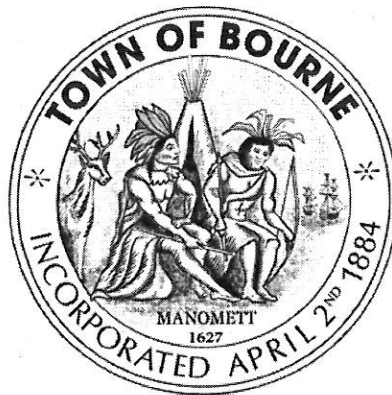


**ARTICLES OF THE WARRANT
FOR THE
BOURNE ANNUAL AND SPECIAL TOWN
MEETING
MONDAY, MAY 1, 2017
7:00 P.M.
BOURNE HIGH SCHOOL AUDITORIUM**



A VOTER'S HANDBOOK

PLEASE BRING THIS HANDBOOK TO EACH SESSION OF TOWN MEETING

ANNUAL TOWN MEETING

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

Sponsor – Board of Selectmen

- a. Assumption of liability in the manner provided by Section 29 and 29A of Chapter 91 of the General Laws, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, (including the Merrimack and Connecticut Rivers) in accordance with Section II of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, and further to assume liability pursuant to Section 1 of Chapter 814 of the Acts of 1972.
- b. That the Selectmen may contract with the Massachusetts Department of Public Works and the County Commissioners for the construction and maintenance of public highways for the ensuing year.
- c. Authorize the Board of Selectmen from time to time to apply for, receive, and expend assistance funds under the Federal and State Small Cities Program of the Department of Housing and Urban Development as from time to time amended, to be used for such projects as the Selectmen in their discretion shall deem necessary, and proper, and to do such acts and enter into such contracts as may be necessary, proper or desirable to obtain such aid.
- d. Pursuant to the provisions of Section 12 of Chapter 30B of the Massachusetts General Laws, as amended and supplemented, to authorize the Town of Bourne to enter into contracts in excess of three years' duration for school bus transportation and for the lease or lease purchase of equipment, subject to appropriation and all other approvals as may be required by law with respect to any particular such contract.
- e. Authorize the Treasurer and the Town Collector, pursuant to Chapter 44, Section 53F, Massachusetts General Laws, as amended and supplemented, with the approval of the Board of Selectmen, to enter into agreements for periods not to exceed three years with banking institutions to maintain deposits in exchange for banking services.

- f. Authorize the Board of Selectmen, pursuant to Chapter 44, Section 72, Massachusetts General Laws, as amended and supplemented, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.

ARTICLE 1: MOTION: We move the Town so vote.

Voted: Ayes have it, Declared and Unanimous vote

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

Sponsor – Board of Selectmen

ARTICLE 2: MOTION: We move that the Town vote to fix the salaries and compensation of all elected officials of the Town for fiscal year 2018 as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, as follows:

Moderator	\$ 618.00
Selectmen 4 @ \$3,570	\$ 14,280.00
Selectmen 1 @ \$4,590	\$ 4,590.00
Town Clerk	\$ 39,970.00

We further move that the sum of \$59,458.00 be raised and appropriated for the purpose of this article.

Voted: Ayes have it, Declared and Unanimous vote

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

Sponsor – Board of Selectmen

ARTICLE 3: MOTION: We move that the Town vote to appropriate the sum of \$61,995,857.00 for the regular annual expenses of the Town for the fiscal year July 1, 2017 to June 30, 2018, of which \$13,288,153.00 shall be for salaries and wages and \$48,707,704.00 shall be for expenses, all segregated to the accounts as printed in the Town Administrator's recommendations attached to this motion and incorporated herein by reference, except that amounts for Town and Regional Schools may wholly or in part be used for salaries and wages; and to meet this appropriation, we further move that the sum of \$153,000.00 be transferred from PL874 grant funds for the town's school expenses, the sum of \$1,250,000.00 be transferred from the Ambulance Fund to the Town Ambulance

operation, the sum of \$30,000.00 be transferred from Conservation Commission Receipts reserved for appropriation for the Conservation Commission, the sum of \$679,954.00 be appropriated from FY2018 Estimated Community Preservation Fund Revenues for debt expense for Open Space and Recreation purposes, the sum of \$30,572.00 be transferred from the Community Septic Management program, the sum of \$131,278.00 be transferred from the Waterway Improvement Fund, the sum of \$795,300.00 transferred from free cash and the sum of \$58,925,753.00 be raised and appropriated.

