

**TOWN OF EASTHAM
AGENDA
BOARD OF SELECTMEN
Monday, October 20, 2014
5:00 p.m.**

Location: Earle Mountain Room

I. PUBLIC/SELECTMEN INFORMATION

II. ADMINISTRATIVE MATTERS

- A. Action
 - 1. Electronic Voting Committee Charge
 - 2. Committee Appointments:
 - 2.1 Bonnie Cormier – Cemetery Commission
 - 3. M.G.L. c. 138 Retail Alcoholic Beverages License – Extend Sunday Opening Hours to 10:00AM
 - 4. Sign Steelworkers Contract (DPW/Natural Resources Staff)
 - 5. Special Municipal Employee Policy

III. APPOINTMENTS

5:30PM Municipal Water Project Update

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

IV. ADMINISTRATIVE MATTERS

- A. Discussion
 - 1. G.L. c.40, §39M – Drinking Water and Wastewater Infrastructure – New Funding Opportunities
 - 2. Budget Policy Discussion

V. OTHER BUSINESS/CORRESPONDENCE/MINUTES

VI. TOWN ADMINISTRATOR'S REPORT

Upcoming Meetings

<i>Wednesday, October 22, 2014</i>	<i>2:30PM</i>	<i>Work Session Meeting</i>
<i>Monday, November 3, 2014</i>	<i>5:00 PM</i>	<i>Regular Session Meeting</i>
<i>Wednesday, November 5, 2014</i>	<i>2:30PM</i>	<i>Work Session Meeting</i>
<i>Monday, November 17, 2014</i>	<i>5:00 PM</i>	<i>Regular Session Meeting</i>
<i>Wednesday, November 19, 2014</i>	<i>2:30PM</i>	<i>Work Session Meeting</i>

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

**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.*

**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*

DRAFT

Electronic Voting Committee Charge

The Eastham Board of Selectmen under the Eastham Home Rule Charter Section C9-5-0, established an Ad Hoc committee, which shall be known as the Electronic Voting Committee (EVC), whose purpose is to develop, and support the use of Electronic Voting Devices at Town Meeting. The Committee shall be made up of five (5) voting members. The Town Clerk, Town Moderator, and one (1) member of the Board of Selectmen are to be liaisons to the Committee and each may appoint a designee to represent them at any time, or for the duration. The Committee shall periodically report to the Board of Selectmen on its progress.

The Electronic Voting Committee is charged with the following responsibilities:

1. Research and determine specifications, necessary technical capabilities and qualifications of equipment and vendors.
2. Research and identify potential electronic voting equipment and vendors.
3. Explore ways to minimize costs by researching possible grant and collaborative activities with the County or other towns.
4. Once the Board of Selectmen approves a specific approach, conduct a public hearing and public education sessions on the electronic voting system.
5. Recommend to the Town Clerk and Moderator methods of employing e-voting.
6. Participate in and review final RFP before issued.
7. Participate in interviews of selected respondents.
8. Work with and assist the Town Clerk as requested in the implementation of Electronic Voting, including training of tellers and others as may be requested by the Town Clerk.
9. After the May 2015 Annual Town Meeting, review strengths and weaknesses of electronic voting and make recommendations to the Board of Selectmen about continuation or abandonment.

Unless extended, the Committee's Service shall be terminating on June 30, 2016.

Adopted by the Board of Selectmen on _____.

October 22, 2014

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: **Committee Appointment**

The following is the information needed to make a committee appointment.

Bonnie Cormier

The interview committee recommends the appointment of Bonnie Cormier to the Cemetery Commission.

If the Board appoints her, her first term would commence October 22, 2014 and expire June 30, 2017.
She seeks to replace Edmond Harnett whose third term ended June 30, 2014.

Search Committee Interview form

It is the responsibility of the Search Committee Liaison to present this signed interview form to Lisa Shaw for processing.

Date and Time _____

Name of Committee CEMETERY COMMISSION

Interview Panel

Selectmen Liaison _____

Search Liaison ROBERT SMITH

Committee Chair BOB. CARLSON

Applicant(s) BONNIE CORMIER

Recommendation of the Interview Panel to the BOS

The Panel has selected: BONNIE CORMIER

This recommendation is based on: _____

MARTIN F. McDONALD

Selectmen Liaison

[Signature]

Search Liaison

Robert Carlson

Committee Chair

Date Received: SEP 19 2014 Date Interviewed: _____
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.

Name: Bonnie Cormier
Address: 415 McKay Rd Eastham 02642
Mailing Address (if different): _____
Home Phone: 508-255-2764 Cell Phone: NA
Work Phone: NA Email: blrcormier4@comcast.net

LOCAL COMMITTEES: Please indicate up to three boards, commissions, or committees in which you are interested. Place a "1" next to your top priority, continuing with "2" and "3" as appropriate. If you have no preferences, simply check up to three. **Please note:** To be appointed to a regulatory committee (bold letters), you must be a registered voter in Eastham, and you may only serve on one regulatory committee.

- | | |
|---|---|
| <input type="checkbox"/> Animal Advisory Committee | <input type="checkbox"/> Long Range Planning Committee |
| <input type="checkbox"/> Bikeways Committee | Olde Town Centre Historic District |
| Board of Assessors | <input type="checkbox"/> Open Space Committee |
| Board of Health | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Board of Highway Surveyors | Public Access Committee of Eastham (P.A.C.E) |
| <input checked="" type="checkbox"/> Board of Cemetery Commissioners | Recreation Commission |
| <input type="checkbox"/> Community Preservation Committee | <input type="checkbox"/> Recycling Committee |
| Conservation Commission | Search Committee |
| <input type="checkbox"/> Council on Aging Board of Directors | <input type="checkbox"/> 1651 Forest Advisory Committee |
| Cultural Council | Visitor's Tourism and Promotion Services Board |
| Finance Committee | <input type="checkbox"/> Water Management Committee |
| Historical Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Human Services Advisory Committee | |
| | Other |

Please fill out back of form

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.

D Check here if additional information is attached

Work on several town boards in Russell MA. Interested in history so the cemeteries are fun to be involved with. Archivist at Eastham Historical Society

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:

Committee Name:

Term Served:

NA

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
- Met with the chair(s) of the committee(s)
- Read The Ten Rules Municipal Employees Need
- to Know about the Conflict of Interest Law

<input checked="" type="radio"/> Yes	<input type="radio"/> No
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<input checked="" type="radio"/> Yes	<input type="radio"/> No
<input type="radio"/> Yes	<input checked="" type="radio"/> No

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.

Signature: Bonnie Cormier Date: 9-19-14

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

MEMORANDUM

TO: Town Administrator
Board of Selectmen

FROM: Madelynne Magill
Licensing Clerk



DATE: October 16, 2014

RE: Requests for Change of Sunday Opening Hours

I have attached three requests for change of Sunday opening hours from noon to 10:00 a.m., which has been approved by the ABCC.

The requests are from:

Leslie Plumb, Manager of Town Center Package Store

Edward Wilcox, Manager of Eastham Superette

Samuel DeLuca, Counsel for Tedeschi Food Shops

Appropriate forms have been submitted, and there is no fee or advertising required for these requests.

If these requests are approved please sign the Form 43 for each business, where indicated.

Thank you!



Steven Grossman
Treasurer and Receiver General

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114

Kim S. Gainsboro
Chairman

THE ALCOHOLIC BEVERAGES CONTROL COMMISSION ("ABCC") ADVISORY
M.G.L. c. 138, §15 OFF-PREMISES RETAIL LICENSEES SUNDAY OPENING TIME
ALLOWED AT 10:00 A.M.

Effective October 23, 2014¹, off-premises retail alcoholic beverages licensees (M.G.L. c. 138, §15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours.

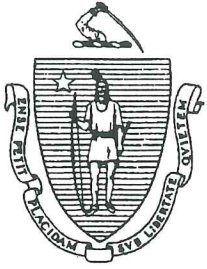
The simplest way for licensees to effectuate this change is to follow the process outlined in the CHANGE OF HOURS Application which may be found on our website at <http://www.mass.gov/abcc/pdf/forms/nofeetransmittal.pdf>. Licensees should use this form to notify the Local Licensing Authority of the change in hours and attach a corporate vote authorizing the change. Upon receipt of this request, the Local Licensing Authority must approve it. The Local Licensing Authority should forward an approved "Form 43" with the additional Sunday hours of sale to the ABCC for each licensee affected.

As mentioned above, this law does not go into effect until October 23, 2014. All licensees should ensure that sales of alcoholic beverages take place only on the days and hours approved by the Local Licensing Authority. Licensees who fail to notify the Local Licensing Authority about the change to their hours are prohibited from making sales at an earlier time than those permitted on the face of their license.

