrator. Vote: 4-0-0

b. Appoint Acting Parking Clerk

Judy Froman spoke about appointing the Acting Town Administrator as the Acting Parking Clerk until further notice.

Voted: James Potter moved and seconded by Jared MacDonald to appoint the Acting Town Administrator as the Parking Clerk until further notice. Vote: 4-0-0

Tom Guerino said you will also have to look for an ADA coordinator.

c. Reconsider the date of the Special Town Meeting

Judy Froman said on July 9th we voted for the Special Town Meeting to be on October 21st. It came to our attention that October 28th might be a better date partially because of certain professional football team; it also extends our time to put together the articles and full warrant.

James Potter said he is fine to move the Special Town Meeting to October 28th, not because of the sports team but because we need the extra time because there is still a lot of work that has to be done. Jared MacDonald agreed with Mr. Potter that there is a need for extra time. Mr. Slade also agreed.

Glenn Cannon said staff would appreciate the extra week.

Don Pickard said a football game should not delay a Town Meeting and spoke about getting a quorum and maintaining a quorum.

Barry Johnson spoke about supporting the motion for moving the Special Town Meeting. The warrant for private petitions cannot close less than 25 days prior to the Town Meeting. At this point it would be Thursday October 3rd. Requesting the Selectmen sign the warrant on Tuesday October 8th. The warrant must be posted by the Constable no later than Friday, October 11th. We will be holding voter registration for that Special Town Meeting on Friday October 18th from 4:00 to 8:00 p.m. in the Clerk's office. In the Bylaw there is no limit for the timeframe for issuing a voter handbook, that extra week will help get that voter handbook out. This will be a great trial run for the electronic voting. Expecting around at least 750 registered voters, based on the last meeting. The company will come in and wire the place up Sunday afternoon. The pricing was based on anywhere from 200 - 900 handsets. I need a number for the amount I will need to order. He will bring 10-15% spares. Will hold a training session on Thursday afternoon prior to the 28th, because we will also be doing electronic check-in.

Don Pickard said they have been working on, with documents they received from the vendor, directions for how it is going to work and hopefully have it finalized in a day or two to get it to the press, to have it posted on the town website, and to the Selectmen.

Voted: Jared MacDonald moved and seconded by James Potter to rescind the vote taken at the Board of Selectmen meeting held on July 9, 2019, when we voted October 21, 2019 for the Special Town Meeting and set the date for holding the Special Town Meeting on Monday, October 28, 2019. Vote: 4-0-0

Barry Johnson said if anyone has a question about the electronic voting please email himself or Mr. Pickard with the questions; bjohnson@townofbourne.com

d. Buzzards Bay Brewery - Blocks of 6-1 Day Licenses for the following dates

William Russell, Buzzards Bay Brewing of Bourne LLC, 85 Main Street, Buzzards Bay, MA; 6 blocks of 1-day Licenses (18) for wine & malt beverages. Hours of operation: 11:00 a.m. to 9:00 p.m.

- 1) 09-26-19; 09-27-19; 09-28-19;
- 2) 10-03-19; 10-04-09; 10-05-19;
- 3) 10-10-19; 10-11-19; 10-12-19;
- 4) 10-17-19; 10-18-19; 10-19-19;
- 5) 10-24-19; 10-25-19; 10-26-19;
- 6) 10-31-19; 11-01-19; 11-02-19

Remarks: Planning Department - The PB voted on 9-26-19 (at their last meeting-not 9-26-19) not to oppose the issuance of a temp occupancy permit by the building Inspector, therefor Planning Dept concurs. Conservation Commission - The Commission has received revised plans and the revisions have been administratively approved by the department. Sewer Commissioners - Sewer Commissioners approved sewer allocation for 85-93 Main Street. Sewer Allocation Fee has not been paid. Town Clerk - INC - LLC Doing business under the LLC name. Assessors: fol in process 9/20/19. Police Department- Comments from last request are the same. Chief has met with the applicant but no

resolution has been advised to any of the previous comments stated on earlier routing slip: Concerns for using one day license for this type of situation. Alcohol cannot be stored on site on any night between the dates by state law, meaning each and every day at the conclusion of the event, the alcohol must be removed from the property. Has this location passed all required permits for occupancy? If this is going to be a permanent business, why requesting numerous one-day licenses? ABCC states no person may be granted a special license while an application for an annual license is pending before the licensing authority. Recommend this request be referred to the state ABCC for further guidance. If the ABCC states this is acceptable, we have no issue with the license being issued as long as all laws are being complied with, including no overnight storage. Fire Department - Completed as of 9-20-19 for Brewery Only - not other units in complex.

Tom Guerino gave an update on the routing slip. Where it indicates under the Sewer Commissioners the fee has not been paid; the fee has been paid in full.

Mr. Russell, owner, said all the paperwork is filed for the various one-day liquor permits. The routing slip should be complete.

James Potter questioned the number of seats, because the Sewer Commissioners approved a different number than what was just approved by Planning. Tom Guerino said don't believe the total number of seats has changed which includes all the different restaurants in the building. They may be shifting seats, but there are no additional seats, so the allocation is not changing for the building.

Judy Froman confirmed we will be getting updates along the way as the businesses evolve and requested that be put in as a stipulation.

James Potter requested that the Selectmen get a floor plan so they will understand the layout. Noreen Michienzi said she can get the Planning Board's approval floor plan for the Selectmen. Jared MacDonald suggested a letter and plan to be attached to the routing slip.

Judy Froman said we should build in the motion a follow up from the Planning Board stating the number of seats in total are remaining the same, if the seating number changes, they need to notify the Board of Selectmen.

Jared MacDonald spoke about the fact that the Police Department does not concur regarding the request to the ABCC as to the state requirement for the new license applications. Mr. MacDonald questioned if the ABCC has been contacted.

Tom Guerino said Nancy Sundman has spoken to the ABCC regarding this, this is a different type of license because of the Agricultural component.

Judy Froman requested to get it in writing from Mrs. Sundman that she has spoken to the ABCC so they have in on record.

James Potter spoke about not supposed to be able to request a one-day license while waiting for a liquor license

Jared MacDonald explained that during the process of filing for a permanent license for the establishment businesses are not supposed to get one day licenses during that period. This should be cleared up by the ABCC.

Voted: Jared MacDonald moved and seconded by George Slade to approve the 26th, 27th, & 28th of September for the beer and wine pouring one-day licenses.

Jared MacDonald moved and seconded by George Slade to amended the motion to state that it is located at 85 Main Street, Buzzards Bay. Vote: 4-0-0.

Tom Guerino took a point of personal privilege.

Mr. Guerino wanted to thank Nancy, Debbie, and all involved with putting together the surprise event. It was appreciated and heartfelt. Mr. Guerino said he has enjoyed the last 14 years with the Town of Bourne. He spoke about the amount of Select Board Members he has worked with over the years and the steps the town has taken to move the town forward. Mr. Guerino also spoke about the outstanding town employees and suggested to make the effort to let the town staff know that the Select Board values what they do.

Mr. Guerino left the meeting.

Judy Froman said this ends the televised portion of the meeting.

Workshop Agenda

Started Workshop at 8:08 p.m.

Note this part of the meeting is NOT being televised or recorded.

Selectmen's Goals

- **Community Engagement Committee**
- **Hire Town Administrator**
- **Update Town Website**

The 9 Goals are:

Goal 1 - To hire a Town Administrator by September 30, 2019

Goal 2 - Improve the user ability, organizational structure, and timely posting of the town website. This is an ongoing goal.

Goal 3 - To develop a town-wide unified economic growth plan with a five-year implementation plan.

Goal 4 - To establish a multi-year financial and strategic plan involving a priority-based process with quarterly reporting.

Goal 5 - To prioritize town policies, identifying those needing to be written as well as ones to be reviewed, establishing quarterly goals.

Goal 6 – To implement recommendation from the financial audit regarding IT process and security to be completed by May.

Goal 7 – To improve Town infrastructure with quarterly accomplishments.

Goal 8 – To develop a unified Board social media presence by January 2020.

Goal 9 – To implement environmental benefits and improvements with quarterly goals.

Hire A Town Administrator

Judy Froman suggested to talk about the hiring of a Town Administrator. We will get the reviews of the packet. It is very important that we send any question we have to Bernard. Bernard and Sharon will take the composite of the questions and put it together. Bernard facilitates the questions but we will be able to ask follow-up questions.

We have October 5th reserved here; we have to post a meeting. We will not start before 11:00. The Board members agreed that each interview time slot should be about 1½ hours. Ms. Froman said if the interview does go over 1½ hours it should be OK because this is a huge investment in the Town of Bourne. We want enough time to ask the questions and then any follow-up questions we may have.

The initial meeting with Bernie and Sharon will be at 11:00, which could be in Executive session for negotiations regarding non-union personnel. The first interview will start at 11:30.

The Select Board members agreed they should do research on each candidate.

James Potter suggested asking Bernard how the committee arrive at the three candidates that they brought forward.

George Slade confirmed we need to have our questions to Bernard by October 3rd.

Judy Froman questioned, as a Board, do we want to have a unanimous vote instead of a 4/1 vote.

Community Engagement Committee

James Potter went over the Community Engagement Review of the Bylaw and how its comprised, Next is the application Guidelines, Eligibility, Documentation needed.

This is a draft.

For a submission the applicant would fill out the Application Summary, a Narrative, an Expense Report, a Deposit Form, a Final Report, a Marketing Plan, and an Application Summary.

The Board members agreed they would like to get Bourne to have year-round engagement with the community, not just during the summer.

The Bylaw for the Community Engagement Committee has been approved. Should put a date on the official document for when it was approved (August 6, 2019).

The official name is the Bourne Community Engagement Committee

The committee will be appointed – three members at large and one member from the Bourne Cultural Council, Bourne Board of Selectmen, and the Bourne Finance Committee, and also the

Town Administrator or his/her appointee. The Committee can take these guidelines and improve them, then bring it back to the Board of Selectmen. The Community Engagement Committee will have quarterly reporting to the Select Board. The Community Engagement Committee should be able to fine-tune these as time goes on and they find out what works and what doesn't work.

The Committee will have to figure out how to balance those that are seeking funding for something that they may not have the funding for. It is written so that you have to make the expenditure then apply for reimbursement, but some situations may need some monies upfront. We may need to have an avenue for certain projects that would be OK for expenditures when the requestor doesn't have money upfront.

A question was asked, who is going to do the administration work, the Committee members or Town staff? It was suggested the non-profit person would put together the forms and the application should be emailed to the Chair of the Committee. The Committee would do the administration work. Then it would be sent to the Selectmen's office or the TA.

George Slade spoke about a few edits to some of the wording in the document. Look at Paragraph 2.3 - also under Required Documents. The Board members discussed some suggestions/edits for the Bourne Community Engagement Committee Document

Next step is to take the Charge and Bylaw and establishment and start promoting this. Put it out to the public for people who may want to send a letter of interest to the Board of Selectmen, by certain date. Reach out to the committees, sending communication regarding putting forward a member for the Bourne Community Engagement Committee. It can be put on social media, in the paper, on the town website.

James Potter spoke about the grant funding, if we need to ask for additional money in the Spring, and what expenses we will have by next March/April.

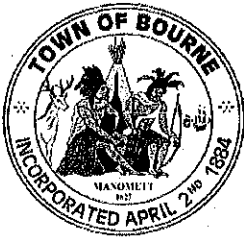
Give the staff a verbal charge to get the Committee started. By October 11th people need to submit their letters of interest, the Select Board will deliberate on October 15th.

The Community Engagement Committee can invite another Selectmen to their first meeting.

Adjourn

Voted Jared MacDonald moved and seconded by James Potter to adjourn. Meeting adjourned at 9:10 pm. Vote 4-0-0.

Respectfully submitted - Carole Ellis, secretary.



Board of Selectmen Meeting Notice AGENDA



Date

October 1, 2019

Time

6:00 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

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

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6:00 P.M Call Public Session to Order in Open Session

Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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6:00 P.M Call Public Session to Order in Open Session

Executive Session:

Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to easements or licenses on:

- Map 35.0 Parcel 143 – 4 Henry Drive Extension,
- Map 35.0 Parcel 144 – 4 Henry Drive,
- Map 35.0 Parcel 145 – 3 Henry Drive;
- Map 51.3 Parcel 62 – 40 Squeteague Harbor Road;
- Map 23.0 Parcel 4 – 90 Main Street;
- Map 42.0 Parcel 89 – 11 Bassett's Island.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements and interest in real property.

Roll call Vote to convene in Executive Session for the purposes stated.

Motion to enter into Executive Session to conduct strategy in regard to negotiations to discuss interest in real property. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements and interest in real property.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

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1. Moment of Silence for our Troops and our public safety personnel
2. Salute to the Flag
3. Public Comment on Non-Agenda Items
4. Approval of minutes: 9.24.2019

5. PFOS/PFOA – Rose Forbes, Remediation Program Manager, Joint Base Cape Cod Air Force Civil Engineering Center and Chris Southwood, Department of Natural Resources

6. Cape Cod Emergency Traffic Plan – Charlie Noyes, Emergency Manager Director

7. South Side Fire Station Update – South Side Fire Station Feasibility and Design Building Committee, Chief Sylvester, Joe Sullivan (Owner’s Project Manager)

8. Licenses/Permits/Appointments
 - a. Appointment to the Cape Cod Regional Transit Authority
 - b. Kind Hearts for Kids – fee waiver request – Cafeteria at the Bourne Veterans’ Memorial Community Center
 - c. Bourne Friends of the Council on Aging – Fee waiver for Psychic Fair

9. Selectmen’s Business
 - a. Vote to Close the October 28, 2019 Special Town Meeting Warrant
 - b. Town Administrator Recruitment Update
 - c. Community Engagement Committee Update
 - d. Buzzards Bay Brewery - 15-1 Day Licenses for the following dates
10.03.19; 10.04.09; 10.05.19; 10.10.19; 10.11.19; 10.12.19; 10.17.19; 10.18.19;
10.19.19; 10.24.19; 10.25.19; 10.26.19; 10.31.19; 11.01.19; 11.02.19

10. Acting Town Administrator Report
 - a. Cape Cod and Islands Protection Fund Management Board Meeting
 - b. The Massachusetts Vape Ban
 - c. Cape Cod Public Purchasing Officials Association Meeting.

11. Correspondence

12. Adjourn

**Board of Selectmen
Minutes of Tuesday, October 1, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

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ATA Glenn Cannon

Selectmen

Judy Froman, Chair
James Potter, Vice Chair
George Slade, Clerk
Jared MacDonald
Peter Meier

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Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

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

Documents

6:00 p.m. Call Public Session to order in Open Session

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Executive Session:

Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to easements or license on:

Map 35.0 Parcel 143 – 4 Henry Drive Extension; Map 35.0 Parcel 144 – Henry Drive;
Map 35.0 Parcel 145 – 3 Henry Drive; Map 51.3 Parcel 62 – 40 Squeteague Harbor Road;
Map 23.0 Parcel 4 – 90 Main Street; Map 42.0 Parcel 89 – 11 Bassett's Island.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the easements and interest in real property. Roll call vote to convene in Executive Session for the purposes stated.

Motion to enter into Executive Session to conduct strategy in regard to negotiations to discuss interest in real property. The Chair has declared that an open meeting may have a detrimental effect on the litigating position of the public body.

Roll call vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session. Roll call vote to adjourn the Executive Session

Meeting Called to Order

Madam Chair Froman called the meeting to order at 7:16 pm.

Robert Troy reported votes taken in Executive Session.

There was a vote to take and to acknowledge the receipt of the report of the tax title counsel and confirm the Town has no interest in the property at Map 35.0 Parcel 143 – 4 Henry Drive Extension, Map 35.0 Parcel 144 – Henry Drive, and Map 35.0 Parcel 145 – 3 Henry Drive. Mr. Troy explained the issues with these three parcels were the subject of a private petition by certain tax payers at the Bourne Town Meeting seeking to have the Town abandon an easement at the location of these parcels. The private petition was voted affirmative by the Bourne Town Meeting and subsequently the Town with a series of efforts to get appraisals which are required under the procurement act chapter 30B. The Town initially contacted an appraiser and there was information received, but additional analysis indicated the Town should get a title examination, which showed document rights that the Town could have an easement based on a tax taking. After that result was received by the Town I recommended because there was a tax taking issue involved that a further analysis be done by the town's tax taking counsel. The title examination was sent to the town's tax taking counsel who reported the Town in fact did not receive any interest in the tax title because of technicalities, there for I reported it is in my opinion the Town has no easement therefore there is nothing to abandon and this matter from this point on is not Town business because it is private property and it has been determined by tax taking counsel that the Town does not have title to any interest in the property.

The second vote the Town took was with respect to Map 42.0 Parcel 89 – 11 Bassett's Island. The Board of Selectmen voted and the first vote was 5-0-0. The second vote was also 5-0-0. The Board voted to reinforce and notify the owner that the Town needs an appraisal of the property interest. If the appraisal is not received the Town will seek a court order to terminate the trespass on Town property. This was voted 5-0-0.

