

AGENDA

Monday

March 7, 2016

REVISED
TOWN OF EASTHAM
BOARD OF SELECTMEN AGENDA
Monday, March 7, 2016
5:00 p.m.

Location: Earle Mountain Room

I. PUBLIC/SELECTMEN INFORMATION

II. PUBLIC HEARING

5:10 p.m. Public Hearing to Lay Out and Accept as a Public Way, Hay Road from Governor Prentice to Woodland Way and/or Governor Prentice to Bridge Road, included in the Annual Town Meeting Warrant May 2, 2016. (Public statements and questions taken & vote ATM recommendation)

III. APPOINTMENTS

5:40 p.m. Housing Production Plan: *Paul Lagg, Town Planner/Community Development & Planning Board.* This is the final draft of the Town of Eastham Housing Production Plan for the Board of Selectmen's review and vote. The Planning Board reviewed the plan and recommends acceptance. (Board discussion & vote ATM recommendation)

5:50 p.m. Groundwater Protection Overlay District Zoning By-Law Warrant Article (proposed), *Paul Lagg, Town Planner/Community Development.* This is the final draft of the new groundwater protection district Zoning Bylaw amendment from the Planning Board and as is required by the DEP. It is designed to provide an extra level of protection to the public water system well field sites and is included, in the warrant for town Meeting. (Board discussion & vote ATM recommendation)

6:05 p.m. Community Preservation Committee Warrant Articles, *Paul Lagg, Town Planner/Community Development.* Paul will answer any questions regarding the warrant articles as proposed by the Community Preservation Committee. (Board discussion & vote ATM recommendations on all CPA articles)

6:20 p.m. Other Article Recommendation Votes:

- Greenhead Fly Control - \$1,700
- DEP Liability
- Nauset Regional School Funding Agreement
- Reauthorize Revolving Funds
- OPEB funding \$50,000
- Municipal Operating Budget - \$25,755,930
- Article 13, Capital Acquisition Budget \$622,500
- Five Year Capital Plan
- Elected Officials Salaries
- Tri Town Decommissioning Funding \$70,000

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

IV. ADMINISTRATIVE MATTERS

A. Action/Discussion

1. Approve FY16 deficit spending for Snow and Ice budget (Requires vote)
2. Approve Request to seek an exemption from the State Building Code to allow the new library to open prior to public water being available. The exemption can only be granted by the state. The Eastham Inspector of Buildings will not issue an occupancy permit without it. (Board discussion & vote requested)
3. Consideration of Placing on Annual Town Meeting Warrant request for Hiring and Funding of OPM – Selectman Wally Adams

V. TOWN ADMINISTRATOR'S REPORT

VI. OTHER BUSINESS

Note: Board of Selectmen will convene as Board of Water Commissioners, John Knight Chair to take the following actions.

AGENDA
BOARD OF WATER COMMISSIONERS
Monday, March 7, 2016
6:30 p.m.

- 1.0 Board of Water Commissioners to review Orders of Taking for private road easements required for the Municipal Water Project. (Board discussion & vote requested)

Upcoming Board of Selectmen Meetings

March 9, 2016	3:00p.m.	Timothy Smith Room	Work Session
March 21, 2016	5:00 p.m.	Earle Mountain Room	Regular Meeting
March 23, 2016	3:00 p.m.	Timothy Smith Room	Work Session
March 28, 2016	5:00 p.m.	Earle Mountain Room	Regular 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.

TOWN OF EASTHAM
LEGAL NOTICE

Public Hearing 5:10 PM

PROPOSAL TO LAY OUT & ACCEPT AS A PUBLIC WAY HAY ROAD

PUBLIC HEARING

The Board of Selectmen will hold a public hearing on Monday, March 7, 2016 at 5:10 PM at the Eastham Town Hall, in the Earle Mountain Room, 2500 State Highway, Eastham, MA 02642, to Lay Out and Accept as a Public Way, Hay Road from Governor Prence to Woodland Way and/or Governor Prence to Bridge Road, as proposed for inclusion in the Annual Town Meeting warrant for May 2, 2016.

A copy of the proposed layout plan is available for inspection at the Eastham Town Hall in The Town Administrator's Office, Monday-Friday, 8:00 AM to 4:00 PM and on the Town website at www.eastham-ma.gov.



TOWN OF EASTHAM

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

February 18, 2016

Elizabeth Gawron, Chair,
Eastham Board of Selectmen
2500 State Highway
Eastham, MA 02646

Please be advised that the Planning Board acknowledges that the Board of Selectmen has voted to accept the layout of Hay Road as drawn on the plan entitled "*Plan of Land Showing A Portion of Hay Road, Eastham, MA*" drawn by Schofield Brothers of Cape Cod and dated December 2015.

The Planning Board reviewed this issue at a meeting held on February 17, 2016. While the Planning Board has some concerns regarding the condition of the road, The Board acknowledges that the action of the Board of Selectmen to accept the road layout is the first step in a multi-step process in acquiring the road as a town way. As this process moves forward, the Planning Board will require further clarification and detail regarding the plans to address drainage and maintenance issues in order to bring Hay Road into closer compliance with the Town of Eastham's Road Acceptance Standards.

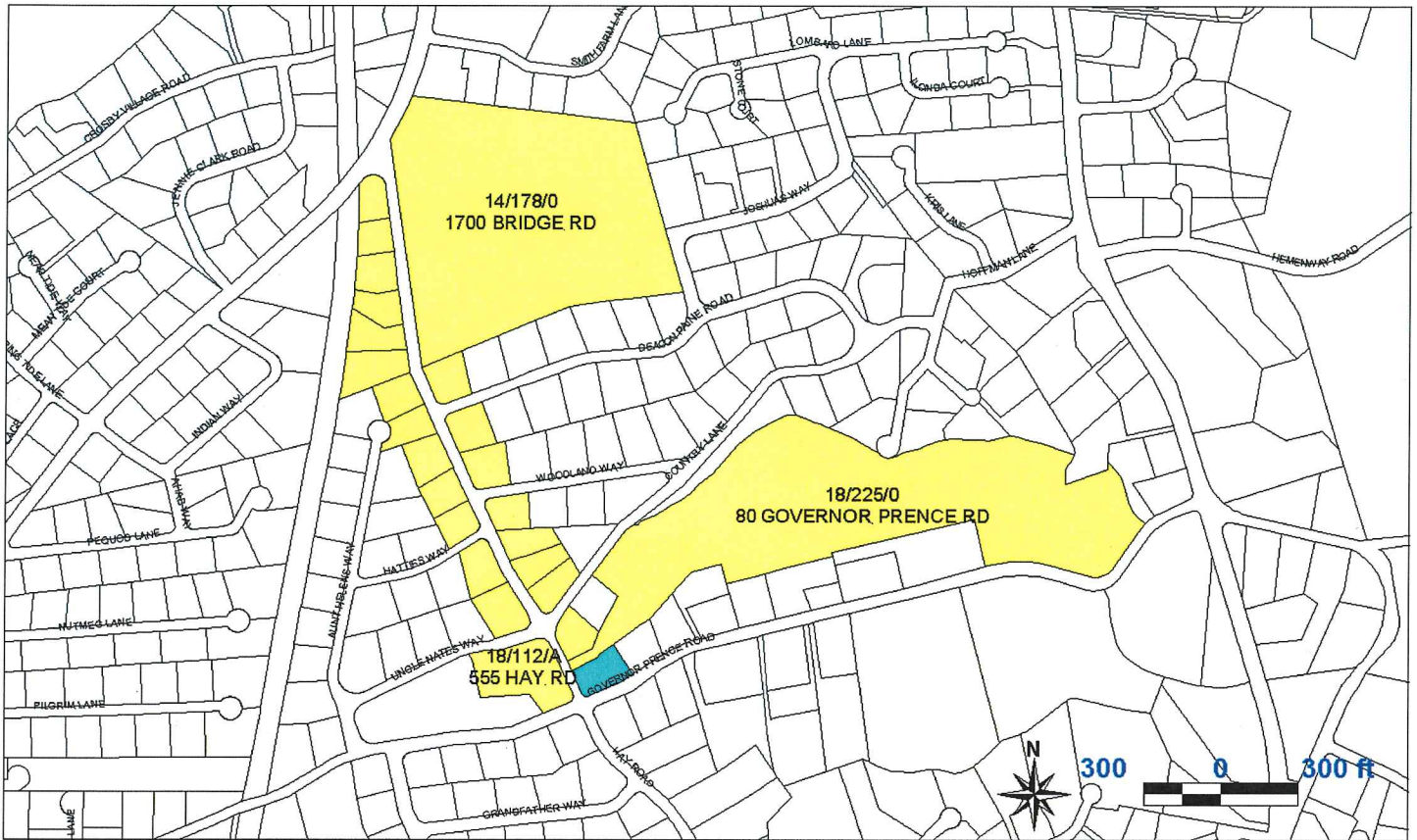
The Planning board looks forward to working with the Board of Selectmen on this matter.

