

AGENDA

Monday

February 1, 2016

**TOWN OF EASTHAM
REVISED AGENDA
JOINT MEETING - BOARD OF SELECTMEN & FINANCE COMMITTEE
Monday, February 1, 2016
5:00 p.m.**

Location: Earle Mountain Room

I. PUBLIC/SELECTMEM INFORMATION

II. APPOINTMENTS

5:05 p.m. Water Project Bond, MA Clean Water Trust, Joan Plante, Town Treasurer. The Board of Selectmen must vote to approve and issue the bonds for the town's water supply distribution system. (vote & signature required)

5:15 p.m. Update on Municipal Water System Construction, Mark White, Environmental Partners Group. This is monthly update/overview of the project. (no vote anticipated)

5:30 p.m. FY17 Budget Presentation, Sheila Vanderhoef, Town Administrator. This is the presentation of the operating and capital budget of the town for FY17 as prepared by the Town Administrator, for review by the Board of Selectmen and Finance Committee. (no vote anticipated)

6:15 p.m. Report from Citizens Group on Governor Prence Residences Proposal/Meetings with Stratford Capital, Scott Kerry. Mr. Kerry has asked to report back to the Board of Selectmen regarding the meetings with developer Richard Hayden and the committee's recommendation to the Board (no vote anticipated)

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

III. ADMINISTRATIVE MATTERS

A. Action/Discussion

1. Governor Prence Residences- Memorandum of Agreement, Bill O'Shea- report on progress and next steps in the process (no vote will be taken); and recommendation to establish a special revenue account to receive money for data studies for Governor Prence Residences (discussion & vote may be taken)
2. Appointment of Ralph Holcomb as a Regular Member of the Zoning Board of Appeals beginning February 1, 2016 to complete term vacated by Richard Dill (discussion & vote may be taken)

IV. TOWN ADMINISTRATOR'S REPORT

V. OTHER BUSINESS

Upcoming Meetings

February 3, 2016	3:00p.m.	Timothy Smith Room	Work Session
February 9, 2016	6:30 p.m.	Orleans Town Hall	Joint Meeting, TriTown
February 10, 2016	3:00 p.m.	Timothy Smith Room	Work Session
February 10, 2016	5:00 p.m.	Truro Public Safety	Executive Session
February 16, 2016	3:00 p.m.	Earle Mountain Room	Regular Meeting
February 17, 2016	3:00 p.m.	Timothy Smith Room	Work Session

The listing of matters includes those reasonable anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

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

II. 5:05 pm

Gillespie-Lee, Laurie

From: Joan Plante <jplante@eastham-ma.gov>
Sent: Wednesday, January 20, 2016 12:09 PM
To: Gillespie-Lee, Laurie
Cc: Sheila Vanderhoef; Jacqueline Beebe
Subject: FW: Selectmen's vote and agenda item [ED-01.FID657912]
Attachments: 56945841_1-56934161_1-Eastham Pool 19 vote for emailing DW-15-01.DOCX

Hi All,
Laurie, attached is the vote the Selectmen need to read & vote at their next meeting. The suggested addenda item is in the body of the email. I am sending the entire email to everyone, plus attachment, so that everyone understands what the Selectmen need to vote and sign at their meeting on February 1. Please let me know if you have any questions.
Thanks,
Joan

Joan M. Plante
Treasurer/Collector
Town of Eastham
2500 State Highway
Eastham, MA 02642
508-240-5900 x218
jplante@eastham-ma.gov

From: Adams, Kara [<mailto:Kara.Adams@lockelord.com>]
Sent: Wednesday, January 20, 2016 11:16 AM
To: jplante@eastham-ma.gov
Subject: Selectmen's vote and agenda item [ED-01.FID657912]

Hi Joan,

As we discussed a few minutes ago, please find attached a word version of the Selectmen's vote, should the Clerk wish to "cut and paste" the text of the vote into the minutes of the February 1 meeting. I've put the dollar amount of the total town meeting authorization in the Selectmen's vote (\$45,800,000), but this part of the financing through the Trust will be \$24,985,403. (We put in the town meeting authorization amount so that if the next round of financing through the Trust is \$20,814,597 or less, the Selectmen won't have to vote again, we will be able to use this vote as it covers the full authorization.)

