# AGENDA Monday July 7, 2014

#### **TOWN OF EASTHAM AGENDA BOARD OF SELECTMEN** Monday, JULY 7, 2014 5:00 p.m.

Location:

Earle Mountain Room

#### I. PUBLIC/SELECTMEN INFORMATION

#### **APPOINTMENTS** Π.

5:05 P.M.

Interview/Appointment Affordable Housing Trust – Robert Sheldon

(Note: Other than public hearings, all times are approximate and items may be taken out of order.)

#### III. ADMINISTRATIVE MATTERS

- A. Action/Discussion
  - 1. Timothy Smith Loans (8)
  - 2. Eastham Library Building Fund Program Kick Off
  - 3. Ambulance Fee Increases Chief Mark Foley, Assistant Town Administrator Nan Balmer
  - 4. Preview Solar Sign for Landfill Cap Solar Array Assistant Town Administrator Nan Balmer
  - 5. 208 Water Quality Advisory Panel Selectman Martin McDonald
  - 6. Capital Projects Update Water, Rock Harbor and Library
  - 7. Mortgage Subordination Vote
  - 8. Transient Vendors Licenses
  - 9. EPTRA Semi Annual Meeting July 12, 9am Elks

#### IV. **MINUTES**

- 1. April 27, 2013 Work Session
- 2. February 5, 2014 Work Session
- 3. February 18, 2014 Regular Session
- April 7, 2014 Regular Session
- 5. April 14, 2014 Regular Session
- 6. April 30, 2014 Executive Session
- May 19, 2014 Regular Session
   June 4, 2014 Work Session
- 9. June 4, 2014 Executive Session
- 10. June 16, 2014 Regular Session
- 11. June 16, 2014 Executive Session

#### V. TOWN ADMINISTRATOR'S REPORT

#### VI. EXECUTIVE SESSION - Litigation Strategy/Collective Bargaining

#### **Upcoming Meetings**

Wednesday July 9,, 2014	2:30 p.m.	Work Session Municipal Water Consultants Report
Monday July 21, 2014	5:00 p.m.	Regular Meeting
Monday August 4, 2014	5:00 p.m.	Regular Session

This meeting will be video recorded and broadcast over Local Access Channel 18 and through the Town website at www.eastham-ma.gov.

<sup>\*</sup>Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting.

<sup>\*</sup>If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact Laurie Gillespie-Lee, 5900 x207

Date Received:

Disposition:

#### EASTHAM VOLUNTEER FORM

One of the foundations of good government in a small town is volunteer citizen participation on the boards, commissions, and committees, which play a vital part in the management of local affairs. The members of these boards and committees arbitrate issues that arise in interpreting and enforcing local laws, and recommend policies that will help to shape the future of our Town.

that will help to shape the future of our 10wn.	
Name: COBERT J SE	JELDON TO
Address: 375 Quest 1	and Rd Eagther
Mailing Address (if different):	5.6-237-9545
Home Phone: 525-255-0301 Cel	Phone: 300 20 ( )
Work Phone:Em	
LOCAL COMMITEES: Please indicate up to three boards, coare interested. Place a "1" next to your top priority, continuing that no preferences, simply check up to three. Please note: To (bold letters), you must be a registered voter in Eastham, and committee.	he appointed to a regulatory committee
Animal Advisory Committee	Long Range Planning Committee
Bikeways Committee	Olde Town Centre Historic District
Board of Assessors	Open Space Committee
Board of Health	Planning Board
Board of Highway Surveyors	Public Access Committee of Eastham (P.A.C.E)
Board of Cemetery Commissioners	Recreation Commission
Community Preservation Committee	Recycling Committee
Conservation Commission	Search Committee
Council on Aging Board of Directors	1651 Forest Advisory Committee
Cultural Council	Visitor's Tourism and Promotion Services Board
Finance Committee	Water Management Committee
Historical Commission	Zoning Board of Appeals
Human Services Advisory Committee	_other Attackle Chasing

Describe briefly your experience, including volunteer service, that you feel would be useful to the Town and to the committee(s) you are interested in. You may add any additional information including education, other formal training, specialized courses, professional licenses or certifications. ☐ Check here if additional information is attached Chair Sollen ZBA If you have served or are serving on a committee in the Town, please list the committee(s) and the year(s) and term(s) served: Term Served: Committee Name: Check the Town website ( www.eastham-ma.gov) for meeting dates and times and additional committee information. If you have any questions, call Town Hall, 508-240-5900. Please respond to the following additional questions: I have: Attended a meeting(s) of the committee(s) selected. Read the charge of the committee Yes Met with the chair(s) of the committee(s) Read The Ten Rules Municipal Employees Need to Know about the Conflict of Interest Law If you are aware of any possible conflicts of interest to serve on a particular committee, please contact the MA State Ethics-Commission @ (617) 371-9500 or (888) 485-4766 for an opinion.

Completed form will be kept on file for two years.

Please return completed form to:

Selectmen's Office Eastham Town Hall 2500 State Highway

Eastham, MA 02642

Phone: 508-240-590 Fax: 508-240-1291

# TIL(1)

# **Timothy Smith Loan Applications**

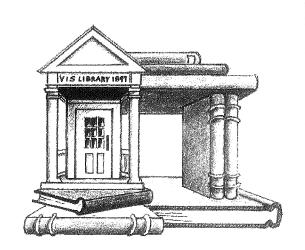
Name	BOS Member	Approved by BOS
Daniel Cabral Wallace Adams		
Natalia Bonfini	Wallace Adams	June 4, 2014
John Erickson	RENEWAL	
Meghan Conners	Martin McDonald	
Kimberly Stewart	Wallace Adams	
Shylee Stewart	Wallace Adams	
Kiona Brophy	Elizabeth Gawron	June 16, 2014 (Memo to Joan Plante Sent)
Shaun Smith	RENEWAL	
Trevor Radke	John Knight	
Anna Stewart	RENEWAL	

# BUILDING AND GROWING FOR THE FUTURE



Our new Library will be a warm and welcoming learning environment for our families and visitors with:

- **➤ Double the Square Footage**
- > Free Wi-Fi
- ➤ Separate Young Adult Space
- > Improved Parking
- ➤ Easy Access for ALL
- ➤ Green Design

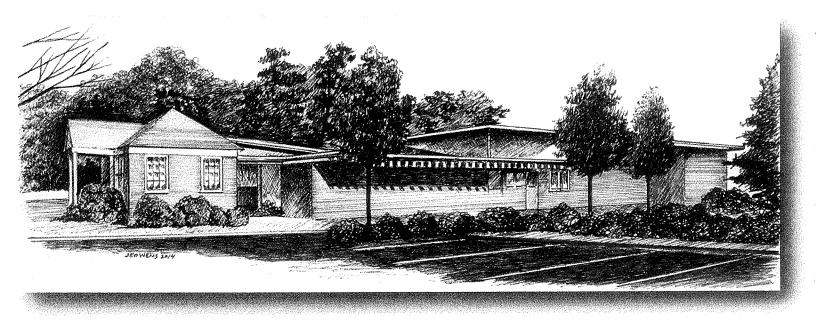


#### **ELBFI Mission Statement:**

'To stimulate interest in and enlist support for the new Eastham Library in order to continue its tradition of excellence and provide a warm, welcoming, enhanced library experience and community center for all."

#### HELP US ACHIEVE OUR GOAL

Contributions may be sent to:
Eastham Library Building Fund, Inc.
P.O. box 406
North Eastham, MA 02651
For More Information
508-255-4448
www.elbfi.org



Eastham Library Building Fund, Inc.

DATE:

July 7, 2014

TO:

Board of Selectmen

FROM:

Mark Foley, Fire Chief

Nan Balmer, Assistant Town Administrator

RE:

Ambulance Fees – Request Board Consideration of Fee Increase

The following fee increase, to be effective <u>no earlier than 9/1/14</u>, is proposed for ambulance services provided by the Town of Eastham:

SERVICE	CURRENT RATE *	PROPOSED NEW RATE
BASIC LIFE SUPPORT (BLS)	\$425	\$1,056
ADVANCED LIFE SUPPORT (ALS) 1	\$575	\$1,928
ADVANCED LIFE SUPPORT (ALS) 2	\$675	\$3038
COST PER MILE	\$11	\$29.76

would not apply 10 Medicare and Medicaid.

