

AGENDA

Monday

May 18, 2015

**TOWN OF EASTHAM
AGENDA
BOARD OF SELECTMEN
Monday, May 18, 2015
5:00 PM**

Location: Earle Mountain Room

I. PUBLIC/SELECTMEN INFORMATION

II. PUBLIC HEARINGS

5:00 p.m. Eversource Petition #2042170 – 190 Samoset Road Eastham Public Library
Proposed FY15/FY16 Fee Changes, Beach, Transfer Station, Building
Department – Jacqui Beebe, Assistant Town Administrator

III. LICENSING

5:20 p.m. Extension of Seasonal Package Store License – D/B/A Sam's Uncorked –
Heather Meredith

IV. ADMINISTRATIVE MATTERS

- A. Committee Appointments
 Appointment – Water Management Committee – Scott Lewis
 Appointment – 1651 Forest Advisory Committee – Debbie Abbott
- B. Transfer from Land Management Fund \$10,000 to Complete Sandy Meadow Walkway
 CPA Funded Project
- C. Transient Vendor Permits – Various
- D. Declare Surplus Property – IPAD, Plotter less than \$500

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

V. OTHER BUSINESS/CORRESPONDENCE

VI. TOWN ADMINISTRATOR'S REPORT

Eversource Update
Letter to Orleans on Interconnect
Nauset Spit/Rock Harbor Management/Enforcement, and Emergency Response
Other General Information

VII. EXECUTIVE SESSION – To discuss strategy with respect to negotiation strategy with non union personnel, and litigation strategy, and land acquisition when an open meeting may have a detrimental effect on the bargaining and litigating position of the public body and the chair is so declaring

Upcoming Meetings

Wednesday, May 20, 2015	2:30 p.m.	Work Session Board Reorganization
Monday, June 1, 2015	5:00 p.m.	Regular Session: Water Progress Update
Wednesday, June 3, 2015	2:30 p.m.	Work Session

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***

II
5⁰⁰
pm

**TOWN OF EASTHAM
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held on Monday, May 18, 2015 at 5:00PM, in the Earle Mountain Room at Eastham Town Hall, 2500 State Highway, Eastham, MA 02642 on NSTAR Electric Company (D/B/A Eversource Energy) Petition No. 2042170 dated April 8, 2015 to install 230± feet of conduit and cable to provide underground electric service for 190 Samoset Road.

Published in the April 24, 2015 edition of the Cape Codder

**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO#2042170**

Barnstable, Massachusetts

April 8, 2015

To the Board of Selectmen for the Town of Eastham, Massachusetts.

NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

request permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

190 Samoset Road

To install 230± feet of conduit and cable.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, conduits, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed in accordance with the plan files herewith marked Plan No. 103853 Dated March 12, 2015.

**NSTAR ELECTRIC COMPANY
D/B/A EVERSOURCE ENERGY**

By _____
Right of Way Agent
Auzenda Jordan

**FORM OF ORDER FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO# 2042170**

IN BOARD OF SELECTMEN FOR THE TOWN OF EASTHAM, MASSACHUSETTS.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED: that the NSTAR ELECTRIC COMPANY be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining and protecting fixtures as said Company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said Company dated the 8TH day of April 2015.

All construction under this order shall be in accordance with the following conditions:

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. 103853 Dated March 12, 2015 filed with said petition. The following are the public ways or parts of ways under, along and across which the cables above referred to may be installed under this order.

**190 Samoset Rd, Eastham
To install 230± feet of conduit and cable**

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Eastham, Massachusetts held on the _____ day of _____ 2015.

Clerk of Selectmen.

_____, Massachusetts _____ 2015.

Received and entered in the records of location orders of the Town of Eastham
Book _____ Page _____.

Attest:

Town Clerk

We hereby certify that on _____ 2015, at _____ o'clock,
_____ M. at _____ a public hearing was held on the
petition of the _____

NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY

for permission to install and maintain the underground cables, conduits, manholes and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

**Selectmen of the Town of
Eastham, Massachusetts**

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Eastham, Massachusetts, on the _____ day of _____ 2015, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