The third vote concerns Map 23.0 Parcel 4 – 90 Main Street; the Town voted to authorize the negotiation of a three year license at the amount of \$5,000 per year contingent upon the authority of the Conservation Commission and full compliance with the Conservation Commission's requirements as to construction and maintenance, and with the proviso the maintenance be the responsibility of the person seeking the license and not the Town's responsibility. That motion passed 5-0-0.

Glenn Cannon said there was also a vote taken to authorize the town to conduct an appraisal for Bucky Barlow's Boat Yard and a Phase 1-21E environmental assessment for

economic development reasons and the long-term protection of Pocasset River. That was a 5-0-0 vote. Glenn Cannon explained the Town of Bourne has expressed an interest in Bucky Barlow's Boatyard, which is currently for sale.

Peter Meier wanted a point of personal interest. Mr. Meier spoke about Mr. Grant resigning from the Planning Board and about how Mr. Grant has been a valuable asset to the community.

Judy Froman point of personal privilege read a statement that was posted in the newspaper.

Response Statement, October 1, 2019

Friday, Sept 27, 2019 the Bourne Enterprise printed an article regarding Tom Guerino's transitional contract.

The Board of Selectmen met and voted a transitional contract with Tom Guerino on Monday, May 20, 2019. The meeting had a two-topic agenda in executive session followed by the chairmen Peter Meier reading a statement in public session announcing the transitional contract including that Mr. Guerino and the Board had mutually agreed for him to stay on through September 30, 2019 to aid in the transition. There were some minor edits that needed to be made and the press was told that the document would be available the next day once the board had an opportunity to sign the document. In an unusual action, the press did not request the document until September. The Board did not look back but moved forward without consciousness that the severance agreement was not publicized.

On August 19, 2019 the contract was sent by the Town Clerk to the Falmouth Enterprise along with some other documents regarding Mr. Guerino.

At the September 23, 2019 joint session of the Board of Selectmen and Finance Committee to review October 2019 Special Town Meeting warrant articles, the line item of \$127,000 for funding a partial year of the new Town Administrator's position raised questions. There was some confusion at the meeting regarding the article request and one member of the Finance Committee objected to the outgoing Town Administrator receiving any payment following September 30, 2019. The Finance Committee Chair responded that the town is obligated to pay the remaining 9 months of agreed salary. On September 24, 2019 the newspaper made a formal request for the contract. The Board of Selectmen and Town Counsel negotiated in good faith with the exiting Town Administrator whose contract was not renewed. Since the decision and negotiations occurred following the current year budget, the Board knew that in order to hire a new Town Administrator we would need to request funds at the fall Special Town Meeting. The consensus on the Board of Selectmen was that Mr. Guerino had served the town loyally for 14+ years and there was little interest in spending time and money on legal repercussions. The interest was to direct efforts toward finding the next Town Administrator and moving the town forward.

Under our leadership we will do our best to avoid such gaps in information. Frankly, if we work together we can be more successful.

Moment of Silence for our Troops and our public safety personnel /Salute the Flag

Public Comment - Non-Agenda Items

Judy Froman stated that Steve Strojny, Chair of the Planning Board was here earlier, because he had a time commitment and he presented to the Board the opening of the position on the Planning Board.

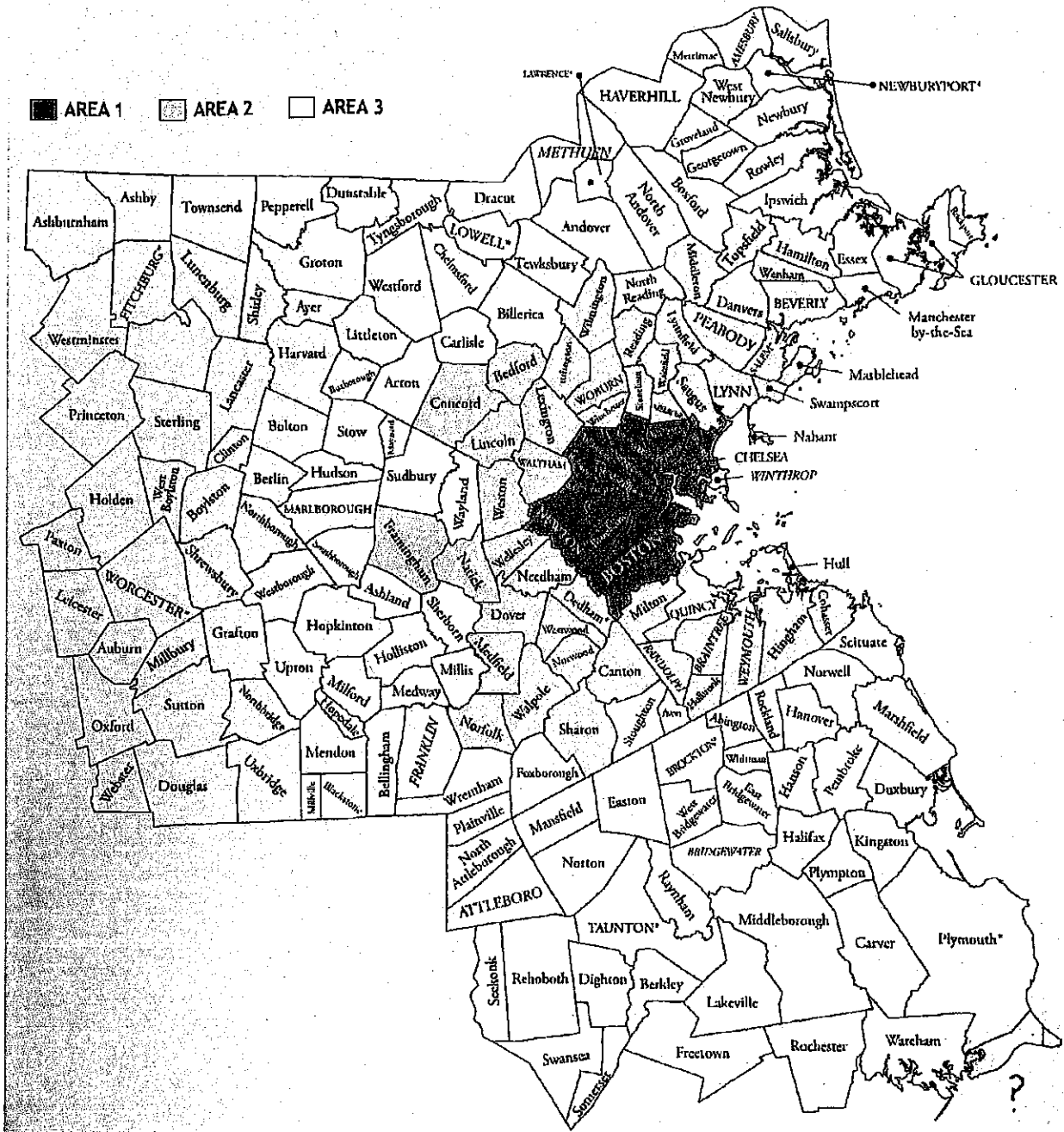
Judy Froman said on the November 5th agenda the Board will have the Head of the CCRTA coming to the Board of Selectmen meeting, and invited people to attend that meeting.

Bill Stafford, 100 Harmony Hill Road, Buzzards Bay, said we have asked for an agenda item on the Select Board. Mr. Guerino said it was going to be held on October 1st.

A group of concerned citizens are concerned with the annual assessment for the MBTA of about \$40,000, especially for the fact that the Town of Bourne is not getting any benefit from the Commuter Rail Service, or the fact that there are no plans from MassDOT or the MBTA to expand community rail to Bourne. We were requesting over the last month to have an agenda item on your Select Board meetings so we could discuss the MBTA Community Rail with you and others, however an agenda item has not been added to your Select Board Agenda even though the Town Administrator said it would be on tonight's agenda. We therefor want to advise you of the misinformation, out-right falsehoods and that nothing is going on with the Community Rail. We are aware that only one person on the current Select Board, Mr. Meier was also on the Select Board during 2015 when the vote was taken to become a member of the MBTA. The other Select Board members were Stephen Mealy, Don Ellis, Don Pickard, and Linda Zuern. We wanted to make sure that the four of you were appraised of the misinformation about Community Rail. The panel, appointed by Gov. Charlie Baker to explore the T's services said that the T was too focused on expansion and should instead focus on maintaining the system it already has. The citizens (voters) voted on May 19, 2015 with only 922 yes votes (7.33%), 726 no votes (5.77%), and 310 blanks (2.47%) of a total of 12,576 registered voters. In spite of the fact that the "no" votes and "blank" votes totaled more than the "yes" votes, when the Transportation Advisory Committee as well as the Administrator, Thomas Cahir of the Cape Cod Regional Transit Authority deceived us in believing that MBTA would not charge an Annual Membership fee until commuter service was extended from the Middleboro-Lakeville station to Buzzards Bay or did they fail to get their ducks in a row, without regarding the fact that the Town of Bourne would begin paying the annual assessment without service in Bourne. The TAC continually said that there would be NO ASSESSMENT until service BEGINS. The Town Administrator, Thomas Guerino, said he was not aware that Bourne would be assessed by the T that year. The Selectmen voted 4-1 to support the ballot question with Linda Zuern opposing it out of concern that the MBTA would potentially assess the Town even without providing service.

Mr. Stafford wanted his letter included in the minutes. The letter goes on to state - It is possible that the Selectmen were not informed by the TAC that MassDOT did not appear to be in an expansionist mode, Glen Cannon reported to the TAC that the MassDOT officials he had spoken with suggested that the Town hold off on a Town vote until MassDOT was ready to provide service but the TAC was going to get the MBTA voted "yes" by any means possible. Paul Regan, the Executive Director of the MBTA Advisory Committee, who represented the towns and cities in the district, said he didn't understand why Bourne wanted it. As far as he could tell, THE T HAS LITTLE INTEREST IN EXPANDING ITS FOOTPRINT AS IT CONTINUES TO WORK THROUGH THE AGENCY'S PROBLEMS. On March 18, 2016 representative David Vieira, Third Barnstable District, during a TAC meeting outlined plans to bring Commuter Rail to Buzzards Bay in a pilot project to start in the Fall. No specifications were released. On May 19, 2016, the TAC discussed the MBTA's proposed Commuter Rail: The pilot project failed to recognize existing commuter patterns and preferences. The committee felt that Bourne's assessment should await the start of service. Bourne is still paying. Mr. Meier back in April 30, 2015 you stated if the Town voted "yes" on the ballot, it will still take 20 years before there is service. There are no plans for Community Rail for Buzzards Bay in 2035, and the plans for year 2040 still don't have Community Rail for Buzzards Bay in the MassDOT Cape Cod Canal Transportation Study on June 17, 2019. Chief Woodside suggested that the Town could look at expanded fixed route bus service in exchange for our MBTA membership. It is amazing that the Chair Mary Jane Mastrangelo of the Finance Committee and members of the TAC said "The purpose of joining the MBTA was to have a seat at the table". It is also amazing that one of the reasons of voting into the MBTA was having that seat on the table. However since 2015 to the present time 9/30/19 no person from Bourne was appointed to sit at the table. We would hope that you will support our request to have a ballot question to give the voters of Bourne a chance to vote out the community rail and remove the Town of Bourne from the MBTA at the May 2020 election.

Mr. Stafford left small binders, which included what he read (above), the map (below) and information regarding the MBTA Commuter Rail for the Select Board Members.



Advisory Board Composition – Chief elected official or his or her designee (1 vote plus fractions of votes equivalent to its weighted proportion) – Each of the 175 cities & towns in the district.

Peter Fisher, Scraggy Neck Road, Cataumet said the MTBA, we voted as a Town with the impression that we would be getting service, and there is no future service coming to the

Town. At the time we were talking about it, it was going to be about 20 years before we got service to the town; 20 years at \$40,000 per year is \$800,000. We have been trying to get a space in the community building and the library over the summer and we have been told they can't pay the custodians for us to have a meeting there. That \$40,000 may be spent better, than having a position at the table. I don't think Bourne would have much of a say at that table since we are so far removed from getting any service from the MBTA at this time. We would like for the Selectmen to reconsider our position on the MBTA and maybe put it back to Town Meeting with more information, there are a lot of people who are concerned.

4) Approval of Minutes: September 24, 2019

Voted Jared MacDonald moved and seconded by George Slade to approve the minutes from September 24, 2019. Vote 4-0-1. Peter Meier abstained.

5) PFT/PFOA – Rose Forbes, Remediation Program Manager, Joint Base Cape Cod Air Force Civil Engineering Center and Chris Southwood, Department of Natural Resources

Chris Southwood, Natural Resources Director, introduced Rose Forbes Remediation Program Manager from Joint Base Cape Cod Airforce Civil Engineering Department. Mr. Southwood briefly spoke about the PFAS contamination in the Town of Bourne resulting from tank rollovers at the Otis rotary in the late 90's early 2000's which is upwelling in Hens Cove and Redbrook Harbor.

Rose Forbes & Doug Karson

Rose Forbes spoke about the Installation Restoration Program, when it was established, Source Areas and Groundwater Plumes, Emerging Contaminant Sites, Where the contamination came from, Groundwater Plumes and 9 Groundwater Treatment Systems, PFAS (perfluorooctanoic sulfonic) – what they are used for, Fluorosurfactants, PFAS Background, AFFF used by the Air Force since 1970, no enforceable standards Federal MCLs or MMCLs for PFAS; In June 2018 MassDEP issued an Office of Research and Standards Guidelines of 0.07 ug/L for five combined PFAS compounds; In April 2019 MA proposed a groundwater standard of 0.02 ug/L for six combined PFAS compounds. Tanker rollover on Otis Rotary, Field Sampling Activities, Private Well Sampling – Outreach and Results, PFOS/PFOA groundwater contamination extends from the source areas near the rotary to Hen Cove, Confirmed the plumb is upwelling into Hens Cove, Requested approval to sample the shellfish, Conceptual Site Model, and the Path Forward.

James Potter questioned the major rollover at the Bourne Rotary, not sure if foam was used. Is anyone looking into that rollover. Rose Forbes said that is not an Airforce fight, at that point the fire department transitioned from Otis Air National Guard Base to the Commonwealth. MassDEP had done some work. She was told because it is so close to the canal that is where the groundwater is going to and there are no private wells out there, and that not much will be done.

Peter Meier questioned if the Board of Health has been informed. Rose Forbes said they did give a presentation to the Board of Health.

Jim Mulvey questioned is the contaminant flow in to Hens Cove on a regular basis or surges. Does it seem to come up in Hens Cove in particular spots with a spring or is it localized. Rose Forbes said USDF did an investigation on Red Brook Harbor a long time ago. Mrs. Forbes said the groundwater will continue to flow, so it will continually discharge into the cove, not in surges. It will take the path of least resistance to upwell. If there is an area with a lot of sediment it will not upwell as easily. It will take a lot to determine where it is upwelling.

Glenn Cannon questioned how often do they reach out to the Town. Rose Forbes said we did a couple meetings in Pocasset to let people know what is going on. We are always available. Mr. Cannon requested that the Board of Selectmen get the latest updates.

Chris Southwood said regarding the shellfish sampling, the health advisories with the standards are only for drinking water, there is no data regarding shellfish ingestion, and standards for it. He contacted the Division of Marine Fisheries, they said they don't test for it. Over the summertime Rose got me in contact with a representative from Falmouth Springs Institute. We had a meeting in August with the Board of Health, Division of Marine Fisheries and other collaborators from Hens Cove to go over possible protocols. As of right now Falmouth Springs is looking to work with a URI PhD student and a Harvard Grad Student dealing with shellfish sampling and water sampling. They are working out protocols now to do Hens Cove, Redbrook Harbor and control sites to see what is going on in our waterways. We will bring the protocols to the state. Hope to have more information in about a month. It seems people are taking an initiative and hopefully we have the possibility of someone doing the sampling for us.

Judy Froman questioned if the plumbs go into the water does it dissipate to where it would not be an issue? Chris Southwood said since this only regards drinking water standards, we have no idea regarding the ingestion of shellfish. Rose Forbes said the compounds don't break down; they will dilute. They will absorb to materials that have a lot of carbon in them. The muck/sediments does have some carbon so it could be absorbing into those sediments, but that could also be a source where it absorbs and then desorbs.

Jim Mulvey questioned if they could pump and treat to intercept it. Rose Forbes said as part of the feasibility study they would be evaluating options for addressing the decontamination. There are technologies available to treat it.

6) Cape Cod Emergency Traffic Plan – Charlie Noyes, Emergency Manager Director

Charlie Noyes spoke about the Cape Cod Emergency Traffic Plan, which is a result of Hurricane Edward back in 1996. This is not an evacuation plan it is a management plan. It is a phased plan that goes into effect roughly 72 hours prior to the anticipated arrival of a hurricane. The primary concern is that Bourne is the choke point for all the traffic coming

and going from the Cape. We have to have a way to get people off the Cape, we want to get the visitors and tourist to leave the Cape because we do not have the capacity to take care of them if a hurricane was to strike. Part of the plan is what Bourne residents should do in an emergency – the brochure is to let residents know what they should do in an emergency.