#### **BASIS FOR FEE**

- Fees are set based on the cost to provide the service and the market rate (fees set by other towns).
- Data to Support Cost Basis: The FY 15 Fire and Emergency Medical Services budget is \$1,965,697. There are over 1300 one way trips between Eastham and Cape Cod Hospital each year. \$580,000 in ambulance fee revenue is collected from Medicare (54%), Medicaid (12%), Blue Cross / Blue Shield (10%), Commercial Insurance (14%), Private Pay (6%), Motor Vehicle Insurance (4%).

Estimated Revenue Increase from Proposed Fee Change: Based on October 2013, monthly revenue from ambulance fees would have increased from \$44,218 to \$56,248 if the proposed rates were in effect. The increase in annual revenue would therefore be \$12,000+/- per month due to seasonal variation in ambulance calls.

Billing: Done through a contract with Coastal Billing. Collection rate is 95+%. Over 3 years \$34,000 was uncollectible. The Fire Chief has the authority to abate bills for hardship. "Balance billing" billing to individuals is done to collect the part of the fee insurance does not cover. There will be some increase in uncollectibles / hardship from the new fee schedule. (Attached is patient billing process)

Market Basis: Ambulance fees charged by neighboring towns are shown below.

	WELLFLEET	ORLEANS	BREWSTER	CHATHAM	HARWICH
BLS	\$475	\$1056	\$1,137	\$650	\$1056.23
ALS 1	\$820	\$1927.76	\$1,893	\$722.54	\$1927.76
ALS 2	\$1,135	\$3037.99	\$3037.99	\$1,118.13	\$3037.99
COST PER MILE	\$15	\$29.76	\$30	\$15	\$29.76

#### **Billing Process**

Coastal will invoice all insurance companies directly. Insurance information and a scenario of the call, with diagnosis and treatment, are used for preparing appropriate forms for billing. The CMS 1500 form is widely accepted by major insurers such as Medicare, HMO's, Workers Compensation and Motor Vehicle Accident claims. If an insurer needs a form other that those listed, Coastal will comply with the insurer's requirements.

Before billing a patient privately, Coastal searches several electronic insurance verification systems to obtain up-to-date insurance available for billing. In the case of motor vehicle accidents, we call the patient or the police department to obtain their auto insurance information.

Coastal's private invoices are itemized invoices. Our invoice includes our toll free number and our website information, and our hours of operation. We are always willing to assist a patient during business hours.

If insurance information is not available, Coastal will invoice the patient directly to obtain any insurance information. Our private pay patients receive a request with the first private pay invoice for insurance information and signature, if needed. Our invoice includes places on the form to fill out for various types of insurance information. A note on the invoice requests that the patient fill out the applicable insurance information on the form and return to Coastal. A pre-addressed return envelope is included with all private pay invoices. We also offer the option for patients to enter their insurance information on our website, <a href="https://www.coastalbilling.com">www.coastalbilling.com</a>.

The private patient will receive an initial bill. If there is no response to that bill the patient will receive a bill thirty and then sixty days later. At ninety days, the patient will receive a letter on bright pink paper requesting a response to our request for insurance information or payment, there is a form on the back of this letter for the patient to provide insurance information. After 15 days one last bill is sent to the patient informing them their account is pending collection.

If Coastal receives a call or email from a patient indicating that they are uninsured or underinsured, we first offer the patient a time payment plan. If they are unable to afford a time payment plan, they are instructed to send us a letter stating their inability to pay the bill and request the bill be abated. These letters are forwarded to the Chief for review and approval for abatement. Eastham does not use the services of a collection agency.

DATE:

July 7, 2014

TO:

**Board of Selectmen** 

FROM:

Nan Balmer, Assistant Town Administrator

RE:

CVEC / Solar – Educational Sign at Transfer Station

CVEC would like to install a 96" X 48" educational sign about the solar project at the landfill. The sign would be placed along the fence line separating the solar project from the transfer station between the clothing bins and the leaf area located in a manner to maximize visibility to vehicles exiting the facility. CVEC also plans to provide the Town with a link to the project's energy production data.

Attached is a draft design for the sign.

Please let me know if the Board is inclined to allow CVEC to post the sign at the Transfer Station.

Thanks.



# **Town of Eastham**

587 kW Photovoltaic Solar System 2,350 solar modules 715,000 kWh

Enough to power 67 homes for an entire year



A Cape & Vineyard Electric Cooperative Round 1 Project

For More Information: WWW.CVecinc.org

This project was made possible by Cape Light Compact grants



SAMPLE

#### SUBORDINATION AGREEMENT



	THE COMMONWEALTH OF MASSACHUSETTS Authorized by and through the
	DEPARTMENT OF HOUSING and COMMUNTY DEVELOPMENT (DHCD) and the TOWN OF
	EASTHAM, holder of a mortgage from
	in the original amount of \$, recorded in Barnstable County
	Registry in Book, Page hereinafter called the "Subordinated" Mortgage, hereby
	subordinates the lien of its Subordinated Mortgage to the lien of a real estate mortgage
	dated, 2014 in the original principal amount of \$ from the said
	to THE CAPE COD FIVE CENTS SAVINGS BANK
	recorded in Book Page as if said Primary Mortgage was recorded prior in
	time to the recording of the Subordinated Mortgage. This subordination shall not in any
	other way affect or impair the power to sell under said Subordinated Mortgage, said
	Subordinated Mortgage being hereby ratified and confirmed in all other respects.
	Locus:
	For title see deed recorded in Book Page
	1 of this see dead 1 coorded in Book 1 dbd
	IN WITNESS WHEREOF, the undersigned has caused its corporate seal to be hereto
	affixed and these presents to be signed, acknowledged and delivered in its name and behalf
	by, this day of, 2014.
	Department of Housing and Community
	Development
	Ву:
	Town of Eastham
	Ву:
	COMMONWEALTH OF MASSACHUSETTS
	County of <u>Barnstable</u> ,ss,
	On this day of, 2014 before me, the undersigned notary public, personally
	appeared at Eastham Town Hall, proved to me through satisfactory evidence of
	identification, which were to be the person whose name is
	signed on the preceding or attached document, and acknowledged to me that he/she
	signed it voluntarily for its stated purpose.
	Notary Public
$\Lambda$	Notary Public
HCTUI	4L PORVIS IUT
Con	AL FORMS FOR atures will be vided at July 7, 2014
019110	LTUNCS
DAG	VIDED at July 7, 2014
7 7 7 0	
3111	ETING.



#### MEMO:

To: Sheila Vanderhoef, Town Administrator

From: Vicky Anderson

Date: July 7, 2014

Re: Transient Vendor Permits

Please find attached Transient Vendor Applications for consideration and approval by the Board of Selectmen. In each case, the \$20.00 fee has been received.