Voted: Ayes have it, Declared and Unanimous vote

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

ARTICLE 4: MOTION: We move the sum of \$981,875.00 be authorized to be expended by the Sewer Commissioners for the operation of the Sewer Department for fiscal year July 1, 2017 to June 30, 2018 as follows:

Salaries & Wages	\$192,037.00
Expenses	\$754,838.00
Reserve Fund	\$ 35,000.00

And we further move that the sum of \$124,404.00 be transferred to the General Fund to offset Sewer Enterprise indirect expenses, and in order to meet this appropriation , we move that the sum of \$1,031,279.00 be raised from Sewer Enterprise Receipts and \$75,000 be transferred from Sewer Retained Earnings.

Voted: Ayes have it, Declared and Unanimous vote

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

Sponsor - D.P.W. Superintendent

ARTICLE 5: MOTION: We move that the Town vote to appropriate any sums of moneys received or to be received from the Commonwealth of Massachusetts for the purposes of this article.

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

Sponsor - Board of Selectmen

ARTICLE 6: MOTION: We move that the Town vote to raise and appropriate the sum of \$300,000.00 for the purposes of this article.

Voted: Ayes have it, Declared and Unanimous vote

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

Sponsor – Board of Selectmen

ARTICLE 7: MOTION: We move that the sum of \$8,922,643.00 be authorized to be expended for the operation of the Integrated Solid Waste Management Enterprise Fund for fiscal year July 1, 2017 to June 30, 2018 as follows:

Salaries and Wages	\$2,040,534.00
Expenses	\$5,882,109.00
Reserve Fund	\$200,000.00
Host Community Fee	\$800,000.00

And we further move that the sum of \$2,016,778.00 be transferred to the General Fund to offset the ISWM Enterprise Fund indirect expenses and in order to meet this appropriation, we further move the sum of \$10,939,421.00 be raised from receipts from the ISWM Enterprise Fund for the purpose of this article.

Voted: Ayes have it, Declared and Unanimous vote

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

Sponsor – Board of Selectmen

#	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2018 Spending Limit

1	Recreation Programs Fund	Recreation Department with the approval of the Town Administrator	All fees charged for all programs run by the Recreation Department	Purchase & Acquire recreational equipment and materials and part-time seasonal staff to facilitate seasonal recreational programs	\$ 130,000.00
2	Shellfish Propagation Fund	Department of Natural Resources with the approval of the Town Administrator	Fees for commercial shellfish licenses	Part-time salaries & expenses related to the propagation, cultivation, protection & study of shellfish	\$ 30,000.00
3	Transportation Revolving Fund	School Department with the approval of the School Committee	Fees for transportation services	To pay for transportation fees	\$ 50,000.00
4	Public Library Book Fund	Library with the approval of the Town Administrator	Fines & Fees received from overdue, lost, damaged materials	To purchase additional library books and materials	\$ 20,000.00
#	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2018 Spending Limit
5	COA Supportive Day/Bridging the Years	COA with the approval of the Town Administrator	Fees from and for Clients for Program Services	To pay for services and expenses related to providing supportive day programs	\$ 100,000.00
6	COA Programs	COA with the approval of the Town Administrator	Fees & Charges from COA classes and programs	To pay the instructors and expenses of programs offered.	\$ 100,000.00
7	Community Building Rental Fund	Community Building director with the approval of the Town Administrator	Fees from renting the building	To pay part time salaries and expenses related to the extra hours used for the rental of the building	\$ 10,000.00
8	Tax Title Collection Fund	Town Collector/Treasurer with the approval of the Town Administrator	Fees from tax takings, redemptions and foreclosures	To pay expenses related to tax takings, redemptions and foreclosures	\$ 60,000.00
				Total spending	\$ 500,000.00

ARTICLE 8: MOTION: We move that the Town vote under the authority of M.G.L. Chapter 44, Section 53 E ½ to establish Revolving Funds to be entitled herein and to authorize the spending limits for the Recreation Programs Fund in the amount of \$130,000.00; the Shellfish Propagation Fund in the amount of \$30,000.00; the School Transportation Fund in the amount of \$50,000.00; the Public Library Book Fund in the amount of \$20,000.00; the Council on Aging Supportive Day Fund in the amount of \$100,000.00; the Council on Aging Programs Fund in the amount of \$100,000.00; the Bourne Veteran's Community Building Rental Fund in the amount of \$10,000.00 and the Tax Title Collection Fund of 60,000.00.