Dan Coppelman, Chair, Eastham Planning Board



TOWN OF EASTHAM, MA
BOARD OF ASSESSORS
2500 State Highway

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
4725	14-178-0-R	CRARY DAVID W	1700 BRIDGE RD	PO BOX 427	EASTHAM	MA	02642
4766	14-236-0-R	CHINNASWAMY MANO & JANE	1670 BRIDGE RD	1000 PRESIDENTS WAY APT 1426	DEDHAM	MA	02026
4767	14-237-0-R	CODY PAUL T & CODY MELISSA G	855 HAY RD	855 HAY RD	EASTHAM	MA	02642
4768	14-238-0-R	JURKIEWICZ TOM & SANDY LVG TR JURKIEWICZ THOMAS & SANDRA TTE	845 HAY RD	122 MEADOW RD	SYRACUSE	NY	13219
4769	14-239-0-R	PERRY LAURENCE E & VIVIAN M	835 HAY RD	835 HAY RD	EASTHAM	MA	02642
4770	14-240-0-R	STRAKELE ROBERT L & BARBARA L	825 HAY RD	PO BOX 951	EASTHAM	MA	02642
4771	14-241-0-R	MARVEL THOMAS W & ELISABETH P	815 HAY RD	2734 12TH ST NO	NAPLES	FL	33940
5211	17-550-0-R	HOWARD HELEN JO	220 DEACON PAINE RD	PO BOX 219	EASTHAM	MA	02642
5212	17-551-0-R	FISCHER JR HENRY W TRUST & FISCHER JANE E 2012 LVG TRUST	225 DEACON PAINE RD	225 DEACON PAINE RD	EASTHAM	MA	02642
5214	17-553-0-R	FISCHER JR HENRY W TRUST & FISCHER JANE E TRUST	710 HAY RD	225 DEACON PAIN RD	EASTHAM	MA	02642
5215	17-554-0-R	FORJAN JOSEPH & MARIE	690 HAY RD	690 HAY RD	EASTHAM	MA	02642
5216	17-555-0-R	COLQUHOUN MARGARET R	660 HAY RD	660 HAY RD	EASTHAM	MA	02642
5217	17-556-0-R	FRAZZETTE VITO F & HELGA J	640 HAY RD	PO BOX 853	EASTHAM	MA	02642
5218	17-557-0-R	NYMAN KURT H & ANNE R	729 HAY RD	96 CHATHAM HILL	S GLASTONBURY	CT	06033
5219	17-558-0-R	CIARAVINO CAROL R TAYLOR GRANTLEY	715 HAY RD	24 WOLCOTT RD	CHESTNUT HILL	MA	02467

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
5220	17-559-0-R	PETERSON GREGORY N	695 HAY RD	BOX 503	BREWSTER	MA	02631
5222	17-561-0-R	JUCKINS ROBERT A	655 HAY RD	110 ADAMS RD	ATHOL	MA	01331
5223	17-562-0-R	CHURCH ELEANORA M ESTATE	10 UNCLE NATES WAY	C/O OLIVER KARL CHURCH III 71 MT AIRY DR	ROCHESTER	NY	14617
5242	17-582-0-R	CARROLL MICHAEL	755 HAY RD	23 KING RD	CHARLTON	MA	01507
5243	17-583-0-R	JONES LOIS F	795 HAY RD	795 HAY RD	EASTHAM	MA	02642
5580	18-112-A-R	FLEMING TRUST FLEMING CAROLYN & FLEMING PAUL	555 HAY RD	PO BOX 1372	ORLEANS	MA	02653
5725	18-225-0-E	EASTHAM CONSERVATION FNDTN	80 GOVERNOR PRENCE RD	PO BOX 183	EASTHAM	MA	02642
5745	18-247-0-R	FRAZZETTE VITO F & HELGA J	55 COUNTRY LN	PO BOX 853	EASTHAM	MA	02642
5747	18-249-0-R	KERSTEN THOMAS A & PENELOPE K	570 HAY RD	570 HAY RD	EASTHAM	MA	02642
5748	18-250-0-R	KERSTEN THOMAS A & PENELOPE K	540 HAY RD	570 HAY RD	EASTHAM	MA	02642

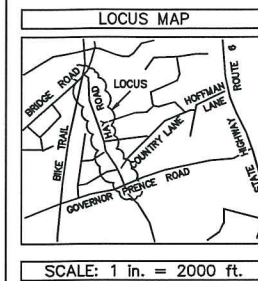
REFERENCES:
 LAND COURT PLAN #35581
 LAND COURT PLAN #31478
 LAND COURT PLAN #27619
 LAND COURT PLAN #24635
 PLAN BOOK 355, PAGE 50
 PLAN BOOK 217, PAGE 117
 PLAN BOOK 191, PAGE 21

LEGEND	
CB	CONCRETE BOUND
DH	DRILL HOLE
FND	FOUND
N/F	NOW OR FORMERLY
—	FENCE
UP	UTILITY POLE
—HW	OVERHEAD WIRES

I CERTIFY THAT THIS PLAN WAS PREPARED
 IN CONFORMANCE WITH THE RULES AND
 REGULATIONS OF THE REGISTERS OF DEEDS
 EFFECTIVE JANUARY 1, 1978 AND AS REVISED
 THROUGH JANUARY 1988.