Vendors seeking permits at this time are:

Elvira Para 20 Warren Street Westboro MA 01581

Kathleen Cotter 17 Larson Farm Drive Norton MA 02766

Kathleen E. Masterson 100 Alston Avenue Eastham MA 02642

Laurie Goldman 58 Lee Way Brewster MA 02631

Sue Handman 14 Wheeler Street Gloucester MA 01930



#### TOWN OF EASTHAM 2500 STATE HIGHWAY, EASTHAM, MA 02642-2544

(508) 240-1291 FOR ALL DEPARTMENTS (508) 240-1291 FAX

#### **APPLICATION FOR TRANSIENT VENDOR PERMIT**

St. Westborn, Ma	0158,
79 Total Days	
windmill Grey	
Aut on tiles	
	•
Submit Application to: Town Hall or	•
townhall@eastham-ma.gov	
- -	٠
	Submit Application to: Town Hall or

Permit Fee: \$20.00 per year\_\_\_\_\_\_



#### TOWN OF EASTHAM 2500 STATE HIGHWAY, EASTHAM, MA 02642-2544

(508) 240-1291 FOR ALL DEPARTMENTS (508) 240-1291 FAX

#### APPLICATION FOR TRANSIENT VENDOR PERMIT

Name of Applicant Hoth Ken Cotter
d/b/a 3 Sister Mermaids
Residential Address 17 Larson Farm Drive Norton MA
Mailing Address
Date(s) of SHOW/SALE Wed / Thus 7/23-24 Total Days 2
Location of SHOW/SALE Cast ham
DESCRIPTION OF WARES Embelished original mermoud
prints
Date of Application 6214
Approved: Submit Application to: Town Hall or
townhall@eastham-ma.gov
Board of Selectmen





TOWN OF EASTHAM
2500 STATE HIGHWAY
EASTHAM, MA 02642-2544
(508) 240-5900 (TELEPHONE)
FOR ALL DEPARTMENTS
(508) 240-1291 (FAX)
townhall@eastham-ma.gov

#### APPLICATION FOR TRANSIENT VENDOR PERMIT

Name of Applicant KATHUBEN E MASTERSON
d/b/a Kem DESIGNS
Residential Address 100 ACSTON AVE, ENSTHAM, MA 02642
Mailing AddressZIP CODE
Telephone home 508.741.4630cell work
Date(s) of SHOW(s)/SALE(s) ONE 14+5 DULY Total Days
Location(s) of SHOW(s)/SALE(s) WINDMILL CREEN
DESCRIPTION OF WARES FORCH STONE JEWELPY
Date of Application 61314

Submit Application With Your Payment of \$20.00 to: Eastham Town Hall at above address — or — townhall@eastham-ma.gov

Permit Fee: \$20.00 per year

Mass tax 10# 275.132.976





TOWN OF EASTHAM 2500 STATE HIGHWAY EASTHAM, MA 02642-2544 (508) 240-5900 (TELEPHONE) (508) 240-1291 (FAX) townhall@eastham-ma.gov

#### **APPLICATION FOR TRANSIENT VENDOR PERMIT**

Name of Applicant LAURIE GOLDMAN
Name of Applicant LAURIE GOLDMAN  d/b/a Mudlark pottery
Residential Address 58 LEE WAY Brewster Ma
Mailing Address
SOR SOR ZIP CODE
Telephone home $\frac{385 - 2654}{\text{cell}}$ $\frac{68}{685 - 5584}$ work
Date(s) of SHOW(s)/SALE(s) Total Days
Location(s) of SHOW(s)/SALE(s) Windmill Green
DESCRIPTION OF WARES Hand made pottery-
functional were in Stone wave + porcelain
Hand thrown, carred + painted
Date of Application <u>Le 113-14</u>
Submit Application With Your Payment of \$20.00 to: Eastham Town Hall at above address  ADD  Ref 2857
Submit Application With Your Payment of \$20.00 to:  Eastham Town Hall at above address
GAID
OR:# 285/

Permit Fee: \$20.00 per year



#### TOWN OF EASTHAM 2500 STATE HIGHWAY, EASTHAM, MA 02642-2544

(508) 240-1291 FOR ALL DEPARTMENTS (508) 240-1291 FAX

#### **APPLICATION FOR TRANSIENT VENDOR PERMIT**

Name of Applicant SUE HANDOUAN
d/b/a SUE HANDMAN FARRIC Collage
d/b/a <u>SVE HANDMAN FABRIC Collage</u> Residential Address <u>14 Wheeler ST. Yloveester ma</u> 01930
Mailing Address Same
Date(s) of SHOW/SALE July 23 + 24 Tota
Location of SHOW/SALE Wind Mill Easthorn Leen
DESCRIPTION OF WARES _ Clothing
Date of Application 478.74
Approved: Submit Application to: Town Hall or
townhall@eastham-ma
Board of Selectmen
Parent Face #20.00 may

# INFORMATION

#### ADMINISTRATION

JUN 1 2 2014

fr

COASTAL
ENGINEERING
COMPANY, INC.

RECEIVED

# **TRANSMITTAL**

260 Cranberry Highway, Orleans, MA 02653 508.255.6511 ■ Fax 508.255.6700 ■ coastalengineeringcompany.com

Jason R. Norton, Coastal Engineering Co., Inc.

				1 -	014444	B 1 (N)	044054.00	
To:	: Mass. DEP/SERO/DWW Attn: Dave Hill 20 Riverside Drive		Date:	6/11/14	Project No.	C14051.02		
			Via: ⊠1st Class Mail □Pick up □Delivery □Fed Ex					
	Lakeville, MA 023			Dhamai			, —	
	·			Phone:				
				Fax:				
Subject:	ect: Chapter 91 License Application			No. of pages to follow:				
and according to a sour	Proposed	to License & Mair						
		lock Revetment						
	Warren & 35 West F	Erica Thaler						
	Eastham,							
		No: SE 19-774						
		s No: W14-4150						
	_			-				
	□ Сору	of Letter	Specification	ns 🖂	Other			
We are	sending the foll	owing items:						
Copies	Date	No.	Description	1				
1	6/20/14					s Public Notice		
1	4/18/14	Sheets				petition of Warren Tha		
		1-2	Maintain			nent at 35 West Road i	n Cape Cod Bay,	
					Eastnam, Barr	nstable County, MA"		
					Section & Private Inc.			
These a	re transmitted a	as checked belo	ow:					
☐for ap	☐ for approval ☐ for your use ☐ as requested ☐ for review & comment ☐							
Remarks: Please find enclosed the Chapter 91 Water project that were sent certified mail to the a any additional information, please give our			ttached Di	stribution List.				
	cc: See Attached Distribution List (sent certified mail)  Warren & Erica Thaler, owners							

NOTE: IF ENCLOSURES ARE NOT AS NOTED, PLEASE CONTACT US AT (508) 255-6511.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

#### Notice of License Application Pursuant to M. G. L. Chapter 91 Waterways License Application Number W14-4150 Warren Thaler

NOTIFICATION DATE: June 20, 2014

Public notice is hereby given of the waterways application by Warren Thaler to maintain an existing rock revetment at 35 West Road in the municipality of Eastham, in and over flowed tidelands of Cape Cod Bay. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2748. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: David E. Hill, Environmental Engineer, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

### DISTRIBUTION LIST Notice of License Application pursuant to M.G.L. Chapter 91

#### LOCUS:

35 West Road Eastham, MA Map 4 Parcel 533

#### APPLICANT/OWNER:

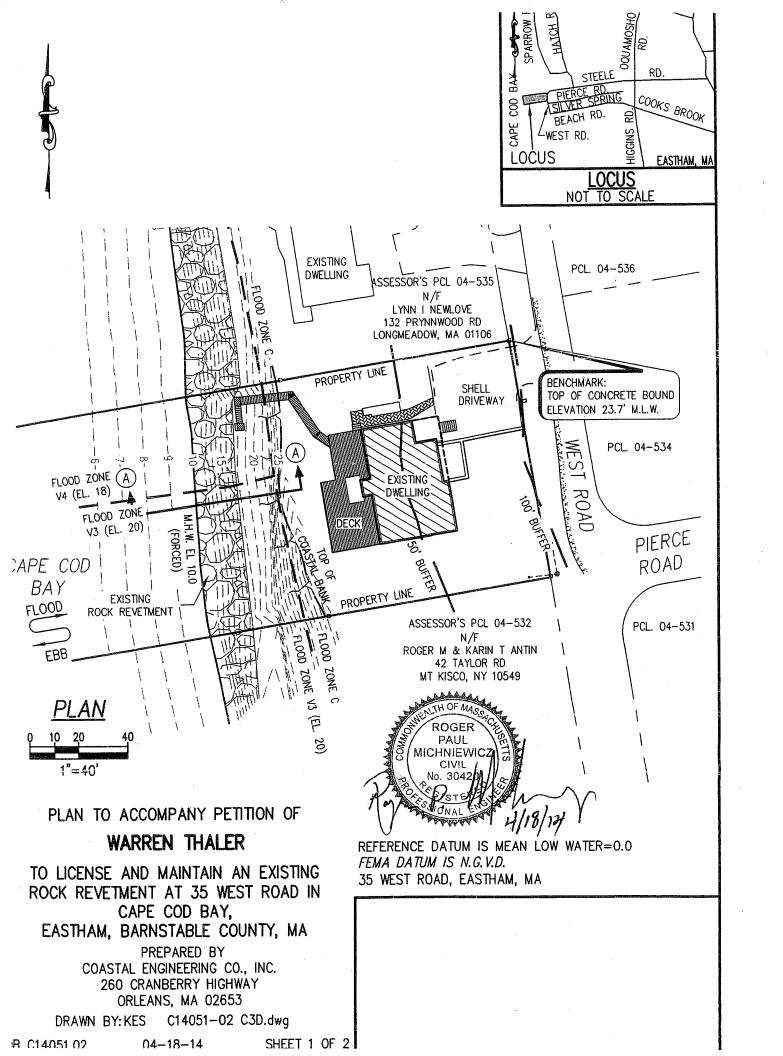
Warren S. & Erica R. Thaler 225 Glenn Road Ardmore, PA