The state brochure that they publicize is modeled from our brochure.

After you have traveled over the Bourne Bridge all traffic will be directed to continue west on Route 25 towards Wareham/Rt 195/Rt 495. If you wish to go to Buzzards Bay you must continue until Exit 2, Glen Charlie Road Wareham, and then take Route 6 & 26 back to Buzzards Bay.

After you have traveled over the Sagamore Bridge you may exit and go to North Sagamore, Sagamore Beach, and Bournedale villages. You will not be allowed to travel the Scenic Highway into Buzzards Bay.

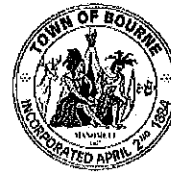
Please review the information outlined in this pamphlet before any event that might require the activation of the Cape Cod Emergency Traffic Plan. Do not be surprised during an actual emergency plan your travel route off Cape now!

To see the full Cape Cod Emergency Traffic plan go to the following web address:
<https://www.mass.gov/files/documents/2018/07/30/2018%20Cape%20Cod%20Emergency%20Traffic%20Plan%20Base%20Plan.pdf>

Town of Bourne
Emergency Management Office
24 Perry Avenue
Buzzards Bay, Ma 02532
508-758-7609
www.townofbourne.com

What Every Bourne Resident Should Know about the Cape Cod Emergency Traffic Plan

Road Closures and Detours

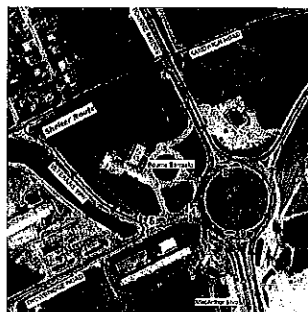


The Cape Cod Emergency Traffic Plan (CCETP) has been developed to facilitate the egress of a high volume of traffic from Cape Cod in the event of a hurricane or other potential high hazards, particularly during peak tourist season. The plan's main goals are to ensure the safety of the community in the event of destructive weather or other hazards requiring the orderly but rapid movement of motorists off Cape Cod and the Islands of Nantucket and Martha's Vineyard; and prepare for the temporary sheltering of displaced persons resulting from the evacuation of potential flood areas and motorists unable to exit the cape due to the closure of the Bourne and Sagamore bridges.

In order to move as many motorists off Cape as quickly as possible, traffic detours and roadway restrictions will be implemented. These detours will affect the way Bourne residents normally access the Bourne and Sagamore Bridges. This brochure highlights some of the detours that affect Bourne.

BOURNE BRIDGE ACCESS

Access to Bourne Bridge from Trowbridge Road, Sandwich Road, or Veteran's Way will be blocked. All traffic heading off Cape must approach from Route 28, MacArthur Blvd. Once in the Bourne Rotary, traffic must cross Bourne Bridge.



Traffic control locations and road barriers at Bourne Rotary.

SAGAMORE BRIDGE ACCESS

Access to Sagamore Bridge from South Sagamore via Sandwich Road and Cranberry Highway will be blocked. Only access to Sagamore Bridge will be from Route 6 Mid Cape Highway. If you wish to cross Sagamore Bridge you must travel to Route 130 at Exit 2, Sandwich to get on Route 6 westbound.



Traffic control locations and road barriers at Sagamore Bridge approach.

NEXT STEPS

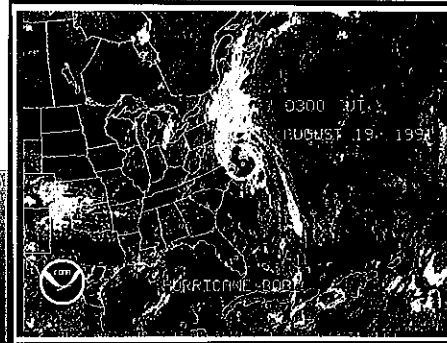
After you have traveled over the Bourne Bridge, all traffic will be directed to continue west on Route 25 towards Wareham/ Rt 195/ Rt 495. If you wish to go to Buzzards Bay, you must continue until Exit 2, Glen Charlie Rd Wareham, and then take Route 6 and 28 back to Buzzards Bay.

After you have traveled over the Sagamore Bridge, you may exit and go to the North Sagamore, Sagamore Beach, and Bourneville villages. You will not be allowed to travel the Scenic Highway into Buzzards Bay. Motorists wishing to access Route 495 need to travel Route 3 N to Route 44 W (Exit 7). Route 44W will bring you to Route 495.

If you are still on the road attempting to leave the Cape when the bridges close due to weather conditions, and you need shelter, you will be directed to a shelter. Last resort, you will be given a safe space to stay until the storm passes. Please note: No weapons are allowed at public shelters.

For more information on the Cape Cod Emergency Traffic Plan, please visit: <https://www.mass.gov/service-details/cape-cod-emergency-traffic-plan>

**CAPE COD
EMERGENCY
TRAFFIC PLAN**

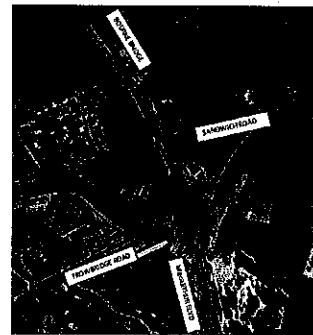


**WHAT IS THE CAPE COD
EMERGENCY TRAFFIC PLAN?**

The Cape Cod Emergency Traffic Plan (CCETP) has been developed to facilitate the egress of a high volume of traffic from Cape Cod, in the event of a hurricane or other potential hazard, particularly during peak tourist season. The primary goals of the CCETP are to ensure the safety of citizens in the event of destructive weather, or possibly other hazards, requiring the orderly but rapid movement of motorists off Cape Cod and the Islands of Nantucket and Martha's Vineyard; and to provide temporary sheltering of displaced persons unable to exit Cape Cod due to the closure of the Bourne and Sagamore Bridges.

BOURNE BRIDGE ACCESS

No access to the Bourne Bridge off Cape from Trowbridge Rd, Sandwich Rd, or Veteran's Way. All traffic heading off Cape must approach from Route 28, MacArthur Blvd. Once in the Bourne Rotary, traffic must cross the Bourne Bridge.

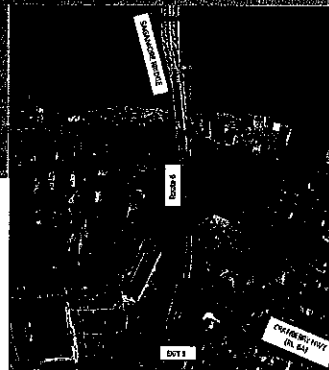


WHAT THE PLAN IS NOT

This is **NOT** an evacuation plan. There are a number of vulnerable areas of Cape Cod at risk of storm surge inundation and flooding from serious weather events. Although residents in these areas may be ordered to evacuate, many will choose to access shelters and not leave the Cape.

SAGAMORE BRIDGE ACCESS

Only access to cross Sagamore Bridge is via Route 6, Mid Cape Highway from Sandwich. Roadways from South Sagamore Village, (Sandwich Road Cranberry Highway) will be closed for access to Sagamore Bridge.



WHAT YOU CAN EXPECT

Because of the need to eliminate causes of congestion and keep traffic flowing in the Sagamore and Bourne Bridge areas, certain traffic alterations may need to be implemented if significant traffic backups occur. Public information will be available through sign and message boards on major routes, calling 511 from your cell phone, and the broadcasting of Traffic Advisories on radio station WQRC (99.9 FM).

This program has been going on since 1996. It has been adjusted yearly. It is implemented in stages. If traffic becomes congested the police implement traffic control points. It is run by the state police. The command post is at the Upper Cape Regional Tec School. The Bourne Police Department will have a representative at that command post to be a liaison back to the Town of Bourne. We review it every year. It has never had to be implemented since it was designed. The main thing for the residents of Bourne is our way of life and our road habits will change if this plan is ever put in place. This facilitates getting tourist back over the bridge.

James Potter questioned in a real emergency would the state be using message boards. Mr. Potter recommended the state utilize the road message boards. Mr. Noyes said there will be use of sign boards and message boards that are already on the roadways. The state would utilize the Emergency Alert System on the phones, we'd also use the radio station WQRC 99.9 FM on the Cape. For Bourne residents we'd utilize our Bourne Alerts Progressive Messaging System that sends out to telephones, landlines and cell phones, text messaging and also emails. If the bridge is closed because we are going to be affected by a storm there is a part of the plan to provide shelter to people on Joint Base Cape Cod.

Peter Meier suggested to put this on the front page of the Town website. Mr. Noyes said the Traffic plan is on the Town website. During an actual event we could do an emergency alert banner across the top of the page.

7) South Side Fire Station Update – South Side Fire Station Feasibility and Design Building Committee, Chief Sylvester, Joe Sullivan (Owner's Project Manager)

Glenn Cannon said that Joe Sullivan, the Owners Project Manager stated he could not be present this evening.

Chief Sylvester spoke about the South Side Fire Station, the South Side Fire Station committee has been meeting regularly. They have been working with the architect to find the best building for the money. Once the building was designed then we would know what we would need for land space. The issue is trying to find land on the south side. The committee looked at numerous sites. The Committee voted on a piece of land. Decision were being made to go with the county property as the number one site. The main concern from residents is the response time, the site is in Pocasset. The station is designed so we can expand as time goes by, with personal or/and equipment based on what the town needs. Thursday night we are having a meeting at the High School at 6:00.

Peter Meier said the Board has been aware of what is going on because he is a representative on that committee and has been keeping the Select Board up to date.

Judy Froman questioned if the timeframe is appropriate for having the new station align with the potential purchasing of that land. Glenn Cannon said the work that went into the feasibility study delayed the committee to an extend where we were trying to line up the county land and be more advanced coming into our Special Town Meeting, so we are a little

behind on acquiring that land. We do have a proposed article that will be coming forward to continue that effort to make sure we do get lined up. Mr. Cannon said the county land is the preferred site, but there are backup sites.

Skip Barlow, Chair Fire Station Committee said there are a lot of groups in the town that use that land. The county is going to get rid of the land and we have the opportunity to purchase that land and keep it with the Town of Bourne.

Voted Peter Meier moved and seconded by Jared MacDonald to move agenda item 9D to the next item on the agenda. Vote 5-0-0

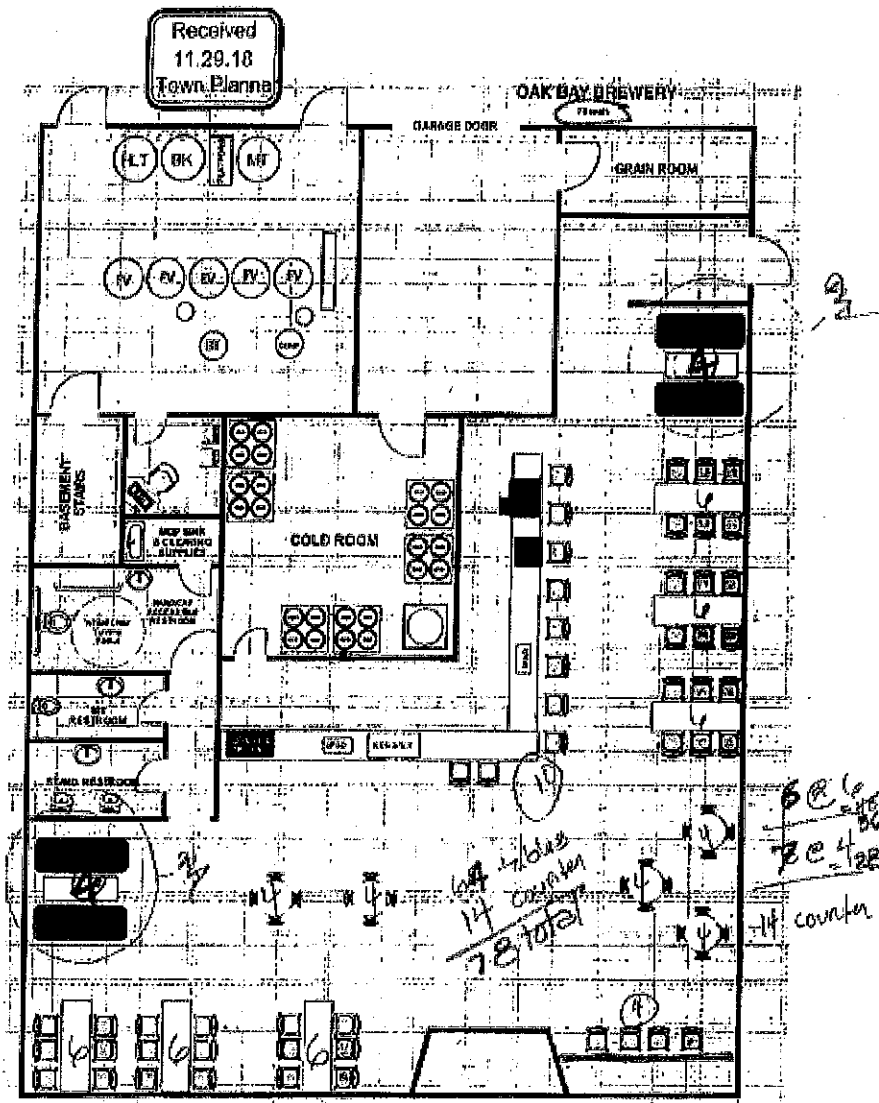
9D.

William Russell, Buzzards Bay Brewing of Bourne LLC. Location 85 Main Street, Buzzards Bay, MA. 15 1-day licenses for wine and malt beverages. Hours of operation are from 11:00 a.m. to 9:00 p.m. Seating limited to 85 as per plan approved by Town Planner. Dates are: October 3, 4, & 5; October 10, 11 & 12; October 17, 18, & 19; October 24, 25, & 26; October 31, November 1, & 2. Remarks: Planning Department - The PB voted on 9-12-19 not to oppose this issuance of a temp occupancy permit by the Building Inspector, therefore Planning Dept concurs. Conservation Commission - The Commission has received plans and the revisions have been administratively approved by the department. Sewer Commissioners - Sewer Commissioners approved sewer allocation for 85-93 Main Street. Town Clerk - INC - LLC Doing business under the LLC name. Assessors - fol in process 9/20/19. Police Department- Comments from last request are the same. Chief has met with the applicant but no resolution has been advised to any of the previous comments stated on earlier routing slip: Concerns for using one day license for this type of situation. Alcohol cannot be stored on site on any night between the dates by state law, meaning each and every day at the conclusion of the event, the alcohol must be removed from the property. Has this location passed all required permits for occupancy? If this is going to be a permanent business, why requesting numerous one-day licenses? ABCC states no person may be granted a special license while an application for an annual license is pending before the licensing authority. Recommend this request be referred to the state ABCC for further guidance. If the ABCC states this is acceptable, we have no issue with the license being issued as long as all laws are being complied with, including no overnight storage. Fire Department - Completed as of 9-20-19 for Brewery Only - not other units in complex.

Voted Peter Meier moved and seconded by Jared MacDonald to approve the 15 1-day liquor license for Buzzards Bay Brewery on days outlined on the agenda: October 3, 4, & 5; October 10, 11 & 12; October 17, 18, & 19; October 24, 25, & 26; October 31, November 1, & 2, 2019.