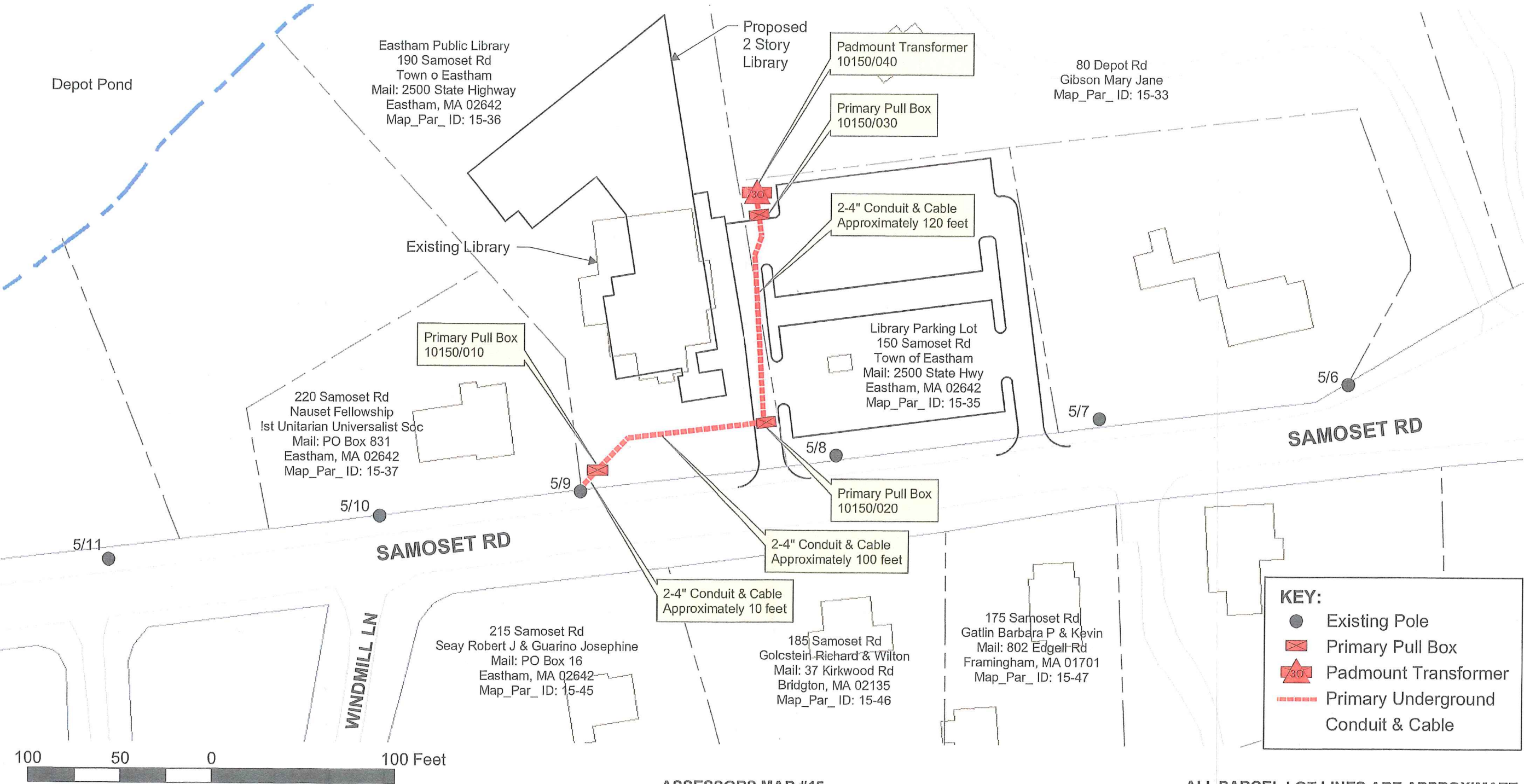
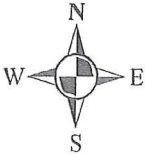
Attest:

Town Clerk.

TOWN	EASTHAM	DATE	MARCH 12, 2015	PLAN NO.	103853 - W/O# - 2042170
	190 SAMOSET RD.				

Plan to accompany petition of
EVERSOURCE ENERGY

To install approximately 230 feet of 2-4" underground conduit and cable
from pole 5/9 to new padmount transformer 10150/040
via primary pull box 10150/010, 10150/020 and 10150/030
to provide electrical service for customer at #190 Samoset Rd



II
57ⁿ

LEGAL NOTICE
TOWN OF EASTHAM
PROPOSED FY 17 FEE SCHEDULE
PUBLIC HEARING

The Board of Selectmen will hold a public hearing on Monday, May 18, 2015 at 5:00 PM at the Eastham Town Hall, in the Earle Mountain Room, 2500 State Highway, Eastham, MA 02642, on Proposed FY17 Fee Increases for: Beach stickers, the transfer station, and the building department. The Hearing will be held for public discussion, and no proposed fee increases will occur prior to April 15, 2016. A list of proposed changes will be available at Town Hall, in the administration office by May 15, 2015.

Published in Friday, May 1, 2015 Cape Codder



TOWN OF EASTHAM

2500 Stare Highway, Eastham, MA 02642-2544
All departments 508-240-5900 • Fax 508-240-1291
www.eastham-ma.gov

II
5:02
pm

TO: Board of Selectmen
FROM: Jacqui Beebe
RE: **Licensing & Permit Fees- Public Hearing**
DATE: May 18, 2015

	<u>Current</u>	<u>Proposed</u>	<u>Start Date</u>
1. <u>Beach & Recreation</u>			
<i>Resident Beach Stickers</i>	\$25.00	\$25.00	July 1, 2016
<i>Daily Parking</i>	\$15.00	\$20.00	
<i>Daily Weekend Parking</i>	\$18.00	\$20.00	
<i>Labor Day Pass</i>	\$40.00	\$50.00	
<i>Weekly Visitor Sticker</i>	\$50.00	\$70.00	
<i>Two-Week Visitor</i>	\$100.00	\$110.00	

The last increase was in FY11 or summer of 2012. See attached chart for fee comparison with other towns. Mark is recommending an increase to \$30.00 for resident stickers; however, based on comparative data with other towns and the fact that this would be an additional fee to residents, we are not supporting this change.