#### ABUTTERS:

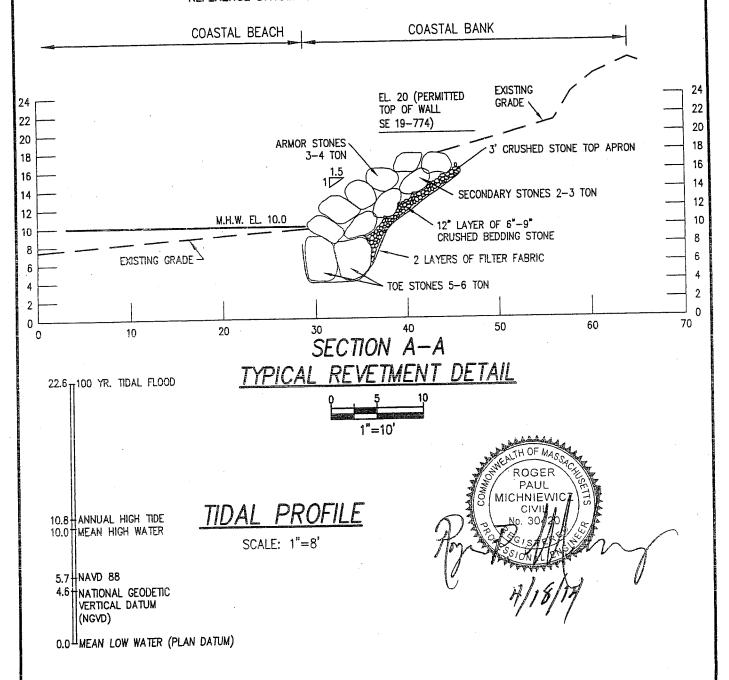
Lynn I. Newlove 132 Prynnwood Road Longmeadow, MA 01106 Roger M. & Karin T. Antin 42 Taylor Road Mt. Kisco, NY 10549

#### MAILING LIST:

Board of Selectman	Zoning Board
Eastham Town Hall	Eastham Town Hall
2500 State Highway	2500 State Highway
Eastham, MA 02642	Eastham, MA 02642
Planning Board	Town of Eastham
Eastham Town Hall	Conservation Commission
2500 State Highway	555 Old Orchard Road
Eastham, MA 02642	Eastham, MA 02642
Town of Eastham	Division of Marine Fisheries
Harbormaster	Attn: Environmental Reviewer
555 Old Orchard Road	1213 Purchase Street – 3 <sup>rd</sup> Floor
Eastham, MA 02642	New Bedford, MA 02740-6694
Mass. Historical Commission	Cape Cod Commission
220 Morrissey Blvd., Columbia Point	PO Box 226
Boston, MA 02125	Barnstable, MA 02630
Coastal Zone Management 251 Causeway Street, Suite 800 Boston, MA 02114	Division of Fish & Wildlife Attn: Jon Regosin, PhD 101 Hartwell Street, Suite 230 West Boylston, MA 01583







# PLAN TO ACCOMPANY PETITION OF

#### WARREN THALER

TO LICENSE AND MAINTAIN AN EXISTING ROCK REVETMENT AT 35 WEST ROAD IN CAPE COD BAY, EASTHAM, BARNSTABLE COUNTY, MA

PREPARED BY COASTAL ENGINEERING CO., INC. 260 CRANBERRY HIGHWAY ORLEANS, MA 02653

DRAWN BY: KES C14051-02 C3D.dwg

04-18-14

SHEET 2 OF 2



	R	E	G	E	V	E	D		
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# DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M. G. L. Chapter 91 Waterways License Application Number W14-4147 Schoener Family Irrevocable Trust