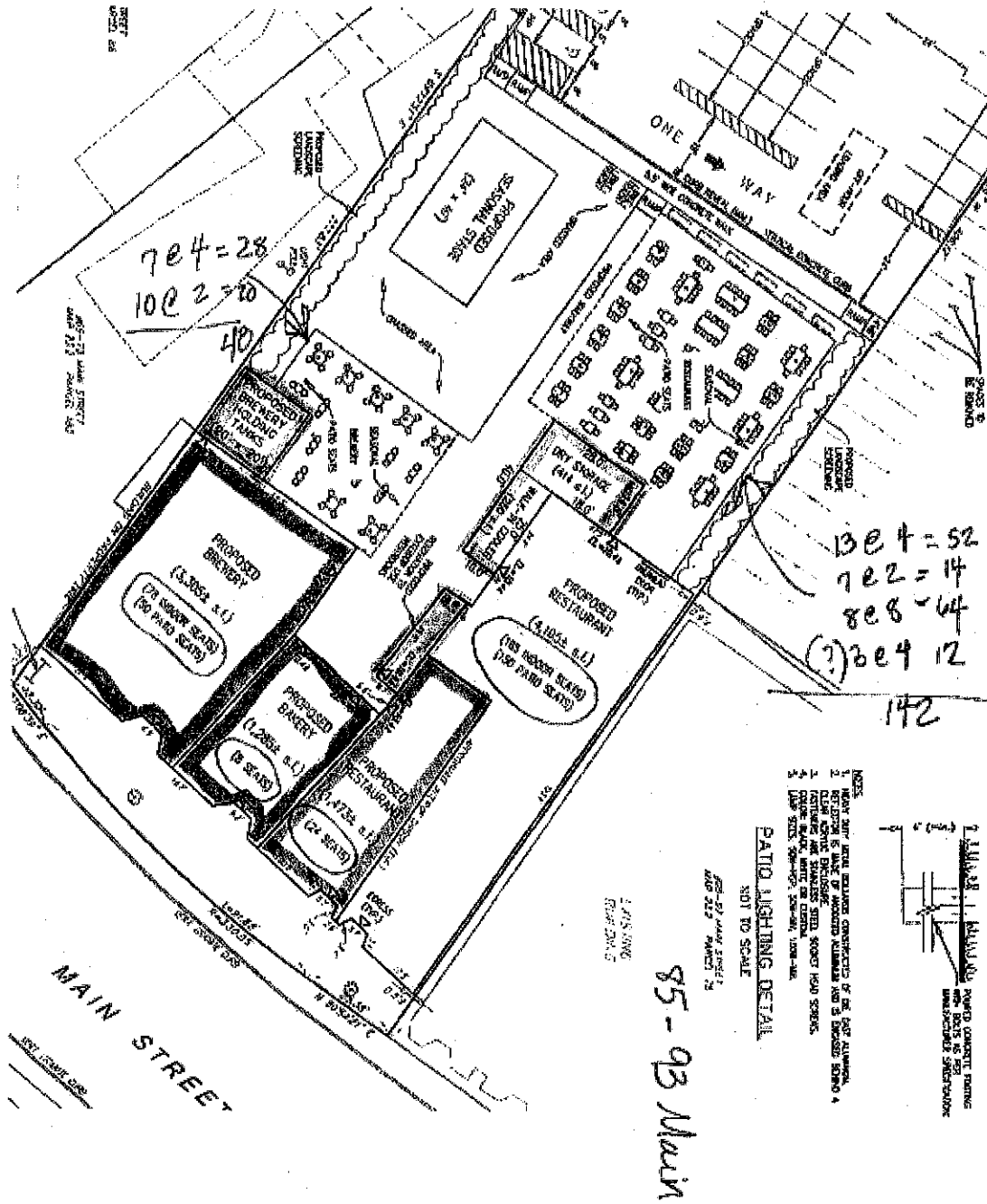
Peter Meier said we need to look at our policy to streamline things like this so it is more efficient for the next business that comes to Bourne. George Slade said we have to go by the comments/objections on the routing form. Jim Potter said when the routing slip was first reviewed there were issues that needed to be addressed.

Judy Froman asked Nancy Sundman to clarify the one-day licenses and the application for the state license for the tap room itself and if he can apply for one-day licenses. Nancy Sundman said the issue of the pending license with Section 12 (pouring license) or Section 15 (package store) you cannot have a one-day license if you are applying for one of those. Under this type of one day license, he has no license, he has no application before the ABCC, he has no full year-round license or seasonal license before us at this time. He is applying for one-day licenses which is the total discretion of the Licensing Board. They do not have to issue them; they can issue them. The only appeal process, should the Town not grant the license is to the Superior Court. The ABCC has nothing to do with it.



Michenzi - 85-93 Main St.

#85 Main St
alsoe



Peter Meier said we should, as part of our rules and procedures regarding one-day licenses, look at in a workshop.

Jared MacDonald questioned the seating arrangements. Noreen Michienzi said there was a mistake in the diagram that was presented to the Board. 85 is supposed to be the address not the number of seats. It is supposed to read 78 seats inside and 50 seats outside. The correct amount of seating that we would like is 160 (112 inside and 50 seats outside), for the tap room. That was sent on September 26th to the Planning Board and to Coreen Moore. It has been approved. We did put in the fire suppression system.

Jim Potter said we have to update the Sewer; we approved a different number of seats. Noreen Michienzi said the seats are not increasing. We took 50 seats from the restaurant to the brewery, it's the same number of seats in the building.

Chief Sylvester said he never received any notification regards to the number of seats. The sprinkler was for the entire building based upon not knowing what was going in there, then they separated the four units. I am trying to keep track to make sure everything has been done. Didn't know there was 160 seats going into the brewery. I have concerns with that number of people in one area. I am concerned with crowd management, entertainment. The single one-day liquor licenses can sometime become problematic.

Judy Froman said on the routing slip it states seating limited to 85. Noreen Michienzi said that 85 is supposed to be the address. Roger Laporte gave us the seating for 175 people. If you don't want to approve the 160 seats, can you approve the 112?

Glenn Cannon said the Town Planner informed us that the approve seating for the brewery was 78 indoor seats, she informed us the back patio has not been approved as of yet. Noreen Michienzi said that was for the Oak Bay Brewery.

Jim Potter said this Board can't get involved in occupancy component, but this Board can condition licenses.

Jared MacDonald said we could approve these with the stipulation that the seating number gets worked out by end of day tomorrow with Mr. Cannon. We have to go by what is written. I think the Board would be willing to give the stipulation that it gets corrected to the right number of seats through the Fire Department, Town Planner and we can all get an email, by end of day, that is has been corrected.

Vinny Michienzi said the square footage is 3400 sq. ft. There are four means of egress on that first floor, in that particular unit. The Building Inspector reviewed the floor plans, the seating, and granted us inside seats of 175 seats.

Judy Froman would like to entertain the approval with the stipulation that the verification of the number of seating capacity is given to us tomorrow and we also get the proper floor plan.

Voted: Peter Meier moved and seconded by Jared MacDonald to amend the motion to approve the application tonight with the stipulation that tomorrow the seating being corrected through Glenn Cannon.

James Potter said he thought solution would have been for us to have a condition that the license would be granted based upon the Building Departments approval of the occupancy.

Vote: 5-0-0

8) License/Appointments

a. Appointment to the Cape Cod Regional Transit Authority

b. Kind Hearts for Kids – Fee waiver request – Cafeteria at the Bourne Veterans' Memorial Community Center

c. Bourne Friends of the Council on Aging – Fee waiver for Psychic Fair

Voted: Peter Meier moved and seconded by Jared MacDonald to appoint George Slade to the Cape Cod Regional Transit Authority, term to expire April 30, 2020.

Voted: Peter Meier moved and seconded by Jared MacDonald to close nominations.

Vote: 5-0-0.

Vote: 5-0-0

b. Kind Hearts for Kids Inc. (501c3) based in Sagamore Beach is requesting to have the \$70 fee waived for a room at the rec center for a fundraiser/birthday party on Saturday, October 26th. Will be inviting families to an "Un-birthday Party". They will play games, enjoy snacks, and color birthday cards for kids in foster care. Will also be collecting items for birthday bags for foster kids/teens.

Glenn Cannon briefly spoke about the event.

Voted: Peter Meier moved and seconded by George Slade to approve the application.

Vote: 5-0-0

c. The Friends of Bourne COA are requesting a waiver of fees for the event that will be held on Saturday, October 5, 2019 from 10:00 – 4:00 in the Bourne Veterans' Memorial Community Center

Glenn Cannon briefly spoke about the event.

Voted: Peter Meier moved and seconded by Jared MacDonald to approve the waiver request.

Vote: 5-0-0

9) Selectmen's Business

a. Vote to close the October 28, 2019 Special Town Meeting Warrant

b. Town Administrators Recruitment Update

c. Community Engagement Update

d. Buzzards Bay Brewery – 15 1-Day Licenses for the following dates:

10-03-19; 10-04-19; 10-05-19; 10-10-19; 10-11-19; 10-12-19; 10-17-19; 10-18-19; 10-19-19; 10-24-19; 10-25-19; 10-26-19; 10-31-19; 11-01-19; 11-02-19;

Voted Peter Meier moved and seconded by Jared MacDonald the Board of Selectmen close the warrant for the October 28, 2019 Special Town Meeting effective today October 1, 2019. Vote: 5-0-0.

Glenn Cannon said the staff appreciates this. You closing the warrant gives us the chance to put the full warrant together with the articles, will be available next Tuesday October 8th at the Board of Selectmen's meeting, then on October 8th the Board of Selectmen will sign the warrant for the October 28th Special Town Meeting. As of today, we have 17 articles.

b. Town Administrators Recruitment Update

Judy Froman said the interviews with the top three candidates will be on Saturday here at the Community Building. Interviews and public session will begin at 11:45 a.m. Each interview will last about 1 ¼ hours. Public is welcome but the public is not going to be involved with asking questions. If the public has questions they should be asked via email or in person ahead of time to the Select Board members. The interviews will be televised.

c. Community Engagement Update

Judy Froman said Board of Selectmen are deferring the Community Engagement Committee Update

10) Acting Town Administrators Report

a. Cape Cod and Islands Protection Fund Management Board Meeting

b. The Massachusetts Vape Ban

c. Cape Cod Public Purchasing Officials Association Meeting

Glenn Cannon reported:

a. Cape and Island Protection Fund Management Board meeting - this is for the short-term rental money. That money is starting to trickle in to the Cape. We will need a full year to get a handle on how much revenue will be coming back to the Town.

b. Mass Vape Ban - The moratorium was instituted by Town staff out of the Health Department. They visited 32 establishments. They did have to file five cease and desist orders and now all establishments are in compliant with the ban.

c. Cape Cod Public Purchasing Officials Association Meeting - This is complying with State Law and 30B. They talked about emergency procurement. State law still applies even when you are dealing with a tornado and some of the riggers you have to go through to make sure the goods and services you are buying for the people of your town are in

compliance with state law and you are making sure you get the best bid prices for the residents. Complying with State Law.

11) Correspondence

George Slade brought the Board and the public up to date on the correspondence

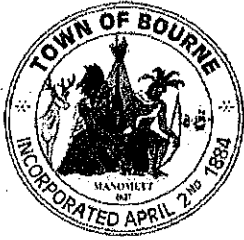
- A. Bourne Council on Aging Health and Wellness Fair Event October 1, 2019 from 10:00 a.m. until 1:00 p.m. at the Bourne Senior Center.
- B. Bourne Council on Aging Event – Harvest Moon Dance October 27, 2019 from 1:00 p.m. until 3:00 p.m. at the Bourne Senior Center
- C. Letter from Lillian and Julian Harwood requesting present status of the Briarwood Bridge.
- D. Letter from Massachusetts Maritime Academy President regarding parking at Maritime Academy as it relates to downtown Buzzards Bay.
- E. Open Letter to the Board of Selectmen from Pocasset Village Association regarding position a site for the dog park.
- F. Letter from the Massachusetts Department of Telecommunications and Cable regarding expiration of cable license.
- G. Letter from Marine Fisheries regarding inspection of Rod Taylor aquaculture license site.
- H. Abutter Notification from Conservation Commission regarding 105 Williams Ave, Pocasset notice of intent.
- I. Massachusetts Attorney General regarding Open Meeting Law complaint filed by Thomas Donovan.
- J. Email letter of resignation from Shawn Goulet from the Private Roads Acceptance Committee and Recreation Committee.

All correspondence are available on the town website.

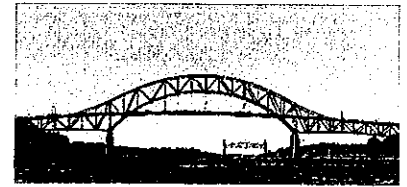
12) Adjourn

Voted: Jared MacDonald moved and seconded by Peter Meier to adjourn. Meeting adjourned at 9:24 pm. Vote: 5-0-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Selectmen Meeting Notice AGENDA



Date

October 5, 2019

Time

11:00 A.M.

Location

Bourne Veterans Memorial
Community Building
239 Main Street
Buzzards Bay, MA 02532

Call meeting to order.

1. **Executive Session** Contract negotiations for Non-Union personnel: Acting Town Administrator, Glenn D. Cannon. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the discussion concerning negotiations.

Roll call Vote to convene in Executive Session for the purpose stated.

The Board of Selectmen will reconvene in open session following the Executive Session at approximately 11:45 a.m.

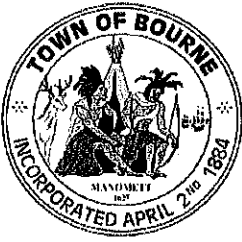
Roll call Vote to adjourn Executive Session.

2. Board of Selectmen will interview the three finalists for the position of Town Administrator in Open Session. Each interview will be approximately 75 minutes.
 - a. Robin Craver
 - b. Anthony Schiavi
 - c. Robert Whritenour
3. 3:30 p.m. Discussion and possible vote on appointment of Town Administrator
4. Adjourn

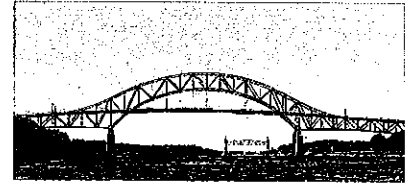
TOWN CLERK BOURNE

2019 OCT - 1 PM 12: 44

RECEIVED



Board of Selectmen Meeting Notice AGENDA



Date
October 8, 2019

Time
6:30 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

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

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

6:30 P.M Call Public Session to Order in Open Session

Call meeting to order.

Executive Session Contract negotiations for Non-Union personnel: Acting Town Administrator, Glenn D. Cannon. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the discussion concerning negotiations.

Roll call Vote to convene in Executive Session for the purpose stated.

Executive Session Contract negotiations for Non-Union personnel: Town Administrator. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the discussion concerning negotiations.

Roll call Vote to convene in Executive Session for the purpose stated.

The Board of Selectmen will reconvene in open session following the Executive Session at approximately 7:00 p.m.

Roll call Vote to adjourn Executive Session.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

Reconvene in public session

Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

1. Moment of Silence for our Troops and our public safety personnel

TOWN CLERK BOURNE

2019 OCT -4 PM 2:38

RECEIVED

2. Salute to the Flag
 3. Public Comment on Non-Agenda Items
 4. Minutes - Executive Minutes: 04.01.19, 07.23.19, 08.06.19 and 08.27.19
Regular Meeting Minutes: 09.30.19, 10.01.19
 5. Selectmen's Business
 - a. Discussion and potential signing of the Special Town Meeting Warrant
 6. Adjourn
-

WORKSHOP AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
October 8, 2019	7:15 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

Note this meeting is NOT being televised or recorded.

- Selectmen's Goals
 - Economic Development

Adjourn

**Board of Selectmen
Minutes of Tuesday, October 8, 2019
Bourne Veterans' Memorial Community Center
Buzzards Bay, MA**

ATA Glenn Cannon

Selectmen

Judy Froman, Chair
James Potter, Vice Chair
George Slade, Clerk
Jared MacDonald
Peter Meier

RECEIVED
2019 DEC -9 PM 12:09
TOWN CLERK BOURNE

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

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

6:30 p.m. Call Public Session to order in Open Session

Executive Session: Motion to enter into Executive Session to discuss contract negotiations for non-union personnel: Acting Town Administrator Glenn D. Cannon. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to discussion concerning negotiations.
Roll call vote to convene in Executive Session for the purpose stated.

Motion to enter into Executive Session to discuss contract negotiations for non-union personnel: Town Administrator. The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to discussion concerning negotiations.
Roll call vote to convene in Executive Session for the purpose stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

Roll call vote to adjourn the Executive Session and reconvene in public session.

Chair call public session to order in open session

Meeting Called to Order

Madam Chair Froman called the meeting to order at 7:10 pm.
Board Chair will report out any actions and call for votes necessary as a result of the Executive Session.

Judy Froman said there was a motion to add a 25% weekly stipend for Glenn D. Cannon who has been serving as the Acting Town Administrator. It will be effective for the period of time from October 1st until when the new Town Administrator starts. It was a 5-0-0 vote.

Moment of Silence for our Troops and our public safety personnel /Salute the Flag

Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.

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 responsibility 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.

Public Comment – Non-Agenda Items

Edie Cardoza, President of the Taylors Point Association, wanted to remind the Select Board they are elected as Selectmen by the voters of Bourne to serve and represent their interest, not special interest groups such as the Mass Maritime or the Marine Life Center in Buzzards Bay. It has become one big parking lot. If we were going to have representatives from Taylors Point Association it might have been more appropriate to contact the president of the association. The encroachment of the Academy is growing. More land parcels are being purchased by the Academy and they are not divulging the purpose they have in mind for these properties. These properties are coming off tax rolls of Bourne and this adds to the tax burden for the whole town. Payments we get from the state don't come close to replacing the income stream we are losing. The Selectmen should start thinking of the people and not just the institute.

Tim Scully, Taylors Point, stated there are 7 representatives from Taylors Point.

Joe Carrara Sr., Taylors Point, said the people were concerned with some of the decisions that the Selectmen have made recently. You were the superseding group of the Hoxie School. Mr. Carrara spoke about the investigation into money missing from the Community Preservation Fund. He also stated that when Tom Guerino was hired, it was with the stipulation that he would not be considered as a full time Town Administrator. However, Tom Guerino became the Town Administrator. Every year, in the last six years, he disappointed the Selectmen. This year out of 5 he has a 1.5 rating, yet this Board agreed to give him \$160,000 on the way out. That is our money. It was not a good decision to make, for the tax payers of Bourne. Mr Carrara also spoke about the amount of cars congesting the neighborhood. It makes it unpalatable for resident to come and go as they need. The Board has to stand up to this. We are becoming a college town, which is a wonderful thing, but it is at the expense of the Bourne taxpayer. The Marine Life Center got money from the Maritime for using that as a parking area, that is a violation of the lease. That money

should have gone to the town. It is not a town agency; it is a separate non-profit agency. They should be able to exist on the money they raise. If you don't want to cut it off you could scale it down over three years and at the end of the three years, they should be self-sufficient.