Voted: Ayes have it, Declared and Unanimous vote

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

Sponsor – Capital Outlay Committee

CAPITAL OUTLAY REPORT FOR FY2018					
	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
1	Police Dept	Cruisers	\$ 134,053.00	Ch 44, Sec 7(9)	Borrowing
2	Police Dept	LiveScan Fingerprint Scanner	\$ 24,500.00		Transfer \$22,121.75 from Free Cash, \$2,378.25 from Article 10D of ATM May 2008 Police Headquarters/Feasibility Study
3	Police Dept	Cruiser Tablets	\$ 28,000.00		Transfer \$28,000.00 from Article 10D of ATM May 2008 Police Headquarters/Feasibility Study
4	Fire Dept	Replace Engine 125	\$ 695,000.00	Ch 44, Sec 7(9)	Borrowing
5	Fire Dept	Car 141	\$ 38,000.00	Ch 44, Sec 7(9)	Borrowing
6	Fire Dept	Refurbish engine 123	\$ 50,000.00		Free Cash
7	DNR	Barlows Landing dingy Dock	\$ 100,000.00		Waterways
8	DNR	Repower Y-53 2008 Parker	\$ 55,000.00		Free Cash

					Transfer \$9,630.80 from Article 6-5 of STM Nov 2012 Tideway Seawall Repairs, \$5,388.00 from Article 9-4 of ATM May 2015 Repower Pumpout Boat, \$8,120.00 from Article 9-4 from ATM May 2016 Lifepac Replacement, \$5,419.17 from Article 9-1 of ATM May 2015 Police Cruisers, \$4,067.00 from Article 9-2 of ATM May 2015 Rescue Vehicle Replacement, \$9,069.37 from Article 9-12 of ATM May 2014 Technology Upgrade Plan, \$2,023.00 from Article 9-3 of ATM May 2015 Fire Paint Ladder Tower, \$7,415.00 from Article 9-21 of ATM May 2016 Town Hall Roof Repair/Replace, \$194.40 from Article 9-5 of ATM May 2014 Fire Portable Radios, \$369.00 from Article 9-14 of ATM May 2015 DPW Dump Body, \$369.00 from Article 9-15 of ATM May 2015 DPW Dump Body, \$22,935.26 from Article 10D of ATM May 2008 Police Headquarters/Feasibility Study
9	DNR	Monument Beach Marina Boat launch	\$ 75,000.00		
10	Bourne Schools	Technology Plan (VOIP Tel System & Servers)	\$ 210,000.00	Ch 44, Sec 7(9)& 7(28) &7(29)	Borrowing
11	Bourne Schools	Purchase/Replace SPED Bus	\$ 62,000.00	Ch 44, Sec 7(9)	Borrowing
12	Bourne Schools	Asbestos Abatement	\$ 150,000.00	Ch 44, Sec 7(31)	Borrowing
13	Bourne Schools	Repair Exterior Columns	\$ 40,000.00		Free Cash
14	Bourne Schools	Fencing at Playground	\$ 40,000.00		Free Cash
15	DPW	M-3	\$ 45,000.00	Ch 44, Sec 7(9)	Borrowing
16	DPW	T-16 Dump Sander	\$ 176,000.00	Ch 44, Sec 7(9)	Borrowing
17	DPW	Eager Beaver Trailer	\$ 27,500.00		Free Cash
18	DPW	Kubota Mini Excavator	\$ 67,000.00	Ch 44, Sec 7(9)	Borrowing
19	Shore & Harbor	Annual Dredging	\$ 105,000.00		Waterways
20	Facilities	Town Hall Bathroom Renovations	\$ 50,000.00		Transfer \$9,464.52 from Free Cash, \$40,535.48 from Article 11-3 of STM Oct 2014 BHS School Elevator Rep/Replace
21	Facilities	Community Building Security & Accessibility Upgrades	\$ 75,000.00	Ch 44, Sec 7(3A)	Borrowing
22	Facilities	Town Hall Exterior Trim, Vinyl Siding & Painting	\$ 75,000.00		Free Cash
23	Town Adm	Town Hall Vehicle	\$ 30,750.00		Free Cash
24	Wastewater	Buzzards Bay Wastewater Facility	\$ 335,000.00	Ch 44, Sec 7(22)	Borrowing
25	ISWM	Compact Wheel Loader	\$ 142,000.00		Retained Earnings

26	ISWM	Phase VI Landfill Liner Construction & Appurtenances	\$ 3,600,000.00	Ch 44, Sec 8(24)	Borrowing
27	ISWM	R-3 Multi Purpose Packer Truck	\$ 260,000.00	Ch 44, Sec 7(9)	Borrowing
28	Sewer	Replace 24 year old Generator at Main Street Pump Station	\$ 40,000.00		Retained Earnings
29	Sewer	Replace 23 year old Generator at Hideaway Village Pump Station	\$ 28,000.00		Retained Earnings
			\$ 6,757,803.00		