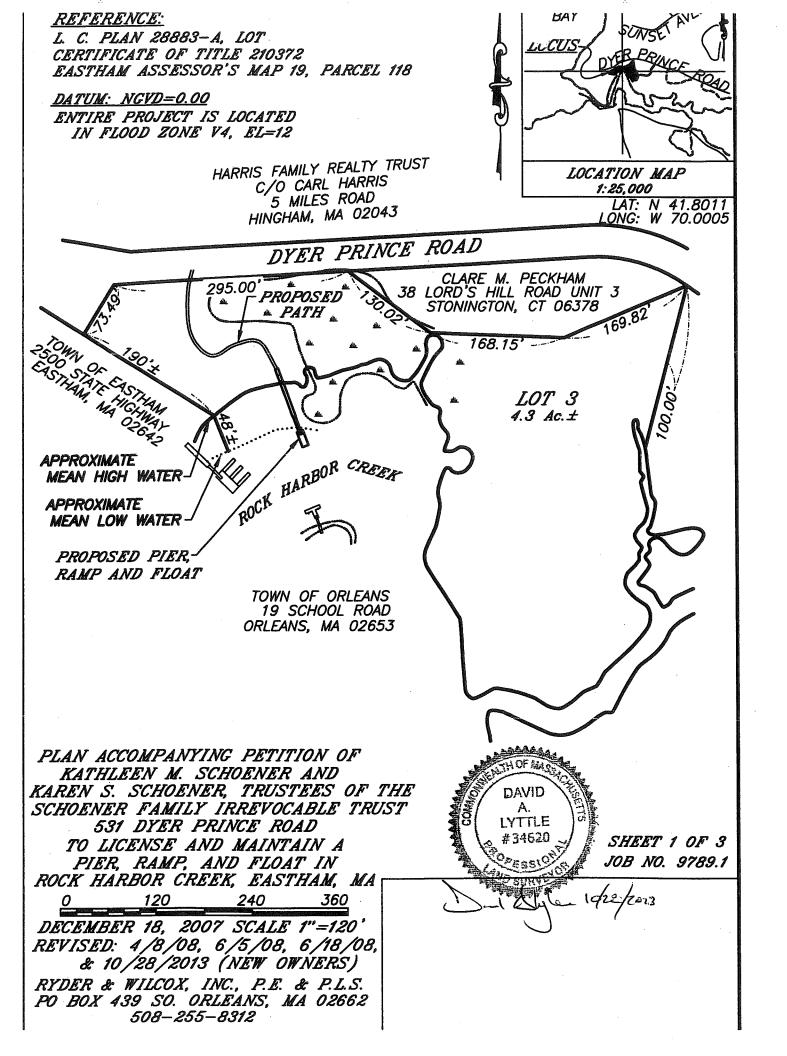
NOTIFICATION DATE: June 20, 2014

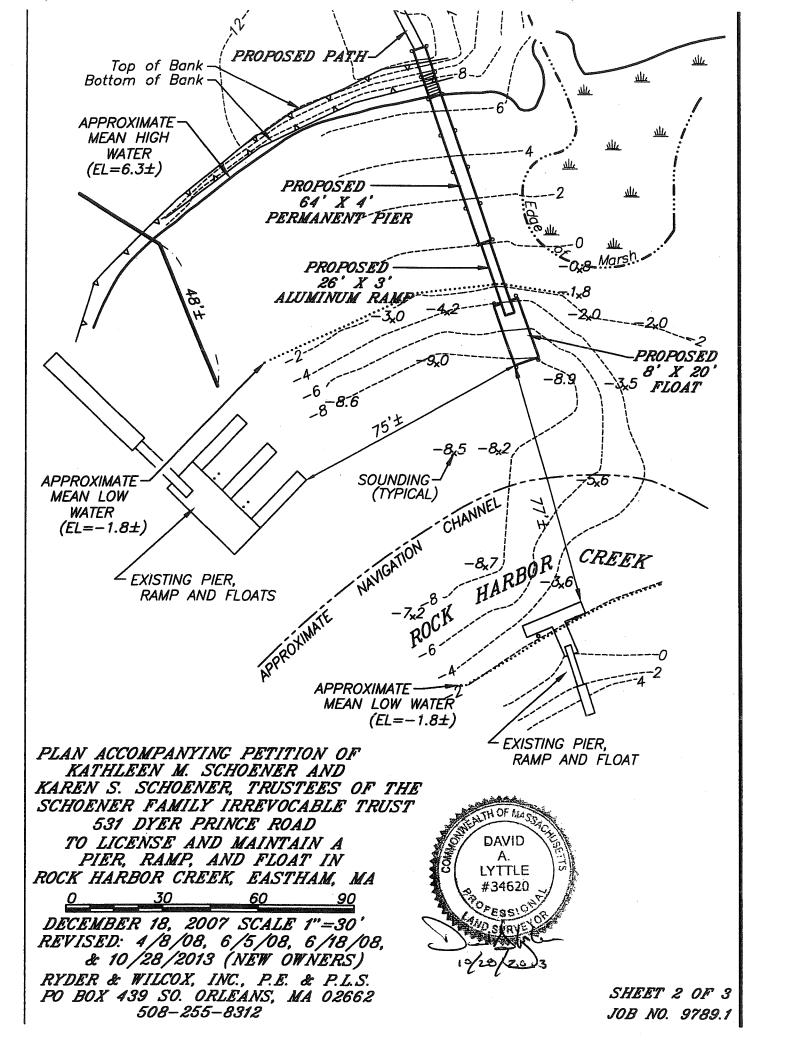
Public notice is hereby given of the waterways application by Schoener Family Irrevocable Trust to construct and maintain a pier, ramp and float at 531 Dyer Prince Road in the municipality of Eastham, in and over flowed tidelands of Rock Harbor. The proposed project has been determined to be water-dependent.

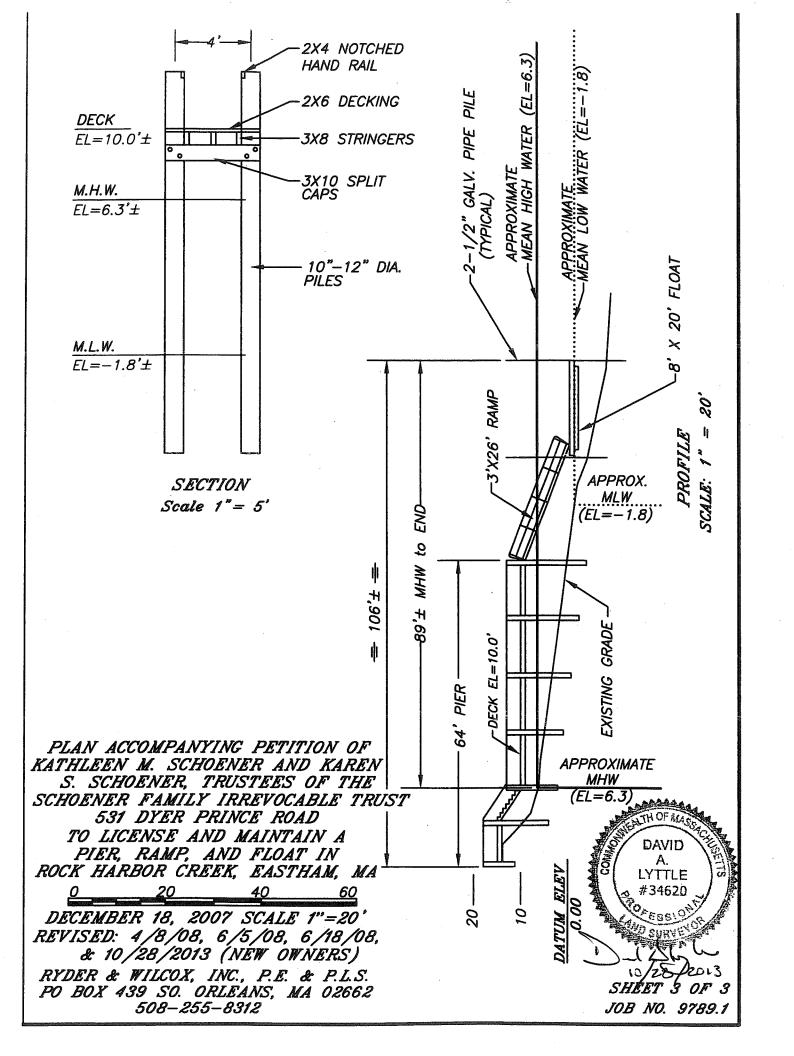
The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

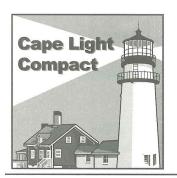
Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2748. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: David E. Hill, Environmental Engineer, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.









# Cape Light Compact

**Tel: (508) 375-6644 • Fax: (508) 362-4136** www.capelightcompact.org

POST OFFICE BOX 427 • BARNSTABLE SUPERIOR COURT HOUSE • BARNSTABLE, MASSACHUSETTS 02630

June 13, 2014

Linda Burt, Chair Town of Eastham 2500 State Highway Eastham, MA 02642

Re: Update on Aggregation Plan Review (DPU 14-69)

Dear Ms. Burt:

Consistent with the direction from the Cape Light Compact (Compact) Governing Board, below is a status report on the Compact's filing with the Department of Public Utilities (DPU) to update its Aggregation Plan.

- On May 14<sup>th</sup> the DPU held a public hearing on the Compact's Updated Aggregation Plan. Elected officials, leaders of organizations and consumers from across the Cape and Martha's Vineyard spoke about the Compact's benefits to the region. More than 75 people attended, with about 40 individuals making public comments. There was overwhelming support for the updated plan to be expeditiously approved. The updated plan makes only modest changes to the way the Compact conducts business and primarily eliminates outmoded references and comports with the Compact's power supply operations for the past five years or more which have been extensively and publically discussed at Compact and local meetings.
- The DPU established a procedural schedule for the review of the Compact's updated Aggregation Plan. Under this schedule, discovery will conclude in early July and parties may submit briefs thereafter, with the Compact's final brief due on August 19<sup>th</sup>. At that time, the proceeding would close and rest with the Department for its review and issuance of a final order. A final order from the Department is expected in the fall.
- The Compact's consistent position throughout this proceeding is to advocate in support of the expeditious approval of the updates to the Aggregation Plan and to ensure the scope of the proceeding remains limited to the Department's review of those updates. Toward

that end, the Compact (at the advice from legal counsel) has objected, and will continue to object to the introduction of matters that are outside that narrow scope.

Specifically, the Compact will object to any attempts to incorporate the request of the Barnstable County Assembly of Delegates to investigate the Compact into the proceeding to update the Aggregation Plan because they are entirely separate issues.

I, accompanied by legal counsel, met much earlier this year with staff from Office of the Attorney General regarding the Barnstable County Assembly of Delegates request that the Attorney General's Office investigate the Compact. I have stated that the Compact is willing to continue to meet with the Office of the Attorney General and to provide information and/or documents on this issue. The Department of the Attorney General has neither confirmed nor denied that any investigation is proceeding, nor have we been requested to provide any information. If anything changes, your Compact representative will be fully informed and provide updates as requested.