Also, the following agenda item should be sufficient:

"Vote to approve the issuance and details of notes and bonds to the Massachusetts Clean Water Trust authorized under Article 8 of the May 5, 2014 Town Meeting for the Town's water supply and distribution system."

As I mentioned on the telephone, you should receive the rest of the closing papers (as well as hard copies of the attached vote to have signed) tomorrow. If you have any questions or concerns, please feel free to give me a call or send me an email. I will need to receive the closing papers back, signed and sealed, by February 3.

Thank you,

Kara

Kara K. Adams
Locke Lord LLP
111 Huntington Avenue
Boston, MA 02199

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Eastham, Massachusetts (the "Town"), certify that at a meeting of the board held February 1, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$45,800,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and votes of the Town passed May 5, 2014 (Article 8) and May 21, 2013 (Question No. 1), for construction of drinking water facilities (the "Project");
 - (2) that each Bond shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement;
 - (3) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds, such date, form and maturities and the specific interest rate or rates of the Bonds to be approved by a majority of the Board of Selectmen and the Treasurer as evidenced by their execution of the Bonds;
 - (4) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
 - (5) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreements and the Project Regulatory Agreements relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: February 1, 2016

Clerk of the Board of Selectmen

II. 5:45 pm

Eastham Water System

Board of Selectmen Meeting

February 1, 2016

Environmental  Partners

GROUP

A partnership for engineering solutions.

www.envpartners.com

Funding – SRF and USDA

■ SRF

- Final 2016 Intended Use Plan issued last Wed.
- Eastham is #1 on list - \$16 Million

■ USDA – Rural Development

- Funding request for non-SRF costs: \$2 Million
- Grant-loan. 20% grant (\$400,000)
- Looks likely to be approved by early April



Winter Construction Activities (January – February)

- Work ongoing on Contracts 2, 4 and 5
(RB Our and CC Construction)
Great Pond, Thorne, Seward
- Contract 6 now done for winter (RJV)