2. Board of Selectmen	Current	Proposed	Start Date
<i>Windmill Green</i>			
<i>Town-sponsored groups/Non-profit</i>	\$100.00	\$100.00	Jan 1, 2016
<i>Individual Non- resident/non-profit</i>	\$100.00	\$250.00	
<i>Individual/Profit</i>	\$100.00	\$500.00	

We are recommending a change to the policy/fee for the use of the Windmill Green. There are private (non-resident and for-profit) enterprises that are renting the Green for events several times per summer. They are registering as "individuals" and paying the required \$100 fee for use, and then charging rent for spots for commercial craft fairs/other events. It is our estimate that these vendors are paying the town \$100 and collecting several thousand dollars per event from their vendors. It is clear from the policy that the Board does not want this kind of use, but the policy does not ban it, and creates a broad

“individual” category that is difficult to enforce. I am recommending two new categories that allow us to charge higher fees for non-resident non-profit groups (\$250) and non-resident for profit groups (\$500).

<u>3. Building Department</u>	<u>Current</u>	<u>Proposed</u>	<u>Start Date</u>
<i>Inspection Fee (New)</i>	None	\$50.00	January 1, 2016
		<i>Additional \$2 per room for over 5 rooms</i>	

The Building Department is required to do inspections of establishments in certain categories: motels, movie theatres, restaurants, group living situations, multi-family dwellings. The schedule of what inspections are required under the building code is attached for your review. The number of inspections required is outlined in the code, and varies from every 6 months to one, two, and five year intervals. These inspections are vital to ensure the public safety of these establishments within our town. *Currently the Town does not charge a fee for these required inspections, and Tom is recommending a new fee of \$80 per inspection, with an addition of \$2 per room for motels/group residential/multi-family residential units.* This fee is applied by other towns, and other towns also apply a “filing or application” fee in addition to the inspection cost. I am recommending that we apply a fee of \$50.00 for building inspections that are required and *not included* in another licensing fee. I think we want to avoid adding an additional fee to the license or permit process, but find a means of charging for these required inspections. An additional \$2 per room fee will be assigned to motels/rooming houses over 5 rooms due to the intensity and time of inspections required.

4. Conservation & Natural Resources- NO CHANGE (already approved boat storage fee)

<u>5. The Council on Aging</u>	<u>Current</u>	<u>Proposed</u>	<u>Start Date</u>
<i>Lower Cape Adult Day Center Fee</i>	\$35.00	\$40.00	July 1, 2015

The *Lower Cape Adult Day Center fees* were discussed during the budget planning process. The current Day Center fee is the lowest on the Cape, and has not been raised in many years. The suggested fee for FY16 is \$40 per day, and should increase Day Center revenue by approximately \$7,000 in FY16. This is the first step in addressing the deficit and working towards a self-supporting day program.

6. Department of Public Works	<u>Current</u>	<u>Proposed</u>	<u>Start Date</u>
<i>C&D Wood Item Fee</i>	None	\$15.00	July 1, 2015
<i>Commercial Tip Fee for Private Haulers</i>	\$95.00	\$110.00	July 1, 2015
<i>Commercial Tip Fee for Private Haulers</i>		\$120.00	July 1, 2016

This is a request to add a category to the existing Construction & Demolition Fee schedule to include wood or wood furniture. This change would simply add a fee of \$15 per item for small wooden items. As the town pays for disposal by weight, it is critical to make sure we are collecting an appropriate fee while not wasting time using the scale to weigh each small item. The goal of these fees is to break even with the cost of disposal.

We are also proposing a fee increase for the commercial private haulers from \$95 to \$110 per ton for the summer of 2015 and another increase to \$120 for next year (summer of 2016). The town is paying \$60 per ton plus transportation and handling at SEAMASS and this fee change will ensure that revenue stays ahead of expense, so we are not subsidizing private hauler operations and/or taking on the burden of private hauler disposal for the region because we have the lowest tip fee in the area. It is important to note that both recommended changes are not increases in fees to create new revenue, but simply to keep ahead of rising expenses in the solid waste market.