Sincerely,

Margaret T. Downey

Wargout & Downey

Administrator

cc: Fred Fenlon, CLC Board Member (via email)

Sheila Vanderhoef (via email)



#### TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

All departments 508 240-5900 Fax 508 240-1291

www.eastham-ma.gov

June 16, 2014

Mr. Clinton Bench, Deputy Executive Director MassDOT Office of Transportation Planning 10 Park Plaza, Suite 4150 Boston, MA 02116

RE: Safe Routes to School (SRTS) Infrastructure Assessments Letter of Municipal Support

Dear Mr. Bench:

On behalf of The Eastham Elementary School, the Town of Eastham of is pleased to support their request for a no-cost infrastructure assessment as part of the Massachusetts Department of Transportation (MassDOT) Safe Routes to School (SRTS) Infrastructure Program.

To meet the program requirements, we have designated Nan Balmer, Assistant Town Administrator (508-240-5900 x 211) as the municipal liaison for this assessment. This will include attending a kickoff meeting at the school, reviewing preliminary recommendations, and answering questions related to municipal infrastructure. We will direct all relevant municipal department heads to cooperate with your consultants and to provide them with any information they require in order to conduct the infrastructure assessment.

Upon completion of the draft infrastructure assessment report and development of preliminary recommendations, we will facilitate municipal review of the recommendations. We recognize that these recommendations may include a project to be advanced through the MassDOT SRTS Infrastructure Program. Through this program, MassDOT designs and builds infrastructure improvements identified in SRTS infrastructure assessments using funds based on the current Federal Highway Administration (FHWA) program guidelines.

In order to advance a project through the MassDOT SRTS Infrastructure Program, we recognize that the Town of Eastham would have certain key responsibilities:

Review and Endorsement of Conceptual Recommendation. Upon completion of a draft assessment report with a project that is recommended for MassDOT SRTS Infrastructure Program implementation, we will review, comment on, and provisionally endorse the conceptual recommendation/design through relevant Town departments (including schools, public works, legal, and others as needed).

- Public Review and Official Endorsement. Upon finalization of the conceptual recommendation, we will work with MassDOT to facilitate public review and endorsement by the Eastham Board of Selectmen.
- Right-of-Way Process and Property Acquisition. We agree to execute the right-of-way process, consistent with all municipal construction projects managed by MassDOT. We understand that the cost associated with the acquisition of right-of-way or easements will be the Town's responsibility if a project advances.

Thank you. If you have any questions about our request, please contact our municipal liaison, designated above.

Sincerely,

Linda S. Burt, Chair

Martin F. McDonald, Clerk

ohn F. Knight, Vice Chair

Wallace F Adams II

Élizabeth Gawron

EASTHAM BOARD OF SELECTMEN



#### **Infrastructure Assessment Request Form**

Sc	chool Informatio	n	Municipality Information				
School Name	Eastham Elem	entary School	Municipality Name	Town of Eastham			
Street Address	200 Schoolhou Eastham MA 0		Mailing Address	2500 State Highway Eastham MA 02642			
Contact Name	Elise Varley		Contact Name	Nan Balmer			
Tel. No.	(508) 255-0808	3 x 402	Tel. No.	(508) 240-5900			
Email	Email varleye@nausetschools.org		Email	nbalmer@eastham-ma.gov			
Start & Dismissa	l Times	7:45am - 2:00	pm	·			

Submitted by (if different from above)					
Name	Position/Organization				
Email	Telephone				

School Population Information										
Grade	K	1	2	3	4	5	6	7	8	Sum
Number of Students	28	39	25	26	40	39				197
Actual number residing within 1 mile of school	5	9	5	5	9	10				43
Estimated number who currently walk/bicycle	1	2	1		1					5

	SRTS Program Activities	(please check all that apply)
	Walking school bus or bike train	Pedestrian and/or bike safety education
X	International Walk to School Day and/or Massachusetts Walk & Bike to School Day	Walking assessment completed with SRTS outreach coordinator
	Weekly or monthly walk to school days	Other walk to school or in-school activities
	Parent surveys and/or student tallies	(explain)
	School/community SRTS task force	
Х	Team with local police	

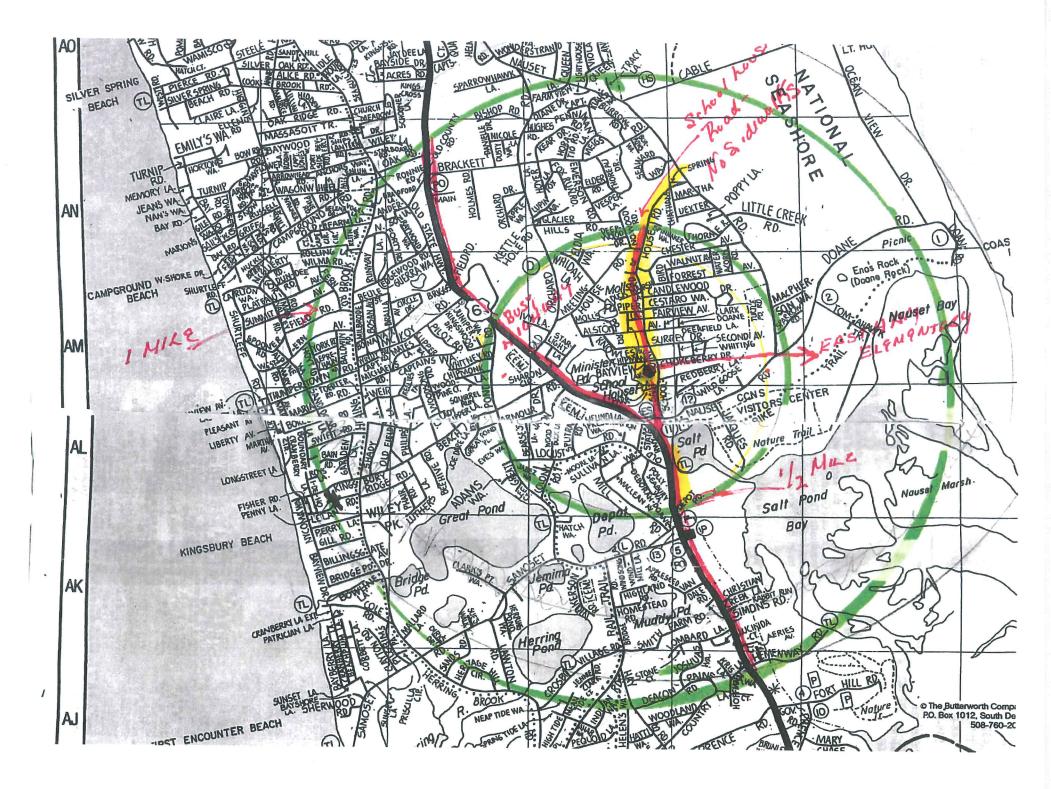
Question	Answer
Are students bused within 1 mile of the school? Explain if yes.	Yes students are bused within one mile of school because there are no sidewalks and because the town is bisected by a busy highway.
Is there currently a fee for bus transportation? Explain if yes.	No
Is your school district considering budget cuts with respect to school transportation? Explain if yes.	No
Describe any potential changes to the school's status in terms of future closure or relocation that are currently known (leave blank if there are no changes planned).	
If there are walking school buses or bike trains, describe the frequency, meeting location, typical route, and approximate number of participating students walking or bicycling to school.	No walking school buses or bike trains.