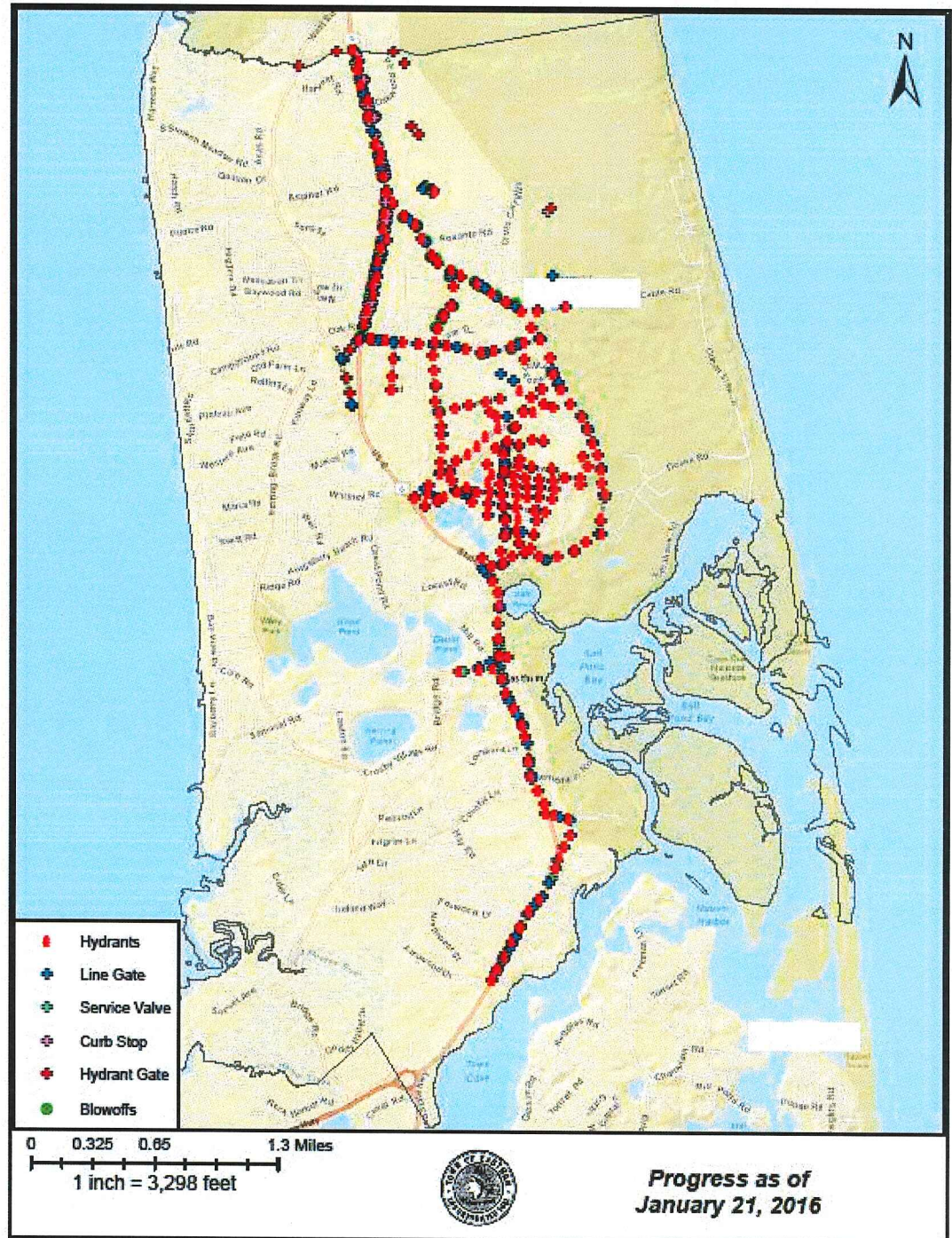


Progress Plan

(Jan. 21st)

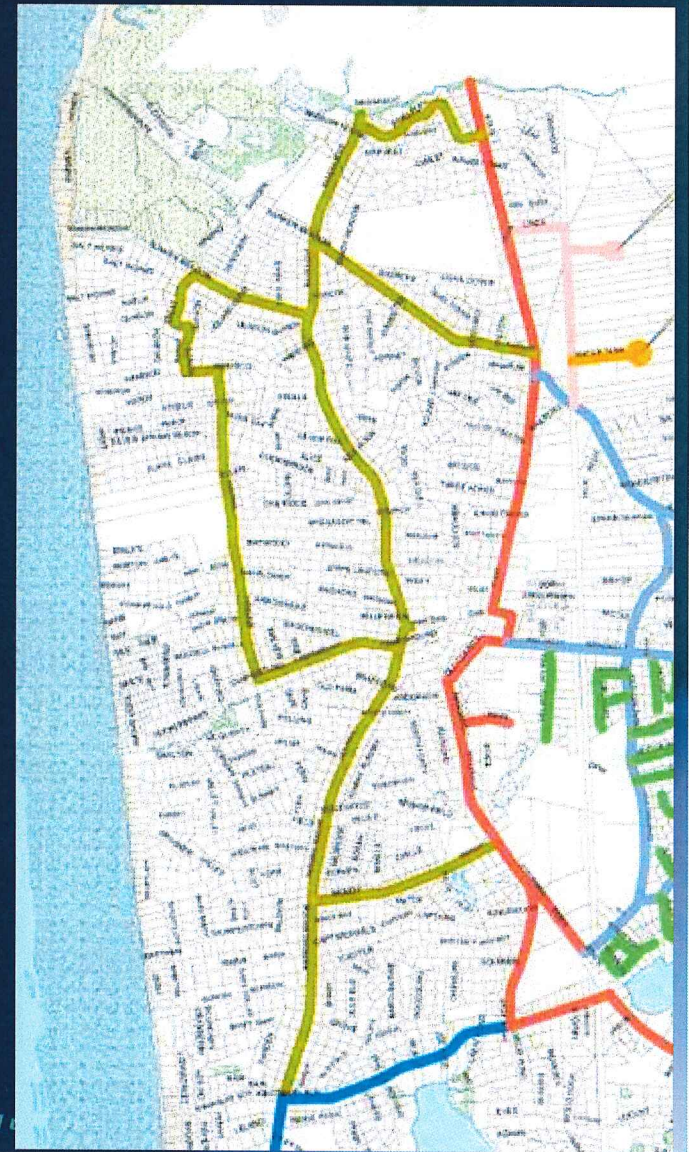
Hydrants, Gates and Valves

A partners



Contract 7: Northwest System

- Bids received Jan 20th
- 10 bids: \$3.52 M - \$5.19M
- RB Our Company – lowest bid
- Lowest 5 bids w/in 10% of each other
- March/April construction start
- Information session for property owners - Jan 25th



Contract 7

Private Roads

Jack-cin Drive
Whelpley Road
Treat Road
Quasson Drive
Bangs Road
Wamisco Road
Oquamoshod Road



Easements are needed for private roads

- To install the water main (construction)
- For water system maintenance (operations)



What is an easement?