4) Minutes: Executive Minutes: April 1, 2019; July 23, 2019; August 6, 2019; August 27, 2019. Regular Meeting Minutes: September 30, 2019; October 1, 2019

Voted: Peter Meier moved and seconded by Jared MacDonald to defer the approval of Executive Session minutes to a later meeting. Vote: 5-0-0.

Voted Peter Meier moved and seconded by George Slade to approve the minutes from September 30, 2019. Vote 3-0-2. James Potter and Jared MacDonald abstained.

Voted Peter Meier moved and seconded by George Slade to approve the October 1, 2019 minutes. Vote 5-0-0.

5) Selectmen Business

a. Discussion and potential signing of the Special Town Meeting warrant.

Judy Froman suggested the Select Board discuss this agenda item after the workshop.

Voted: James Potter moved and seconded by Jared MacDonald to discuss the signing of the warrant after the workshop. Vote: 5-0-0.

WORKSHOP AGENDA

Date	Time	Location
October 8, 2019	7:15 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

Note this portion of the meeting is NOT being televised or recorded

1. Selectmen's Goals

- **Economic Development**

Glenn Cannon said in the warrant there is \$10,000 for the Economic Development Officer and \$10,000 for the Officers expenses. The Finance Committee questioned the appropriation where that money should go. The past Town Administrator thought that position should be stand-alone and needed a higher rate of pay. I believe that position should be under the Town Planner and the salary structure should be appropriate to that.

Judy Froman said the Select Board has not had a discussion about that yet. Ms. Froman said there was an idea that the money, initially could be used as consulting fees for economic research.

Coreen Moore gave a refresher for the Board on the past 25 years.

Coreen Moore, Town Planner, said she has been with the town of Bourne since 1996. Mrs. Moore spoke about the highlights from over the years regarding the Town Planners position, what it was years ago, and what the Town Planer has done. Mrs. Moore said she appreciates the Assistant Planner; Zoning is a difficult process and hopefully the Assistant Planner will be able to take over the zoning.

Mrs. Moore spoke about the State Grant 43 D, expedite permitting. The permitting guide document has to be updated on the website. We haven't done a town wide economic strategy, we have just focused on downtown.

State Grant 43 D - Expedited local permitting – improved municipal planning and permitting

- Identified Priority Development Sites Designation – 8 Properties in the Downtown
- Streamline Permitting – Growth Incentive Zone – Hired an economic coordinator, Lipman Development Strategies LLC (Independent contractor March –December 2009)
- Created Department Guide to Town Permitting – 2009 and a Commercial Projects Permitting Guide 2012
- Date 2009
- Cost \$60,000

The road, Jonathan Bourne Drive, the town fixed with the Public Works and Economic Development Grant, and took over as a town road; that was the last road we took as a town road. Did some work in Monument Beach, under beautification.

State Grant Ex Office of Transportation & Construction

Public Works Economic Development (PWED)

Industrial Park, Jonathan Bourne Drive

(Road improvements town took road)

Date: 1996

Awarded \$1 million

Chapter H – CCC raised thresholds 10,000 sf. to 40,000 sf.

- Jonathan Bourne Drive – increased threshold for research, Dev., and light manufacturing
- Assisted in the relocation of Hydroid

Date: May 2014

Cost \$0

We did an economic target area; we created some tax incentives for Convention Data Services. All of Cape Cod is designated as an economic target area. Suggested to Tom Guerino to do some tax incentives in Buzzards Bay, because it is difficult to develop in downtown.

Bourne designated as an ETA – Economic Target Area

EOA – Economic Opportunity Area Designation

- Barnstable County 1994
- Bourne included Waterhouse Rd. – old commercial Data Services property
- Tax Increment Financing Plan approved at Town Meeting May 25, 1999

Date: March 1, 2014

Cost: 15-year tax reduction

Street Skate program. The first one we did was Phase 1, which was on the West end of Main Street, by PWED. We did the plans inhouse. The second Phase was from Wallace Ave down to about Ryan's Amusement. We hired STG consultant, we got \$900,000 for that. We were able to do the engineering, put in sidewalks, and amenities. The last phase, Phase 3 we got the Mass Works Grant. We completed the Street Skates and put the lighting in. We hired Sharon Gay to help us facilitate that, I administrated that grant, and oversaw the construction. We came in on time and on budget for that project. The town needs to invest in its infrastructure.

Mass Works Infrastructure Grant \$1,500,000

Wastewater downtown

Date: 2017

Grant Award: \$1,500,000

The Economic Development person needs to be committed to the town, have oversight, and be an employee of the town. Whether it is under the Planning Dept or the Town Administrator that person should be a town employee. There are different job descriptions/titles for Economic Development person: Officer, Manager, Specialist, or Director. An Officer would come under another department. To start it would be good to have the Economic Development person to be under someone, and they can breakout later.

BFDC started as the Bourne Economic Taskforce. There was talk about reorganizing the BFDC, recommissioning them, re-writing that legislation that created them. This should be part of the town with a town staff person working directly with the BFDC. The BFDC brought in a lot of money to the town, they brought in grants for the town. They worked with Senator Murray, she gave us a lot of Planning Grants.

BFDC created – Independent – nonprofit economic development organization
– established by town mfg. vote and an act of the Legislature

- Spurred from the Town's Economic Development Task Force

Date: 2000

BFDC - Market Study – RKG Build-Out Analysis & Fiscal Impact Analysis for Main St. Business District

Date: February 2007

Cost: \$48,750

2019- Econ Summit/CCC

SWOT (develop a community wide Econ. Dev. Vision & Strategy)

Fiscal Analysis for Canal Side Commons property at Bourne Rotary 2008

Economic Development

- Director
- Coordinator
- Specialist
- Officer
- Manager

You need an Economic Development Person.

Glenn Cannon asked Coreen Moore to talk about the visioning studies for downtown Buzzards Bay. Coreen Moore spoke about the studies the Town has done: Market Study in 2007, Feasibility Study, we did a feasibility study on the Canal Side Project.

James Potter said when we talk about Economic Development, we should have maps. Our zoning is simplistic, it is the overlays that make it complicated. We should review the zoning. The only way a town can survive is if it grows economically from a business perspective, it cannot grow from a residential perspective. We need to make Canalside Apartment happen. We need to get someone to help us grow economically, we can only do so much. We don't have enough town employees to take the next step. We don't have the infrastructure on the south side. We have to look at infrastructure and economic vitality. We have the location. We were fortunate to get the hotel. We need to have someone on staff that can look at this and create a plan.

Judy Froman said we need someone to proactively approach developers/businesses. We need to support the planning and economic development in our town. We need to figure out ways to be proactive. It might behoove us to put a little bit of money into a company that does demographic marketing research, then figure out, based on the market research, what would be reasonable to put in this area. We need to support the 20-30-year old, younger generation that want to stay in this area. Would like to see a little bit of research about who might come here, what they would want to do, and what are the resources.

James Potter spoke about the talk with the Joint Base about the ability to have sewer capacity at the Stop & Shop location and Stop & Shop said no. We have to get tough on the people that are sitting on their property, it is stopping the town from moving forward. It is hurting our economy.

Coreen Moore said regarding a marketing analysis, the RKG study, which she will forward to the Select Board members, was not brought forth because no one liked what it said. It was done in 2007. We went to court with Stop & Shop, they were trying to get a reduction in taxes. They stated the demographics do not meet the need for a store there. They didn't have intentions to put a store there, they took that location because it was part of the package. Regarding the Canalside property, a gentleman I spoke with said he met with Stop & Shop and he has ideas that he would do there. He would like to convene a meeting. Stop & Shop got an extension at the Cape Cod Commission. I would not recommend we sign on for another extension.

James Potter said MassDOT has a big play in our economic development. There is going to come a time when MassDOT has plans to block of certain things so they can construct whatever they plan on doing. We need to take part in that conversation so we can support the businesses we already have. That position, Economic Development person, is important because we need a strong leadership person that can speak to MassDOT to explain our economic development so they don't shut roads off for long periods of time; that will affect our businesses. Our economic development gets strangled with these roads being shut down. Some places will be displaced for a little while. The Economic Development person can help get us money for suffering a little bit through that process.

Judy Froman said it is a good to have ideas of things we can do when we have an Economic Developer onboard. We can have another workshop and talk about it with them, and figure out what might be the next step, and how to put some details with it. There is plenty of reason to have an Economic Development person. The question is, is it at the right pay level to get what we need. Another idea is colleges have internship programs. They have a team of people working on economic development. They will adopt projects and will work on projects. We should develop that relationship with colleges. We have a pathway, we have a town administrator who is supportive of private/public partnership, we have a pathway to working together with the Town Planner on all the Economic Development strategies they have been working on and give it more robust energy. We can start building on our focus with an Economic Development person.

Cape Cod Regional Transportation Plan is a major part, we should have a conversation with MassDOT about that plan as part of our economic plan. We have to think comprehensively How do we get to the next level of cohesiveness.

James Potter spoke about if Mass Maritime acquires a piece of land that a former Board designated for development, then we just lost. If that becomes a parking lot and we were counting on that to help fund the wastewater building, that is a big loss.

Judy Froman said we should talk to the people who own the lots to see what their vision is; we could help the owners have a vision/idea for their lot. Glenn Cannon and I had a meeting with Fran MacDonald about the parking lot. He was very open to having the conversation with us and hearing what our concerns were. He might be willing to sell the property back to the Town if he can solve the problem with another location.

James Potter said going forward could we not allow someone to use a parcel of land, in Buzzards Bay, as a parking lot. Coreen Moore said we do have a development agreement. They could make an agreement with the town for so many years they state what they will market to; they will agree that they will not sell it for a parking lot. That agreement can protect the developer stating the town will not change zoning, will not give away their allocation. Unfortunately, we have no jurisdiction over the state, they can buy properties and build parking lots.

Glenn Cannon said Mass Maritime isn't paying top dollar for it. If we want to, we could go through Bourne Financial Development Corporation. Where they would have purchased the land, they could hold it and try to resell it.

Jared MacDonald questioned how can we get some of the properties they have for a low enough price us so we can repurpose or resell them, and take some of that money and reinvest it.

George Slade said the Economic Development person should know that MassDOT is going to be coming out with a plan with a layout of the bridges and how that will affect our economy.

James Potter said Economic Development wise it is important to have a useful downtown. Would like to get our downtown so the cadets have a place to go to keep them in town. We need to know more about Mass Maritime.

Glenn Cannon said the best bet to get a parking garage is if MassDOT and the train comes to Bourne.

James Potter said that Economic Development person should justify their cost. Moving forward if they brought grants in it would help justify their salary. We should do it, but we can't do it just to have that position. They have to show their salaries worth. If we spend that kind of money, we need to see that investment back into Bourne.

Mr. Potter spoke about the hotel tax. In July Bourne made \$15,000 in one month. This Board determines what we do with that money. We do have money from that tax that was collected, it outperformed our expectations. Part of that money can go to the Economic Development position. This person is supposed to help Bourne grow, bring business and visitors to the town.

Coreen Moore said the Economic Development person will go get people; you want someone that has experience and can implement the plan. James Potter said it will be a

difficult position to add at that price range to our community, but you have to pay for experience.

Judy Froman said we have \$40,000 for a half year. Glenn Cannon said the extra \$10,000 can't be used for salary, it can be used for office expenses. Coreen Moore said this person will need a space because they will be on the phone talking to people all day, they will need a computer.

Judy Froman said this meeting was good because it gave us a chance to regroup, get a sense of where we have been, where we are going.

Coreen Moore said the BFDC is ready to be dissolved. We should let them know we may want to stall them from dissolving. They are willing to give it over to the Town.

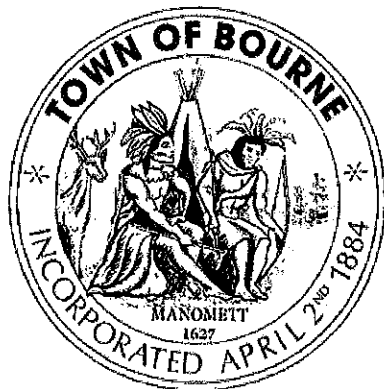
James Potter said if we have the new Town Administrator onboard by Town Meeting they would go a long way to advocating for the money. I fear we would purpose to hire someone at a high level, and someone at Town Meeting would say you don't need that. It would be helpful for the new Town Administrator to say what tools he needs.

Coreen Moore said we need to tell people we have done a lot of studies over the years that need to be implemented and they'll only be implemented by this type of person.

Peter Meier suggested the Planning Board be brought in on the discussion about the Economic Developer.

Warrant

Articles of the Warrant
For the Bourne Special Meeting
Monday, October 28, 2019, 7:00 p.m.
Bourne High School Auditorium



ARTICLE 1: To see if the Town will accept General Laws Chapter 44, Section 53F 3/4, which establishes a special revenue fund known as the **Public Educational Government (PEG) Access and Cable Related Fund**, to reserve cable franchise fees and other cable-related revenues for appropriation to support Public Educational Government (PEG) access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2020, which begins on July 1, 2019 or take any other action relative thereto.

Sponsor – Finance Director

ARTICLE 2: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following **Community Preservation Fund purposes**, and to meet said appropriation, to transfer from available funds or reserves from the FY2020 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 Conservation	Create a park at 789 Shore Rd, Pocasset	Open Space/Recreation	\$80,000 Open Space/Recreation Reserves
B	Cedar Point Association Inc	Engineering evaluation of the water quality for Hen Cove, Barlows Landing, Patuisset Island Pond and Wings Neck Dam	Open Space/Recreation	\$50,000 Open Space/Recreation Reserves
C	Town of Bourne	Pedestrian Bicycle Pathway Phase 4	Recreation	\$50,000 Open Space/Recreation Reserves
D	Dept. of Natural Resources	Installation of a Barlows Landing Dingy Dock	Recreation	\$38,000 Open Space/Recreation Reserves
E	Bourne Archives	Continue website upgrade	Historic	\$28,000 Historic Reserves
F	Pocasset Community Foundation Inc.	Improvements to Pocasset Community Building	Historic	\$100,000 Historic Reserves
			TOTAL REQUESTS	\$346,000

ARTICLE 3: To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$188,500 for the purpose of supplementing and/or **reducing the FY2020 Regular Annual Expenses** of the departmental expenses as voted under Article 3 (Annual Budget) of the 2019 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Selectmen

FY2020 BUDGET AMENDMENTS		
Department	Salaries	Expenses
Town Administrator	\$ 127,500.00	\$ -
Election and Registration	\$ 25,000.00	
Inspections-Sealer Wts/Measurer		\$ 16,000.00
Economic Development	\$ 10,000.00	\$ 10,000.00
Total	\$ 162,500.00	\$ 26,000.00

ARTICLE 4: To see if the Town will vote to appropriate a sum of money for the purpose of the payment of **unpaid bills** from a previous fiscal year that are legally unenforceable due to the insufficiency of appropriation or take any other in relation thereto.

Sponsor – Board of Selectmen

UNPAID BILLS		
Department	Vendor	Amount
Legal	Atlantic Abstract	\$ 190.00
Town Administrator	Buzzards Bay Water District	\$ 203.39
ISWM	Cape Cod Media Group	\$ 799.20
ISWM	Barnstable County Health Lab	\$ 2,640.00
ISWM	Barnstable County Health Lab	\$ 4,224.00
ISWM	Milton Cat	\$ 1,066.85
Town Administrator	Massachusetts Municipal Association	\$ 75.00
Fire	South Coast Hospitals Group	\$ 65.98
Archives	University Products	\$ 23.90
Planning	Wesley Ewell	\$ 2,010.00
Total		\$ 11,298.32

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ARTICLE 5: To see if the Town will vote to appropriate a sum of money for the purpose of funding the Town's **Other Post-Employment Benefits (OPEB) Liability**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 6: To see if the Town will vote to appropriate, transfer from available funds, or borrow a sum of money to **repair and resurface Nuovo Road, Sagamore Beach, MA**, pursuant to petitions submitted by abutters under Section 3.1.28 of the Town of Bourne By-laws, said funds to be repaid to the Town through betterment assessments to abutters as provided in Section 3.1.28 of the Town of Bourne By-laws and under Massachusetts General Laws, or take any other action in relation thereto.

Sponsor: Board of Selectmen

ARTICLE 7: To see if the Town will vote to appropriate a sum of money for the purpose of implementing a **secure wireless electronic voting system** configuration for use by registered voters at an annual or special town meeting including, but not limited to, handheld voting devices, software, hardware, provide training to all persons involved in conducting the town meetings, and provide voter education, or take any other action in relation thereto.