DATE: _____
 PROFESSIONAL LAND SURVEYOR

THIS PLAN AND THE ACCOMPANYING CERTIFICATIONS
 DO NOT CONSTITUTE A CERTIFICATION OF TITLE TO
 THE PROPERTY DISPLAYED HEREON. THE OWNERS
 OF LOCUS AND ABUTTING PROPERTIES ARE SHOWN
 ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.



ASSESSORS MAP 14, PARCEL 178
 N/F
 DAVID W. CRARY

ASSESSORS MAP 14, PARCEL 236
 N/F
 MANO CHINNASWAMY AND
 JANE CHINNASWAMY

ASSESSORS MAP 14, PARCEL 237
 N/F
 PAUL T. CODY AND
 MELISSA G. CODY

ASSESSORS MAP 14, PARCEL 238
 N/F
 TOM & SANDY JURKIEWICZ LIVING TRUST,
 THOMAS M. JURKIEWICZ AND
 SANDRA A. JURKIEWICZ, TRUSTEES

ASSESSORS MAP 14, PARCEL 239
 N/F
 LAURENCE E. PERRY AND
 VIVIAN M. PERRY

ASSESSORS MAP 14, PARCEL 240
 N/F
 ROBERT L. STRAKELE AND
 BARBARA L. STRAKELE

ASSESSORS MAP 14, PARCEL 241
 N/F
 THOMAS W. MARVEL AND
 ELISABETH P. MARVEL

ASSESSORS MAP 17, PARCEL 550
 N/F
 HELEN JO HOWARD

ASSESSORS MAP 17, PARCEL 551
 N/F
 HENRY W. FISHER, JR. AND
 JANE E. FISHER, TRUSTEES

ASSESSORS MAP 17, PARCEL 583
 N/F
 LOIS F. JONES

ASSESSORS MAP 17, PARCEL 582
 N/F
 MICHAEL CARROLL

ASSESSORS MAP 18, PARCEL 225
 N/F
 EASTHAM CONSERVATION FOUNDATION

ASSESSORS MAP 18, PARCEL 249
 N/F
 THOMAS A. KERSTEN AND
 PENELOPE K. KERSTEN

ASSESSORS MAP 18, PARCEL 250
 N/F
 THOMAS A. KERSTEN AND
 PENELOPE K. KERSTEN
 L=32.62'
 R=20.51'
 T=20.91'

ASSESSORS MAP 17, PARCEL 556
 N/F
 VITO FRAZZETTE AND
 HELGA J. FRAZZETTE

ASSESSORS MAP 17, PARCEL 555
 N/F
 MARGARET R. COLQUHOUN

ASSESSORS MAP 17, PARCEL 554
 N/F
 JOSEPH FORJAN AND
 MARIE FORJAN

ASSESSORS MAP 17, PARCEL 553
 N/F
 HENRY W. FISHER, JR. AND
 JANE E. FISHER, TRUSTEES

ASSESSORS MAP 18, PARCEL 118-A
 N/F
 FLEMING TRUST
 CAROLYN L. FLEMING AND
 PAUL D. FLEMING, TRUSTEES

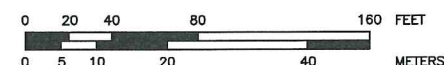
ASSESSORS MAP 17, PARCEL 562
 N/F
 ELEANORA M. CHURCH ESTATE

ASSESSORS MAP 17, PARCEL 561
 N/F
 ROBERT A. JUCKINS

ASSESSORS MAP 17, PARCEL 559
 N/F
 GREGORY N. PETERSON

ASSESSORS MAP 17, PARCEL 558
 N/F
 CAROL R. CIARAVINO AND
 GRANTLY TAYLOR

ASSESSORS MAP 17, PARCEL 557
 N/F
 KURT H. NYMAN AND
 ANNE R. NYMAN



PLAN OF LAND SHOWING A PORTION OF
HAY ROAD
EASTHAM, MA
 PREPARED FOR: TOWN OF EASTHAM

SCALE: 1" = 40' DATE: DECEMBER XX, 2015
 SCHOFIELD BROTHERS OF CAPE COD
 PROFESSIONAL ENGINEERS & PROFESSIONAL LAND SURVEYORS
 P.O. BOX 101, 161 CRANBERRY HIGHWAY, ORLEANS, MA 02653
 TEL. NO. 508-255-2098 FAX NO. 508-240-1215

Sheila Vanderhoef

From: ryan.d.pace@gmail.com on behalf of Ryan Pace <ryan_pace@alumni.tufts.edu>
Sent: Thursday, March 03, 2016 2:23 PM
To: Sheila Vanderhoef
Subject: Hay Road

PLEASE CONFIRM RECEIPT

Ms. Gawron and Other Esteemed Members of the Board of Selectmen (care of Ms. Vanderhoef):

My wife and I have owned a home at 35 Woodland Way in Eastham for 10 years, and we love our town. We are writing because we understand that the Board of Selectmen is going to discuss the condition of Hay Road this coming Monday, March 7th. We are going to be returning to Massachusetts when the Selectmen meet, and unfortunately this means that we will not be back in time to attend Monday's meeting. Nevertheless, we wanted to share our thoughts on the Hay Road situation.

Of course, Hay Road is important to us, and we thank the Selectmen for recently focusing their attention on this problem. We are optimistic that a reasonable solution to the ongoing repair, control and maintenance of Hay Road can be achieved. Remarkably, we were told by the Town Clerck, upon direct inquiry, that it was a public road when we bought our home.

In short, we are in favor of the Town taking and maintaining all of Hay Road between Governor Prence and Bridge as a dirt road. We feel this way primarily for the following two reasons.

1. **Taking and maintaining anything less than the full length of Hay Road will change long-established traffic patterns so that certain areas of the neighborhood are unduly and unreasonably burdened. That result is patently unfair** As you know, Hay Road is now a dirt road from Governor Prence to Bridge. Its condition is fairly consistent along its length, and that means that traffic travels shortest distance to people's homes without regard to the condition of the road. Folks on Deacon Paine or Joshua's Way who are coming home from Orleans drive up Hay and right on Deacon Paine, and the same goes for folks on Woodland Way or Country Lane who turn on their roads. If less than the full length of Hay Road is taken and repaired and maintained by the town, there would be a discrepancy in the condition of the town-maintained and privately maintained portions of the road. If, for instance, the town takes and maintains Hay Road only up to Country Lane or Woodland Way, traffic patterns will shift and more drivers will use the paved roads at Country Lane or Woodland Way to get to Deacon Paine or Joshua's Way. Similarly, folks who go north now on Hay to Bridge will be inclined to cut south in the town-maintained portion of the road instead. Taking and maintaining less than all of Hay Road will create an undue burden on the families in those quiet neighborhoods with cars cutting through. If the town takes and maintains all of Hay Road between Governor Prence and Bridge, drivers will travel in a manner that is consistent with current traffic patterns. Please do not support taking less than all of Hay Road. Doing so will make a challenging situation worse and will result in an unfair outcome.