- Permission to access property owned by another
- Legal title is retained by the property owner
- A right-of-use for construction and O&M
- It is not a “taking”



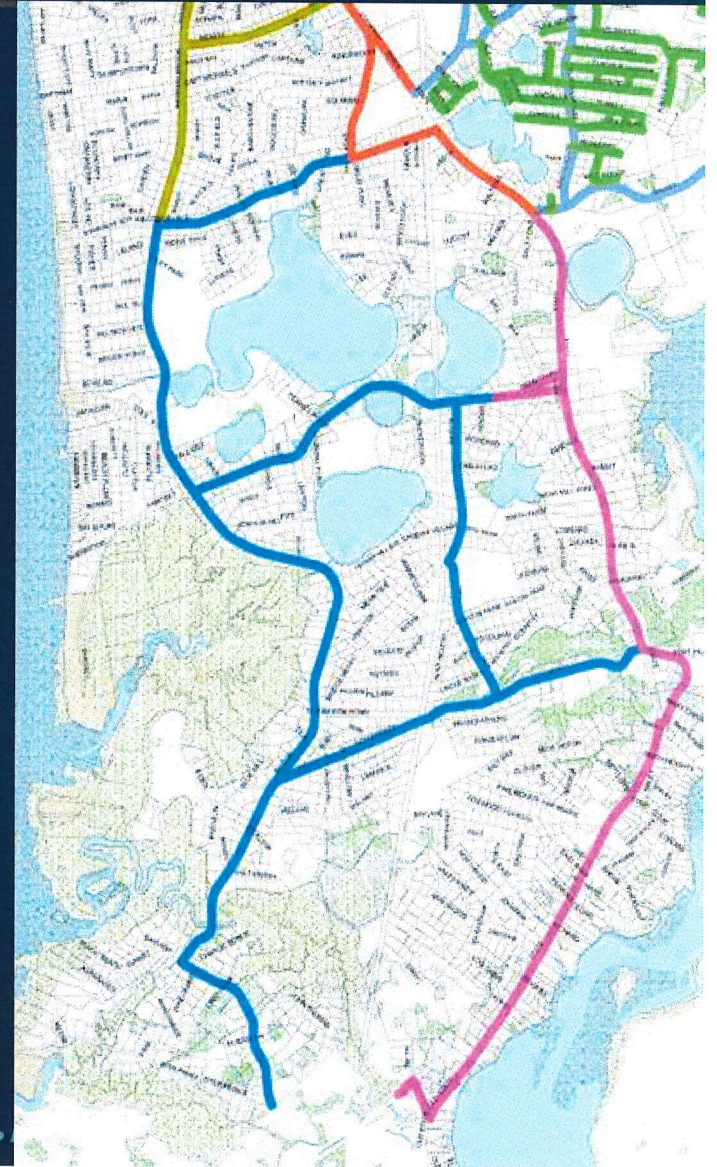
Easement Process

- Easement plan reviewed with property owner
- Documents prepared by Town counsel
- Action by Water Commissioners (Board of Selectmen)
- Recorded at the Barnstable County Registry of Deeds



Contract 8: Southwest System

- February
 - DEP permit
 - Con Com NOI
 - SRF reviewed
- Bidding
 - Advertise: late-Feb/early March
 - Receive bids mid-March



Water System Rules & Regulations

- Draft under review with Board of Health and Town Counsel
- Finalize with BOS during March
- Rate structure being developed



Meter Procurement

Issue RFP	mid-late Feb. 2016
Receive Proposals	March 2016
Vendor Selection	April 2016



Public Outreach & Information

- Eastham web page

<http://easthamwaterproject.weebly.com>

- Eastham Water Projects Email Address:

easthamwater@envpartners.com

- Eastham Water Project Phone Number

617-657-0279



DISCUSSION

A partnership for engineering solutions.