ARTICLE 9: MOTION: We move that the Town vote to appropriate \$6,757,803.00 to pay costs of the capital outlay projects listed in the Voters Handbook on pages 80-81 and to meet this appropriation, we move to transfer the sum of \$145,913.73 from General Fund Articles; \$68,000.00 from Sewer Retained Earnings; \$142,000.00 from ISWM Retained Earnings; \$205,000.00 from the Waterways Improvement Fund and \$349,836.27 from Free Cash. We further move to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$5,847,053.00 under and pursuant to Chapter 44, Sections 7 & 8 of the General Laws as amended and supplemented, or any other enabling authority and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Voted : Ayes 264, Nays 14, Motion passes declared a 2/3rd vote

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

Sponsor – Board of Selectmen

ARTICLE 10: MOTION: We move the Town so vote.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 11: To see if the Town will vote to appropriate a sum of money for the purpose of accepting **Proceeds from Insurance** for a loss at the Integrated Solid Waste Management Department (ISWM), or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 11: MOTION: We move that the Town vote to appropriate the sum of **\$353,591.04** for the purpose of accepting proceeds from the **Insurance Recovery Fund** for a loss at ISWM and to transfer **\$353,591.04** from the **Insurance Recovery Fund** to ISWM expenses.

Voted: Ayes have it, Motion Passes

ARTICLE 12: To see if the Town will vote to transfer any sums of money received from the **ISWM Host Community Fees** in excess of \$600,000.00 in FY2018 to fund entitled “**Capital Expenditure Stabilization Reserve Fund**”, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 12: MOTION: We move the Town vote to transfer any sums of money received from the **ISWM Host Community Fees** in excess of \$600,000.00 in FY2018 into the fund entitled “**Capital Stabilization Fund**”.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 13: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money for the purpose of funding the Town’s **Other Post-Employment Benefits Liability (OPEB)**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 13: MOTION: We move the Town vote to appropriate the sum of **\$250,000.00** for the purpose of funding the Town’s **Other Post-Employment Benefits Liability (OPEB)** and to meet this appropriation to transfer the sum of **\$250,000.00** from **Free Cash**.

Voted: Ayes have it, Motion Passes

ARTICLE 14: To see if the Town will vote to **close out and transfer available balances** in previous Town Meeting Articles whose purposes have been satisfied or take any other action in relation thereto.

Sponsor – Community Preservation Committee & Open Space Committee

ARTICLE DESCRIPTION		Balance	FUNDS TO BE RETURNED TO		
			Historic Reserves	Community Housing Reserves	Undesignated Fund Balance
Community Preservation Articles					
	Historic Resources				
1	Signage for Historic Sights	Article 13-B of ATM May 2006	10,000.00	10,000.00	

2	State & Federal Registers	Article 18 of STM Oct 2008	21,000.00	21,000.00		
3	Restore Burial Hill	Article 18 of STM Oct 2008	10,000.00	10,000.00		
4	Renovate Town Hall Vault Space	Article 4 of STM May 2011	28,479.00	-		28,479.00
5	Briggs McDermott House & Alonzo Booth	Article 20-D of ATM May 2011	100.00	100.00		
6	Restore Stove & Chimney Cataumet Schoolhouse	Article 13-I of ATM May 2012	200.00	200.00		
7	Organize & Preserve Archives Scrapbook	Article 13-L of ATM May 2012	1,313.42	1,313.42		
8	Bournedale Schoolhouse Restoration	Article 7 of STM May 2014	15,426.09	-		15,426.09
9	Hoxie School	Article 11 of ATM May 2015	168,602.83	4,767.83		163,835.00
	Total Historic Resources		255,121.34	47,381.25		207,740.09
Community Housing						
11	Fire Alarm Roland Phinney & Continental Apts	Article 9-10 of ATM Nov 2012	700.00	-	700.00	
12	Building of two Affordable Homes	Article 26-C of ATM May 2013	7,957.50		7,957.50	
13	Affordable Housing Specialist	Article 13-D of ATM May 2015	12,553.80	-	12,553.80	-
	Total Community Housing		21,211.30	-	21,211.30	-
Total Community Preservation Articles to Close						
			276,332.64	47,381.25	21,211.30	207,740.09