2. **Paving Hay Road is unnecessarily costly and will dramatically and negatively change the safety and character of the Hay Road neighborhoods**. As you know, Hay Road can be easily used as a cut-through from Route 6 and Governor Prence to Bridge and Samoset. The condition of the road as a dirt road discourages this type of use. It is important for the town to maintain road in a reasonable way. However, grading and improving the dirt road will serve this purpose. Paving the road will likely lead to a dramatic increase in cut-through traffic, particularly in the summer when children are most often playing in the road and in the area. It would make a challenging situation worse, once again. A well-graded dirt road will last years with minimal

maintenance. We encourage you to save town funds for more worthwhile endeavors and to maintain Hay Road as a dirt road rather than a paved thoroughfare.

Thank you, once again, for attempting to solve the Hay Road problem. Let's get it right now that the town is focused on this issue. We encourage the Selectmen to support the taking of the whole length of Hay Road between Governor Prentice and Bridge and to improve it as a dirt road rather than paving any portion of its length.

Ryan and Amy Pace
35 Woodland Way
Eastham, MA

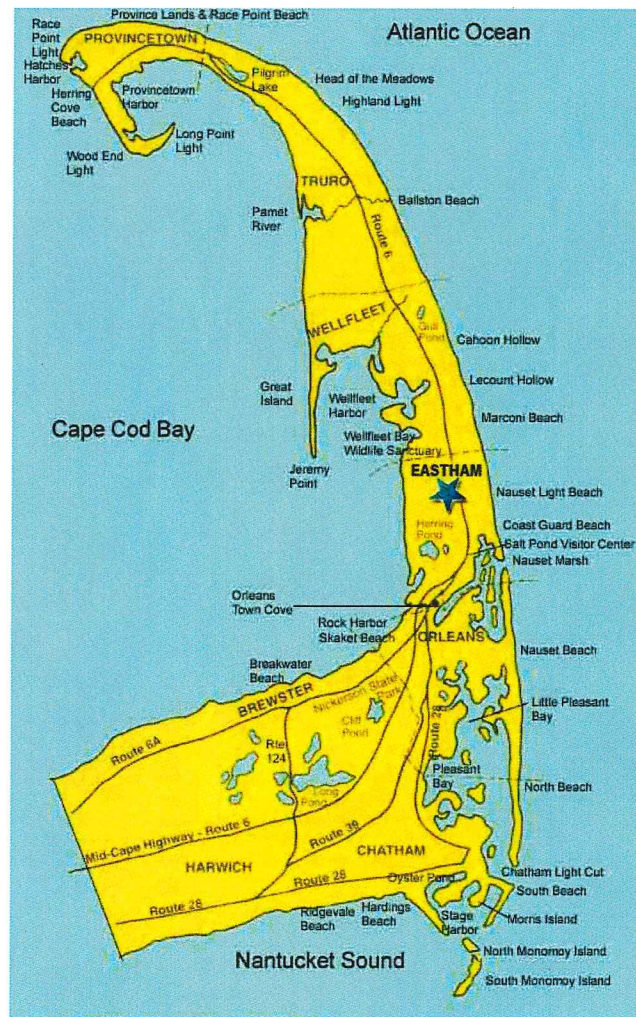
Draft 2-1-16

To review this document, go to the Town website at www.eastham-ma.gov. On the home page, click on the Eastham Housing Production Plan link under News and Announcements on the right side of the page. The document is 141 pages.

TOWN OF EASTHAM, MASSACHUSETTS

III. 5:40 p.m.

HOUSING PRODUCTION PLAN



February 2016

Prepared for the Eastham Board of Selectmen

Karen Sunnarborg, Housing and Planning Consultant
With technical support from Paul Lagg, Town Planner



TOWN OF EASTHAM

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

DATE: March 1, 2016

TO: Eastham Board of Selectmen
CC: Sheila Vanderhoef, Town Administrator
Eastham Finance Committee

FROM: Eastham Planning Board

RE: Report to the Board of Selectmen - Proposed Groundwater Protection Regulations

BACKGROUND:

As part of the Municipal Water Project, the Town is required by MA-DEP to establish a Groundwater Protection District. The establishment of this district will create the regulatory framework that will allow the Town to properly manage and protect the public water supply by regulating the types of activities that can take place within the areas that contribute to groundwater (i.e. Zone II). The method chosen for establishing the Groundwater Protection District is to create a zoning overlay district. Overlay zoning is a regulatory tool that creates a special zoning district, placed over existing base zone(s), which identifies special provisions and/or restrictions in addition to those in the underlying base zone. As the name suggests, the Groundwater Protection Overlay District would overlay on top of the existing zoning districts and in many areas, it will span across multiple zoning districts including the Residential, Industrial, and Commercial districts (*see attached map*).

The boundary of the Groundwater Protection Overlay District will be delineated by the boundary of the area known as Zone II.

Zone II: The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.00.

SUMMARY OF PROPOSED REGULATIONS:

Permitted Uses:

- All uses permitted in the underlying zoning districts are allowed except those specifically prohibited within the Overlay District regulations

Special Permits:

- Planning Board is Special Permit Granting Authority
- Provides mechanism to deal with pre-existing uses within district
- Burden of Proof upon applicant to demonstrate that groundwater beneath the parcel and the water runoff from the parcel does not contribute to drinking water sources.
- Planning Board may place conditions on Special permit as it deems appropriate

Prohibited Uses:

- Primarily deals with storage/use of hazardous materials in excess of “normal household use”
- New underground storage tanks prohibited (*replacement underground gasoline tanks allowed*)
- Pre-existing uses allowed to continue - any change or expansion would require Planning Board approval under Site Plan Approval Special Permit

CURRENT STATUS:

The proposed Groundwater Protection Regulations have been vetted by Town staff, MA-DEP and Town Counsel. The Planning Board held a public hearing on the proposed regulations on February 17, 2016. The proposed regulations have been forwarded to the Board of Selectmen for inclusion on the May 2, 2016 Annual Town Meeting Warrant.

NEXT STEPS:

- Recommend Board of Selectmen and Finance Committee support the adoption of the proposed zoning bylaw amendment.
- A two-thirds vote of a Town Meeting is required.

To see if the Town will vote to amend the Eastham Zoning Bylaw, **Section II - ZONING DISTRICTS** by adding a new Overlay District entitled "Groundwater Protection Overlay District" the following text:

DISTRICT J: GROUNDWATER PROTECTION OVERLAY DISTRICT

For the purposes of this bylaw, there is hereby established within the Town of Eastham a Groundwater Protection Overlay District. This area is delineated on a map entitled Town of Eastham Groundwater Protection Overlay District dated January 7, 2016 which is hereby made part of the Groundwater Protection District Bylaw and is on file in the office of the Town Clerk.

And further to amend **SECTION V - USES** by adding the following text:

DISTRICT J: GROUNDWATER PROTECTION OVERLAY DISTRICT:

SECTION 1: INTRODUCTION AND PURPOSE OF DISTRICT

1.1. The Groundwater Protection District is an overlay district superimposed on the zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities and uses in a portion of one of the underlying zoning districts that fall within the Groundwater Protection District must additionally comply with the requirements of this bylaw. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.