TOWN OF EASTHAM

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

III A. 1

TO: Board of Selectmen
FROM: Jacqui Beebe
RE: Gift Account Language- Affordable Housing Data Analysis/ Studies
March 3, 2015

"Vote to establish a special gift fund for the purpose of Affordable Housing Data Analysis/Studies under MGL Chapter 44 Section 53A; monies shall be deposited with the treasurer and held as a separate account and may be expended for this purpose without further appropriation."

GIFT AGREEMENT PURSUANT TO G.L. c.44, §53A

WHEREAS, Stratford Capital Group, LLC of 100 Corporate Place, Suite 404, Peabody, MA 01960 ("Stratford") wishes to make a gift to the Town of Eastham ("Town"), by and through the Board of Selectmen ("Board"), to assist the Town with reviewing an application ("LIP Application") by Stratford to the Board for endorsement of a Local Initiative Project regarding property located at 4790 State Highway, Eastham, MA ("Property").;

WHEREAS, the Board wishes to review the LIP Application, but lacks the necessary funding for same, to allow the Board to obtain legal advice and peer review of the necessary materials; and

WHEREAS, Stratford provides the Town herewith with \$12,000 in funds to be placed into a gift account under G.L. c.44, §53A; and

NOW, THEREFORE, the Town, by and through the Board, and Stratford agree as follows.

1. Stratford hereby provides the Town's Treasurer with the sum of \$12,000.00 under G.L. c.44, §53A to be deposited by the Treasurer in an interest bearing account to be expended at the direction of the Board, exclusively for the following purposes:
 - i. The Town's reasonable legal fees to obtain advice from Town Counsel Kopelman and Paige, PC regarding preparation and negotiation of a potential Memorandum of Agreement to support potential endorsement of the LIP, including preparation of the Memorandum of Agreement and attendance at meetings held in the Town to review and negotiate the terms of the Memorandum of Agreement from .
 - ii. The Town's reasonable peer review costs by a qualified professional to peer review:
 - * Stratford's marketing plan;
 - * Stratford's traffic reports;
 - * Fiscal impact reports; and
 - * All available evidence to evaluate the Town's need to request a local preference for Town residents for the affordable units;
 - iii. The Town's reasonable costs to develop a strategy to promote readiness of eligible local residents to enter into the lottery for the affordable units when they become available, to assist with the exercise of any local preference.

2. The gift funds may be used by the Town, up to the \$12,000.00, to pay for the reasonable legal costs and the technical peer review incurred by the Town to review and evaluate the LIP Application and develop a potential MOA as set forth above and for any related purpose, but for no other purpose without Stratford's approval.
3. Peer review contracts shall be in writing and shall be for "not to exceed amounts," except for relevant Town Counsel services from November 15, 2015 through conclusion of review of the Application by the Board.
4. Stratford may replenish the Gift Account if there is any shortfall, in amounts it deems are appropriate, to provide additional funds to the Town to support its review the Application, but this agreement shall be modified by majority vote of the Board of Selectmen to authorize receipt and expenditure of the gift funds..
5. It is hereby acknowledged the Town shall have the right, but not the obligation, to use the funds, including any accrued interest, obtained hereunder for the stated purpose and that the Town shall not be deemed to have waived its right to use the funds or be deemed guilty of laches if the Town delays in using the funds.
6. Once the Board notifies the Town Treasurer in writing that the costs detailed above have been fully paid and notify the Treasurer of the amount of the costs and fees, then this gift account shall be closed and any excess funds remaining in the gift account shall be returned to Stratford or its written assign after the work contemplated hereunder has been completed to the Town's satisfaction, which satisfaction shall be evidenced by a written determination of the Board. Any interest accrued under the gift account may be used for any purpose allowed under this agreement.
7. Acceptance of the gift funds and expenditure of the gift funds is to allow the Town and the Board to evaluate the Application and no promise or representation has been made to Stratford in exchange for the funds, other than that the funds shall be used to review and evaluate and act upon the Application in good faith.

Approved by the Eastham Board of Selectmen

BY: _____, Chairperson

Authorized by a vote taken on: _____

Approved by Stratford Capital Group, LLC

BY: _____
SCA Capital Corp., Managing Member of Stratford Capital Group, LLC

Approved by SCG Capital Corp.