ARTICLE 14: MOTION: We move the Town vote, upon recommendation of the Community Preservation Committee, to close out the articles as printed in the schedule in Article 14 in the Annual Town Meeting Warrant and to transfer the balances as follows: \$47,381.25 to Historic Resources Reserves, \$21,211.30 to Community Housing Reserves and \$207,740.09 to the Undesignated Fund Balance.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 15: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Stabilization Fund**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 15: MOTION: We move that the Town vote to appropriate the sum of \$180,000.00 for the purposes of this article and to meet this appropriation to transfer \$180,000.00 from free cash.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 16: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Capital Stabilization Fund**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 16: **MOTION:** We move that the Town vote to appropriate the sum of \$400,000.00 for the purposes of this article and to meet this appropriation to transfer \$400,000.00 from free cash.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 17: To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of **Capital Projects** to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 17: **MOTION:** We move that the Town vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 18: To see if the Town will vote to accept the provisions of **MGL Chapter 40, Section 13E**, relative to establishing a Special Education Reserve Fund. Under this section the monies funded would be used in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted cost of special education, out-of-district tuition or transportation.

Sponsor – Board of Selectmen

ARTICLE 18: **MOTION:** We move the Town vote to accept **MGL Chapter 40 Section 13E**, relative to establishing a Special Education Reserve Fund.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 19: To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money to the **Special Education Reserve Fund**, or take any other action in relation thereto.

Sponsor – Board of Selectmen

ARTICLE 19: **MOTION:** We move the Town vote to appropriate the sum of **\$100,000.00** for the purpose of funding a **Special Education Reserve Fund**, and to meet this appropriation to transfer the sum of **\$100,000.00** from Free Cash.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 20: To see if the Town will vote to **remove existing 40' wide access and utility easement** on lots 9, 6 and 10 Henry Drive and Henry Drive extension recorded in Deed Book 1200 Page 76 shown on plan entitled "Amended to Definitive Plan, Heritage Commercial Park II drawn by Holmes and McGrath, Inc. and dated November 11, 2011", as shown on a plan on file in the Town Clerk's Office, or take any action in relation thereto.

Sponsor – Thomas Donovan and others

Voted: Ayes 174, Nays 2, Motion passes, Declared a 2/3rd vote

ARTICLE 21: To see if the Town will vote to amend the Town of Bourne Bylaws CHAPTER 3, **GENERAL REGULATIONS Article 3.1 Public Safety and Good Order Section 3.1.29 Licensing and Control of Dogs** by removing g. **Kennel License** in its entirety and replacing it with a new **Kennel License**. To read as follows:

g. Kennel License

1. The owner or keeper of a dog kennel within the Town of Bourne must be renewed annually by January 1st of each year.

2. Annual Fee

Each license for a kennel shall be \$50.00 if four (4) dogs or less are kept in said kennel; \$75.00 if more than four (4) but not more than nine (9) dogs are kept in said kennel; \$150.00 if ten (10) or more are kept in said kennel.

3. Substitute Kennel License Tag

The fee for a substitute kennel license tag shall be \$1.00.

4. Charitable Kennels

The Town Clerk shall, upon application, issue without charge a kennel license to any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect, abuse and/or for the relief of suffering among animals.

5. Requirements

Any owner or keeper of four (4) or more dogs three (3) months of age or older shall be required to obtain a kennel license. Said license shall be issued upon approval of written application for a Special Permit submitted to the Zoning Board of Appeals.

6. Inspection

The applicant must allow the Animal Control Officer or his designee to inspect the kennel being licensed upon initial application and renewal. The kennel must pass inspection by the Animal Control Officer prior to the issuance or reissuance of the license.

7. Violations

Any owner or keeper of four (4) or more dogs three (3) months of age or older who fails to obtain the above described kennel license shall be considered in violation of the provisions of this section and shall be subject to a fine of fifty dollars (\$50.00) for the first offense and seventy-five (\$75.00) for each subsequent offense, with each day of violation constituting a separate offense.

This section shall be enforced by the Animal Control Officer or his designee.
Or take any other action in relation thereto.

Sponsor: ByLaw Committee

ARTICLE 21: MOTION: We move the Town vote to amend the Town of Bourne Bylaws, Chapter 3, General Regulations, Article 3.1 Public Safety and Good Order by deleting the current section 3.1.29 (g) and substituting in its place a new Section 3.1.29 (g) as printed in the Warrant.

Voted: Ayes have it, Motion passes, Declared and Unanimous vote

ARTICLE 22: To see if the Town will vote to amend the Town of Bourne Bylaws CHAPTER 3, GENERAL REGULATIONS Article 3.1 Public Safety and Good Order by adding a new **Section 3.1.44 Use of Barlows Landing Road and Boat Launch** to read as follows:

Use of Barlows Landing Road and Boat Launch

Purpose and Intent

This bylaw seeks to regulate the use of a section of Barlows Landing Road between Shore Road, up to and including, the Barlows Landing Beach boat launch. The Town recognizes that we are a boating community, but at times, the overuse of this specific area has caused a level of disruption to the neighborhood and has limited reasonable access to this area by our citizens. This bylaw seeks to coordinate certain boat launch activities in an effort to increase the availability of parking and decrease the level of disruption and access in this area. This bylaw does not restrict anyone from using standard boat trailers that do not meet the definition of commercial boat launching equipment.