1.2. The purpose of this Groundwater Protection District is to:

- a. promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the Town of Eastham;
- b. preserve and protect existing and potential sources of drinking water;
- c. conserve natural resources in the Town of Eastham; and
- d. prevent temporary and permanent contamination of the environment.

SECTION 2: DEFINITIONS

Automobile Graveyard: An establishment that is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or motor vehicle parts as defined in MGL c.140B, s.1.

Aquifer: A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

CMR: Code of Massachusetts Regulations.

Commercial Fertilizer: Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use, or claimed to have value in promoting plant growth, except un-manipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum, and other products exempted by state regulations.

Discharge: The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, pouring, or placing of toxic or hazardous material or hazardous waste upon or into any land or water such that it may enter the surface or ground waters.

Groundwater Protection District: The land area consisting of aquifers and Zone II recharge areas as identified on a map and adopted pursuant to this bylaw.

Hazardous Material: Any substance in any form which because of its quantity, concentration, or its chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with one or more substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. Hazardous material includes, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as toxic or hazardous under MGL c. 21E. This term shall not include hazardous waste or oil.

Historical High Groundwater Table Elevation: A groundwater elevation determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

Hazardous Waste: A substance or combination of substances, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed. This term shall include all substances identified as hazardous pursuant to the Hazardous Waste Regulations, 310 CMR 30.000.

Impervious Surface: Material or structure on, above, or below the ground that does not allow precipitation or surface water runoff to penetrate into the soil.

Interim Wellhead Protection Area (IWPA): The MassDEP designated protection radius around a public water well that lacks a Zone II.

Junkyard: An establishment that is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, as defined in MGL c.140B, s.1.

Landfill: A facility established in accordance with a valid site assignment for the purposes of disposing solid waste into or on the land, pursuant to the Solid Waste Regulations, 310 CMR 19.006.

MassDEP: Massachusetts Department of Environmental Protection.

MGL: Massachusetts General Law.

Petroleum Product: Includes, but not limited to, fuel oil; gasoline; diesel; kerosene; aviation jet fuel; aviation gasoline; lubricating oils; oily sludge; oil refuse; oil mixed with other wastes; crude oils; or other liquid hydrocarbons regardless of specific gravity. Petroleum product shall not

include liquefied petroleum gas including, but not limited to, liquefied natural gas, propane or butane.

Non-Sanitary Wastewater: Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage including, but not limited to, activities specified in 310 CMR 15.004(6).

Open Dump: A facility operated or maintained in violation of the Resource Conservation and Recovery Act 42 U.S.C. 4004(a)(b), or state regulations and criteria for solid waste disposal.

Recharge Areas: Land areas, such as a Zone II or Interim Wellhead Protection Area, where precipitation and surface water infiltrates into the ground to replenish groundwater and aquifers used for public drinking water supplies.

Septage: The liquid, solid, and semi-solid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. This term shall not include any material that is a hazardous waste, as defined by 310 CMR 30.000.

Sludge: The solid, semi-solid, and liquid residue that results from a process of wastewater treatment or drinking water treatment including wastewater residuals. This term shall not include grit, screening, or grease and oil which are removed at the head-works of a facility

Treatment Works: Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

Utility Works: Regulated activities providing for public services, including roads, water, sewer, electricity, gas, telephone, transportation and their associated maintenance activities. This term shall include the installation of detention and retention basins for the purpose of controlling storm water.

Very Small Quantity Generator: Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

Waste Oil Retention Facility: A waste oil collection facility for automobile service stations, retail outlets, and marinas which is sheltered and has adequate protection to contain a spill, seepage, or discharge of petroleum waste products in accordance with MGL c.21. s.52A.

Zone I: The protective radius around a public water supply well or well field that must be owned by the water supplier, or controlled through recorded conservation restriction. In most cases, it is a four hundred (400) foot radius around the well (less for wells pumping less than one hundred thousand (100,000) gallons per day (gpd)).

Zone II: The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.00. The area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180 days of pumping at safe yield with no recharge from precipitation), as defined by 310 CMR 22.00 and as approved by the Massachusetts Department of Environmental Protection (DEP).

SECTION 3: ESTABLISHMENT AND DELINEATION OF GROUNDWATER PROTECTION DISTRICT

3.1. For the purposes of this bylaw, there is hereby established within the Town of Eastham a Groundwater Protection Overlay District. This area is delineated on a map entitled Town of Eastham Groundwater Protection Overlay District dated January 7, 2016 which is hereby made part of the Groundwater Protection District Bylaw and is on file in the office of the Town Clerk.

SECTION 4: SPECIAL PERMIT

4.1. The Planning Board may issue a special permit for any use prohibited within the Groundwater Protection District, as set forth in Section 6 hereof, if the applicant can adequately demonstrate to the Planning Board that the groundwater beneath the parcel and the water runoff from the parcel does not contribute to existing or potential sources of drinking water. Any application for a special permit for this purpose shall be accompanied by adequate documentation.

4.2. The burden of proof shall be upon the applicant to demonstrate that the groundwater beneath the parcel and the water runoff from the parcel does not contribute to existing or potential sources of drinking water. The Town may engage professional engineers, hydrologists, geologists, or soil scientists to determine more accurately the boundaries of the groundwater watershed with respect to a particular parcel(s) of land, and may charge the owner for the cost of the investigation in accordance with Eastham Zoning Bylaw Section XII(G). If determined that a particular parcel does not in fact contribute to an existing or potential source of drinking water, a special permit may be granted subject to such conditions as the Planning Board deems necessary and appropriate. The grant of a special permit does not alter the boundary of the Groundwater Protection District. Changes to the boundaries of the Groundwater Protection District require town meeting approval.

4.3. Where the boundary line of the Groundwater Protection District divides a lot or parcel, the requirements established by this bylaw shall apply to the entire lot or parcel.

SECTION 5: PERMITTED USES

5.1. All uses permitted in the underlying zoning districts are permitted in the Ground Water Protection District except those specifically prohibited in Section 6 of this bylaw.

5.2. All property used for municipal purposes by or on behalf of the Town of Eastham are exempt from the regulations of this bylaw.

SECTION 6: PROHIBITED USES

6.1. The following land uses and activities are prohibited unless such uses and activities comply with the specified conditions provided herein:

- a. landfills and open dumps;
- b. automobile graveyards and junkyards;
- c. facilities that generate, treat, store, or dispose of hazardous waste that are subject to MGL c.21C and 310 CMR 30.000, except for:
 - 1. very small quantity generators as defined under 310 CMR 30.000;
 - 2. household hazardous waste centers and events under 310 CMR 30.390;
 - 3. waste oil retention facilities required by MGL c. 21, s.52A;
 - 4. water remediation treatment works approved by MassDEP for the treatment of contaminated waters.
- e. petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under North American Industry Classification System (NAICS) Codes 424710 and 454311, except for liquefied petroleum gas.
- f. storage of liquid hazardous materials and/or liquid petroleum products unless such storage is above ground level and on an impervious surface and either:
 - 1. in container(s) or above ground tank(s) within a building; or
 - 2. outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either; 10% of the total possible storage capacity of all containers or 110% of the largest container's storage capacity, whichever is greater.

however, these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline provided the replacement is performed in a manner consistent with state and local requirements;

- g. storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31;
- h. storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- i. storage of animal manure unless contained within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- j. storage of commercial fertilizers unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- k. stockpiling and disposal of snow and ice containing deicing chemicals brought in from outside the Groundwater Protection District;

earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material to within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the Unit.