As always, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Individuals with questions concerning this advisory may contact Ralph Sacramone, Executive Director, at 617-727-3040 x 731.

(Issued: September 8, 2014)

¹ The Massachusetts Legislature amended M.G.L. c 136, §6(52) which allow off-premises M.G.L. c. 138, §15 or so called "package store" license holders to sell alcoholic beverages, beginning at 10 A.M. on Sundays.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

☐ For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

036400015

ABCC License Number

EASTHAM

City/Town

October 20, 2014

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input checked="" type="checkbox"/> Other Change of Hours |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee Town Center Package Store, Inc.

EIN of Licensee 04-2450735

D/B/A Town Center Package Store

Manager Leslie A. Plumb

ADDRESS: 4550 State Highway (Town Center Plaza)

CITY/TOWN: Eastham

STATE M

ZIP CODE 02642

Annual

All Alcohol

Package Store

Annual or Seasonal

Category: (All Alcohol- Wine & Malt Wine,
Malt & Cordials)

Type: (Restaurant, Club, Package
Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

One story - 3 rooms and refrigerator with an entrance and exit on Route 6 and a service door in the rear.

Application Filed: October 1, 2014

Date & Time

Advertised: n/a

Date & Attach Publication

Abutters Notified: Yes ☐ No ☒

Licensee Contact Person for Transaction Leslie Plumb

Phone: 508-255-3660

ADDRESS: 4550 State Highway

CITY/TOWN: Eastham

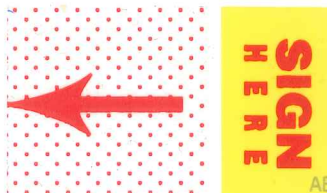
STATE MA

ZIP CODE 02642

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



ABCC Remarks:

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

Print Form

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

036400015

LICENSEE NAME:

Town Center Package Store

ADDRESS:

4550 State Highway, P.O. Box 1884

CITY/TOWN:

N. Eastham

STATE

MA

ZIP CODE

02651

TRANSACTION TYPE (Please check all relevant transactions):

- ☒ Change of Hours
☐ Change of DBA
☐ Charity Wine License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

Change of Hours Checklist

This application will be returned if the following documentation is not submitted:

☒ Vote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary

THE TOWN CENTER PACKAGE STORE, INC.
ACTION BY UNANIMOUS CONSENT
OF THE DIRECTORS AND STOCKHOLDERS

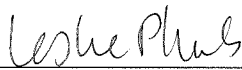
Pursuant to Massachusetts General Laws, Chapter 156D, Section 8.21 and Section 7.04, the undersigned, being the Directors and Stockholders of **THE TOWN CENTER PACKAGE STORE, INC.** (the "Corporation"), hereby consent in writing to the actions set forth in the form of votes immediately following, which shall be treated as votes for all purposes as fully as if said actions and votes had been adopted at a duly called and held meeting of the Directors and Stockholders of the Corporation.

VOTED: That the President of the Corporation be, and she hereby is, authorized and empowered, in the name and on behalf of the Corporation, to take all necessary steps with the Board of Selectmen for the Town of Eastham and the Alcoholic Beverages Control Commission, to update the liquor license for the Corporation to reflect the change in hours of operation of the business on Sunday from an opening time of 12:00 noon to an opening time of 10:00 am.


VOTED: That any or all of the officers of the Corporation, acting singly or in combination, are hereby authorized and empowered, and directed to take, for and on behalf of the Corporation, and in its corporate name, any and all such actions as such officers may, in their sole discretion, as evidenced by so acting, deem necessary, convenient or desirable to effect the purposes of the foregoing votes including, without limitation, execution, sealing and delivery of certificates, documents and instruments.

The undersigned direct that this Consent shall be effective as of the first date on which it has been executed by all of the directors and stockholders and delivered to the Corporation in accordance with Sections 8.21 and 7.04 of Chapter 156D. The undersigned further direct that this Consent shall be filed in the minute book of the Corporation with the minutes of the meetings of the directors and stockholders. This written consent may be executed in one or more counterparts

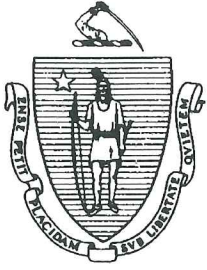
The actions taken by the foregoing votes shall be deemed to have been taken at the offices of the Corporation in North Eastham, Massachusetts, as of 9-29, 2014.



Leslie A. Plumb
DIRECTOR/STOCKHOLDER



Kevin G. Plumb
STOCKHOLDER



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

☐ For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

036400016

ABCC License Number

EASTHAM

City/Town

October 20, 2014

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input checked="" type="checkbox"/> Other Change of Hours |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee Wilcox Family Market, Inc.

EIN of Licensee 45-5171659

D/B/A Eastham Superette

Manager Edward Wilcox

ADDRESS: 2475 State Highway

CITY/TOWN: Eastham

STATE

M

ZIP CODE

02642

Annual

Annual or Seasonal

All Alcohol

Category: (All Alcohol- Wine & Malt Wine,
Malt & Cordials)

Package Store

Type: (Restaurant, Club, Package
Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

Store and wing consisting of one story with sales room in front. Storage room in back, additional storage area consisting of 390 sq. ft. in cellar, front entrance, two side exits, one rear exit.

Application Filed: October 1, 2014

Date & Time

Advertised: n/a

Date & Attach Publication

Abutters Notified: Yes ☐ No ☒

Licensee Contact Person for Transaction Sarah Wilcox

Phone: 508-255-0530

ADDRESS: 2475 State Highway

CITY/TOWN: Eastham

STATE

MA

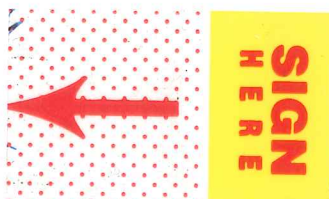
ZIP CODE

02642

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



ABCC Remarks:

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

Print Form

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.**

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

036400016

LICENSEE NAME:

WILCOX FAMILY MARKET, INC.

ADDRESS:

2475 STATE HIGHWAY

CITY/TOWN:

EASTHAM

STATE MA

ZIP CODE

02642

TRANSACTION TYPE (Please check all relevant transactions):

- ☒ Change of Hours
☐ Change of DBA
☐ Charity Wine License

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

CERTIFICATE OF CORPORATE VOTE
of
WILCOX FAMILY MARKET, INC.

I, Sarah E. Wilcox, do hereby certify:

That I am the Secretary of Wilcox Family Market, Inc.

That at a meeting of the Executives of Wilcox Family Market, Inc., held at 2475 State Highway, Eastham, MA 02642, September 29, 2014, all the Directors being present and voting, it was unanimously adopted:

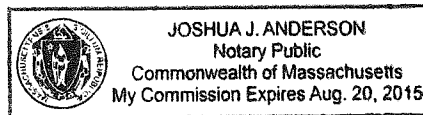
VOTED: Change of operating hours for Sunday operations of liquor store, opening hours changing from 12 noon on Sundays to 10 a.m. on Sundays.

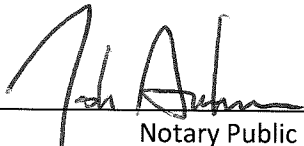
IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of September, 2014.


Secretary

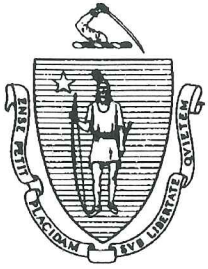
COMMONWEALTH OF MASSACHUSETTS
BARSTABLE, SS.

On this 29th day of September, 2014 before me, the undersigned notary public, personally appeared Sarah E. Wilcox, Secretary of Wilcox Family Market, Inc. proved to me satisfactory evidence of identification which was Massachusetts driver's license, to be the person whose name is signed above on this document, and acknowledged to me that she signed it voluntarily for the stated purpose.




Notary Public

My commission expires Aug 20th, 2015



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

☐ For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

036400021

ABCC License Number

EASTHAM

City/Town

October 20, 2014

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input checked="" type="checkbox"/> Other Change of Hours |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee Lower Cape Liquors, Inc.

EIN of Licensee 04-3115148

D/B/A Tedeschi Food Shops

Manager David Hayden

ADDRESS: 2360 State Highway

CITY/TOWN: Eastham

STATE

M

ZIP CODE

02642

Annual

Annual or Seasonal

Wine & Malt

Category: (All Alcohol- Wine & Malt Wine,
Malt & Cordials)

Package Store

Type: (Restaurant, Club, Package
Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

Two rooms on first floor. One entrance in front of store and one exit located in rear of store.