Definitions

Commercial Boat Launching Equipment-includes any vehicle or trailer used for transporting; launching or recovering; vessels from the water consisting of vehicle/trailer combinations that use hydraulic or electric stabilizers to support vessels on the trailers; and/or may be detachable by winch type equipment. This definition also includes separate vehicles with cranes or hoists attached that are deployed and used for the purpose of assembling or disassembling vessels including their masts. A vehicle and trailer combination as defined above is considered one piece of commercial boat launching equipment.

Person-includes any and all individuals, business owners, corporations, societies, associations, partnerships, agencies, and trusts.

Rig-includes the assembling or disassembling of watercraft parts, including but not limited to, the stepping and un-stepping of a mast.

Stage-includes the parking, or slow rolling, of commercial boat launching equipment, whether the vehicle is running or not, while waiting for access to another area, such as the town property known as Barlows Landing Beach.

Vessel-includes every description of water craft, including personal watercraft, when navigating or moored on the water, used or capable of being used as a means of transportation on the water, whether propelled by power, sail, or manually.

Regulations

Between June 1st and June 30th of any year, no person shall use more than two (2) pieces of commercial boat launching equipment to launch, recover, or rig a vessel, on the town owned property known as Barlows Landing Beach.

Between July 1st through the Labor Day holiday in September of any year, no person shall launch, recover, or rig a vessel by the use of commercial boat launching equipment, on the town owned property known as Barlows Landing Beach, without a permit issued by the Director of the Bourne Natural Resources, or his/her designee. During this specific time period, no permit shall be issued by the Bourne Department of Natural Resources that allows for the above described operations inside the time limits of 10 am and 5 pm of any day. In the case of an emergency, as determined by the Director of the Bourne Natural Resources or his/her designee, exemptions to this section of the bylaw may be allowed. Extreme weather events, vessels that are identified as a source of pollution or have circumstances affecting the vessels ability to stay afloat or get under way, could all be considered emergencies by the Bourne Director of the Natural Resources, or his/her designee. Emergency response by first responders is always an exception to this bylaw.

No person shall leave any waste, including but not limited to, shrink wrap and strapping, on the town owned property known as Barlows Landing Beach.

No person operating commercial boat launching equipment shall park or stage, on that section of Barlows Landing Road between Shore road and the Barlows Landing Beach area.

Persons operating commercial boat launching equipment shall not block the launch ramp during any operation, except for the specific launching and recovery of a vessel. No rig of vessels shall occur on the launch ramp itself.

This bylaw only applies to the above described section of Barlows Landing Road, and the Barlows Landing Beach parking area and boat ramp.

Permit Restrictions

Permits shall be restricted to single pieces of commercial boat launching equipment unless a crane or hoist as described in the definition of commercial boat launching equipment is approved by the Director of the Bourne Natural Resources, or his/her designee, to assist with the operation. No permit shall be issued for the use of more than two pieces of commercial boat launching equipment.

Operational time limits will be set and noted on any permit issued by the Bourne Director of the Natural Resources or his/her designee.

Should a permit fee be established, it shall only be established after a recommendation by the Bourne's Director of Natural Resources to the Board of Selectmen. The Board of Selectmen have the sole authority of approving a permit fee, should one be recommended.

Penalty

The penalty for violating the regulations of this bylaw is a fine of \$100 per person, per first violation.

Second offenses that occur within a calendar year will be fined \$200 per person.

Third and subsequent offenses within a calendar year will be fined \$300 per person, followed by a permit review by the Director of the Natural Resources to determine whether future permits will be denied, and the time period of such a permit suspension.

Enforcement

This bylaw may be enforced by any Town Police Officer or officer of the Town's Department of Natural Resources.

Or take any other action in relation thereto.

Sponsor - ByLaw Committee

ARTICLE 22: MOTION: We move the Town vote to amend the Town of Bourne Bylaws Chapter 3, General Regulations Article 3.1 Public Safety and Good Order by adding a

new section 3.1.44 Use of Barlows Landing Road and Boat Launch as printed in the Warrant under Article 22 of the Annual Town Meeting Warrant.