7. Fire Department- NO CHANGE

8. Health Department- NO CHANGE

9. Police Department- NO CHANGE

10. Planning/Zoning- NO CHANGE

11. Town Clerk- NO CHANGE

Eastham Chart of Proposed Fee Changes and Comparative Data with Other Towns

	Eastham		Comparison- Other Towns			Notes
For 2015 Season	Current	Proposed	Current Year Fees			
Department of Public Works	Eastham		Wellfleet	Provincetown	Orleans	
(trash) Commercial Tip Fee	\$95.00	\$110.00	\$120.00	\$140.00	\$80.00	
C & D Wood items	\$0.00	\$15.00	by weight	\$20.00	by weight	Orleans only allows pick-up or smaller All towns have swap shops and encourage recycling
Council on Aging	Eastham		Barnstable	Dennis	Orleans	
Lower Cape Adult Day	\$35.00	\$40.00	\$40.00	\$40.00	\$40.00	
For 2016 Season						
Recreation Department	Eastham		Wellfleet	CCNS	Orleans	
Resident Sticker	\$25.00	\$25.00	\$25.00	N/A	FREE	
Daily Parking Weekday	\$15.00	\$20.00	\$20.00	\$20.00	\$15.00	
Daily Parking Weekend	\$18.00	\$20.00	\$20.00	\$20.00	\$15.00	
Labor Day Pass	\$40.00	\$50.00	N/A	N/A	N/A	Truro has Labor Day Pass for \$25
Visitor Sticker	Eastham		Wellfleet	Harwich	Orleans	
Week	\$50.00	\$70.00	\$80.00	\$65.00	\$60.00	
Two-Week	\$100.00	\$110.00	\$150.00	\$125.00	\$110.00	
Seasonal	\$180.00	\$200.00	\$250.00	\$140.00	\$175.00	
Community Development						
Building Department	Eastham		Wellfleet	Provincetown	Orleans	
Inspection Fee	None	\$50.00	\$30.00	\$40.00	N/A	plus \$2 per rooms over 5
Filing Fee	None	None	\$20.00	\$30.00	\$25.00	Filing Fee- we do not have
			\$50.00	\$70.00	\$25.00	Fees per Inspection
Department of Public Works			plus \$2 per room over 5			
Commercial Tip Fee		\$120.00	see above			

Memorandum

5:30 pm

DATE: March, 30, 2014

TO: Sheila Vanderhoef
Board of Selectmen

FROM: Stephanie Simkins

RE: Liquor License Extension

Attached is a letter from Sam's Deli requesting an extension on their seasonal package store liquor license for wine and malt regular. I have also an email for your reference. It is from a contact at the ABCC, it describes the rules on this extension.

<u>License#</u>	<u>Name on License</u>	<u>D. B. A.</u>	<u>Type</u>
036400040	El Mercado Loco, Inc.	(Sam's Uncorked)	Package Store

The Seasonal Liquor License for Sam's Deli has been approved by the ABCC and is currently valid from April 1st- November 30th.

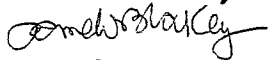
March 16, 2015

TO: Eastham Board of Selectmen

Pam Blakey and Heather Meredith, owners of Sam's Deli DBA Sam's Uncorked in North Eastham, are requesting an extension of our seasonal liquor (wine and beer) license to the end of December, 2015.

Thank you,

Pam Blakey



Heather Meredith



May 18, 2015

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: Committee Appointment

The following is the information needed to make two committee appointments.

Scott Lewis

The Water Management Committee recommends the appointment of Scott Lewis to the Water Management Committee as a regular member.

If the Board appoints him, his first term would commence May 18, 2015 and expire June 30, 2017. He seeks to replace Michael Hackworth, whose term ended 6/30/14.

Debbie Abbott

Debbie Abbott has assumed the position of President of the Friends of the Eastham 1651 Arboretum. As per the charge to the 1651 Forest Advisory Committee, one of the five members is to be the President of the Friends of the Eastham 1651 Arboretum.

If the Board appoints her, her first term would commence May 18, 2015 and expire June 30, 2018. She seeks to replace Loretta Nielson, whose term ended 6/30/12.

Charge To The Water Management Committee

The Board of Selectmen hereby appoints a body that shall be known as the Water Management Committee (WMC). The purpose of this Committee is to exercise review and advice on issues related to groundwater, wastewater, and fresh water systems. These functions include guidance for the development of comprehensive water supply and waste water management plans that will:

1. Provide public water in critical areas;
2. Protect the water resources with appropriate remediation measures;
3. protect the water quality of ponds; and
4. Comply with MA DEP TMDL regulations

The committee shall consist of nine (9) members who shall be appointed for three year overlapping terms. There shall also be one alternate position, with a term ending 6/30/2010.

Staff support for this Board shall be provided by the Health Agent and, if appropriate, by the Town Planner, who shall attend and participate but not vote in the Board's deliberations.

The specific responsibilities of the Committee shall include:

1. Investigation of experiences in other communities with regard to water supply and wastewater management practices, and the protection of ponds.
2. Compilation of a working library of information about water supply, wastewater management pond quality-protection practices.
3. Research current and evolving innovative methods of treatment and/or disposal of wastewater.
4. Identification of specific tasks and expertise necessary to complete water and wastewater management Plans, and recommendations regarding which tasks can be completed by the Board, Town staff, Cape Cod Commission and/or external consultants

The Board shall annually report progress to the Board of Selectmen. At that time, the Board shall make implementation recommendations to further the protection of water quality in Eastham.