Application Filed: October 1, 2014

Date & Time

Advertised: n/a

Date & Attach Publication

Abutters Notified: Yes ☐ No ☒

Licensee Contact Person for Transaction Samuel DeLuca

Phone: 781-610-2370

ADDRESS: 2360 State Highway

CITY/TOWN: Eastham

STATE

MA

ZIP CODE

02642

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

Print Form

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.**

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

036400021

LICENSEE NAME:

Lower Cape Liquors, Inc.

ADDRESS:

2360 State Highway

CITY/TOWN:

Eastham

STATE MA

ZIP CODE

02642

TRANSACTION TYPE (Please check all relevant transactions):

- ☒ Change of Hours
☐ Change of DBA
☐ Charity Wine License

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

Change of Hours Checklist

This application will be returned if the following documentation is not submitted:

☒ Vote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary

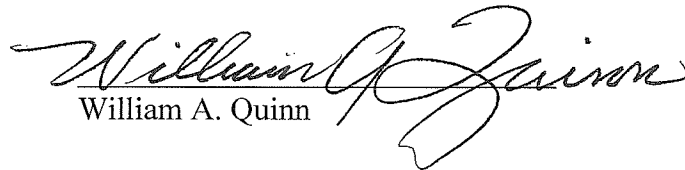
LOWER CAPE LIQUORS, INC.

CONSENT VOTE OF SOLE DIRECTOR

September 22, 2014

Pursuant to Massachusetts General Laws, Chapter 156D, Section 8.21, and pursuant to Article IV, Section 8, of the By-Laws of the corporation, the undersigned, being the sole Director of Lower Cape Liquors, Inc., hereby approves and adopts the following vote on the day and year first above written:

VOTED: To authorize the sale of alcoholic beverages on Sundays beginning at 10:00 A.M. commencing Sunday, October 26, 2014 for the store located at 2360 State Highway, Route #6, Eastham, Massachusetts and to authorize the President and store manager to execute all documents and do all acts necessary to complete such change.


William A. Quinn

Lower Cape Liquors, Inc.

October 1, 2014

Ms. Madelynne Magill, Licensing Clerk
Town Of Eastham
2500 State Highway
Eastham, MA 02642-2544

RE: Change of Hours for the Sale of Alcoholic Beverages
Lower Cape Liquors, Inc. – David Hayden, Manager
2360 State Highway, Eastham, MA 02642

Dear Ms. Magill:

Enclosed please find the following duly executed ABCC Retail Alcoholic Beverages License Application for the change of Sunday hours for Lower Cape Liquors, Inc. and Consent Vote of Director authorizing the change of Sunday hours.

If you have any questions, or require any further information, please do not hesitate to contact me at 781-610-2370, or Attorney Glenn Leger at 781-610-2255.

Sincerely,



Samuel E. DeLuca
Corporate Counsel

Enclosures

cc: Glenn Leger, Esq. (w/o enc.)

October 20, 2014

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator and Sue Fischer, Town Clerk

Re: Policy for Considering Special Municipal Employee Status Requests

Sue and I gathered the sample policy and the discussion of the Board on this matter and developed the draft policy, below for your consideration.

Board of Selectmen's Policy Relating to Granting of Special Municipal Employee Status to
Appointed Committee Members, Pursuant to M.G.L. Chapter 268A.

In general, the provisions of Massachusetts General Laws Chapter 268A, Section 17 prohibits a municipal employee from receiving compensation from or acting as agent or attorney for anyone other than the Town in a matter in which the Town has a direct and substantial interest. The Board is aware of the fact that the State Ethics Commission defines "municipal employee" as any person that provides services to the Town, regardless of how that person was hired, elected or appointed, or whether the person receives compensation for his/her services. The Board understands that the State Ethics Commission would find that virtually any matter, which comes before a particular board, or official, which requires official action, is a matter in which the Town has a direct and substantial interest. The provisions of Massachusetts General Laws Chapter 268A, Section 17 is intended to prevent divided loyalties and any appearance of unfair or special advantage.

As the State Ethics Commission states, cities, and towns are entitled to undivided loyalty by their municipal employees. The Board of Selectmen strongly believes that in order to promote public confidence in the administration of the town government a municipal employee's loyalty must lie first with the Town and that Special Municipal Employee status should be granted only in very limited circumstances. The Board is of the opinion that in general, positions, committees and boards that set public policy, have regulatory authority, or have appointing authority should not be granted Special Municipal Employee status.

Therefore, it is the policy of the Board of Selectmen to consider special municipal employee status for any municipal employee except under extraordinary circumstances and using the following process:

1. the committee members seeking the status, petitions the Board of Selectmen in writing, stating the reason for the request;
2. the applicant discusses the matter with others on the committee as all members will need to be like designated;
3. The applicant appears before the Board in a public meeting to discuss the request at which the Board makes a determination to grant or deny the request.

Any request so granted or denied shall be confirmed by a written communication to the applicant.

October 14, 2014

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs
Att. MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02108

RECEIVED

OCT 15 2014

MEPA

RE: Town of Eastham Water System
MEPA Expanded Environmental Notification Form

Dear Mr. Sullivan:

On behalf of the Town of Eastham, attached is the MEPA Expanded Notification Form (ENF) for the proposed Eastham water system. Eastham currently has no municipal water system and relies almost exclusively on private wells for their drinking water. Because the Town also has no municipal wastewater collection and treatment system, these private wells are frequently in close proximity to onsite wastewater disposal systems. This condition has led to the progressive decline in the drinking water quality of these private wells. In addition, because there is no municipal water system the Town has limited ability to provide fire protection.

The need for this municipal water system has been seriously considered and debated by the Eastham community for many years and has been the subject of various Town Meeting articles over this time. At their May 2014 Town Meeting the community voted overwhelmingly to proceed with this water system, which will include the construction of well fields, a storage tank and 45 miles of distribution system piping. This water system will provide a reliable, high quality water supply to a third of the Town's properties and fire protection to 80% of the community. The background, purpose, alternatives considered, environmental characteristics and proposed mitigation measures associated with this project are described in detail in this Expanded ENF.

The Town is requesting that a Single Environmental Impact Report (EIR) be allowed, and therefore this Expanded ENF has been prepared in accordance with 301 CMR 11.05(7) and consists of the form and content of an EIR as described in 301 CMR 11.07(6).

Agencies and persons receiving copies of this Expanded ENF are listed in Appendix J. Public Notice of the Expanded ENF is to be made in two local publications: the Cape Codder on October 17, 2014, and the Cape Cod Times on October 19, 2014.

We have very much appreciated the input and guidance that your staff have provided the Town as this Expanded ENF was being prepared. Please feel free to contact me if you have any questions or need clarification with any of the information contained herein.

Secretary Richard K. Sullivan
Eastham Water System – Expanded ENF
October 14, 2014

Page 2

Very Truly Yours,
Environmental Partners Group, Inc.



Mark N. White
Project Manager

Enclosure: MEPA Expanded ENF for Eastham Water System (2 copies)

Cc: Sheila Vanderhoef, Eastham Town Administrator
DEP –Boston Office
DEP - Southeast Regional Office
Eastham Board of Selectmen
Massachusetts Department of Transportation - Public/Private Development Unit
Massachusetts Department of Transportation - District 5
Massachusetts Historical Commission
Cape Cod Commission
Eastham Board of Selectmen
Eastham Planning Board
Eastham Conservation Commission
Eastham Board of Health
Division of Marine Fisheries (South Shore)
Natural Heritage and Endangered Species Program
DCR
Division of Energy Resources

October 6, 2014

Mr. George E. Price, Jr., Superintendent
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667

Re: Eastham Water System
Nauset Road and Cable Road Access – Supplemental Information

Dear Mr. Price:

Below and enclosed is supplemental information on the water mains that are proposed to be installed on Nauset and Cable Roads as part of the Eastham water system. As you are aware, portions of Nauset and Cable Roads are located on National Seashore property, the approximate limits of which are shown on the attached Figure 1. Having had some initial discussions on this issue with your staff in August, they requested that we provide some detailed information on the specific location of the water mains and their construction requirements once the design approach is better understood. The preliminary water main design on these two roads have been developed, which provides the location of the water mains, hydrants and valves. The pertinent sections of the preliminary design and construction details are attached.

Our understanding is that the Seashore will review this information and evaluate what the appropriate next steps are for granting access to the Town for the installation and maintenance of these water mains, hydrants, valves and water services.

Nauset Road Water Main

The Seashore property on Nauset Road is located from the Route 6 intersection, past the Visitor Center to approximately 4,500 feet from that intersection. The attached Drawings, Sheets C-6 through C-8, show the location of the proposed water main on this stretch of Nauset Road. The water main is to be installed within the existing paved roadway area at the locations shown on the Drawings. Hydrants and valves are also indicated on the preliminary design. In addition, the final design plans will show proposed service connections to each developable parcel along the water main route.