Voted: Ayes 157, Nays 62, Motion Passes, Declared a 2/3rd vote

ARTICLE 23: To see if the Town will vote to amend the provisions of the Town of Bourne Zoning By-Law by adding a new section entitled “**Temporary Moratorium on Recreational Marijuana Establishments**”

Section 4830. TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS

- 4831. Purpose:** On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes. The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue initial regulations regarding the licensing of commercial activities by March 15, 2018, to begin accepting applications for licenses on April 1, 2018, and to adopt final regulations by July 1, 2018. Under the current provisions of the Town of Bourne By-law, Recreational Marijuana Establishments and Marijuana Retailers are not a permitted use in the Town and any regulations promulgated by the State Cannabis Advisory Board are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers. The Town needs time to examine the legal, planning and public safety issues attendant to regulation of recreational marijuana as well as to address the potential impact of State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of recreational Marijuana Establishments.
- 4832. Definition:** Marijuana Establishment as defined by M.G.L. c 94G.
- 4833. Temporary Moratorium:** For reasons set forth herein, notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a recreational Marijuana Establishments and other uses related to recreational marijuana. The moratorium shall be in effect through November 30, 2018 or until such time as the Town adopts Zoning By-Law amendments that regulate recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town and consider the Cannabis Control Commission regulations regarding recreational Marijuana Establishments, which are to be finalized by July 1, 2018 and shall consider adopting new Zoning Bylaws in response to these issues on or before the expiration of the moratorium period.
- 4834. Severability:** The provisions of this By-Law are severable. If any provision,

paragraph, sentence, or clause of this By-Law or application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions of application of this By-Law, or take any action relative thereto.

Sponsor – Board of Selectmen

ARTICLE 23: MOTION: We move the Town vote to amend the provisions of the Town of Bourne Zoning By-Law by adding a new section 4830 entitled, “Temporary Moratorium of Recreational Marijuana Establishment”, as printed in the Warrant under Article 23 of the Annual Town Meeting Warrant.

Voted: Ayes 151, Nays 30, Motion passes, Declared a 2/3rd vote

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to **repair and resurface Elgin Road, Pocasset** 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 24: MOTION: We move the Town vote to appropriate the sum of **\$240,000.00** for the purpose of repairing and resurfacing **Elgin Road, Pocasset**; and we further move that the Town vote to authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of **\$240,000.00** under and pursuant to Chapter 44, Sections 7(5) and 7(6) of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the town therefore, 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 Bylaws and under provisions of Massachusetts General Laws.

Voted: Ayes 149, Nays 5, Motion passes, Declared a 2/3rd Vote

ARTICLE 25: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to **repair and resurface Nairn Road, Cataumet** 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 25: MOTION: We move the Town vote to appropriate the sum of **\$75,000.00** for the purpose of repairing and resurfacing **Nairn Road, Cataumet**; and we further move that the Town vote to authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of **\$75,000.00** under and pursuant to Chapter 44, Sections

7(5) and 7(6) of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the town therefore, 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 Bylaws and under provisions of Massachusetts General Laws.

Voted: Ayes 105, Nays 0, Motion passes, Declared a 2/3rd vote

ARTICLE 26: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate a sum of money for the following **Community Preservation Fund purposes**, and to meet said appropriation, to transfer from available funds or reserve from the FY2018 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	Affordable Housing Trust	Affordable Homes Program	60,000 Community Housing	60,000 From Community Housing Revenues
B	Bourne Housing Partnership	Affordable housing services and support	61,350 Community Housing	61,350 From Community Housing Revenues
C	Bourne Fire Dept. & Bourne Housing Authority	Sprinkler system installation and generator for Continental Apts.	98,000 Community Housing	34,656 From Community Housing revenues, 19,893 From Community Housing Reserves & 43,451 From Undesignated Fund Balance
D	Bourne DNR	Barlows Landing Rd – Dingy Dock	95,000 OpenSpace/Recreation	95,000 From Open Space Reserves
E	Bourne Recreation	Beach Access Mats – Monument Beach, Hen’s Cove	20,000 OpenSpace/Recreation	20,000 From Open Space Reserves
F	Bourne DPW, Recreation Dept.	Ball field Bleachers – Monument Beach, Pocasset, Buzzards Bay, Clark Field	40,000 OpenSpace/Recreation	40,000 From Open Space Reserves
G	Bourne Archives	Archiving and digitization of portions of the USACE archives	29,251 Historic	29,251 From Historic Revenues
H	Bourne Historical Commission	National Register Listing – Pocasset Community Club & Bourne Public Library & Aptucxet Trading Post	18,000 Historic	18,000 From Historic Revenues
I	Chamber of Commerce	Buzzards Bay Railroad Station	4,550 Historic	4,550 From Undesignated Fund Balance
J	Bourne Historical Society	Aptucxet Trading Post – Handicap ramp	3,750 Historic	3,750 From Historic Revenues
K	Bourne Historical Society	Saltworks restoration	12,000 Historic	12,000 From Historic Revenues
L	Bourne Historical Society	Preservation of Portraits at 30 Keene St	54,040 Historic	54,040 From Historic Revenues