***This Committee incorporates the duties of the former Water Resources Advisory Committee and the Waste Water Management Planning Committee.**

Adopted by the Board of Selectmen on December 15, 2008.

Charge To The “1651 Forest Advisory Committee”

In accordance with the provisions of the Eastham Home Rule Charter section 9.5.14, the Board of Selectmen hereby appoints a committee that shall be known as the *1651 Forest Advisory Committee*. The committee shall oversee the continuous implementation and maintenance of the 1651 Forest, an approximation of a primeval forest that blanketed Eastham in 1651. The forest is located within Wiley Park, and is being installed in accordance with the 1651 Handbook accepted by the Board of Selectmen and on file in the following town locations: Town Clerk’s Office; Planning Department; Public Library and the Natural Resources Office. The committee shall make decisions concerning the interpretation of specific terms and conditions included in the handbook as it relates to the timing, type, and maintenance of plants, to ensure the continuation of the forest.

The committee shall consist of **five (5) members**, serving three year overlapping terms. *One member shall be a current member of the Conservation Commission, one member shall be a current member of the Open Space Committee, one member shall be the current President of the Friends of the Eastham 1651 Arboretum, and two members shall be at-large. All members shall be Eastham taxpayers/residents.* The committee shall meet a minimum of four (4) times per year, with one such meeting as a *joint* meeting with the Friends of the Eastham 1651 Arboretum. The joint meeting shall be alternately chaired by the Chair of the Advisory Committee and the Chair of the Friends of the 1651 Arboretum (i.e., Consider “Friends” Chair in even years, and “Advisory” Chair in odd years).

The committee shall annually prepare a report for the Board of Selectmen, to be reviewed by them at a public meeting in December of each year. Said report shall include information concerning the viability of plants in the forest and planned plant additions or replacements, if any, for the upcoming year.

Staff liaison to the committee may be the Natural Resource Officer/Conservation Agent. (The Board of Selectmen shall make an effort, due to the technical nature of this committee, to include a botanist, environmental scientist, landscape architect, or horticulturist in the membership.).

Adopted by the Board of Selectmen on June 6, 2005.

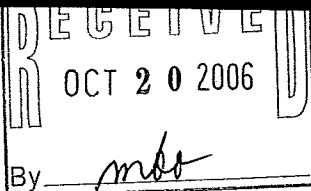
May 18, 2015

To: Board of Selectmen

RE: Agenda Item IV B Transfer from Land Management Fund

In 1998 Town Meeting created a fund to assist in funding projects, repairs and improvements to Town owned open space land. This fund has \$69,819.

In May 2013 the Town Meeting approved Article 25, expending from CPA funds \$20,000 to develop parking and trails on the Roach Property land located off N. Sunken Meadow Road. This project has been bid twice and each time the quote has exceeded the funds available. This project is supported by the town meeting so it seems appropriate that the town use these funds to complete the work. The land management funds can be used by vote of the Board of Selectmen.



ATM 5/4/98

BOARD OF SELECTMEN RECOMMENDATION: 5-0
FINANCE COMMITTEE RECOMMENDATION: 7-0

ARTICLE 19

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$30,000 to be used by all departments as approved by the Board of Selectmen as matching funds where required as part of the application budget for private, state, and federal grants that may be applied for; or take any action relative thereto.

By Board of Selectmen

SUMMARY

Town departments currently must decline to apply for grants which require a cash match since if the grant cash is unanticipated, then the cash required is unbudgeted. This article would provide a source of funds to be used by any town department, as the cash match portion of grants. Any grants so applied for would be reviewed and approved by the Board of Selectmen before any match is guaranteed.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

ARTICLE 20

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to authorize a special fund reserved for appropriation, to be known as the "Land Acquisition and Maintenance Fund," to be maintained by the Town as a source of funding of the acquisition and/or maintenance of open space or recreational land under the care and custody of the Board of Selectmen, into which the Town, at any Annual or Special Town Meeting, may appropriate from time to time from any source, and into which gifts for said purpose may be deposited, with the approval of the Board of Selectmen; said Fund, when used for purchases of land, is to be expended upon two-thirds vote of any Annual or Special Town Meeting and the favorable recommendation of the Board of Selectmen for the purchase or maintenance of land specified in said vote; or take any action relative thereto.

By Board of Selectmen

SUMMARY

This article will allow the Town of Eastham to establish a special fund for the purpose of collecting funds from town meeting appropriations, and gifts or other sources, to be used exclusively for the purchase and maintenance of open space and recreation land. These purchases will however, be subject to Town meeting approval and if funds beyond those available in the fund are required, a debt exclusion vote will be scheduled. Maintenance expenditures will be under the direction of the Board of Selectmen.

BOARD OF SELECTMEN RECOMMENDATION: 4-1-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

ARTICLE 21

To see if the Town will vote to transfer from available funds, the sum of \$100,000.00 to the Stabilization Fund; or take any action relative thereto.