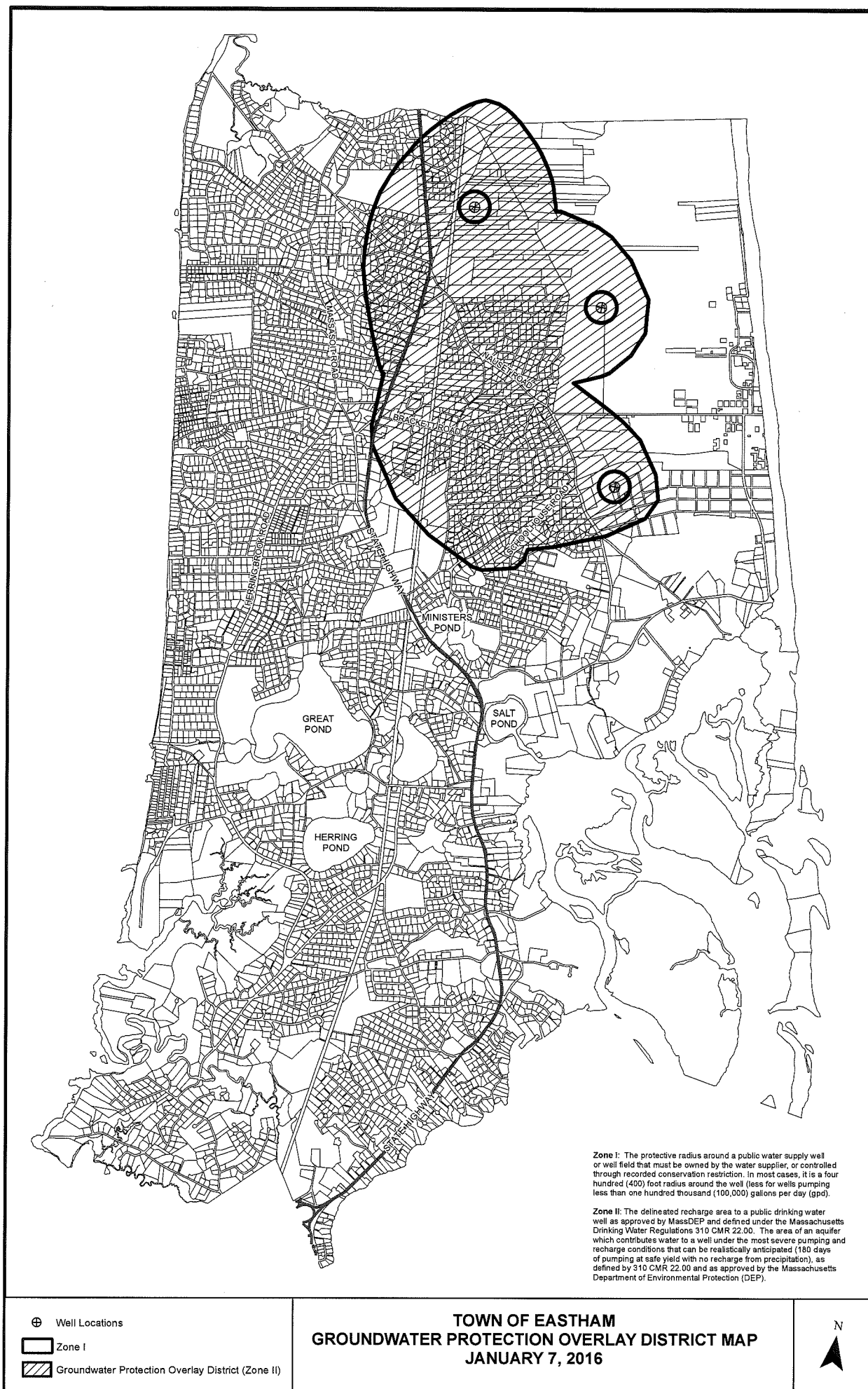
By Planning Board

Summary: As part of the Municipal Water Project, the Town is required by the State Department of Environmental Protection to establish a Groundwater Protection District. The establishment of this district will create the regulatory framework that will allow the Town to properly manage and protect the public water supply by regulating the types of activities that can take place within the areas that contribute to the public water supply

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

PLANNING BOARD:



ARTICLE

To see if the Town will vote to appropriate and transfer, pursuant to the provisions of G.L. C44B (6) from the FY2017 estimated community preservation revenues to reserves in the following amounts: \$ 75,754 open space purposes, \$ 75,754 historic preservation purposes \$ 75,754 affordable housing purposes, and \$ 75,754 active recreation purposes and \$454,527, to the FY17 Community Preservation budgeted reserve for appropriation for a total of \$757,543 as recommended by the Community Preservation Committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article seeks to set aside 10% of the estimated community preservation revenue for open space, historic resources, and affordable community housing, and active recreation, with the remaining estimated revenue reserved for appropriation as required by G.L. Chapter 44B (6).

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE

To see if the Town will vote to extend Article 27 of the 2013 Annual Town Meeting for an additional year (until May 31, 2017); or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

Article 27 funded \$175,000 for the Rental Subsidy Program for a period of three years. Currently there is a balance of \$26,890.22. This article will extend the life beyond the three (3 year limitation), for an additional year so that the Eastham Affordable Housing Trust may expend these funds for the Rental Subsidy program.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE

To see if the Town will vote to transfer the sum of **\$207,000** from Community Preservation Historic Preservation Reserve and/or unrestricted reserves, to be expended as a grant to the Nauset Fellowship, a non-profit corporation, for the purpose of restoring and preserving the structure located on its property at 220 Samoset Road known as the "Chapel in the Pines"; and further to authorize the Board of Selectmen to enter into a grant agreement with the Nauset Fellowship under such terms and conditions as the Town Administrator shall deem appropriate; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article will provide funding to restore and preserve one of the oldest and most historic properties in Eastham. The Chapel in the Pines is located in the Eastham Center Historic District. It is also listed for eligibility on the National Register of Historic Places. The project is intended to restore and maintain the historic appearance of the Chapel. The project will also improve handicapped access, ensuring that the facility is fully accessible for all members of the community. The Nauset Fellowship has committed \$18,000 of its own funds to this project and will also seek to further offset the use of CPC funding through fundraising efforts.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE

To see if the Town will vote to transfer the sum of **\$500,000** from Community Preservation Active Recreation Reserve and/or unrestricted reserves, for expenditure under the direction of the Board of Selectmen for the construction of new recreational facilities or the repair of existing recreational facilities located at the Field of Dreams (rear of Town Hall); or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