		TOTAL REQUESTS		\$495,941	
M	Community Preservation Committee	Reserve for Open Space	Open Space	\$567,084	2018 Open Space Estimated Revenues
N	Community Preservation Committee	Reserve for Community Housing	Community Housing	\$0	2018 Housing Estimated Revenues
O	Community Preservation Committee	Reserve for Historic Resources	Historic Resources	\$34,415	2018 Historic Estimated Revenues
		TOTAL PROJECT REQUESTS AND RESERVES		\$1,097,440	

ARTICLE 26: We move that the Town vote, upon the recommendation of the Community Preservation Committee, to raise and appropriate and reserve the sum of \$1,103,003.00 for the Community Preservation Fund Projects and Special Purpose Reserves listed in the Community Preservation Fund Committee report as printed and amended on line's M and O; and to meet this appropriation and reserve, to appropriate the sum of \$880,109.00 from the FY2018 Estimated CPA Revenues, transfer \$155,000.00 from Open Space Reserves, transfer \$19,893.00 from Community Housing Reserves and transfer the sum of \$48,001.00 from the Community Preservation Fund Undesignated Fund Balance.

Voted: Ayes have it, Motion passes

ARTICLE 27: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the **administrative and operating expenses of the Community Preservation Committee**, or take any other action in relation thereto.

Sponsor – Community Preservation Committee

ARTICLE 27: We move that the Town vote, upon the recommendation of the Community Preservation Committee, to appropriate the sum of \$50,000.00 for the purpose of the **administrative and operating expenses of the Community Preservation Committee** and to meet this appropriation to transfer the sum of \$50,000.00 from the Community Preservation Undesignated Fund Balance.

Voted: Ayes have it, Motion passes

ARTICLE 28: To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to raise and appropriate, borrow, or transfer from available funds, a sum of money for the following Community Preservation Fund purpose(s): **to make certain improvements to the Hoxie Center at Sagamore Beach** for Art, Science, Education and Culture to complete Phase I Performance Center consisting of fire sprinkler/suppression system, upgrade fire alarm system and install ADA accessible bathrooms including costs incidental and

related thereto; and, further, the Historic commission and the Community Preservation Committee are hereby directed and authorized to take any and all action necessary to implement this vote, or act anything in relation thereto.

Sponsor – Community Preservation Committee

ARTICLE 28: We move that the Town vote, upon the recommendation of the Community Preservation Committee, to appropriate the sum of \$258,000.00 for the purpose of making certain improvements to the Hoxie Center to complete Phase I Performance Center consisting of fire sprinkler/suppression system, upgrade fire alarm system and install ADA accessible bathrooms including costs incidental and related thereto and to meet this appropriation to transfer the sum of \$258,000.00 from the Community Preservation Undesignated Fund Balance.

Voted: Ayes 177, Nays 64, Ayes have it, Declared a 2/3rd vote

ARTICLE 29: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to raise and appropriate, borrow, or transfer from available funds, a sum of money for the following Community Preservation Fund purposes: To **complete the final phase of the restoration and upgrade of the Town owned park located on Main Street in Buzzards Bay** to include design and engineering services, retention of the clerk of the works for the project, installation of additional infrastructure, recreation and fitness features, and other costs incidental to **completion of the project**; and the Community Preservation Committee and Open Space Committee are authorized and directed to take any and all acts necessary to implement this vote, or take any action in relation thereto.

Sponsor – Community Preservation Committee

ARTICLE 29: We move that the Town vote, upon recommendation of the Community Preservation Committee, to appropriate the sum of \$1,015,000.00 to complete the final phase of the restoration and upgrade of the Town owned park located on Main Street in Buzzards Bay to include design and engineering service, retention of the clerk the works for the project, installation of additional infrastructure, recreation and fitness features, and other costs incidental to the completion of the project and to meet this appropriation to transfer \$443,917.00 from Open Space Reserves, \$16,083.00 from the Community Preservation Fund Undesignated Fund Balance and to authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of \$555,000.00 under and pursuant to Chapter 44, Section 7 of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the Town therefore. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Voted: Ayes 171, Nayes 9, Ayes have it, Declared a 2/3rd vote