By Board of Selectmen

SUMMARY

The Stabilization Fund has a current balance of \$5,578.00. When the Town first established a Stabilization Fund the state law required that the monies in such funds could only be expended on projects and supplies which would otherwise be eligible for bonded debt. The current statute places no such limits on the use of the fund and therefore many communities have discontinued the fund and opt instead to maintain higher balances of Free Cash. Eastham has traditionally had a Stabilization Fund and citizen's requests have been made to reinvest in that fund. Due to the large cash balance this year, it is fiscally possible to add to this fund the recommended amount of \$100,000.

Would like copy of special legislation authorizing this fund.

appropriate or transfer from available funds the sum of \$7,772.00 for benefits to fund a Grade 13; and further to amend Section 2.1 Full Time Exempt to the group, "Grade 13", at the relative thereto.

By Board of Selectmen

ion two years ago. The position vide a demonstration of the pospects of development control d coordination for the long range ing board of appeals, as well as ing, health, conservation, fire, osition and make permanent its

-0-1

appropriate or transfer from available g an FY99 salary adjustment in ompensation plan and apportion equired; or take any action rela-

By Board of Selectmen

or nine union employees covered

-0

sum of money for the purpose of facility projects: repair, replace-to agreements with the Board of vithout limitation all costs thereof ss. General Laws; to determine rowing from the Massachusetts o take any action relative thereto. ard of Health/Board of Selectmen

ectmen to direct the Treasurer to ent Trust, for the purpose of par-am with such loans to be repaid it program. The Town previously to homeowners for septic system d by direct billing rather than as a ead of a grant to the Towns, the r Pollution Abatement Trust, and ent assessment. The repayment and repayments so that the town

TOWN OF EASTHAM
INVITATION FOR BIDS
SANDY MEADOW TRAIL PROJECT
April 8, 2015

Sealed bids for the Sandy Meadow Trail Project for the Town of Eastham, Massachusetts will be received at the Office of the Town Administrator, Town Hall, 2500 State Highway Eastham MA 02642 until Thursday, May 7, 2015 at 2:00 PM at which time and place said bids will be publicly opened and read aloud.

The scope of work includes all labor and materials for the construction of an accessible trail off Sandy Meadow Way in Eastham.

The Instructions to Bidders, Project Specifications, Bid and Contract Forms, and other Contract Documents may be examined, obtained or mailed from the Town Administrator's Office from 8:00 A.M. to 4:00 P.M., Monday through Friday. To request mailing, call (508) 240-5900 or down load from the town website at www.eastham-ma.gov.

All bids for this project are subject to applicable bidding laws of Massachusetts, including General Laws, Chapter 30B Section 5. Prevailing Wage Rates are subject to the minimum wage rates as per M.G.L. Chapter 149, Section 26 to 27 inclusive.

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of sixty (60) days, Saturdays, Sundays and legal Holidays excluded, after the opening of the bids. The Town of Eastham reserves the right to waive any informality or to reject any or all bids.

Sheila
Vanderhoef
Town Administrator / Chief Procurement
Officer

Cape Cod Times
April 12, 2015



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

www.eastham-ma.gov

TVC

May 18, 2015

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: Transient Vendor Permits

School House Museum – May 23-September 13

Windmill Weekend- September 12 & 13, 2015

Hands on the Arts- June 20 & 21, 2015

SPAT- July 22, 23, 2015

Please find below the Transient Vendor applicants for approval by the Board of Selectmen.
In each case, the \$20.00 fee has been received.

The following permits are valid May 18, 2015- May 18, 2016

Patricia Kelly 333 Megan Road Hyannis, MA 02601	Pat Nickerson 80 Northwinds Lane West Barnstable, MA 02668
Michael R. McCarthy 189 North Street Mattapoisett, MA 02739	Meg Schmidt 1545 Bridge Road Eastham, MA 02642
Jackie Pinheiro 530 Old Fall River Road North Dartmouth, MA 02747	Willow B. Shire 1380 Samoset Road Eastham, MA 02642
Eastham Dog Owners Association c/o Cindy Nicholson P.O. Box 274 Eastham, MA 02642	June S. Havens 2 Arrowood Drive Eastham, MA 02642
Jason Lance Weisman P.O. Box 75 South Wellfleet, MA 02663	Robert O. Bylaska 250 Corliss Way Eastham, MA 02642
Joseph Forjan 690 Hay Road Eastham, MA 02642	Mary Anne Tessier 14 Halyard Road Yarmouth Port, MA 02675

Doris Greenlief 428 South Pleasant Avenue Ridgewood, NJ 07450	Elizabeth Embler 79 Pheasant Cove Circle Yarmouth Port, MA 02675
Paula Aschettino 21 Smith Lane Eastham, MA 02642	Robin Wessman 44 Maple Street Norfolk, MA 02056
Karen Kollar 27 Crows Nest Lane, Unit 18A Danbury, CT 06810	Elaine Lobay 17 Hines Avenue Mahwah, NJ 07430
Donna Knight P.O. Box 642 North Eastham, MA 02651	Linda H. Johnson P.O. Box 1298 North Eastham, MA 02651
Gudrun Cobb 1806 Washington Avenue Portland, ME 04103	John F. Doherty 10 Union Street Natick, MA 01760
Jesse S. Mechling 255 Quail Cover Lane Eastham, MA 02642	Thomas Brennan 451 Stony Brook Road Brewster, MA 02631
Richard Kelly 12 Lombard Street Plymouth, MA 02360	