Standard water main design procedures were utilized for the preliminary design, and include the following:

- The water main will be installed approximately 5 feet below the roadway surface and will be 12-inch diameter ductile-iron pipe. The trench for the piping will be four feet wide.
- Fire hydrants will be installed at approximately 500 foot intervals at the locations shown on the Drawings. Overall, 12 hydrants are to be installed along this stretch of Nauset Road.
- Temporary pavement will be placed weekly during construction and permanent pavement will be placed approximately six months afterwards to allow for trench settling.
- It is anticipated that the Contractor could install approximately 300 feet of water main each day. Based on this, the water main installation will require approximately three weeks to complete. Additional construction duration is required to install fire hydrant assemblies and

water service connections. The total estimated construction duration on Nauset Road on National Seashore property is approximately five - six weeks.

Cable Road Water Main

Cable Road runs eastward from Nauset Road. The water main on Cable Road will be connecting the well field located at the Nauset Regional High School to the distribution system at Nauset Road, and will be approximately 1,200 feet on Cable Road. The proposed location of the water main is shown on Sheet C-3. The water main installation will be the same in every respect to that for Nauset Road: it will consist of a 12" water main, be located within the paved roadway area, placed approximately 5' below grade, and finished with temporary and permanent pavement. Hydrants will be installed at approximately 500 foot intervals (two – three hydrants overall). Overall, the construction activities are anticipated to take approximately three weeks to complete.

Schedule

The design of the water system is underway and the Town is currently in the process of securing the necessary permits for the project, which we understand will likely include a Special Use Permit for Roadway Access and a Right of Way permit from the Seashore. The Town is looking to complete these design and permitting activities by early 2015 so that Contractors can be solicited and the construction activities can commence by late Spring 2015.

As always, we appreciate your assistance on this matter and are always available to meet with you or your staff at any time to discuss this further. Please call or email me ((617) 291-6772 or mnnw@envpartners.com) with any questions, or if you need any additional information.

EPG

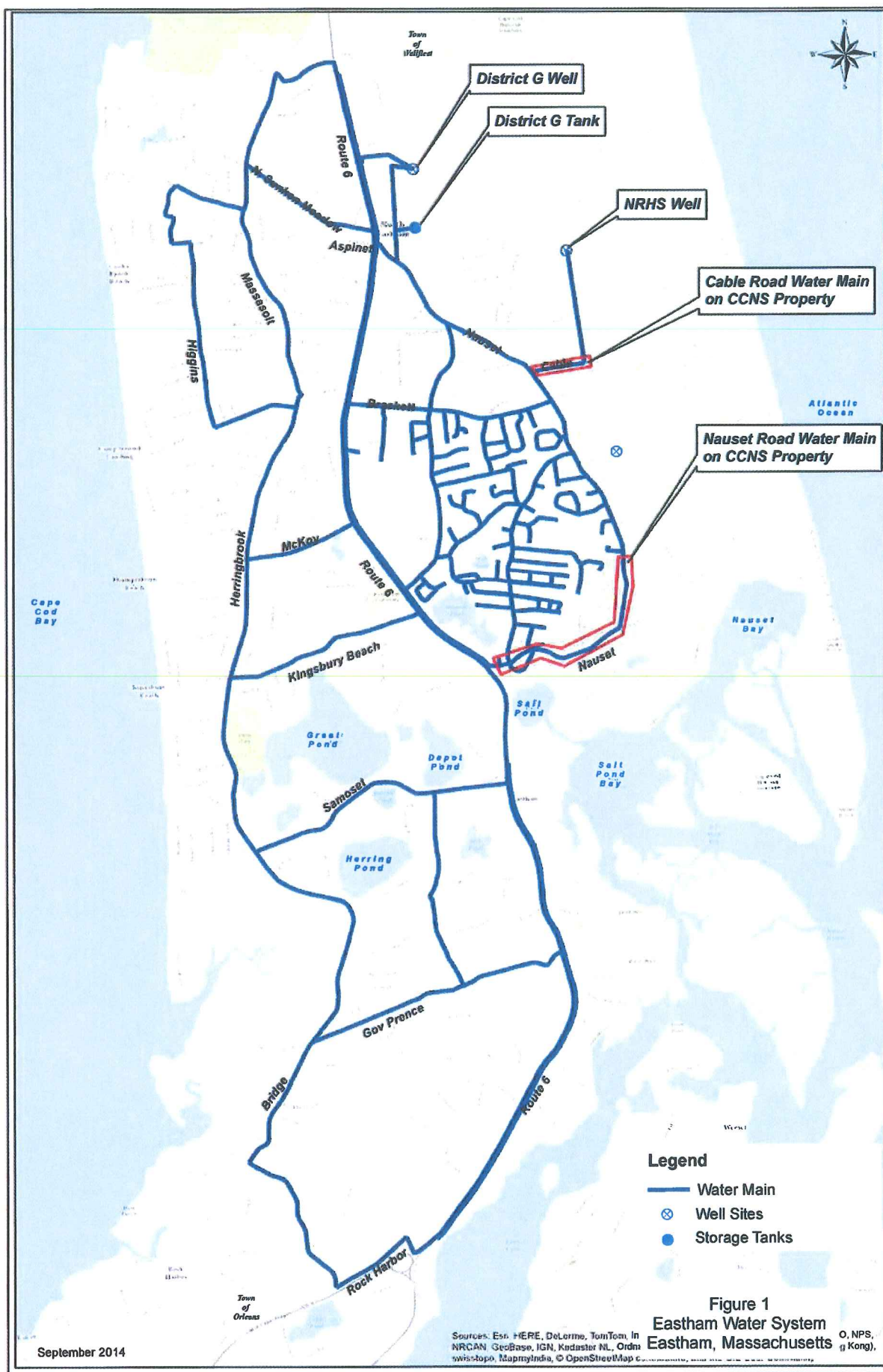
Sincerely,



Mark N. White
Project Manager

Encl: Figure 1. Location of Eastham water system and CCNS property on Nauset and Cable Roads
Preliminary Design Drawings and Details of Water Mains on Nauset and Cable Roads
(Nauset Road: Sheets C-6 through C-8; Cable Road: Sheet C-3)

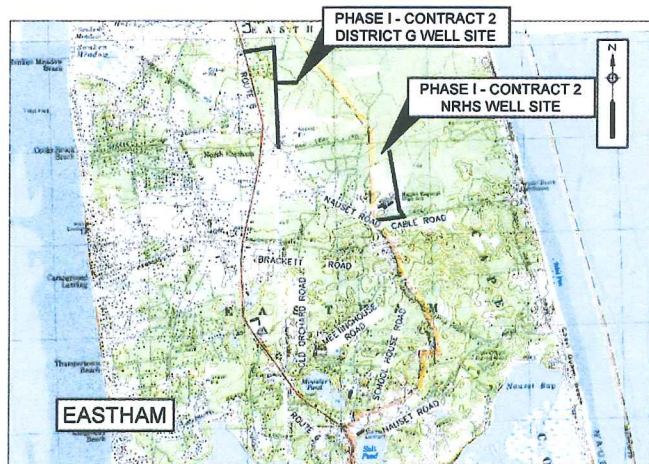
cc: Sheila Vanderhoef, Eastham Town Administrator
Kathy Tevyaw, CCNS Deputy Superintendent
Lauren McKean, CCNS Planner
Jason Taylor, CCNS Chief of Natural Resource Management



PHASE I - CONTRACT 2 WATER SUPPLY WELLS

EASTHAM, MASSACHUSETTS

OCTOBER 2014



VICINITY MAP
1" = 2,000'

LIST OF DRAWINGS

- G-1 GENERAL NOTES AND LEGEND
- G-2 PAVEMENT SCHEDULE AND KEY PLAN
- C-1 NRHS WELL SITE
- C-2 NRHS WELL SITE WATER MAIN I
- C-3 NRHS WELL SITE WATER MAIN II
- C-4 DISTRICT G WELL SITE
- C-5 DISTRICT G WATER MAIN I
- C-6 DISTRICT G WATER MAIN II
LINDA LANE AND TANK SITE CONNECTIONS
- C-7 CIVIL DETAIL I
- C-8 CIVIL DETAIL II
- C-9 CIVIL DETAIL III
- M-1 WELL HOUSE LAYOUT
- M-2 MECHANICAL DETAILS
- I-1 INSTRUMENTATION

TOWN ADMINISTRATOR

SHEILA VANDERHOEF

BOARD OF SELECTMEN

LINDA BURT
JOHN KNIGHT
MARTIN McDONALD
WALLACE ADAMS, II
ELIZABETH GAWRON

PUBLIC WORKS SUPERINTENDENT

NEIL ANDRES, P.E.