BY: _____
Benjamin D. Mottola, President, Treasurer and Secretary of SCG Capital Corp. (with a corporate clerk's certificate regarding his status) or a corporate clerk's certificate to certify a corporate vote supporting the signature provided)

Date:

546608/EASTHAM/0192

III. A.2.

February 1, 2016

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: Committee Appointments

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

Ralph Holcomb

The interview committee recommends the appointment of Ralph Holcomb as a regular member to the Zoning Board of Appeals.

If the Board appoints him, his first term would commence February 1, 2016 and expire June 30, 2016. He is to replace Richard Dill, whose term was to have ended June 30, 2013.

Charge To The Zoning Board Of Appeals

9-5-13 Statute Chapter 40A-Zoning Board of Appeals. A Zoning Board of Appeals of five members and two alternates shall be appointed by the Board of Selectmen for three year overlapping terms.

From Eastham Home Rule Charter - 1992

Information

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

Presidential Primary

SS: Barnstable County

To: Either of the Constables of the Town of Eastham

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at:

Eastham Town Hall Prct. 1

on **TUESDAY, THE FIRST DAY OF MARCH, 2016**, from 7:00 A.M. To 8:00 P.M. for the following purpose:

To cast their votes in the President Primary for the candidates of political parties for the following offices:

PRESIDENTIAL PREFERENCEFOR THIS COMMONWEALTH
STATE COMMITTEE MAN.....CAPE AND ISLANDS SENATORIAL DISTRICT
STATE COMMITTEE WOMAN.....CAPE AND ISLANDS SENATORIAL DISTRICT
WARD OR TOWN COMMITTEE.....EASTHAM

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2016.

SELECTMEN OF EASTHAM

I have posted attested copies of this warrant at the Post Office in Eastham and North Eastham at least seven days before the date of this election.

A True Copy Attest:

Constable

Date

Susanne Fischer
Town Clerk

A Great Town - Eastham

From : Fred Fenlon <fredfj@comcast.net>

Wed, Jan 27, 2016 11:57 AM

Subject : A Great Town - Eastham**To :** kfarrenkopf@eastham-ma.gov**Cc :** svanderhoef@eastham-ma.gov

Dear Chief Farrenkopf.

I am extremely fortunate to live in Eastham, the very best town on Caper Cod!

For example.....

The day before the last winter snow storm I picked-up my gas operated generator after it was serviced. It was far to heavy for one man. I called on our Fire Department for assistance. They were at my home very quickly and within minutes had unloaded my generator.

Secondly, the day after the snow storm my Golden Retriever dog got very sick. I again I called the Fire Department to lift him into my car to go to the Vet. Again they were at my home within minutes. He had passed away.

So you can see why I am so very fortunate to live in the best town on Cape Cod.

Thank You Chief Farrenkopf!!

Fred Fenlon
508-240-3258

CC. Town Administrator
: Selectman Chairman





TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642
All Departments 508-240-5900
www.eastham-ma.gov

Date: February 1, 2016

Memo To: Eastham Board of Selectmen

Memo From: Laurie Gillespie-Lee

Laurie

Re: Request Re T-Time Property

Jean Rapose called Town Hall requesting to speak with a Selectman. She started writing a letter to send to the Selectmen regarding the proposal, but feels she needs to meet in person and talk "eye to eye" to convey her point.

We advised that we would get this information to you at your meeting on Monday, February 1st. We have her phone number for whoever on the Board would like it.

Thank you,

SV/lg

Sheila Vanderhoef

BOS
info

From: Thomas Thompsen <tomandnoreen@gmail.com>
Sent: Wednesday, January 27, 2016 10:30 PM
To: Sheila Vanderhoef
Subject: Re: Affordable Housing article

Thank you!

I do hope that my thoughts will stimulate some discussion and creative thinking.

Will the BOS be meeting on this issue soon? If so can taxpayers attend to be part of the discussion?

Our “kids” (25 & 27) have made the decision to move off Cape—I would like to give other young adults the option to stay here if they want to and *if* they can find suitable year round employment and affordable housing.

Noreen Thompsen

On Jan 25, 2016, at 12:36 PM, Sheila Vanderhoef <svanderhoef@eastham-ma.gov> wrote:

We have added this to the BOS information.