These funds would be used to reconstruct the existing basketball court, install new pickle ball courts, a new children's play area, new shade shelters and upgrade the surrounding area adjacent to the facilities in order to improve access to the facilities and provide additional amenities to the many groups and individuals who use the facilities. The proposal has been endorsed by the Eastham Recreation Commission and the Eastham Recreation Department.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE

To see if the Town will vote to transfer **\$36,000** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, to the Town of Eastham Affordable Housing Trust for the purpose of securing staff assistance; under such terms and conditions which the Board of Selectmen may require; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

The Eastham Affordable Housing Trust relies on staff expertise to advise the Trust and to carry out specific day-to-day duties. This article funds a position/consultant with an affordable housing background for a period of 12 months.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE ##

To see if the Town will vote to transfer the sum of **\$8,500** from Community Preservation Active Recreation Reserves and/or unrestricted reserves, for expenditure under the direction of the Board of Selectmen for the construction of a new shade shelter at Wiley park or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

The project entails purchase of and installation of a shade umbrella ("pyramid shade") to cover a portion of the playground area of Wiley Park. Providing shade will increase the use of this area throughout the summer when the sun & heat is extreme. This project will provide Eastham's young children a place to play without the hazards of the summer sun & heat.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE:

(Majority vote required)

ARTICLE

To see if the Town will vote to transfer **\$37,877** from the Community Preservation Fund Balance, for the purpose of administrative expenses; or take any action relative thereto

By Community Preservation Committee

Summary:

The State Legislation for the Community Preservation Act permits up to five percent (5%) of the estimated Community Preservation revenues to be used by the Community Preservation Committee for administrative purposes. These funds will be used to provide various administrative support services, including but not limited to membership dues, and professional and clerical support services. Any unused balance each year reverts to the Community Preservation Fund Balance.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE

To see if the Town will vote to appropriate **\$428,500** from the Community Preservation Fund Balance for the purpose of paying debt payments for the following land acquisitions; Dyer Prince (Harris) Land Purchase **\$350,000** and the Aschettino Land Purchase **\$78,500**; or take any action relative thereto.

By Community Preservation Committee

Summary:

These are yearly debt payments for purchases approved at Town Meeting for land acquisitions for open space. The State Legislation for the Community Preservation Act allows the principal and interest payments to be funded through the Community Preservation Fund, but only recently required that a separate article be voted each year of the debt payment.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 1

To see if the Town will vote to raise and appropriate or transfer from available funds **\$1,700** for Greenhead Fly Control as authorized by G.L. C.252 §24, and authorize the Town Treasurer to pay said appropriation into the State Treasury; or take any action relative thereto.

By Board of Selectmen

Summary:

This is a standard article to appropriate money to pay the Town's share of the Greenhead Fly Control Program.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 2

To see if the Town will vote to assume liability in the manner provided by Sections 29 and 29A of Chapter 91 of the General Laws, as most recently amended for all damages that may be incurred by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshore and shores along a beach, in accordance with Section 11 of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth of Massachusetts; or take any action relative thereto.

By Board of Selectmen

Summary:

All Massachusetts municipalities indemnify the DEP for work in the local communities with this standard article.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE: RECOMMENDATION:

(Majority vote required)

ARTICLE 3

To see if the Town will vote to accept the provisions of G. L. C.71, §16B, which would reallocate the sum of members towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called for fiscal year 2018; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

This article will apportion the Nauset Regional School Assessments for FY18 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last ten years by town meeting vote.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 4

To see if the Town will vote to reauthorize revolving funds, as listed below, for certain town departments under M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2016; or take any action relative thereto.

Revolving Fund	Authorize to Spend Fund	Revenue Source	Use of Fund	FY17 Spending Limit
Recreation – Bottles & Cans	Recreation Director	Collection & Redemption of Bottles & Cans	Beach & Recreation Programs	\$ 8,000
Home Composting Bin/Recycling Revolving Account	BOS or designee	Sale of Compost Bins	Purchase additional bins & advertise their availability	\$ 1,200
Vehicular Fuel Sales Revolving Account	BOS or designee	Sale of fuel to other government entities	Purchase additional fuel for sale to other government entities	\$ 42,000
Council on Aging/Lower Cape Adult Day Center Revolving Acct	COA Director	Funds from fees, charges for COA programs and performances	Pay for additional COA programs and performances	\$ 12,500

By Board of Selectmen

Summary:

This statute requires annual authorization of revolving funds each year.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$50,000** to the Trust Fund for Other Post-Employment Benefits (OPEB) as provided under Chapter 40, Section 5B of the General Laws to be reserved for appropriation for the purpose of funding future post-employment benefits, other than pensions; or take any action relative thereto.

By Board of Selectmen

Summary:

This article seeks to appropriate funds to add to the trust fund reserved for future post-employment benefit costs (OPEB's), which was established by Town meeting in May 2014. The Town has joined with other municipalities in a Plymouth County based municipal trust that manages and invests the fund deposited by all participants.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

March 7, 2016

To: Board of Selectman

From: Sheila Vanderhoef, Town Administrator

RE: FY17 Selectmen's Budget

Attached is a revised Article 12, the Municipal and School budget. The revisions resulted in a net reduction of \$56,853.82 from the original presentation of February 1, 2015. The changes in the budget may be due to salary differences, better estimates for items such as insurance and bulk fuel, and final assessments for insurance and retirement.

The budget, if acceptable, should be adopted tonight by vote and forwarded to the Finance Committee for their review and acceptance. The budget amount is **\$25,755,930**. The finance committee is meeting on Wednesday, March 9 and will begin to vote the budget items at that time.

During the budget review meeting, we spoke about the fire department needs for staff to accomplish the review of the ISO rating program when the municipal water comes on line. While it was clear that the water is one component, we discussed equipment, training, and inspections. The Fire Department budget has not been changed to reflect the addition of an inspector or deputy to assist. We are however preparing a grant application to replace the deputy position. The grant requires the town to keep the position at the end of the grant term. The grant term is three years. If we are successful, we should be able to hire in fall of 2016.

The other departmental budget discussed in detail is the IT. We have a new person and are looking to first establish a working phone system and move all staff to a single version of the operating system. This will facilitate the change of passwords to enhance security, moving certain programs to the cloud, and allowing staff to take a larger role in bill paying activities. We understand the Finance Committee and the BOS interest in an IT audit, but we need to fix the seriously broken parts of the system before we undertake the audit. Otherwise, several things in the audit would be very basic in nature and already identified by us. In addition, our system is not very user friendly and we are working on improvements to online permitting and fee collections. We have added equipment and software money to the capital acquisition article and have applied for a grant for \$400K to facilitate the installation of "best practices" for IT. If we are unsuccessful in the grant, the five-year, capital plan includes funding for all of the IT needs. We have made no significant changes to this budget based on the discussion.

The budget as presented is balanced and does not need an override. It is up significantly more than 2.5% but that is due almost exclusively to the addition of 1.2 million in debt payments for the installation of town water.