PROGRESS PRINT
NOT FOR CONSTRUCTION
SEPTEMBER 2014

Environmental Partners
A partnership for engineering solutions. GROUP



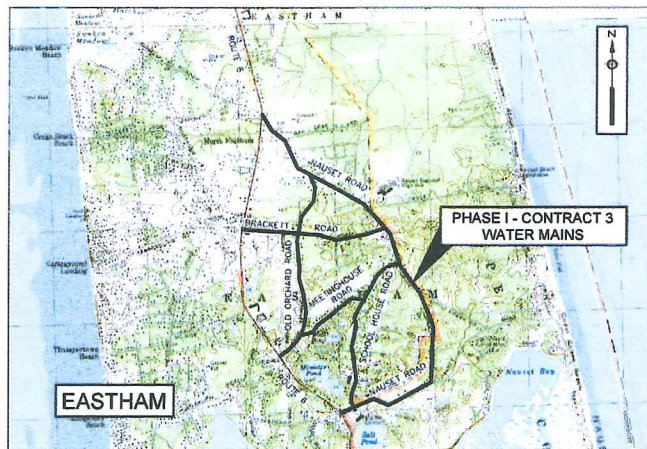
THIS LINE IS ONE INCH
LONG WHEN PLOTTED
AT FULL SCALE ON A
22" X 34" DRAWING

FOR REVIEW

Sheet No

C-3

PHASE I - CONTRACT 3 WATER MAINS - LANDFILL AREA, TOWN OWNED WATER SYSTEM CONSTRUCTION EASTHAM, MASSACHUSETTS OCTOBER 2014



VICINITY MAP
1" = 2,000'

LIST OF DRAWINGS

G-1	GENERAL NOTES AND LEGEND	C-13	BRACKETT ROAD I
G-2	PAYEMENT SCHEDULE AND KEY PLAN	C-14	BRACKETT ROAD II
C-1	HAUSET ROAD I	C-15	BRACKETT ROAD III
C-2	HAUSET ROAD II	C-16	SCHOOL HOUSE ROAD I
C-3	HAUSET ROAD III	C-17	SCHOOL HOUSE ROAD II
C-4	HAUSET ROAD IV	C-18	SCHOOL HOUSE ROAD III
C-5	HAUSET ROAD V	C-19	MEETINGHOUSE ROAD I
C-6	HAUSET ROAD VI	C-20	MEETINGHOUSE ROAD II
C-7	HAUSET ROAD VII	CD-1	CONSTRUCTION DETAILS I
C-8	HAUSET ROAD VIII	CD-2	CONSTRUCTION DETAILS II
C-9	OLD ORCHARD I	CD-3	CONSTRUCTION DETAILS III
C-10	OLD ORCHARD II		
C-11	OLD ORCHARD III		
C-12	OLD ORCHARD IV		

TOWN ADMINISTRATOR

SHEILA VANDERHOEF

BOARD OF SELECTMEN

LINDA BURT
JOHN KNIGHT
MARTIN McDONALD
WALLACE ADAMS, II
ELIZABETH GAWRON

PUBLIC WORKS SUPERINTENDENT

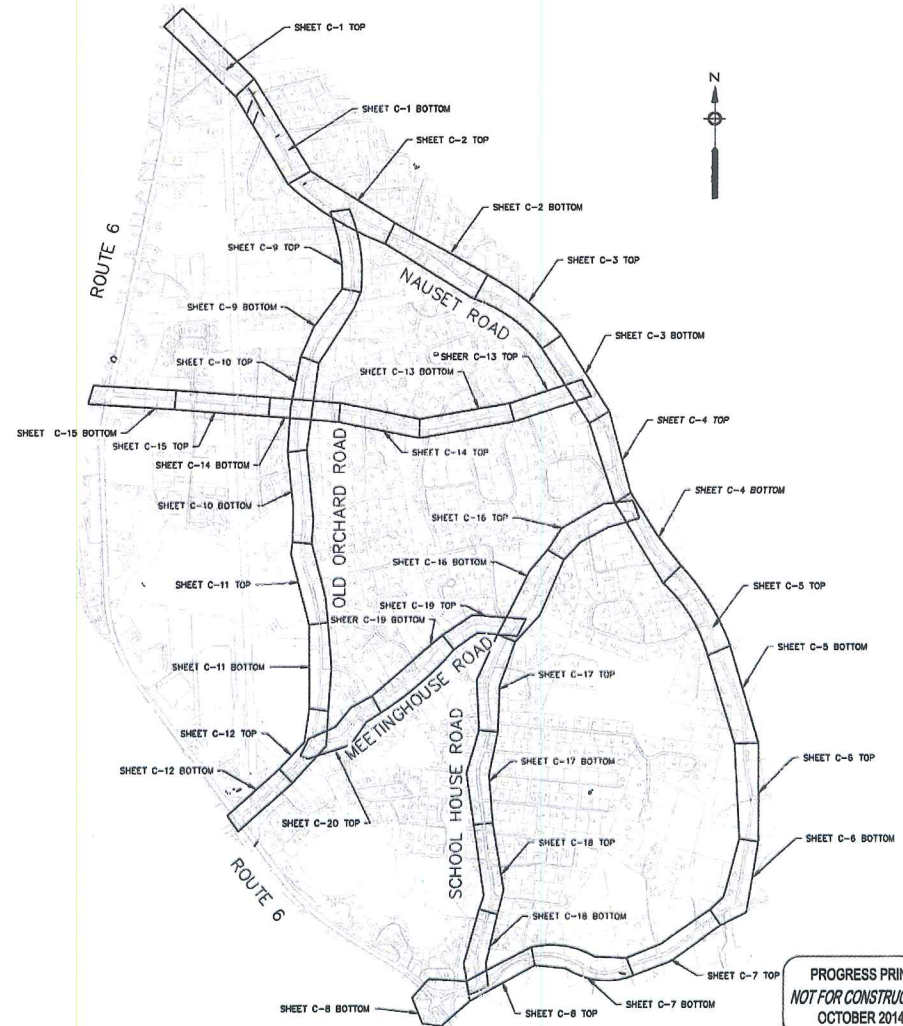
NEIL ANDRES, P.E.



PROGRESS PRINT
NOT FOR CONSTRUCTION
OCTOBER 2014

Environmental Partners
A partnership for engineering solutions GROUP

TEMPORARY AND PERMANENT PAVEMENT SCHEDULE			
SHEET	STREET	TEMPORARY PAVEMENT	PERMANENT PAVEMENT
C-1 - C-8	NAUSET ROAD		
C-9 - C-12	OLD ORCHARD ROAD		
C-13 - C-15	BRACKETT ROAD		
C-16 - C-18	SCHOOL HOUSE ROAD		
C-19 - C-20	MEETINGHOUSE ROAD		



PROGRESS PRINT
NOT FOR CONSTRUCTION
OCTOBER 2014



Environmental Partners
A partnership for engineering solutions. GROUP

Scale	1"=40'
Date	OCTOBER 2014
Job No.	217.1401.03
Designed by	OCB
Drawn by	TRG
Checked by	RLT
Approved by	PCM