From: Thomas Thompsen [<mailto:tomandnoreen@gmail.com>]
Sent: Monday, January 25, 2016 12:26 PM
To: nuendelcapecod@aol.com; John Knight; Sheila Vanderhoef; Jim Russo; K.C Myers; carol dumas
Subject: Re: Affordable Housing article

Hi Bonnie,

I am all for the addition of affordable housing in Eastham. My concern is that a project this big on that side of Route 6 will likely exacerbate an already awful traffic situation in the summer. I think 60 or so units on that side would be OK. If there were another available lot on the other side of 6 there are so many back ways to get to the rotary from that side it would help mitigate the traffic concerns. As it is I can't get out of Shore Road to head into Orleans in the summer without taking a right turn then talking my life in my hands to cross the one lane of traffic to turn around to head to the rotary—since our only options for shopping are in Orleans.

Maybe selectmen could look into finding another parcel on the other side of the route 6 to split the project into two projects?

What ever happened to the wonderful vision the Mike Cole had for a little Eastham downtown mixed use retail/residential project? When Mike died that vision seems to have died with him. I know many of us who attended Chamber sponsored discussions with slide presentations thought it was a fantastic vision and as I recall it had entrances not directly on 6. Maybe someone at Cape Associates still has those blueprints and it would be worth taking another look at them?

Another thought that I have on this is that if our goal is to provide affordable housing alternatives that might keep and attract younger families why not require that 50% of any such project be homes or condos for

purchase like those at Eastham's Bracket Landing project? Tom's sister owns one of those affordable condos and like most home owners she and her neighbors take great pride in their property. Or perhaps the renter could be allowed to rent with an option to buy? This way the owner gets to build equity and a credit history rather than have their rent go into the black hole. I spent the first 10 years of my professional life renting—a total waste of money. Had I had the option of securing a loan with a modest down payment I would have jumped at it. In fact, when I was single and on a limited social services salary I had applied for one such affordable condo project in Salem but did not get selected.

When we finally saved enough for a down payment we purchased a condo in Dover, NH which gave us the equity and credit history to then purchase a single family and then the motel complex.

Our goal should be to encourage young families and people (or seniors) on low or fixed incomes to be able to rent *or purchase* affordable property in Eastham. As a parent of two young adults now off Cape who found limited opportunities for employment or affordable housing on the Cape I would love nothing better than to give young Cape Codders a reason to stay here.

I also have some disdain for a foreign owned corporation (Stop & Shop) purchasing this parcel in Eastham not because they wanted to relocate here but to place deed restrictions on it effectively dictating to the Town of Eastham how the parcel can or can't be used in order to prevent any mixed use of the property and prevent any competition. I try to do most of my shopping at Friends Market now as my little protest and although it is closer and more convenient I shop there more as a convenience store. Corporate shenanigans are one of my pet peeves.

Link to CCTimes article on the Stop & Shop corporate deed restriction project:

<http://www.capecodtimes.com/article/20150906/NEWS/150909695>

Just some thoughts...I have cc'd Eastham Selectman John Knight, Sheila Vanderhoef, KC Myers, Carol Dumas and Jim Russo.

Noreen

On Jan 25, 2016, at 10:58 AM, nuendelcapecod@aol.com wrote:

nuendelcapecod@aol.com

Subject: Affordable Housing article

This is being sent to every Easthammer in my contacts list. I apologize if you are not an Easthammer. There was an excellent article in this morning's CCT on page 3 by KC Myers. It was objective, informative and important to read, if you're forming opinions about the 40b project at T-Time which is to include 90% affordable residences. Not "low income housing", AFFORDABLE housing. There is a big difference. In case you don't subscribe or can't access it on line, I'm attaching it, hoping to educate

us all.

There is a petition for those who are for the project. I hope you'll consider emailing me when you're ready to sign and I'll let you know the best way to show support for positive growth in Eastham.

Bonnie N

Sorry if you've received this twice.

nuendelcapecod@aol.com

<Affordable Housing article 1-23-16.PDF>

Tom and Noreen Thompsen
15 Seaview Road
Eastham, MA 02642
508-240-6178
tomandnoreen@gmail.com

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15 Seaview Road
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Sheila Vanderhoef

BOS Time

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