Sponsor - Town Clerk

ARTICLE 8: To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$100,000 for the purpose of supplementing the **FY 2020 Sewer Department Expense Budget** as voted under Article 4 of the 2019 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

ARTICLE 9: To see if the Town will vote to amend **Article 1, Section 1.5.5 Annual Report** of the Town of Bourne Bylaws by striking the words "March 15th" and substituting in place thereof, the words "January 10th", or take any other action in relation thereto.

Sponsor: Bylaw Committee

ARTICLE 10: To see if the Town will vote to amend the Bourne Zoning Bylaw by adding a new section titled 2250 "**Medical Marijuana and Marijuana Establishments**" after Section 2240 titled "Accessory Scientific Uses" and containing Sections 2251, 2252, 2253, 2254, 2255, 2256, 2257, and 2258, all as printed in the Warrant and further to amend Section 2220 "Use Regulation Schedule" by adding a new Section as printed in the Warrant and further by adding Footnote 14 as printed in the Warrant and further by inserting a new Section in Section 2821 Downtown District titled "Marijuana Uses" as printed in the Warrant and further by amending Section 5 titled "Definitions" by adding the definition of "Marijuana or Marihuana" and amending the definition of "Fraternal or Social Organization Lodge" as printed in the Warrant and all of which is on file at the Office of the Town Clerk, or to act on anything in relation thereto.

Sponsor: The Haven Center, Inc.

2250. Medical Marijuana and Marijuana Establishments

2251. Purpose, Authority, and Intent

- a) These provisions are enacted pursuant to General Laws, Chapter 40A, Section 9, and pursuant to the Town's authority under the Home Rule Amendment to the Massachusetts Constitution. It is recognized that the nature of the substance cultivated, processed, and/or sold by Medical Marijuana and/or Marijuana Establishments may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the Bourne residents, the general public, patients seeking treatment, and customers seeking to purchase marijuana for adult use. This bylaw is intended to be used in conjunction with other regulations adopted by the Town of Bourne designed to encourage appropriate land use and reasonable safeguards to govern the time, place, and manner of Marijuana Establishments. The Medical Marijuana and Marijuana Establishments bylaw is therefore necessary to advance these purposes.
- b) Subject to the provisions of this Zoning Bylaw, Chapter 40A of the Massachusetts General Laws, 105 CMR 725.000, and M.G.L. Chapter 94G, in acknowledgment of the passage of Chapter 334 of the Acts of 2016 - An Act for the Regulation and Taxation of Marijuana Act, as amended by Chapter 55 of the Acts of 2017, and codified as Massachusetts General Laws Chapter 94G, and any and all regulations established by the Massachusetts Cannabis Control Commission (hereinafter referred to as "State CCC"), Medical Marijuana and/or a Marijuana Establishment shall provide medical support, security, and physician oversight that meet or exceed state regulation as established by the Massachusetts Department of Public Health (DPH), and to provide retail sales of marijuana for non-medical use in a manner that meets or exceeds state regulations.

2252. Applicability

- a) Medical Marijuana and Marijuana Establishments shall be permitted when in compliance with the provisions of this section, all other Town of Bourne permits and license requirements, and with the proper Licensing of Medical Marijuana and/or Marijuana Establishments pursuant to MGL c. 94G, and regulations promulgated by the State CCC.
- b) The cultivation, production, processing, manufacturing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana is prohibited unless licensed by the Massachusetts licensing agent and permitted as a Medical Marijuana and/or a Marijuana Establishment under this section.
- c) Medical Marijuana and Marijuana Establishments shall only be allowed by Special Permit from the Special Permit Granting Authority in accordance with the Use Regulation Schedule in Section 2220 and the Table of Allowable Uses in the Downtown District in Section 2821 provided the facility meets the requirements of this bylaw.
- d) Nothing in this bylaw is intended to regulate or prohibit uses or activities related to personal use of marijuana in accordance with MGL c. 94G.
- e) Adult use marijuana retailers may operate between the hours of 8:00 a.m. – 11:00 p.m. Monday through Saturday, and 10:00 a.m. – 9:00 p.m. on Sunday. Sales, distribution, and deliveries to and from the premises of marijuana shall not occur

- outside the hours of operation.
- f) Consumption of medical marijuana and adult use marijuana products at licensed marijuana establishments is prohibited.
 - g) Social consumption of adult use marijuana is prohibited at patriotic, fraternal or social organization lodges or clubs, and properties used for general lodging or boarding, but not operating as a licensed marijuana social consumption operator.
 - h) Patriotic, fraternal or social organization lodges or clubs, and general lodging or boarding properties shall not offer marijuana for social consumption.

2253. Application Requirements

- a) Marijuana Establishments shall conform to 935 CMR 500.000 "Adult-Use of Marijuana", in addition to any requirements herein as adopted, et. seq., including any subsequent updates.
- b) The Special Permit Granting Authority (SPGA) is the Planning Board in accordance with section 1230 of this Bylaw. In addition to the submittal requirements and review standards provided in this Bylaw, each applicant for a special permit under this section shall submit:
 - 1. Copy of a fully executed Host Community Agreement.
 - 2. Proof of a valid Massachusetts issued Marijuana Establishment provisional license.
 - 3. Evidence of site control and right to use the site for a Medical Marijuana and/or a Marijuana Establishment in the form of a deed or valid purchase and sales agreement, or in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement.
 - 4. A commitment letter from the Board of Water Commissioners in the appropriate district where the Medical Marijuana and/or a Marijuana Establishment would be sited.
 - 5. A wastewater allocation commitment letter from the Board of Sewer Commissioners for proposed developments in the Downtown District.
 - 6. A map depicting all properties and land uses within the distance requirements set forth in section 2254 of the project site, whether such uses are located in Bourne.

2254. Location Requirements

- a) No Medical Marijuana and/or Marijuana Establishment shall be located within 500 feet from any public or private school serving grades K through 12, or any state licensed pre-school, or state licensed child care facility.
- b) No Medical Marijuana or Marijuana Retailer shall be located within 250 feet of any library, public park, playground, athletic field, or public recreational facility in existence on the date of a complete application submission to the SPGA for a Special Permit.
- c) No Medical Marijuana and/or Marijuana Establishment shall be located in the Scenic Development District.
- d) The following departures from the dimensional regulations in section 2500 of the underlying districts shall apply to this section:

1. A minimum separation of 150 feet is required for a Registered Marijuana Dispensary and/or a Marijuana Retailer from Residential Districts R-40, R-80, and the Downtown Neighborhood. Distances shall be measured in a straight line from the nearest residential district line to the nearest point of any principle building housing the Registered Marijuana Dispensary and/or Marijuana Retailer.
- e) A minimum separation of 150 feet is required between Marijuana Retailers, but not including Medical Marijuana Dispensaries. Distances shall be measured in a straight line between the nearest points of the Marijuana Retailer buildings.
- f) No use variance for medical marijuana, marijuana establishments, marijuana social consumption operation, medical marijuana dispensary, or sale of marijuana accessories is permitted.
- g) Special Permit Compliance: A Special Permit issued to the owner/operator of Medical Marijuana and/or Marijuana Establishment may transfer with a change in ownership of the business and/or property. The Planning Board, Planning Office, and Building Inspector shall be notified in writing within 14 calendar days of the permit holder business change, property change, discontinuance of use, or if the permit holder's CCC Licensures expires, is not renewed or is terminated. Any failure to meet the requirement of this bylaw or conditions of the Special Permit shall be grounds for revocation and will result in the immediate issuance of a cease and desist order by the Building Inspector ordering that all activities cease immediately.

2255. Site Development Standards

- a) Medical Marijuana and/or Marijuana Establishments are subject to section 1230 and shall conform to the zoning bylaw, and any other any requirements herein as adopted, and any amendments thereto.
- b) All aspects of a Marijuana Establishment, Registered Marijuana Dispensary, or Off-Site Medical Marijuana Dispensary, relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials shall take place at a fixed location within a fully enclosed building.
- c) No Marijuana Establishment, Registered Marijuana Dispensary, or Off-Site Medical Marijuana Dispensary shall be located inside a building containing any other uses or tenants, except a Marijuana Establishment may be located in the same building as properly licensed and permitted RMD.
- d) No Marijuana Establishment, Registered Marijuana Dispensary, or Off-Site Medical Marijuana Dispensary shall be located within a mobile facility.
- e) Drive-through windows are prohibited on any building.
- f) If green houses are used for cultivation curtains shall be utilized to prevent light pollution and illumination outside the greenhouse from dusk to dawn and no outside air exchange shall occur.
- g) If provided, fencing and gates shall be a maximum of 8' high, and shall be decorative style wherever viewed from a public way or abutting property. Style of

fencing and gates shall be approved by the SPGA. Chain link fencing is prohibited wherever visible from the public way or abutting property.

- h) Medical Marijuana and/or a Marijuana Establishment shall comply with the Parking and Loading requirements in Section 3300. Retail Establishment are categorized under "Office, Stores" use. Marijuana Cultivator, Marijuana Manufacturer, Marijuana Product Testing Facility are categorized under "Industrial, Wholesale, or Warehouse" use.
- i) All security measures for the building shall comply with State CCC regulations and deemed appropriate to ensure patron and community safety and deter unauthorized access to the premises.
- j) No products shall be displayed in the Marijuana Establishment's window or visible from any street or parking lot.
- k) All signage for Medical Marijuana and Marijuana Establishments must meet the requirements of section 2800 and section 3200 of this Bylaw. Any exterior sign may identify the Establishment, but shall not contain any other advertisement. The SPGA may impose additional restrictions on signage as appropriate for the site, provided such regulations and restrictions do not conflict with State law or any State CCC regulation.

2256. Limitation on Special Permits

- a) The total number of Marijuana Retailer special permits issued in the Town of Bourne shall be limited to three (3).
- b) Any other type of licensed Marijuana Establishment not expressly defined as a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product, Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, and Marijuana Transporter are prohibited.

2257. Marijuana Definitions

For the purpose of this bylaw, the following definitions shall apply:

Craft Marijuana Cooperative:

A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.

Independent Testing Laboratory:

A laboratory that is licensed by the Commission and is:

- (a) accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
- (b) independent financially from any Medical Marijuana Treatment Center (RMD),

- Marijuana Establishment or licensee for which it conducts a test; and
- (c) qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.

Manufacture:

To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

Marijuana or Marihuana:

All parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C of the General Laws; provided that "Marijuana" shall not include:

- i. The mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;
- ii. Hemp; or
- iii. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana Cultivator:

An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.

Marijuana Establishment:

A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center.

Marijuana Product Manufacturer:

An entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.

Marijuana products:

Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Marijuana testing facility:

An entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

Marijuana Retailer:

An entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.

Medical Marijuana Treatment Center:

Also known as Registered Marijuana Dispensary as defined by 105 CMR 725.000.

Registered Marijuana Dispensary (RMD):

A not-for-profit entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

Off-Site Medical Marijuana Dispensary (OMMD):

A Registered Marijuana Dispensary that is located off-site from the cultivation/processing facility (and controlled and operated by the same registered and approved not-for-profit entity which operates an affiliated RMD) but which serves only to dispense the processed marijuana, related supplies and educational materials to registered qualifying patients or their personal caregivers in accordance with the provisions of 105 CMR 725.00.

Where not expressly defined in the Bourne Zoning Bylaw, the terms used shall be interpreted as defined in G.L. c.94G, Section 1 and the regulations of the Massachusetts Cannabis Control Commission at 935 CMR 500, and otherwise by their plain language.

2258. Severability

If any provision of this bylaw or the application of any such provision to any person or circumstance, shall be held invalid, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this bylaw are severable. If any provision of this bylaw is invalidated by subsequent legislation or regulation, or held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 2220 USE REGULATION SCHEDULE

DISTRICT	R-40 R-80	V-B B-1	B-2 B-4	B-3	GD
COMMERCIAL USES					
Marijuana Cultivation	No	No	SPR/SP ¹⁴	SPR/SP	No
Independent Marijuana Testing Laboratory	No	No	SPR/SP ¹⁴	SPR/SP	No
Marijuana Product Manufacturing	No	No	SPR/SP ¹⁴	SPR/SP	No
Marijuana Retailer (marijuana product sales and related paraphernalia)	No	No	SPR/SP ¹⁴	SPR/SP	No
RMD or OMMD	No	No	SPR/SP ¹⁴	SPR/SP	No
Social consumption of adult use marijuana at patriotic, fraternal or social organization lodges and clubs; and properties used for general lodging or boarding	No	No	No	No	No

Insert the following footnote to section 2220 Use Regulations Schedule:

14. Except "NO" in B-2 district on Mashnee Island

SECTION 2821 DOWNTOWN DISTRICT

MARIJUANA USES		
Land Use Classification	Permitted by:	Functional Standards and Special Permit Criteria
Marijuana Cultivation	SP	Shall not be permitted on frontage lots on Main Street. Shall not be located inside a building containing any non-marijuana uses or tenants.
Independent Marijuana Testing Laboratory	SP	Shall not be located inside a building containing any non-marijuana uses or tenants.
Marijuana Product Manufacturing	SP	Shall not be permitted on frontage lots on Main Street. Shall not be located inside a building containing any non-marijuana uses or tenants.
Marijuana Retailer (marijuana product sales and related paraphernalia)	SP	A minimum separation of 150 feet is required from Residential Districts R-40, R-80 and the Downtown Neighborhood, and between Marijuana Retailers. Shall not be located inside a building containing non-marijuana uses or tenants.
RMD or OMMD	SP	Shall not be permitted on frontage lots on Main Street. Shall not be located inside a building containing any non-marijuana uses or tenants.
Social consumption of adult use marijuana at patriotic, fraternal or social organization lodges and clubs; and properties used for general lodging or boarding	N	

For Reference Only

Legend:
 SP = Special Permit
 N = Not Allowed
 P = Permitted
 "SPR/SP"= Planning Board, a use authorized after review under Site Plan Review/Special Permit as provided in section 1230.
 Residential 40 (R-40); Residential 80 (R-80); Village Business (V-B); Business 1 (B-1); Business 2 (B-2); Business 3 (B-3); Business 4 (B-4); and Government District (GD).

SECTION V DEFINITIONS

Marijuana or Marihuana: "See section 2257 for all applicable definitions".

Fraternal or Social Organization Lodge definition - delete: "applies only to the Downtown Bylaw-section 2800".

ARTICLE 11: To see if the Town will vote to amend the provisions of the Town of Bourne Zoning By-Law by adding the following new section 3490 entitled "**Stormwater Regulations**" Or take any other action in relation thereto:

Sponsor - Planning Board

3490. STORMWATER REGULATIONS

3491. Purpose and Intent

- A. The purpose of these Stormwater Regulations is to protect, maintain and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased runoff, decreased ground water recharge, erosion and sedimentations, and nonpoint source pollution associated with new development and redevelopment of land.
- B. These Stormwater Regulations have been established to provide reasonable guidance for the regulation of design, construction and post-development stormwater runoff for the purpose of protecting local water resources from degradation. It is in the public interest to regulate construction and post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with construction site and post-development stormwater runoff.
- C. The proper management of stormwater runoff will meet the following objectives:
 - 1. Reduce the adverse water quality impacts of stormwater discharges to rivers, lakes, reservoirs, streams and estuaries in order to meet federal water quality standards;
 - 2. Prevent the discharge of pollutants, including hazardous chemicals, into stormwater runoff;
 - 3. Minimize the volume and rate of stormwater, which is discharged to rivers,

- streams, reservoirs, lakes storm sewers, and estuaries that flows from any site during and post development;
4. Prevent erosion and sedimentation from land development, and reduce stream channel erosion caused by increased runoff;
 5. Provide for the non-polluted recharge of groundwater aquifers and maintain the base flow of streams;
 6. Provide stormwater facilities that are attractive, maintain the natural integrity of the environment, and are designed to protect public safety;
 7. Maintain or reduce pre-development runoff characteristics after development to the extent feasible;
 8. Minimize damage to public and private property from flooding;
 9. Ensure that these management controls are properly maintained; and
 10. Comply with state and federal statutes and regulations relating to stormwater discharges.

D. Applicability

1. These regulations shall apply to land disturbances that drain into the municipal storm drain system or, directly or indirectly, into a watercourse or water of the Commonwealth via a municipal Point Source. Except as authorized by a Local Stormwater Permit, no person shall perform any activity that results in a land disturbance above the threshold contained in this subsection, below.
2. The following uses and activities shall be regulated under this by-law and require a Local Stormwater Permit:
 - a) Subdivisions and any other construction activities with a land disturbance area equal to or greater than one (1) acre.
 - b) Commercial projects which trigger Planning Board review under Section 1233, with a land disturbance area equal to or greater than one (1) acre.
 - c) Residential development or redevelopment with a land disturbance area equal to or greater than one (1) acre.
 - d) Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development or sale that would disturb area equal to or greater than one (1) acre.
 - e) Land disturbances less than one (1) acre if that disturbance is part of a larger common plan of development or sale that would disturb one (1) or more acres.
3. The following activities are exempt from the provisions of this regulation.
 - a) Development, or redevelopment activities that result in land disturbance of

less than one (1) acre.