THIS LINE IS ONE INCH
LONG WHEN PLOTTED
AT FULL SCALE ON A
22" X 34" DRAWING

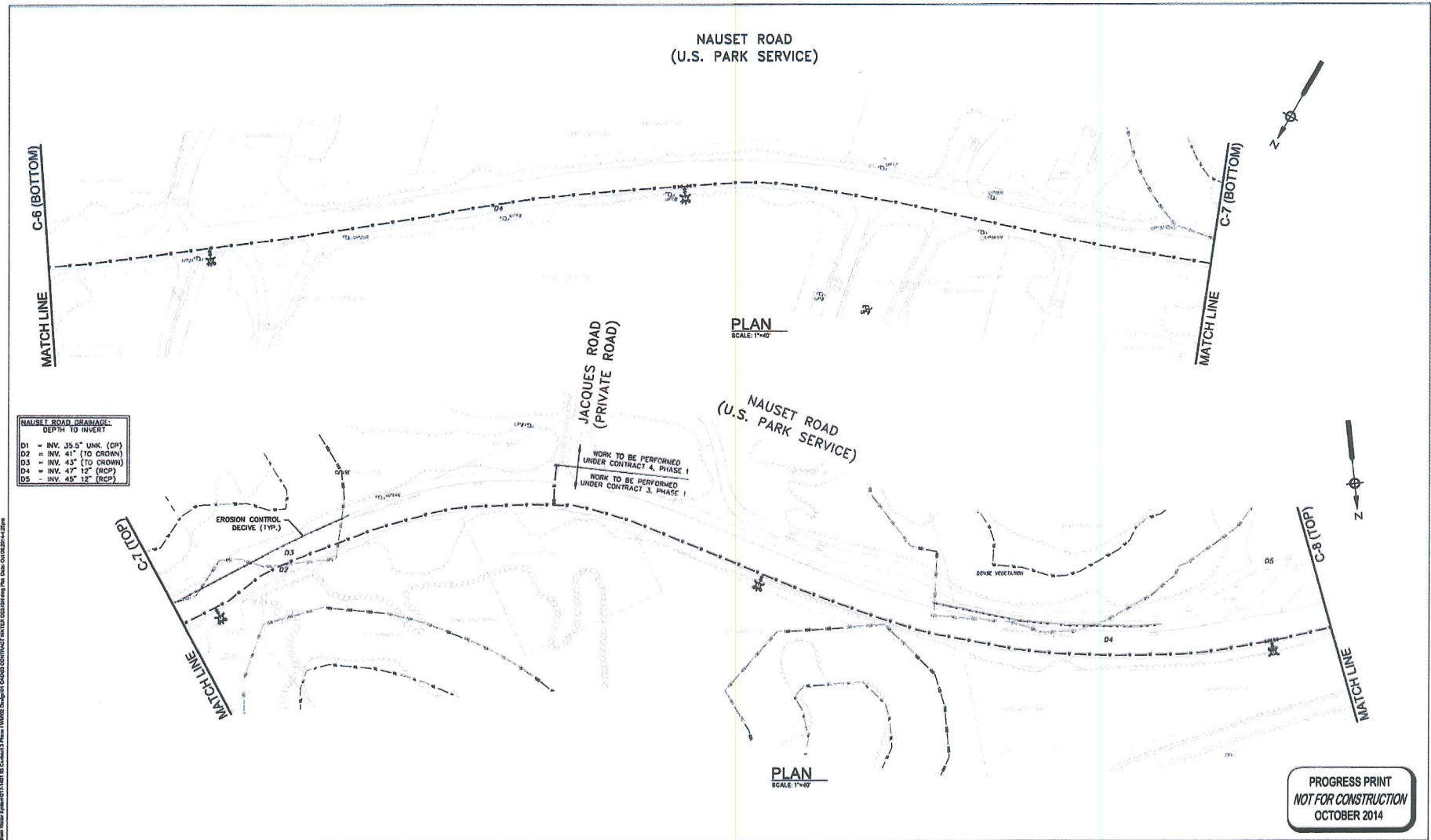
PHASE I - CONTRACT 3
WATER MAINS
EASTHAM, MASSACHUSETTS


PAVEMENT SCHEDULE AND KEY PLAN

FOR REVIEW

Sheet No.

G-2



 <div>Environmental Partners <small>A partnership for engineering solutions.</small></div>									<div>Scale1"=40'</div> <div>DateOCTOBER 2014</div> <div>Job No217 1401 03</div> <div>Designed byGCB</div> <div>Drawn byCSB</div> <div>Checked byRJT</div> <div>Approved byPCM</div>		<div>THIS LINE IS ONE INCH LONG WHEN PLOTTED AT FULL SCALE ON A 22" X 34" DRAWING</div>	PHASE I - CONTRACT 3 WATER MAINS EASTHAM, MASSACHUSETTS		FOR REVIEW
									Sheet No.					
									C-7					
MARK	DATE	DESCRIPTION												

From: KopelmanAndPaigePC <KopelmanAndPaigePC@k-plaw.com>
Sent: Thursday, October 02, 2014 11:12 AM
To: KopelmanAndPaigePC
Subject: Kopelman and Paige, P.C. Community Update: Drinking Water and Wastewater Infrastructure - New Funding Opportunities



Drinking Water and Wastewater Infrastructure - New Funding Opportunities

In some areas of Massachusetts, a majority of the existing wastewater and drinking water infrastructure was built following World War II, and it continues to age and slowly deteriorate. In other areas, cities and towns are exploring their options for installing wastewater treatment and disposal facilities for the first time. Water and wastewater infrastructure improvement and replacement projects can be expensive, yet given the potential magnitude of impacts resulting from failure of such infrastructure, proper maintenance and timely replacement is essential. Municipalities and utilities are ultimately responsible for the ongoing process of evaluation, maintenance and replacement of this infrastructure to protect water quality and public health. However, there are significant funding challenges that inhibit the ability of municipalities to fulfill this duty. In response to these funding challenges the Massachusetts legislature passed Chapter 259 of the Acts of 2014. This Memorandum highlights the relevant sections of the new legislation that create the opportunity for a significant new revenue stream for municipal funding of drinking water and wastewater infrastructure.

Massachusetts municipalities have traditionally funded drinking water and wastewater infrastructure projects with monies appropriated from their general funds or monies raised through betterment assessments. The recently enacted legislation, which has been codified at G.L. c.40, §39M, creates an alternative to these traditional funding methods that will enable municipalities to do more effective long term planning for drinking water and wastewater infrastructure projects. Similar to the Community Preservation Act of 2000, the new legislation permits municipalities that accept the law to impose a surcharge on real property at a rate up to, but not exceeding, three per cent (3%) of the real estate tax levy against real property for water infrastructure purposes. As with the CPA, revenues collected through the surcharge are not counted for the purpose of establishing the limit on the local tax levy imposed by Proposition 2½. All monies collected from the surcharge must be deposited into a special fund separate from the general fund known as the Municipal Water Infrastructure Investment Fund. Monies in the Fund may be appropriated by the local legislative body

“exclusively for maintenance, improvements and investments to municipal drinking, wastewater and stormwater assets.”

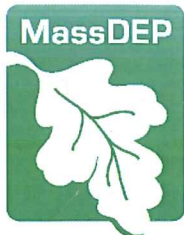
In order to collect the surcharge and establish a Municipal Water Infrastructure Investment Fund, a municipality must follow the two-step process to adopt the law established by G.L. c.40, §39M(f). First, the municipality’s legislative body must vote by a majority to accept the statute and designate the surcharge percentage. Thereafter, the voters of a city or town must vote to accept the law at the next regular municipal or state election. The collection of the surcharge would begin the first fiscal year following adoption unless the municipality specifies a future fiscal year in its acceptance vote.

Any city or town that has accepted the law may later revoke its acceptance, or amend the amount of the surcharge, by following the same procedures required for initial acceptance. However, a municipality may not amend its applicable surcharge rate more than once in any 12 month period. Even if a municipality votes to revoke its acceptance of the law, any monies remaining in the fund after revocation must still be expended exclusively for maintenance, improvements and investments to municipal drinking, wastewater and stormwater assets.

If you have further questions regarding the legislation please contact Attorney John W. Giorgio at jgiorgio@k-plaw.com or 617-556-0007.

THE LEADER IN PUBLIC SECTOR LAW

617.556.0007 | 1.800.548.3522 | www.k-plaw.com | © 2014 Kopelman and Paige, P.C.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

DEVAL L. PATRICK
Governor

MAEVE VALLELY BARTLETT
Secretary

DAVID W. CASH
Commissioner

October 10, 2014

Sheila Vanderhoef
Town Administrator
2500 State Highway
Eastham, Massachusetts 02642

RE: **APPROVAL WITH CONDITIONS**
Applications for:
BWPSW22-Landfill Minor Modification
Transmittal Number: X263430

AT: Eastham Landfill
Eastham, Massachusetts
Facility No. 39237

ADMINISTRATION

OCT 15 2014

RECEIVED

Dear Ms. Vanderhoef:

The Massachusetts Department of Environmental Protection ("MassDEP") has completed its Technical Review of the BWP SW 22 Landfill Minor Modification application ("Application") regarding the proposed vertical well installation and sampling for Eastham Landfill (the "Landfill"). MassDEP has determined that the Application is administratively and technically complete and hereby approves the Application subject to the Conditions herein.

Submittals:

The Application included:

- An application Transmittal form assigned number X263430;
- a completed BWP SW-22, Landfill Minor Modification Review application form received on October 9, 2014; and
- A document containing Application supporting information prepared on behalf of the Town of Eastham (the "Applicant"), prepared by Environmental Strategies & Management (the "Consultant") dated September 25, 2014, and received by MassDEP on September 25, 2014.

Project Background

The Eastham landfill is located on an approximately 38 acre parcel of Town-owned land (the "Site"). The closed Landfill occupies approximately 10.4 acres of land in the southern portion of the Site. A Town operated transfer station has been constructed in the central portion of the Site. The Town's transfer station and Eastham Department of Public Works (DPW) occupies the northern portion of the Site. The Landfill is abutted by residential properties and Old Orchard Road to the south; Old Orchard Road and residential properties to the East; Cape Cod Rail Trail borders the site to the West; the Town's transfer station and DPW to the North. The Landfill operations began in 1937 and ceased in mid-1990s. Groundwater flow is east-southeast toward Old Orchard Road and residential properties.