Question	Answer
Based on input from school staff, parents, and students, please describe any physical obstacles students face regarding routes to your school such as dangerous crossings, sidewalks along busy roads without adequate separation between traffic and pedestrians, missing or deteriorated sidewalks, or inadequate bicycle parking. If available, please show this information on a map and include your school's location, any zone boundaries, and the quadrant (east, north, west, south) where families residing within 1 mile are located (refer to the enclosed sample).	The town is bisected by Route 6, a busy and dangerous highway. The school is located on the east side of the highway. It is too dangerous for the students on the west side of route 6 to cross the highway to get to school. On the east side of the highway, the area is bisected north to south by the one-mile Schoolhouse Road. Because there are no sidewalks on Schoolhouse Road, only 5 students walk to school. Attached is a map of the area, showing a one half mile and a one mile radius from the school.
Describe other impediments to walking or bicycling such as policies, other safety concerns, social issues, etc.	There is no policy against walking to school if, in the discretion of the principal, there is a safe walking route. An additional hazard is that the roads are driven by tourists who are unfamiliar with the area.
Please estimate the number of additional students you would expect to see walking or bicycling to school if infrastructure improvements were implemented to address existing obstacles. If more than one obstacle is identified, please estimate the number of students for each remedy.	Currently 43 students reside within a mile of school. Of these, 30 children live on Schoolhouse Road or minor intersecting roads. If sidewalks were available on Schoolhouse Road, thirty more students may have a safe walking route to school.

Requests due June 23, 2014. Must be completed in full and accompanied by municipal letter of support. Email, mail or fax completed form and letter to erin.reed@dot.state.ma.us or MA Safe Routes to School 10 Park Plaza, Boston, MA, 02116 or 857.368.0656.

MA SRTS will contact each school to confirm receipt.



#### **Eastham Conservation Commission**

555 Old Orchard Road Eastham, MA 02642



508-240-5971 Fax 508-240-6687

To: Sheila Venderhoef, Town Administrator

From: Shana Brogan, Conservation Agent

**Date:** June 30, 2014

Re: Aquaculture Grant Access

The Boat Meadow aquaculture grant holders currently have a three year permit from the Conservation Commission that includes vehicular access to their grant sites from December through March. The purpose of the vehicular access is for the grant holders to remove and replace gear from the site during storm events and winter conditions and for winter storage, as also indicated on their aquaculture license. This access is also being used to transport product to market. The conservation application initially included proposed additional access in November, April and May as well, however, due to additional requirements by Natural Heritage and Endangered Species Program, the Massachusetts Endangered Species Act (MESA) and the Federal Endangered Species Act that required signage, fencing, monitoring and reporting of piping plovers at First Encounter Beach, that portion of the proposal was withdrawn by DPW and Natural Resources Staff. Additionally, one of the conditions of the conservation permit requires Natural Resources, upon requesting an extension of the three year permit just prior to the three year expiration, to submit a monitoring report detailing the number of vehicle trips to the grants and determining if there has been any cumulative impact to the beach or intertidal area. At that point, which will begin in approximately 1.5 years, the DPW and Natural Resources staff will evaluate current vehicle access and determine whether additional access in November, April and March is feasible.



# Eastham Water System Project Coordination Meeting #1

June 9, 2014

The June 9, 2014 coordination meeting was held at Eastham Town Hall and attended by: Sheila Vanderhoef, Town Administrator and Mark White and Paul Gabriel of Environmental Partners Group. Jane Crowley, Board of Health Agent met with us briefly during the meeting. Time of the meeting was 11:00 am to 1:30 pm.

#### **Discussion Items:**

Updated Plans of Water System

Large size- copies (6) of the updated water system layout were provided to Sheila. These plans eliminate the distribution mains routed through Wellfleet and Orleans.

Distribution System - Adjusted layouts of water mains on Route 6

Following last week's site walk with Neil Andres and the Environmental Partners design team (Paul Millett, Ryan Trahan, Gregg Sands), some proposed modifications to the distribution system layout along the Route 6 corridor are being proposed. These are shown on the attached figure (four locations). The objective of these modifications is to reduce the amount of construction activities on Route 6, and provides the benefit of bringing service to additional properties while still providing service to all of those under the original plan.

The Board of Selectmen will need to review and approve these modifications. This is targeted for their July 9, 2014 meeting.

#### Water Mains in Orleans and Interconnection

On the water system base plans the streets and water mains for Orleans are to be added so that the proposed routing of Eastham's water mains and interconnection to their system can be shown.

Discussions with Orleans on placing water mains in their Town and making an interconnection with them are to be held only after the Board of Selectmen authorizes this, slated for their July 9, 2014 meeting.

#### Water Mains and Service in Wellfleet

Locating water mains and providing service to properties in Wellfleet is to be considered only after the Board of Selectmen authorizes this concept (also slated for the July 9, 2014 meeting).

Nauset Regional High School – Utility Easement and Utilities

At last week's site walks the concept of bringing three phase power and gas into the east side of the site where these utilities exist at the end of Queen Ann Drive was discussed. This would require revising the easement Agreement with the Nauset School Board. It was decided to bring all utilities onto the site via Cable Road and using the easement that has already been negotiated and agreed to with the School Board.

With regard to utility installations at the High School:

- Gas A decision on whether gas for the generator is to be piped or propane is yet to be made.
- Electric it appears that 3 phase power exists on Bracket Road and will need to be run in from that point at Cable Road.

#### Storage Tank

The position of the storage tank at District G will need to be adjusted eastward so as not to interfere with the cell tower at the site. At last week's site walk a proposed location was identified (shown on the attached figure).

The concept of locating the tank, either for this phase or future phases, at the DPW property was discussed. This location has advantages of being more centrally located in the service area. It was decided that District G will be used for this phase, given that this is the location that was decided upon at Town Meeting. The DPW site may be considered in future phases.

#### Environmental Partners Office Trailer at DPW

The concept of locating an office trailer for Environmental Partners at the DPW property was discussed. This is to be used as a base throughout the design, permitting and construction phases of the project. EPG is to follow up with Neil Andres to discuss further.

#### Elementary School – 1,4-dioxane testing

Jane Crowley provided results of recent testing of the Elementary School for 1,4-dioxane. Samples were collected on May 6, 2014. The results: 0.015 ppb ("J" flagged – an estimated value). This is a very slight increase from the February 2014 results (0.076 – 0.096 ppb).

#### Cash Flow Forecast

A cash flow forecast for the duration of the project (through June 2017) was prepared by Environmental Partners and provided to Sheila. The forecast includes items for engineering and each construction contract. This was sufficient for Sheila's needs at this point.

Policy Issues to be discussed with the Board of Selectmen

Items that require discussion and decision-making by the Board were identified:

Connection policy

For properties that are adjacent to, but not immediately abutting mains For properties in the landfill study area, especially those on bottled water

- Easements for properties on private roads approach
- Water system bylaws



- Rate structure tiered system, base fees, miscellaneous fees
- National Park Service whether/how they are to be charged
- Privatized operations solicitation and selection process/schedule
- Billing software

These issues are to be discussed with the Board over several meetings. We will work with Sheila on the details of when and how to discuss these items.

#### **Engineering Services Agreement**

The initial draft of Environmental Partners' Agreement was reviewed. This Agreement is following the current EJCDC (2014 version) format. A final draft of the Agreement is to be prepared over the next week and forwarded to Sheila

#### Assett Management

The approach for developing an asset management program for the Town, to be prepared in conjunction with the water system design and construction program, is being developed. Paul Gabriel is in discussions with People GIS on concepts to be considered. This item to be discussed in detail at the next coordination meeting.