- b) Residential development or redevelopment that disturbs less than one (1) acre.
- c) Normal maintenance and improvement of land in agricultural or aquaculture use, as defined by the Massachusetts Wetlands Protection Act regulations (310 CMR 10.04)
- d) Normal road maintenance.
- e) Maintenance of public utilities.
- f) Emergency repair with the approval of the agent of the Stormwater Authority.

E. Authority and Administration

1. Projects Requiring Site Plan – Special Permit Approval under Section 1233
 - a) The Planning Board shall be the Stormwater Authority that will issue a local stormwater permit.
 - b) Projects requiring Site Plan – Special Permit Approval shall include submittal of a Stormwater Management Plan to the Planning Board with the Site Plan – Special Permit Approval applications.
2. Projects Requiring Subdivision Approval of a Definitive Plan
 - a) Planning Board shall be the Stormwater Authority that will issue a local stormwater permit.
 - b) A Stormwater Management Plan shall be submitted with the application for definitive subdivision approval.
3. Projects Requiring Conservation Commission Approval
 - a) The Conservation Commission shall be the Stormwater Authority that will review and approve stormwater management on the site as part of the MA Wetlands Protection Act review and Order of Conditions issuance.
 - b) Projects requiring Conservation Commission approval shall include submittal of a Stormwater Management Plan to the Conservation Commission with the Notice of Intent in accordance with the MA Wetlands Protection Act Regulations (310 CMR 10.00) and stormwater standards included therein.
4. All other development
 - a) The Planning Board shall be the Stormwater Authority that will issue a local stormwater permit.
 - b) A Stormwater Management Plan shall be submitted with the application for a local Stormwater Permit.

F. Definition and Terms

Best Management Practice (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

Certified Professional In Erosion And Sediment Control (CPESC): A Certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

Construction And Waste Materials: Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

Development: The modification of land to accommodate a new use or expansion of use, usually involving construction.

Discharge Of Pollutants: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or commonwealth from any source.

Drainage Easement: A legal right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

Erosion And Sedimentation Control Plan: A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbance activities.

Groundwater: Water beneath the surface of the ground.

Illicit Discharge: Any discharge to a municipal separate storm sewer that is not composed entirely of stormwater and is not authorized by an NPDES permit. Discharges of non-stormwater to the storm drainage system. Examples are discharges from internal floor drains, appliances, industrial processes, sinks, and toilets that are connected to the nearby storm drainage system. These discharges should be going to the sanitary sewer system, a holding tank, an on-site process water treatment system, or a septic system. (See Board of Health regulations)

Impervious Surface: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. "Impervious surface" includes without limitation roads, paved parking lots, sidewalks, and rooftops.

Infiltration: The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

Land-Disturbance: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters, involves clearing and grading, or results in an alteration of drainage characteristics.

Land Use Of Higher Potential Pollutant Load (LUHPPL): Land uses or activities with higher potential pollutant loadings, such as auto salvage yards, auto fueling facilities, exterior fleet storage yards, vehicle service and equipment cleaning areas, commercial parking lots with high intensity use, road salt storage areas, outdoor storage and loading areas of hazardous substances, confined disposal facilities and disposal sites, and marinas or boat yards.

Massachusetts Stormwater Management Standards: The Standards as further defined by the Massachusetts Stormwater Handbook, issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L.c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

Municipal Separate Storm Sewer System (MS4) Or Municipal Storm Drain System: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Bourne.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes the discharge of pollutants to waters of the United States.

Outfall: The point at which stormwater flows out from a point source discernible, confined and discrete conveyance into waters of the Commonwealth.

Outstanding Resource Waters (ORWs): Waters designated by Massachusetts Department of Environmental Protection as ORWs. These waters have exceptional sociologic, recreational, ecological and/or aesthetic values and are subject to more stringent requirements under both the Massachusetts Water Quality Standards (314 CMR 4.00) and the Massachusetts Stormwater Management Standards. ORWs include vernal pools certified by the Natural Heritage Program of the Massachusetts Department of Fisheries and Wildlife and Environmental Law Enforcement, all Class A designated public water supplies with their bordering vegetated wetlands, and other waters specifically designated.

Point Source: Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

Pollutant: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the commonwealth. Pollutants shall include without limitation:

- A. Paints, varnishes, and solvents;
- B. Oil and other automotive fluids;
- C. Nonhazardous liquid and solid wastes and yard wastes;
- D. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnance, accumulations and floatables;
- E. Pesticides, herbicides, and fertilizers;
- F. Hazardous materials and wastes; sewage, fecal coliform and pathogens;
- G. Dissolved and particulate metals;
- H. Animal wastes;
- I. Rock; sand; salt; soils;
- J. Construction wastes and residues; and
- K. Noxious or offensive matter of any kind.

Recharge: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

Redevelopment: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites. The creation of new areas of impervious surface or new areas of land disturbance on a site constitutes development, not redevelopment, even where such activities are part of a common plan which also involves redevelopment. Redevelopment includes maintenance and improvement of existing roadways including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems and repaving; and remedial projects specifically designed to provide improved stormwater management such as projects to separate storm drains and sanitary sewers and stormwater retrofit projects.

Runoff: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

Stabilization: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

Stormwater Authority: Town of Bourne Planning Board or Conservation Commission, as identified in Section 3491 E., or its authorized agent(s).

Stormwater: Runoff from precipitation or snow melt and surface water runoff and drainage.

Strip: Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

Toxic Or Hazardous Material Or Waste: Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

Watercourse: A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

Waters Of The Commonwealth: All waters within the jurisdiction of the commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

Wetland Resource Area: Areas specified in the Massachusetts Wetlands Protection Act c. 131, § 40 and in the Town of Bourne Wetlands Protection Bylaw and Wetland Regulations.

3492. Submission Requirements for Local Stormwater Permits

- A.** A Stormwater Management Plan containing sufficient information to evaluate the environmental impact, effectiveness, and acceptability of the site planning process and measures proposed by the applicant to reduce adverse impacts from construction and on a long-term basis shall be submitted as part of the application for a Local Stormwater Management Permit.
- B.** The Stormwater Management Plan shall fully comply with the Stormwater Management Standards in Section 3493.
- C.** The Stormwater Management Plan shall fully describe the project in narrative, drawings, and calculations. It shall include at a minimum:
 - 1. Contact Information. The name, address, telephone number and email addresses of all persons including applicant and representatives.
 - 2. The street address and the assessor's property map and parcel numbers of the property or properties affected.

3. Narrative describing the following elements:
 - a) Purpose
 - b) Methodologies and assumptions
 - c) Existing and proposed uses and conditions
 - d) Project impacts and mitigation techniques including:
 - i. Summary of proposed land area to be cleared, proposed impervious area, work within proximity of regulated wetland resources, aquifer protection zones, earthwork within 4 feet of seasonal high groundwater elevations, and other sensitive environmental areas.
 - ii. Low impact development (LID) techniques considered for this project and an explanation as to why they were included or excluded from the project.
 - iii. Best management practices proposed for this project.
 - iv. Identification of the immediate down gradient waterbody(s) to which stormwater runoff from the project site discharges, EPA's waterbody assessment and TMDL status of the receiving waterbody(s), (<http://www.epa.gov/region1/npdes/stormwater/ma.html>) and the LIDs and BMP's included in the project to address the pollutant(s) of concern.
 - e) Summary of pre and post development peak rates and volumes of stormwater runoff to show no adverse impacts to down-gradient properties, stormwater management systems and wetland resources.
4. Drawings and Figures
 - a) Portion of the USGS Map indicating the site locus and properties within a minimum of 500 feet of project property line.
 - b) Existing conditions and proposed design plans showing:
 - i. Buildings and/or structures including materials and approximate height.
 - ii. Utilities including size, material, and invert data.
 - iii. Regulated wetland resource areas within proximity of the site.
 - c) Stormwater management design plan(s) and details showing:
 - i. Location, size, material, inverts data and details for all existing and proposed stormwater management system components including structures, pipes, swales, detention, retention, and infiltration systems and any other LID techniques or BMPs.
 - ii. Profiles of drainage trunk lines.
 - iii. Drainage easements.
 - d) Separate Pre- and Post-Condition Watershed Plans indicating:
 - i. Structures, pavements, surface vegetation and other ground cover

materials

- ii. Topography sufficient to delineate watershed areas.
- iii. Point(s) of analysis.
- iv. Watershed areas including up gradient areas that contribute stormwater flow onto the project site, labeled to be easily identified in calculations – total pre and post watershed areas should be equivalent.
- v. Breakdown summary of various surface conditions by soil hydrologic group rating
- vi. Flow path for time of concentration (Tc) calculation.

5. Calculations

- a) Hydrologic calculation to determine pre and post peak rates and volumes of stormwater runoff for 2, 10, and 100 year, 24-hour storm events.
- b) Groundwater recharge calculations and BMP drawdown.
- c) Water quality calculations including (if applicable):
 - i. TSS removal calculation for each watershed.
 - ii. Specified BMPs utilized in critical areas.
 - iii. Specific BMPs utilized for land uses of higher potential pollutant loads
 - iv. Specific Treatment for pollutant causing impairment of down-gradient waterbody identified by EPA and MassDEP.
- d) Hydraulic calculations to size drainage pipes, swales and culverts.
- e) Supplemental calculations for sizing LID and BMPs and addressing impairments to water bodies.

6. Soil mapping and test data.

- a) MassDEP Checklist for Stormwater Report completed, stamped and signed by a Professional Engineer (PE) licensed in the Commonwealth of Massachusetts to certify that the Stormwater Management Plan is in accordance with the criteria established in the MassDEP Stormwater Management Standards and these regulations.
- b) Any other information requested by the Stormwater Authority.

3493. Stormwater Management Standards for Local Stormwater Permits

- A.** The Stormwater Management Plan shall be designed to meet the Massachusetts Stormwater Management Standards as further defined in the Massachusetts Stormwater Handbook and any additional standards required by this regulation.
- B.** Neighboring properties shall not be used for structural BMPs unless a recordable easement has been granted for such use, and a copy of the easement has been submitted to the Board as part of the Plan; (Such easement must be recorded prior to the

commencement of work.)

- C. To the extent that any project within the jurisdiction of this regulation is located in an area subject to one or more pollutant-specific Total Maximum Daily Loads (TMDLs), such project is required to implement structural and non-structural stormwater best management practices (BMPs) that are consistent with each such TMDL and its associated Waste Load Allocation (for point sources) and Load Allocation (for nonpoint sources). The Planning Board and/or Conservation Commission may develop, publish and periodically revise one or more pollutant-specific guidance documents describing the geographic applicability of each TMDL and identifying BMPs that individually or in combination are considered to be consistent with the TMDL(s).
- D. In accordance with MA MS4 General Permit Appendix F, Section IV. Cape Cod Nitrogen TMDL Requirements, new development and redevelopment stormwater management BMPs in the Phinney's Harbor (MA95-15) watershed must be optimized for nitrogen removal. The location of Phinney's Harbor watershed is illustrated on the maps provided in the stormwater section of the Bourne Commission website at <https://www.townofbourne.com/conservation/pages/conservation-documents>
- E. In accordance with MA MS4 General Permit Appendix H, Section III, the following receiving waters in Bourne are water quality limited waterbodies where nitrogen is the cause of the impairment and stormwater management BMPs in watersheds draining to these waterbodies shall be optimized for nitrogen removal: Buttermilk Bay (MA95-01), Little Buttermilk Bay (MA95-76), Squeteague Harbor (MA95-55), and Pocasset Harbor (MA95-17). The locations these waterbodies are illustrated on the maps provided in the stormwater section of the Bourne Commission website at <https://www.townofbourne.com/conservation/pages/conservation-documents>.
- F. Low Impact Development (LID) site planning and design strategies must be used to the maximum extent feasible.
- G. Stormwater treatment and infiltration systems shall be designed to meet the requirements contained in Volume 2 of the Massachusetts Stormwater Handbook and/or other federally or State approved BMP design guidance:
1. The following standards apply to new development:
 - a) Stormwater management systems shall fully comply with the standards of the Massachusetts Stormwater Management Standards listed in Section 5(D) (3), below, and as updated or amended.
 - b) Stormwater management systems shall:
 - i. Retain the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the site, and/or

- ii. Remove 90% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious surface area on the site (average removal over a year) and 60% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved BMP design guidance or performance standards may be used to calculated BMP performance.
2. The following standards apply to redevelopment:
 - a) Stormwater management systems shall comply to the maximum extent feasible with the standards listed in the Massachusetts Stormwater Management Standards listed in Section 5(D)(3)(a-c) and the pre-treatment and structural BMP requirements of Section 5(D)(3)(d-e), below, and as updated or amended.
 - b) Stormwater management systems shall improve existing water quality conditions by requiring that stormwater management systems be designed to:
 - i. Retain the volume of runoff equivalent to, or greater than, eight-tenths (0.8) inch multiplied by the total post-construction impervious surface area on the site and/or
 - ii. Remove 80% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious surface area on the site (average removal over a year) and 50% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1. If EPA Region 1 tools do not address the planned or installed BMP performance, any federally or State approved BMP design guidance or performance standards, such as State stormwater handbooks and design guidance manuals, may be used to calculated BMP performance.
 - c) Stormwater management systems on redevelopment sites may utilize offsite mitigation within the same USGS HUC10 watershed as the redevelopment site to meet the equivalent retention or pollutant removal requirements in Section 5(D)(2)(b)(ii).
 - d) Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing

drainage systems, and repaving projects, shall improve existing conditions where feasible and are exempt from Section 5(D)(2)(a) – 5(D)(2)(c) (Massachusetts Stormwater Handbook Standards 1-3) above. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single land width shall meet the requirements of Section 5(D)(2)(a) – 5(D)(2)(c) fully.

3. Requirements of the Massachusetts Stormwater Management Standards:
 - a) **Conveyances.** No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth (Massachusetts Stormwater Handbook Standard 1).
 - b) **Peak Runoff.** Stormwater management systems shall be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. This Standard may be waived for discharges to land subject to coastal storm flowage as defined in 310 CMR 10.04 (Massachusetts Stormwater Handbook Standard 2).
 - c) **Groundwater Recharge.** Loss of annual recharge to groundwater shall be eliminated or minimized through the use of infiltration measures including environmentally sensitive site design, low impact development techniques, stormwater best management practices, and good operation and maintenance. At a minimum, the annual recharge from the post-development site shall approximate the annual recharge from pre-development conditions based on soil type. This Standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook (Massachusetts Stormwater Handbook Standard 3).
 - d) **Discharge of Pollutants.** For land uses with higher potential pollutant loads, source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable. If through source control and/or pollution prevention all land uses with higher potential pollutant loads cannot be completely protected from exposure to rain, snow, snow melt, and stormwater runoff, the proponent shall use the specific structural stormwater BMPs determined by the Department to be suitable for such uses as provided in the Massachusetts Stormwater Handbook. Stormwater discharges from land uses with higher potential pollutant loads shall also comply with the requirements of the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53 and the regulations promulgated thereunder at 314 CMR 3.00, 314 CMR 4.00 and 314 CMR 5.00 (Massachusetts Stormwater Handbook Standard 5).
 - e) **Protection of Zone II or Interim Wellhead Protection Areas.** Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply, and stormwater discharges near or to any other critical area, require

the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by the Department to be suitable for managing discharges to such areas, as provided in the Massachusetts Stormwater Handbook. A discharge is near a critical area if there is a strong likelihood of a significant impact occurring to said area, taking into account site-specific factors. Stormwater discharges to Outstanding Resource Waters and Special Resource Waters shall be removed and set back from the receiving water or wetland and receive the highest and best practical method of treatment. A "storm water discharge" as defined in 314 CMR 3.04(2) (a) 1 or (b) to an Outstanding Resource Water or Special Resource Water shall comply with 314 CMR 3.00 and 314 CMR 4.00. Stormwater discharges to a Zone I or Zone A are prohibited unless essential to the operation of a public water supply (Massachusetts Stormwater Handbook Standard 6).

- f) **Long term Maintenance.** A long-term operation and maintenance plan shall be developed and implemented to ensure that Stormwater management systems function as designed (Massachusetts Stormwater Handbook Standard 9).