Assessment Proposal

The Consultant has proposed to update the Comprehensive Site Assessment (CSA) to further define the nature and extent of 1,4 dioxane in groundwater in the vicinity of the Landfill. This will include the advancement of one electrical conductivity (EC) boring and six temporary vertical profile wells in order to supplement groundwater quality data from existing groundwater monitoring wells and private drinking water wells located in and around the Eastham Landfill. The wells will be utilized to identify aquitards and specific aquifer zones that may be impacted by 1,4 dioxane, and to collect groundwater samples to define the horizontal and vertical extent of 1,4 dioxane in groundwater that is associated with the Landfill. The Consultant states the budget for the Town of Eastham next fiscal year will include funding for the installation of permanent monitoring wells and additional groundwater sampling and monitoring work and an updated CSA Report will be prepared no later than June 30, 2016.

A direct push drill rig will be used to advance a conductivity sensor to a maximum depth of 200 feet. This process will continuously log the subsurface for conductivity to identify lower permeable confining layers. The most suitable aquifer zones for collection of groundwater samples during completion of the profile wells will be determined.

Three profile wells will be completed on the landfill property. The first will be located north of the transfer station and downgradient of the former septage lagoons. Groundwater samples will be collected from up to six depth intervals between 20 and 200 feet, and submitted for laboratory analysis of 1,4 dioxane by EPA Method 8270D SIM (approximate reporting limit of 0.15 ug/l). The two other profile wells on the landfill property will be completed in the area of MS-4S and MW-4D, and in the southern portion of the property near MW-3S, MW-3I, and MW-3D. Groundwater samples from the profile wells will be collected below the screened intervals of the existing monitoring wells (up to four intervals at each location, to a maximum depth of 200 feet).

Three profile wells will be advanced in residential areas outside of the landfill property to define the horizontal and vertical extent of 1,4 dioxane in groundwater. One well will be located in the cul-de-sac at the end of Eldia Way to the northeast of the Landfill, one well will be located on Surrey Drive east of Schoolhouse Road, and the third will be located on conservation land northwest of Walters Way and south of Route 6. Each well will be advanced to a maximum depth of 200 feet and groundwater samples will be collected from up to six different intervals between 20 and 200 feet for analysis of 1,4 dioxane.

An elevation survey will be completed to normalize sampling depths from the profile wells to a defined datum, and to define groundwater flow direction and gradient (horizontally and vertically) in the study area. Existing groundwater monitoring wells and select privately owned drinking water wells will be utilized in the survey. Surface water gauge points will be installed in Moll's Pond and Minister's Pond to relate water table elevation to surface water elevation. After the completion of the survey a complete water level gauging event will be conducted.

Groundwater samples will be collected from existing monitoring wells MW-10, MW-21S, and MW-21D and analyzed for 1,4 dioxane.

The Application includes a proposal to modify the existing Landfill monitoring plan issued in August 2012 by reducing the number of private wells sampled. The Consultant proposed to eliminate monitoring at eleven (11) residences that are receiving bottled water from the Town of Eastham and will continue to receive bottled water until the public drinking water system is installed.

The Application includes approval to conduct a septic study, grey water samples, from residences septic systems depending on the results of the temporary well installation and sampling.

The Application does not make any statement relative to potential landfill gas related issues (methane and non-methane compounds) in and around the landfill. There are concerns regarding landfill gases and its potential migration in the vicinity of some of the temporary well installations. MassDEP is requiring the preparation of a Health and Safety Plan for this assessment project (**refer to Condition #2**).

Approval with Conditions

As a result of its review, MassDEP has determined that the submitted documents are satisfactory and in accordance with the authority granted pursuant to Chapter 111, Section 150A of the Massachusetts General Laws hereby approves the temporary well installations and sampling, changes to the Landfill Monitoring Plan and Septic Study proposed at the Eastham Landfill, Eastham, Massachusetts, subject to the following conditions:

- 1) Regulatory Compliance: The Applicant shall fully comply with all applicable local, state and federal laws, regulations and policies, by-laws, ordinances and agreements relative to the activities associated with this project. Applicable federal regulations shall include, but are not limited to 29 CFR Part 1910, OSHA standards governing employee health and safety in the workplace.
- 2) Health and Safety Plan: The Applicants are responsible to ensure that all necessary precautions are taken to protect the health and safety of workers during well installation and sampling events. The Health and Safety Plan shall include training of workers of the hazards associated with landfill gas.
- 3) Notification of Construction: The Applicant shall notify the MassDEP in writing (e-mail is acceptable) when both the temporary vertical well installations and existing groundwater monitoring wells sampling are going to commence; as well as, when they are completed.

- 4) Assessment Data: Within ninety (90) days of the date of this approval the Applicant shall submit a letter report that includes a brief narrative and summary tables.
- 5) Permit Limitations: The issuance of this conditional approval is limited to solid waste regulatory issues and does not relieve the Applicant from the responsibility to comply with all other regulatory or permitting requirements. MassDEP reserves the right to require additional assessment or action, as deemed necessary to protect and maintain the environment free from nuisance conditions, dangers or threats to public health, safety or the environment.

REVIEW OF DECISION

Pursuant to 310 CMR 19.033(4)(b), if the Applicant is aggrieved by MassDEP's decision to issue this decision it may, within twenty-one days of the date of issuance, file a written request that the decision be deemed provisional, and a written statement of the basis on which the Applicant believes it is aggrieved, together with any supporting materials. Upon timely filing of such a request, the decision shall be deemed a provisional decision with an effective date twenty-one days after MassDEP's receipt of the request. Such a request shall reopen the administrative record, and MassDEP may rescind, supplement, modify, or reaffirm its decision. If MassDEP reaffirms its decision, the decision shall become final decision on the effective date. Failure by the Applicant to exercise the right provided in 310 CMR 19.033(4)(b) shall constitute waiver of the Applicant's right to appeal.

RIGHT TO APPEAL

Right to Appeal: This approval has been issued pursuant to M.G.L. Chapter 111, Section 150A, and 310 CMR 19.033: Permit Procedure for an Application for a Permit Modification or Other Approval, of the "Solid Waste Management Regulations". Pursuant to 310 CMR 19.033(5), any person aggrieved by the final permit decision except as provided for under 310 CMR 19.033(4)(b), may file an appeal for judicial review of said decision in accordance with the provisions of M.G.L. Chapter 111, Section 150A and M.G.L. Chapter 30A no later than thirty days of issuance of the final permit decision to the applicant. The standing of a person to file an appeal and the procedures for filing such an appeal shall be governed by the provisions of M.G.L. c. 30A. Unless the person requesting an appeal requests and is granted a stay of the terms and conditions of the permit by a court of competent jurisdiction, the permit decision shall be effective in accordance with the terms of 310 CMR 19.033(3).

Notice of Appeal: Any aggrieved person intending to appeal a final permit decision to the Superior Court shall first provide notice of intention to commence such action. Said notices of intention shall include MassDEP Transmittal No. X263430 and shall identify with particularity the issues and reason why it is believed the final permit decision was not proper. Such notice shall be provided to the Office of General Counsel of MassDEP and the Regional Director for the regional office which processed the permit application, if applicable at least five days prior to filing of an appeal. The appropriate addresses to send such notices are:

Office of General Counsel
 Department of Environmental Protection
 One Winter Street
 Boston, MA 02108

Philip Weinberg, Regional Director
 Department of Environmental Protection
 20 Riverside Drive
 Lakeville, MA 02347

No allegation shall be made in any judicial appeal of a final permit decision unless the matter complained of was raised at the appropriate point in the administrative review procedures established in 310 CMR 19.000, provided that a matter may be raised upon showing that it is material and that it was not reasonably possible with due diligence to have been raised during such procedures or that matter sought to be raised is of critical importance to the environmental impact of the permitted activity.

If you have any questions or comments regarding this approval letter, please contact me at (508) 946-2847 or Martha Sullivan at (508) 946-2732 or at the letterhead address. Please refer to Transmittal # X263430 in any correspondence regarding this permit approval.