One NSTAR Way - Yarmouth
Westwood, MA 02090

TL
1

May 11, 2015

Sheila Vanderhoef
Town Administrator
Town of Eastham
2500 State Highway
Eastham, Ma 02642

RE: Board of Selectmen

Dear Ms. Vanderhoef,

I am writing to respond to your invitation for EVERSOURCE representatives to appear before the Board of Selectmen to discuss the 2015 YOP, and Integrated Vegetation Management Program (IVM) along our ROW (Rights of Way) in Eastham. As I have conveyed in prior conversations, this type of open forum historically has not allowed us to effectively explain the program. Therefore, we respectfully decline the invitation to appear before the Board of Selectmen May 18, 2015.

We do want to reiterate our willingness to meet with any of the members of the Board individually. Also, we are happy to meet with the elected or appointed Town Officials that have expressed a concern, such as a Health Agent or Water Quality Department official.

A meeting in the field on the ROW may be the most beneficial to the Town officials. We have found that field meetings and demonstrations to be an effective means of conveying the parameters of our IVM program.

I want to underscore that our declining the invitation is done with the utmost respect for the Eastham Board of Selectmen and your office. I also want to underscore our offer to explain the IVM program to property owners that are direct abutters to our ROW.

Please let me know if a meeting in the field is something you want me to arrange with our Vegetation Management team in the coming weeks. Thank you!

Respectfully,

A handwritten signature in cursive script, appearing to read "Jerry McDermott".
Jerry McDermott
Community Relations



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

All departments 508-240-5900 • Fax 508-240-1291

www.eastham-ma.gov

May 11, 2015

John Lebeaux, MDAR Commissioner
Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114

RE: YOP 2015, Row 349

Dear Mr. Lebeaux,

This letter is a last day reminder, that the Board of Selectmen in Eastham are opposed to spraying along the Eversource right of way in Eastham. We believe that we have a unique situation here in that we remain a community without any drinking water options other than private wells. While you have properly identified all private wells on your plan, there is no protection or alternative water source should an accident occur. We remain concerned that an accidental spillage of any herbicide that potentially contaminates a private well cannot be easily addressed with alternative water source.

This letter then is to just restate our opposition to the use of any chemicals along the right of way for vegetation management. At a minimum we would suggest a moratorium, until we have a municipal alternative in the area.

We thank you in advance for your consideration.

Sincerely,

Sheila Vanderhoef

Sheila Vanderhoef *by SHG*
Town Administrator

cc: Representative Sarah Peake
Senator Dan Wolfe
Mike Durand, Eversource

SV/lg



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544
All departments 508-240-5900 • Fax 508-240-1291
www.eastham-ma.gov

COPY

March 4, 2015

William Hayes, Senior Transmission Arborist
EverSource/ NSTAR, A Northeast Utilities' Company
Vegetation Management
One NSTAR Way, SE-370
Westwood, MA 02090-9230

RE: YOP 2015, Row 349

Dear Mr. Hayes,

The Town of Eastham's Board of Selectmen, herein comments on the EverSource/NSTAR Yearly Operational Plan (YOP) for 2015, described in your letter of January 30, 2015.

The Board of Selectmen continues to feel strongly that vegetation control techniques in Eastham should be limited to non-chemical applications such as hand-cutting and Integrated Vegetation Management (IVM) techniques.

The Town of Eastham is currently in the process of developing and permitting a public water supply. Currently, all properties abutting the NSTAR/EverSource transmission corridor are served by on-site wells and septic systems. We have reviewed the maps sent with the letter and wells with 50' or less separation are marked on your current maps, but we also want you to be aware of the many wells within the 100' separation. We have located all of these private drinking water wells with GPS coordinates, and will forward those files to you should you want to refine the private locations shown on the map with specific coordinates.

We are also commenting and requesting several specific actions be taken by NSTAR/EverSource prior to the start of the 2015 program.

- 1. Application standards must be adhered to and strict protocols defined and enforced.** Application methods and errors in the use of approved herbicides are a significant concern. Federal and state standards require that a product be used in a manner consistent with its labeling. Specifically, the EPA states, "It is a violation of federal law to use a pesticide in a manner that is inconsistent with its labeling." Most of the products approved for use have a label warning that they should not be used in, "windy or gusty conditions", and use 3 to 10 MPH as guidance. Every town on Cape Cod routinely has conditions where winds exceed 10 MPH. We are aware of the problems caused by the

improper application of herbicides by NSTAR contractors in the town of Harwich, and want to avoid any improper use or application in our town. The margin of risk of misapplication, over-spraying or wind drift in such tight areas, close to homes, gardens and play areas, regardless of the products used, would suggest that alternative methods are more appropriate. *At the very least, it is imperative that clear procedures regarding wind conditions be set, followed, and checked throughout the day.*