3494. Construction Site Stormwater Runoff Control for Local Stormwater Permits

A. Sediment and Erosion Control Plan

1. A Sediment and Erosion Plan containing sufficient information to evaluate compliance with these regulations, and, if applicable, the NPDES General Permit for Stormwater Discharges from Construction Activities, shall be submitted as part of the application for a Local Stormwater Management Permit..
2. The Sediment and Erosion Control Plan shall fully comply with the standards within these regulations.
3. If the project requires a SWPPP under the requirements of the US EPA Construction General Permit, the permittee is required to submit a complete copy of the SWPPP, including the signed Notice of Intent (NOI) and approval letter. If the SWPPP meets the requirements of the U.S. EPA NPDES Construction General Permit, it will be considered equivalent to the Erosion and Sediment Control Plan described in this section.
4. The Erosion and Sediment Control Plan shall contain the following information:
 - a) Names, street addresses, email addresses and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
 - b) Title, date, north arrow, names of abutters, scale, legend, and locus map.
 - c) Location and description of natural features including:
 - i. Watercourses and water bodies, wetland resource areas and all floodplain

- information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps.
- ii. Existing vegetation including tree lines, canopy layer, shrub layer, and ground cover, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities.
 - iii. Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
- d) Lines of existing abutting streets showing drainage and driveway locations and curb cuts.
 - e) Existing soils, volume and nature of imported soil materials.
 - f) Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed.
 - g) Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed.
 - h) Drainage patterns and approximate slopes anticipated after major grading activities (Construction Phase Grading Plans).
 - i) Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas.
 - j) Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable.
 - k) Location and description of industrial discharges, including Stormwater discharges from dedicated asphalt plants and dedicated concrete plants, which are covered by this permit.
 - l) Stormwater runoff calculations in accordance with the Massachusetts Department of Environmental Protection's Stormwater Management Standards.
 - m) Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures.

- n) A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to Stormwater, and spill prevention and response. The plan shall describe measures to control construction wastes including but not limited to discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes.
- o) A description of provisions for phasing the project where one acre of area or greater is to be altered or disturbed.
- p) Plans must be stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sediment Control.

B. Sediment and Erosion Control Performance Standards for Local Stormwater Permit

1. The Sediment and Erosion Control Plan shall include BMPs appropriate for the conditions at the construction site, including efforts to minimize the areas of land disturbance. BMPs shall meet the design standards of the Massachusetts Stormwater Handbook and the MassDEP 2003 *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas*.
2. The design standards for the Erosion and Sedimentation Control Plan include the following:
 - a) Minimize the total area of disturbance;
 - b) Sequence activities to minimize simultaneous areas of disturbance;
 - c) Install and maintain all erosion and sediment control measures in accordance with the manufacturer's specifications and good engineering practices;
 - d) Protect all slopes on the construction site;
 - e) Protect all storm drain inlets and armor all newly constructed outlets;
 - f) Prevent off-site transport of sediment, including off-site vehicle tracking of sediment;
 - g) Protect and manage on and off-site material storage areas (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project of the project);
 - h) Prevent significant alteration of habitats mapped by the Massachusetts Natural Heritage and Endangered Species Program as Endangered, Threatened or Of Special Concern; Estimated Habitats of Rare Wildlife and Certified Vernal Pools; and Priority Habitats of Rare Species, from the proposed activities;
 - i) Institute interim and permanent stabilization measures, which shall be instituted on a disturbed area as soon as practicable but no more than 14 days after construction activity has temporarily or permanently ceased on that portion of the site; and

- j) Properly manage on-site construction and waste materials.

3495. Operation and Maintenance Plan

- A. Long -Term Operation and Maintenance (O&M) Plan shall be developed and implemented to ensure that stormwater management systems function as designed. The Stormwater Authority may require a maintenance agreement between the owner and the Town of Bourne for privately-owned structural BMPs that specifies the responsible party for conducting long term inspections.
- B. Parties responsible for the operation and maintenance of structural BMPs shall provide records of all maintenance and repairs to the Stormwater Authority upon request. Parties responsible for the operation and maintenance of structural BMPs shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least five (5) years. These records shall be made available to the Stormwater Authority during inspection of the facility and at other reasonable times upon request.
- C. After notification is provided to the person responsible for carrying out the maintenance plan of any deficiencies discovered from an inspections as detailed in Section 8, the person responsible for carrying out the maintenance plan shall have 30 days or other time frame mutually agreed to between the Board and the person responsible for carrying out the maintenance plan to correct the deficiencies. The Board shall then conduct a subsequent inspection to ensure completion of repairs.
- D. If a responsible person fails or refuses to meet the requirements of the O&M Plan, the Stormwater Authority, after thirty (30) days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four (24) hours' notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The Stormwater Authority may assess the owner(s) of the facility for the cost repair work, which shall be a lien on the property.
- E. The owner(s) of record of the Stormwater Management system must notify the Stormwater Authority of changes in ownership, assignment of Operation and Maintenance responsibilities, or assignment of financial responsibility within 30 days of the change in ownership. The owner of record shall be responsible for Operation and Maintenance activities until a copy of the updated Operation and Maintenance Plan has been furnished to the Stormwater Authority signed by the new owner or any new responsible person.
- F. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of these regulations by mutual agreement of the Stormwater Authority and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational and/or maintenance responsibility.

3496. Inspection and Site Supervision

- A. **Pre-Construction Meeting.** Prior to starting clearing, excavation, construction, or land disturbing activity, the applicant or the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, shall meet with the Stormwater Authority to review the permitted plans and their implementation.
- B. **Board Inspection.** The Stormwater Authority or its designated agent shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the land disturbance permit as approved. The Permit and associated plans for grading, stripping, excavating, and filling work, bearing the signature of the approval of the Stormwater Authority, shall be maintained at the site during the progress of the work. In order to obtain inspections, the Stormwater Authority shall be notified at least two working days before each of the following events:
- a) Erosion and sediment control measures are in place and stabilized;
 - b) Site clearing has been substantially completed;
 - c) Rough Grading has been substantially completed;
 - d) Final Grading has been substantially completed;
 - e) Close of the Construction Season; and
 - f) Final landscaping (permanent stabilization) and project final completion.
- C. **Permittee Inspections.** The permittee or his/her agent shall conduct and document inspections of all control measures no less than weekly or as specified in the permit, and prior to and following storm events. The purpose of such inspections will be to determine the overall effectiveness of the control plan, and the need for maintenance or additional control measures. The permittee or his/her agent shall submit upon request reports to the Stormwater Authority or designated agent in a format approved by the Stormwater Authority.
- D. **Access Permission.** To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under these regulations and may make or cause to be made such examinations surveys or sampling as the Stormwater Authority deems reasonably necessary to determine compliance with the permit.

3497. As-Built Plans

After structural BMPs have been constructed, the permittee shall submit an "as-built" plan detailing the actual BMP as installed. Permittees shall submit as-built plans prepared and certified by a Professional Engineer (P.E.). The as-built plans must depict all on site structural and non-structural controls design to manage Stormwater associated with the completed site (post-construction stormwater management). The plan must show the final design specifications of all stormwater management controls. The Stormwater Authority

shall inspect the structural BMP to confirm its as-built features. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built as called for in the Plan, it shall be corrected.

3498. Performance Bond

- A.** The Stormwater Authority or its agents may require from the developer a surety or cash bond or other means of security acceptable to the Town prior to the issuance of any building permit for the construction of a development requiring a stormwater management facility. The bond so required in this section shall include provisions relative to forfeiture for failure to complete work specified in the approved stormwater management plan, compliance with all of the provisions of this By-law and other applicable laws and regulations, and any time limitations. The company providing the performance bond to the developer shall submit a bond of the highest grade as rated by Moody's or Standard and Poor's.

- B.** A Certificate of Completion signed by the town, submission of "As-built" plans, and the Town's final inspection are required prior to full release of the bond.

3499. Severability

If any provision, paragraph, sentence, or clause, of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

ARTICLE 12: To see if the Town will vote to adopt the following **updated Local Comprehensive Plan** as prepared by the Local Comprehensive Planning Committee, as a guide for development proposals and management decisions for town officials, boards, and committees. Or take any other action in relation thereto:

Sponsor – Local Comprehensive Planning Committee

The Local Comprehensive Plan provides a road map to the future the Town of Bourne. It is comprehensive in that it addresses all of the major community issues facing the town, with broad statements of goals, policies, and key actions to address each issue area. It is not intended to be an encyclopedia of statistics and proposals for every issue. Detailed information on most issues can be found in links and references provided throughout the plan to more in-depth studies and reports.

GROWTH POLICY: to guide growth toward areas that are adequately supported by infrastructure and away from areas that must be protected for ecological, historical, or other reasons.

VISION: A town of village centers serving the daily needs of surrounding neighborhoods, with an active downtown, a center for government, marine research, and education. Regional commercial and industrial uses located on MacArthur Boulevard and other areas with suitable highway access.

WATER RESOURCES

Water Resources Goal: To assure an adequate supply of high-quality drinking water without need for excessive treatment, to reverse degradation of subsurface aquifers, and to restore and preserve the ecological integrity of surface waters.

Water Resources Policies

1. Manage water use so that it does not adversely affect the quality or quantity of surface water resources, private wells, or the safe yield of the region's fresh water aquifers.
2. Advance and support regional plans and programs to expand wastewater treatment efforts that will lead to servicing densely developed neighborhoods along the Buzzards Bay coast.
3. Institute a educational campaign to phase out chemical fertilizers and pesticides in favor of low-nitrogen organic and natural biological treatment methods.

Water Resources Actions

1. Identify, remediate, treat, or contain identified sources of pollution in coastal embayments and estuaries in an effort to attain established Total Maximum Daily Loads (TMDL).
2. Create a comprehensive wastewater management plan to upgrade public and private wastewater treatment facilities and methods in appropriate areas, especially in densely developed neighborhoods, and actively seek grants and other funding to carry out the plan.
3. Promote public/private initiatives to create neighborhood wastewater treatment facilities, in lieu of individual septic systems or regional collection and treatment systems.
4. Take advantage of the Cape Cod Commission's Pond and Lake Stewardship (PALS) program to compile a biological, chemical, and physical profile of each fresh water pond and waterway, and continually monitor all fresh water areas for changes in the profile.
5. Encourage and assist the Buzzards Bay and North Sagamore Water Companies to identify and develop new well locations to serve expanding development north of the canal.
6. Initiate a continuing public education and incentive program on the effects of pollution from septic systems, stormwater runoff, yard fertilization, recreational boating, pet waste, birds and wild animals, and overdevelopment.
7. Work with adjacent towns and the Massachusetts DOT Highway Department to enforce Best Management Practices for controlling storm water runoff from roads.
8. Continue to collaborate with Joint Base Cape Cod officials to clean up pollution from the base.

9. Adopt water conservation plans that encourage installation and use of water-saving and recycling devices such as cisterns, gray-water tanks, and alternative septic systems.
10. Improve communications between town, state, and federal officials to coordinate policies and programs related to water quality.

OCEAN RESOURCES

Ocean Resources Goal: to protect the public interest in the coast as well as rights for fishing, navigation and recreation; to improve, preserve and manage coastal areas in order to safeguard and perpetuate their biological, economic, historic, maritime and aesthetic values; and to preserve, enhance and expand public access to the shoreline.

Ocean Resources Policies

1. Ensure that future development and modification of existing development is properly sited and designed to minimize flood hazards and maintain the ability of coastal landforms to migrate naturally.
2. Restore sustainable commercial and recreational harvesting of both finfish and shellfish, and protect benthic habitats from direct or indirect impacts.
3. Enhance and improve public access to and visibility of ocean resources.

Ocean Resources Actions

1. Use the Waterways Improvement Fund and funding from the Seaport Economic Council to support rapidly increasing costs of coastal dredging, facilities maintenance, and other coastal environmental quality activities.
2. Revise the Floodplain Zoning Bylaw and pursue other actions recommended in Bourne's 2018 Hazard Mitigation Plan and the Cape Cod Commission's Regional Policy Plan.
3. Cooperate and support organizations and programs that monitor and evaluate coastal waters, including the Coalition for Buzzards Bay and Massachusetts Estuaries Project.
4. Conduct an assessment and evaluation of ocean resources throughout Bourne.
5. Prepare and publicize a Coastal Resources Management Plan that addresses conflicts between shellfish habitat, navigation, recreation, wildlife and plant habitat, and development.
6. Adopt additional regulations, including a storm water bylaw, required to meet the Phase II Stormwater bylaw standards of the federal Clean Water Act.
7. Restore and maintain natural tidal flows to salt marsh areas.
8. Continue to monitor use of, and enforce regulation related to, waterfront fueling facilities, sewage pump-out stations, boats, storm drains, and septic disposal systems.
9. Take advantage of the Maritime Academy and the Canal in all efforts to promote and protect Bourne's ocean resources.
10. Expand the shellfish propagation and habitat restoration program in accordance with the Coastal Resources Management Plan.
11. Inspect and upgrade culverts, storm drains, and other infrastructure to prioritize retrofits and improvements, including dredging where appropriate, in order to improve water quality.

WETLAND RESOURCES

Wetland Resources Goal: to restore and protect the natural state of all wetlands and their buffers to the greatest extent possible.

Wetland Resources Policies

1. Preserve the quality and quantity of inland and coastal wetlands and their buffers.
2. Protect wetlands from stormwater discharges and changes in hydrology.
3. Monitor and control vegetation and grade changes in wetlands and their buffer areas.
4. Promote restoration of degraded wetland resource areas.

Wetland Resources Actions

1. Remove barriers to tidal flow in coastal wetlands, and restore and maintain tidal flows to salt marsh areas.
2. Protect beaches, dunes, coastal banks, and salt marshes from human alteration.
3. Continue the existing successful maintenance and improvement dredging program.
4. Create and implement regulations to provide undisturbed natural or vegetated buffer areas bordering wetlands to reduce damaging runoff and protect their natural functions.
5. Adopt a bylaw to prohibit illicit stormwater discharges into wetlands and buffer areas, and initiate a program to remove all such discharges.
6. Actively promote public awareness of the value of wetlands and the importance of protecting them; and educate the public on what they can do through social media and mailings.
7. Seek funding by grants or appropriations to support efforts to identify and remediate impaired coastal embayments.
8. Develop a wetlands protection program for inclusion in Bourne's school curriculum.
9. Create resource management plans for Bourne's ACEC areas that are consistent with published State guidelines.

WILDLIFE AND PLANT HABITAT

Wildlife and Plant Habitat Goal: To restore and protect the natural environment to the greatest extent possible while accommodating the needs of residents and visitors for housing, transportation, recreation, and economic opportunity.

Wildlife and Plant Habitat Policies

1. Manage natural habitats that support diverse communities of local wildlife and plant species.
2. Promote best management practices to protect wildlife and plant habitat from the adverse impacts of development.
3. Prevent, minimize, or reverse invasive species incursions.

Wildlife and Plant Habitat Actions

1. Post biologically sensitive areas to prevent damage from walkers and cyclists.
2. Support and work to implement the Massachusetts Endangered Species Act (MESA) by streamlining local review procedures with MESA review of projects.
3. Develop strategies to control and remove invasive species on publicly owned land.
4. Plant native vegetation as needed to enhance or restore wildlife habitat.
5. Cluster development away from the most sensitive areas of a site.
6. Keep identified wildlife migration corridors unimpeded by development or fencing.
7. Promote best management practices to protect wildlife and plant habitat from adverse impacts.
8. Minimize clearing and grading of development sites.
9. Preserve critical wildlife and plant habitats during the design/permitting stage of developments.
10. Acquire conservation easements over private land to preserve wildlife corridors.
11. Revise regulations to protect wetland buffers or create buffers where none exist.

OPEN SPACE

Open Space Goal: Preserve key parcels of the remaining undeveloped land as open space for resource protection, wildlife habitat, recreation, and groundwater recharge; to maintain the esthetic beauty and character of the community; and to limit the visual and fiscal impacts of development.

Open Space Policies

1. Formally designate an entity or individual to help monitor and orchestrate implementation of the Open Space Plan with approval of the board of Selectmen and Town Administrator.
2. Improvement the management of town-owned open space and recreational areas
3. Enhance public access to and appropriate use of existing conservation lands; establish green corridors and or connections.

Open Space Actions

1. Actively implement recommendations of the 2018 Open Space and Recreation Plan in order to maintain Bourne's rural character and visual appeal.
2. Give priority to those open space acquisitions within ACEC, Water Resource Districts, NHESP habitat areas and parcels adjacent to existing protected open space.
3. Inventory natural resources present on conservation lands, and identify the appropriate level and type of public access.
4. Consider revising zoning bylaws and subdivision regulations to increase the amount of open space preserved.
5. Educate Bourne residents and visitors about local open space, recreation, and land protection, and why it is important.
6. Continue to develop greenbelts between neighborhoods and villages by buying key parcels, mandating cluster developments, and generating public interest.
7. Support the activities of private organizations, such as the Bourne Conservation Trust, to acquire and preserve open space land and easements.
8. Establish a stewardship program to maintain town-owned open space.
9. Prevent adverse development impacts on existing open space by requiring new development to consider the proximity of existing open lands to new construction.
10. Encourage and assist private landowners to restore and preserve open land as well-maintained open space.

COMMUNITY DESIGN

Community Design Goal: Envisions an attractive community with a broad range of residential choices, a strong commercial and industrial base, historic village centers providing daily needs for goods and services, and a sense of community that reflects its maritime location and rural heritage.

Community Design Policies

1. Strengthen and improve established village centers so that they better serve the daily needs of their surrounding neighborhoods for goods and services.