Very truly yours,



Mark Dakers, Chief
 Solid Waste Management Section

D/MKS/

EASTHAM\1,4 Dioxane\csa 2014\supplemental CSA 101014 approval.doc

cc: Douglas Heely, PG, LSP
 Environmental Strategies & Management
 273 West Main Street
 Norton, Massachusetts 02766

ec: Sheila Vanderhoef, Town Administrator
svanderhoef@eastham-ma.gov

Jane Crowley, Eastham Board of Health
jcrowley@eastham-ma.gov

DEP-Boston
 Attn: P. Emond

DEP - SERO
 Attn: L. Black
 M. Pinaud
 M. Dakers
 M. Garcia-Serrano
 A. Gallagher

Construction Meeting No.01

Date: October 14, 2014

Project: Eastham Public Library

P3 JN: P3.1209.00

Attendees:

- Mike DelVecchio – P3
- Dan Pallotta –P3
- Matt Ouden – OEA
- Patrick Lancaster – OEA
- Joelle Szerdi – OEA
- Deb DeJonker-Berry – Town of Eastham
- Tom Mace – Nauset
- Tim Nietupski – Nauset
- Paul Chouinard - Nauset

Meeting Minutes:

		Project Contacts/Roles:
	10.14.1	<ol style="list-style-type: none"> 1. Owner – Town of Eastham 2. Architect – OEA 3. OPM – P3 -Project Planning Professionals 4. GC – Nauset Construction
	10.14.2	Construction: <ol style="list-style-type: none"> 1. Overall Schedule...received at pre-con meeting...requires update 2. 2 Week look ahead schedule...to be submitted 3. Contact list...issued and to be updated when additional vendors/subs are contracted. 4. Structural statement of special inspections... has been issued and distributed...UTS shall be the testing agency and all inspections to be coordinated by the GC and inform P3 of the scheduled inspections. 5. GC to meet with their site/demo contractor today 6. P3 requested a plan for moving the section of the existing building for review 7. P3 requested that The GC contact Con Com and schedule a meeting to review the site conditions and address any issues in regards to the order of conditions 8. Builders risk insurance is being finalized. 9. Contract is being revised per the town and shall be forwarded to the GC for signature 10. Awaiting for the local gas company to cut and cap the gas line 11. P3 requested that the marble sign atop the entrance and the brass sign be removed and delivered to Deb for safe keeping
	10.14.3	Safety: <ol style="list-style-type: none"> 1. GC to submit safety plan and to be stored on site 2. OSHA 10 certificates to be submitted to P3 office along with the certified payroll 3. There shall be no smoking on the site 4. All excavations shall be properly secured

	10.14.4	Submittals: <ol style="list-style-type: none"> 1. Ongoing 2. Coordination drawings...GC has the CAD files 3. P3 recommended to submit the foundation rebar shop drawings and to submit any questions as the shops are under review.
	10.14.5	RFI: <ol style="list-style-type: none"> 1. RFI Log Attached 2. RFI - 02 Bench marks & elevations – received survey from GC 3. RFI – 03 Boundary Markers 4. RFI - 04 Foundation dimensions clarifications 5. RFI – 05 Japanese Knot wood
	10.14.6	PCO/CO: <ol style="list-style-type: none"> 1. PCO Log Attached 2. PCO #01 – Bluestone in lobby 3. PCO # 02 – Delta in Elevator cost 4. PCO # 03 – Japanese Knotweed
	10.14.7	Application for Payment: <ol style="list-style-type: none"> 1. Application # 01 submitted to town today...no payment shall be issued until the contract is executed and the builders risk policy is in place
	10.14.8	Certified Payroll & OSHA Safety: All certified payroll and OSHA 10 sent to P3 office
	10.14.9	Action Items: <ol style="list-style-type: none"> 1.
	10.14.10	Misc. Notes: <ol style="list-style-type: none"> 1.
	10.14.11	Next Scheduled Meeting: Tuesday October 21, 2014 at 10:30 am on site



PROJECT PLANNING PROFESSIONALS

EASTHAM PUBLIC LIBRARY RFI TRACKING LOG

Updated 10-10-14

RFI No.	Description	Submitted Date	Returned Date	Response Time
1	Railing, Guardrail, & Anchor Clarification	24-Sep-14	25-Sep-14	2
2	Benchmarks and elevations	26-Sep-14		21
3	Boundry markers	02-Oct-14		15
4	Foundation Dimension Clarification	09-Oct-14		8
5	Japanese Knotweed	10-Oct-14		7
6				41929
7				41929
8				41929
9				41929
10				41929
11				41929
12				41929
13				41929
14				41929
15				41929
16				41929
17				41929
18				41929
19				41929
20				41929
21				41929
22				41929
23				41929
24				41929
25				41929
26				41929
27				41929
28				41929
29				41929
30				41929
31				41929
32				41929
33				41929
34				41929

P³

PROJECT PLANNING PROFESSIONALS

EASTHAM PUBLIC LIBRARY- PCO/CHANGE ORDER TRACKING LOG

CO # 1

CO # 2

CO # 3

CO # 4

CO # 05

CO # 6

PCO No.	Description	Date of Notice	Proposal Date	Proposal Amount	Authorized Change Order		Status	Response Time	REMARK
					Date	Amount			
1	Bluestone in lobby	14-Oct-14						41929	
2	Delta credit in elevator cost	14-Oct-14						41929	
3	Japnese knotwedd	14-Oct-14						41929	
4								41929	
5								41929	
6								41929	
7								41929	
8								41929	
9								41929	
10								41929	
11								41929	
12								41929	
13								41929	
14								41929	
15								41929	
				\$0.00		\$0.00			

updated 10-16-14

Original
Contract Sum \$6,825,000.00
Percent
Difference 0%



Cape Light Compact
P.O. Box 427, Barnstable, MA 02630

1.800.797.6699 | Fax: 508.362.4136 | capelightcompact.org

info

October 10, 2014

ADMINISTRATION

OCT 14 2014

RECEIVED

Ms. Linda Burt, Chair
Board of Selectmen
2500 State Highway
Eastham MA 02642

RE: Cape Light Compact's 2012 and 2013 Independently Audited Financial Statements Available on Website

Dear Ms. Burt:

Yesterday, at their monthly meeting the Cape Light Compact (Compact) Governing Board received their 2012 and 2013 audited financial statements for calendar years 2012 and 2013.

The audits were prepared by Christian Rogers, Principal of CliftonLarsonAllen LLP. Among other things, the auditor reported no significant deficiencies or material weaknesses in the Compact's system of internal control over financial reporting and reported no findings of noncompliance related to laws, regulations, contracts and grant agreements.

The Governing Board asked that I let you know that the 2012 and 2013 Audited Financial Statements are now available on the Compact's website at www.capecompact.org/financialreports. The presentation by the auditor is also available on the Compact's web site as part of the October 8, 2014 Board packet. If you have any questions or would like to discuss the Compact's financial statements in more detail, please do not hesitate to contact me.

Sincerely,


Margaret J. Downey
Administrator

C: Fred Fenlon, Cape Light Compact Governing Board Representative

Working Together Toward A Smarter Energy Future

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



CAPE COD REGIONAL TRANSIT AUTHORITY

BARNSTABLE BOURNE BREWSTER CHATHAM DENNIS EASTHAM FALMOUTH HARWICH MASHPEE ORLEANS PROVINCETOWN SANDWICH TRURO WELLFLEET YARMOUTH

info 10/20

ADVISORY BOARD OFFICERS
Thomas M. Guerino, CHAIRMAN
Robert C. Lawton, Jr., VICE CHAIRMAN
George H. Dunham, CLERK
Thomas S. Cahir, ADMINISTRATOR

To: Sheila Vanderhoef

From: Tom Cahir, Administrator

Date: September 24, 2014

Subject: CCRTA Eastham Town Report

The Cape Cod Regional Transit Authority (CCRTA) has provided in Eastham 11,510 one-way passenger trips from July 2013 through June 2014 (FY14).

CCRTA provided 59 general public clients in Eastham with DART (Dial-a-Ride Transportation) service during FY14. These clients took a total of 2,495 one-way passenger trips during this time period. Total DART passenger trips in the fifteen towns of Cape Cod were 200,536 in FY13 compared to 220,637 in FY14.

CCRTA FY14 records for the Boston Hospital Transportation service indicated 27 Eastham residents took 103 one-way trips using this service.

A total of 8,803 one-way trips originated in Eastham for the Flex route for the period July 2013 through June 2014; total ridership for the Flex for this period was 78,892.

CCRTA supplied the Eastham Council on Aging with one Mobility Assistance Program (MAP) vehicle that provided 212 rides from July 2013 to June 2014.

Route maps, schedules, fares, Google Transit Trip Planner and the latest news about Cape Cod public transportation services are provided at www.capecodrta.org, as well as links to many other transportation resources.

cc Neil Andres
Sandy Szedlak



215 IYANNOUGH ROAD P.O. BOX 1988 HYANNIS, MA 02601
(508) 775-8504 (508) 775-8513 FAX
www.capecodrta.org info@capecodrta.org