#### Preparation for July 9<sup>th</sup> BOS meeting

Agenda items for the July 9<sup>th</sup> meeting were discussed. These include:

Activities completed since last BOS meeting

DEP, CCNS, MEPA meetings

Water system design development

Proposed modifications to distribution system layout

Connection policies

Easements for private roads

Updated schedule

#### **Future Coordination Meetings**

A schedule for future coordination meetings between Environmental Partners and Town staff were developed. In general, these meetings are to be held <u>every Tuesday at 8:30 am</u> at Town Hall. Because of travel and vacation schedules over the next few weeks, the following dates were scheduled:

June 25<sup>th</sup> (Wednesday) at 2:00 – at Town Hall June 30<sup>th</sup> (Monday) at 1:00 – at Environmental Partners' Quincy office July 9<sup>th</sup> (Wednesday) at 9:00 – at Town Hall (precedes the BOS meeting) July 15<sup>th</sup> (Tuesday) at 8:30 – at Town Hall

#### **Action Items for Environmental Partners**

- Add streets and existing water mains in Orleans to the base plan
- Develop plan that shows locations of properties that BOS needs to make decision on whether they are to be connected or not (these are adjacent properties to water mains)
- Easements follow-up with Gail McAleer to see how her research into the private property information is coming along
- EPG office trailer at the DPW EPG to follow up with Neil Andres
- Assett Management prepare for discussions on this topic for the next coordination meeting (June 25<sup>th</sup>). Gail McAleer and Neil Andres to be included.
- CCNS request their direction on what steps are needed for the water main installations on Seashore Roads (Cable Road and Nauset Road).
- MEPA schedule pre-application meeting with Cape Cod Commission to discuss content of Expanded ENF and DRI
- Preparation for July 9<sup>th</sup> Board of Selectmen meeting
- Agreement: finalize and forward to Sheila
- Funding: schedule meeting with Ron Koontz, USDA to discuss opportunities
- SRF funding prepare the SRF application, for submission to DEP by Aug 15<sup>th</sup>
- Dropbox set up drop box for Eastham to facilitate sharing of project documents



# Eastham Water System Project Coordination Meeting #2

June 25, 2014

The June 25, 2014 coordination meeting was held at Eastham Town Hall and attended by: Sheila Vanderhoef, Town Administrator and Mark White and Paul Gabriel of Environmental Partners Group. Jane Crowley, Board of Health Agent met with us briefly during the meeting. Time of the meeting was 2:30 PM to 5:00 pm.

#### **Discussion Items:**

- 1. Engineering Services Agreement. A draft of the Agreement for engineering services between Environmental Partners Group for the design, permitting, construction services and related tasks associated with the development of the water system, as approved at the May 2014 Annual Town Meeting, has been prepared and copies provided to Sheila Vanderhoef. The format (Engineers Joint Contract Documents Committee), scope of work and budget were reviewed. The draft Agreement is to be forwarded to Town Counsel for their review.
- 2. Infrastructure Bill Sheila is continuing to track the status of this with Sarah Peake. The bill is in front of the Senate (note: since the date of this meeting the bill was passed on the evening of Wednesday, June 25!).
- 3. Design Activities
  - Utility information continues to be collected and compiled:

National Grid (gas) –obtained shape files for use in GIS and AutoCAD design plans NSTAR (electric) – Contacted Kathy White, NSTAR. A Work Order application needs to be received before they will issue any plans or information. This Work Order, which describes the work to be performed, the type of service being requested the anticipated loads, is being prepared now and is to be issued to NSTAR during early July.

Verizon – has been contacted, but is slow to respond. Although utility information for all of Eastham is being requested, a key area is the duct bank along Bridge Street.

Comcast – unresponsive to requests, continuing to make attempts

MassDOT – have requested all available information from Boston office for all of Rt 6. No as-builts of their utility installations are available, only design plans or progress prints. It has been confirmed that the actual location of structures (catch basins, manholes, etc.) are different than those locations shown on DOT plans. This will require survey to be performed of Rt 6 to correctly locate this information.

- Survey request for District G and NRHS well fields, District G storage tank
   Developing quote request, to be issueed to Ryder-Wilcox and Coastal Engineering
- Field program EPG is in the process of identifying the field information (borings, survey of utility inverts, etc.) needed to support the design, and the schedule for collecting this information.
- Base Plans

All of the Town's pertinent GIS data has been converted into AutoCAD format, which will be used as the base plans for the design. Initial sample base plans for segments of

Route 6 have been prepared to evaluate what additional information is needed to complete this base plan information.

#### Route 6 design

EPG is evaluating alternative approaches for placement of the water main within Route 6. Use of the shoulders with water mains on either side of Route 6 versus a single main within the paved travel area will be considered with respect to ease of installation, likely Contractor production rates (and therefore construction time frame) and estimated cost. This analysis will take up to two weeks to complete, and is to result in a recommended approach that is to be presented to Massachusetts DOT. This session with DOT is anticipated to occur during mid-July, pending their availability.

4. NRHS Easement – Sheila has the stamped RLS plan of the proposed easement and will be moving this forward with Town Counsel.

#### 5. Permitting Program

Preparation of the MEPA Expanded ENF and DEP Water Management Act permit is to be initiated next week. The targeted submission date to MEPA is July 31<sup>st</sup>, which will lead to publication in the Environmental Monitor August 6<sup>th</sup>. Targeted submission of the DEP Water Management Act permit is about the same time frame: late July/early August.

A pre-application meeting with MEPA, DEP and the Cape Cod Commission is being requested for the week of July 7<sup>th</sup> (likely toward the end of that week). The meeting will be held in MEPA's Boston office.

Conservation Commission – as part of our last project coordination meeting (June 9<sup>th</sup>) the project team met with Sheila Broghan, Conservation Commission Agent. As design plans are developed further the team is meet with her again (perhaps in July) to determine the permitting approach under the Wetlands Protection Act, as well as to review the existing wetland information that is available on the Town's GIS mapping. A town-wide Notice of Intent for the construction activities was discussed as a possible approach.

Historic Commission – as part of the meeting with Sheila Broghan she brought to the teams attention that that the water main installation may be within two areas that may need to be reviewed by the Historic Commission: the ancient cemetery and the Town's Historic District.

#### 6. Easement Issues

The Assessor's Department has nearly completed compiling all property information from their records that describes the deeds and plans for all parcels on private roads, and that will require some form of easement for installation of the water main. This information is to be reviewed with Gail McAleer, Town Assessor at a meeting scheduled for Tuesday, July 8<sup>th</sup> at Town Hall.

Sheila requested that Environmental Partners prepare a sample plan that includes the information needed in support of either an easement or a license agreement.

#### 7. Funding Requests

DEP SRF – Project Evaluation Form (PEF), the first step in the funding request to DEP, is due August 30<sup>th</sup>. A meeting is being requested with Ashraf Gabour, DEP to inform him of the Town's intent to submit a PEF. This meeting is being requested for early July.

USDA Rural Development – a meeting is being requested with the USDA Project Manager Ron Koontz for early July to determine what funding opportunities exist for the project.



- 8. Landfill Study Area and Groundwater Quality Investigations a conference call was held during this progress meeting with Doug Heeley of Environmental Strategies & Management (ESM) to discuss the status report to be issued to DEP. One of the key issues to be discussed with DEP is what their position is going to be on continued use of private wells within the landfill study area, and whether they will impose restrictions on the use of these wells. The potential that they would place such restrictions was indicated by DEP Millie Garcia-Serrano of the Waste Site Cleanup Group and Mark Dakers of the Solid Waste Group during our meeting with DEP staffers on May 22<sup>nd</sup>, but not discussed in detail. A meeting is being requested with Millia Garcia-Serrano and Mark Dakers, to be attended by ESM, the Town and EPG, to discuss this further.
- 9. Capital Improvements Committee the members of this Committee that are assigned to the water project have been assigned. Sheila requested that EPG attend a meeting in early July to inform the Committee of the status of the project.
- 10. Environmental Partners Project Office/Trailer

  The location of a project office/trailer at the DPW was discussed. Environmental Partners is to follow up with Neil Andres to consider specific location at the DPW and utility services that can be provided (electric, water, septic). Environmental Partners will also coordinate with Jane Crowley, Health Agent, to determine whether connection to the existing septic system will be allowed.
- 11. Schedule no changes to the schedule (May 17, 2014 version) have been made. The concept of a ground breaking in March 2014 was discussed.
- 12. Preparation for Board of Selectman's Meeting of Wednesday, July 9<sup>th</sup>
  The agenda items to be covered with the Board at this meeting were identified. One of the key items will be laying out all of the policy decisions the Board will be dealing with over the coming year. Environmental Partners to develop a draft agenda that will be reviewed at our next project coordination meeting.

Next Project Coordination Meeting: Monday, June 30<sup>th</sup> at EPG's Quincy Office (2:00 pm)