2. Private well marking and residential notification protocols need to be established.

To meet the requirements of the YOP, applicable CMR's and the application protocols for specific chemicals, all wells should be marked in the field and the buffer and no spray zones should be flagged after being located with GPS coordinates. Letting resident's know that the company will be spraying, "in the next nine months," does not constitute effective notification. *A monthly plan, with areas identified, along with flagging and signage is the least that residents and town officials should expect prior to any spraying.*

3. The use of Krenite, Glyphosate, and Garlon IV should be eliminated from the 2015 plan.

We are specifically concerned regarding the potential use of the herbicides Krenite, Glyphosate, which is the active ingredient in the product Roundup, and this year's addition of Garlon IV, all three on your list as approved herbicides. Krenite is of concern as the registration decision and label instructions do not allow use near homes. Specifically, the registration decision and the product label prohibit, "contact with other persons either directly or through drift", and carries an additional precaution that it not be used, "for the control of woody plants, on lawns, walkways, driveways, or other similar areas". Strict adherence to these protocols will be difficult to ensure unless NSTAR and its' contractors are prepared to notify residents and keep them off the easement while application is being made. In regards to Glyphosate, we are aware that at the request of Congress, this ingredient is being reviewed by the EPA due to concerns that it may be a human and animal endocrine disruptor. Furthermore, the most recent addition, Garlon IV is toxic to oysters and other shellfish. Eastham has an active aquaculture program and it is reckless to use this substance in this town, or any other on the Cape. The town understands all too clearly, how chemicals "approved" for use in one decade, can be determined to be harmful or carcinogenic ten years later. It is more than possible that characteristics not presently known about the herbicides and application methods may be identified in the future, and long lasting harm to the environment and public health could result by application at this time. *We request that you not use any of these three herbicides in this year's plan, and specifically, not to use Gyphosate until the EPA has completed its review and confirm its long-term safety.*

4. The town's Water Resource District should be mapped and respected as a no-spray zone.

Our water resource district for the town-wide water supply is an extraordinarily sensitive area, and will be the site of a large, DEP permitted well for the public water supply. It is directly adjacent to the right of way and the NSTAR/EverSource easement lies within our water resource district. *We will provide GPS coordinates for the future municipal well site, and request that it be well-shown on the 2015 YOP map. There*

should be no spraying of herbicide in this district.

5. **The town will offer cooperation & support in consideration of our interests and concerns.** We proposed in 2010, and continue to believe that effective vegetation control can be achieved in an acceptable, cost-effective, and environmentally friendly manner. There is simply no necessity to use chemicals to manage the growth of vegetation in this area. Many residents, volunteers, and town staff, would be more than happy to assist in developing a plan and participate in active vegetation management that will replace, or at least minimize, chemical management. *We would like to schedule a meeting to discuss how we can work together to achieve an agreement that will satisfy your needs for vegetation management while using the most conservative approach available.*

In summary, we will do everything possible to ensure that our water supply, our fragile environment, and the health of our citizens, are protected. Thank you for your consideration.

Sincerely,

Linda Burt, Chair
Eastham Board of Selectmen

cc: Board of Selectmen
Sheila Vanderhoef, Town Administrator
Representative Sarah K. Peake
Senator Daniel A. Wolf
Hotze Wijnja, Director Rights of Way Program, MDAR
Mike McClean, Enforcement, MDAR
Jonathan Yeo, Director Division of Water Supply Protection, MassDEP



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

All departments 508 240-5900 Fax 508 240-1291

www.eastham-ma.gov

April 27, 2015

NSTAR
Attn: Gerry McDermott,
Eversource Community Liaison
One NSTAR Way
Westwood, MA 02090

Re: Herbicide Spraying

Dear Mr. McDermott:

It is regretful that you decline to attend a Board of Selectmen meeting to discuss the Eversource Yearly Operation Plan (YOP) and the use of herbicides.

We have examined the map you provided and while it shows all the private wells located with respect to the R.O.W., it also highlights the large number of private water supplies abutting the target area. As you are very aware, Eastham taxpayers rely exclusively on private wells for drinking water. There are currently no alternatives for drinking water.

The Town is in the process of installing municipal water in part of the Town, but that system will not be fully operational until late fall of 2017. Any negative impact, whether intentional or unintentional resulting from the application of chemicals could result in reductions in perceived harm, potential reductions in property value and the additional cost to provide bottled water if needed.

We fully understand your reluctance to appear at a Board of Selectmen public hearing, however, as a major utility your customers have every right to speak to you and especially on a matter of health and safety.

Again, the Eastham Board of Selectmen request that you or your staff attend a public meeting scheduled for Monday, May 18, 2015 at 5:00PM at the Eastham Town Hall.

Sincerely,

Sheila Vanderhoef
Town Administrator

cc: Representative Sarah Peake
Senator Dan Wolfe
Mike Durand, Eversource

SV/lg