LINE #		FY16 APPROVED BUDGET	FY17 SELECTMEN'S BUDGET	original administration fy17 budget	
GENERAL GOVERNMENT					
1	SELECTMEN/TN ADMINISTRATOR OFFICE SALARY	387,649.00	\$402,779.82		
2	SELECTMEN/TOWN ADMINISTRATOR EXPENSE	16,100.00	\$16,100.00		
3	RESERVE FUND	65,000.00	\$65,000.00		
4	TOWN ACCOUNTANT OFFICE SALARY	154,382.00	\$185,294.24		
5	TOWN ACCOUNTANT EXPENSE	34,620.00	\$34,620.00		
6	ASSESSOR OFFICE SALARY	190,995.00	\$191,395.48		
7	ASSESSOR EXPENSE	25,230.00	\$27,430.00		
8	TREASURER/COLLECTOR OFFICE SALARY	199,283.00	\$205,418.10		
9	TREASURER/COLLECTOR EXPENSE	7,970.00	\$7,970.00		
10	LEGAL SERVICES EXPENSE	80,000.00	\$80,000.00		
11	DATA PROCESSING SALARY	151,061.00	\$133,937.37		
12	DATA PROCESSING EXPENSE	153,755.00	\$164,029.00		
13	TAX TITLE EXPENSE	7,000.00	\$7,000.00		
14	CENTRAL PURCHASING SUPPLY & SERVICE	77,889.00	\$103,205.19		
15	TOWN CLERK/ELECTIONS OFFICE SALARY	95,113.00	\$104,389.81		
16	TOWN CLERK /ELECTIONS EXPENSE	10,740.00	\$10,740.00		
17	NATURAL RESOURCES/CONSERVATION SALARY	331,355.00	\$334,870.19		
18	NATURAL RESOURCES/CONSERVATION EXPENSE	26,841.00	\$26,865.00		
19	ENVIRONMENTAL PLANNING/ HOUSING/GIS	78,853.00	\$90,928.20		
20	ENVIRONMENTAL PLNG/ HSG/GIS EXPENSE	2,735.00	\$14,915.00		
21	MUNICIPAL BUILDINGS SALARY	152,386.00	\$155,867.80		
22	MUNICIPAL BUILDINGS EXPENSE	50,236.00	\$53,116.00		
23	ENERGY FUELS EXPENSE	341,000.00	\$263,040.45		
24	ENGINEERING & SUPPORT SERVICES EXPENSE	4,000.00	\$4,000.00		
		\$2,644,193.00	\$2,682,911.65	\$2,748,904.53	-\$65,992.88
PUBLIC SAFETY & INSPECTIONAL SERVICES					
25	POLICE SALARY	1,609,009.00	\$1,610,266.58		
26	POLICE EXPENSE	145,501.00	\$116,195.00		
	POLICE CAPITAL		\$14,000.00		
27	FIRE SALARY	1,750,682.00	\$1,759,497.11		
28	FIRE EXPENSE	127,730.00	\$143,776.00		
29	FIRE CAPITAL EXPENSE	104,500.00	\$272,065.00		
30	DISPATCHING SALARY	316,062.00	\$322,553.44		
31	DISPATCHING EXPENSE	2,700.00	\$2,700.00		
32	BUILDING/PLMBG/ELEC INSPECTION SALARY	207,843.00	\$210,476.99		
33	BUILDING INSPECTION EXPENSE	3,049.00	\$4,935.00		
34	EMERGENCY MANAGEMENT EXPENSE (CIVIL DEFENSE)	100.00	\$100.00		
35	TREE WARDEN EXPENSE/DUTCH ELM/INSECT PEST	7,590.00	\$7,590.00		
		\$4,274,766.00	\$4,464,155.11	\$4,443,893.58	\$20,261.53
EDUCATIONAL SERVICES					
36	ELEMENTARY SCHOOL OPERATIONS	3,528,246.00	\$3,457,837.00		
37	NAUSET REGION CAPITAL ASSESSMENT	113,296.00	\$59,461.36		
38	NAUSET REGION OPERATING ASSESSMENT	4,994,191.00	\$4,932,370.00		
39	CAPE COD REGIONAL TECHNICAL SCHOOL	216,660.00	\$315,567.00		
		\$8,852,393.00	\$8,765,235.36	\$8,772,025.00	-\$6,789.64
PUBLIC WORKS & SANITATION					
40	GENERAL MAINTENANCE SALARY	501,615.00	\$514,922.30		
41	GENERAL MAINTENANCE EXPENSE	131,087.00	\$155,587.00		
42	GENERAL MAINTENANCE CAPITAL	0.00	\$53,810.85		
43	SNOW & SANDING EXPENDITURES	51,612.00	\$83,132.00		
44	STREET LIGHTING EXPENSE	7,600.00	\$7,600.00		
45	WASTE COLLECTION & DISPOSAL SALARY	185,528.00	\$190,965.12		
46	WASTE COLLECTION & DISPOSAL EXPENSE	529,027.00	\$600,022.60		
		\$1,406,469.00	\$1,606,039.87	\$1,610,158.95	-\$4,119.08
HEALTH & HUMAN SERVICES					
47	VETERANS' GRAVE OFFICER	75.00	\$75.00		
48	PUBLIC HEALTH SALARY	188,830.00	\$190,892.17		
49	PUBLIC HEALTH EXPENSE	24,620.00	\$24,620.00		
50	INSPECTION OF ANIMALS EXPENSE	250.00	\$250.00		
51	COUNCIL ON AGING/ADC SALARY	250,699.00	\$238,203.36		
52	COUNCIL ON AGING/ADC EXPENSE	21,141.00	\$20,807.00		
53	VETERANS' SERVICES - EXPENSE	19,900.00	\$20,237.00		
54	VETERANS' SERVICES - BENEFITS	13,000.00	\$13,000.00		

LINE #		FY16 APPROVED	FY17 SELECTMEN'S	original administration	
55	HUMAN SERVICES AGENCIES	67,000.00	\$68,980.00		
		\$585,515.00	\$577,064.53	\$579,784.24	-\$2,719.71
	<i>CULTURE & RECREATION</i>				
56	LIBRARY SALARY	250,026.00	\$319,616.68		
57	LIBRARY EXPENSE	72,325.00	\$86,777.00		
58	BEACH & RECREATION SALARY	279,498.00	\$287,997.94		
59	BEACH & RECREATION EXPENSE	60,830.00	\$67,670.00		
		\$662,679.00	\$762,061.62	\$763,061.62	-\$1,000.00
	<i>DEBT AND BANKING SERVICES</i>				
60	FIRE STATION	150,000.00	\$0.00		
61	LIBRARY BOND	225,000.00	\$225,000.00		
62	INTEREST EXPENSE (LONG/SHORT TERM)	398,320.00	\$916,881.64		
63	TAX ANTICIPATION NOTES/BANS	60,000.00	\$10,000.00		
64	SEPTIC BETTERMENT LOANS	20,400.00	\$20,400.00		
65	PURCELL LAND PURCHASE	40,000.00	\$45,000.00		
66	EASTHAM ELEMENTARY SCHOOL RENOVATION	410,000.00	\$410,000.00		
67	MUNICIPAL WATER	395,000.00	\$395,000.00		
68	MUNICIPAL WATER SRF		\$561,627.00		
69	BANK AGENT PYAING FEES & CHARGES	3,000.00	\$175,191.07		
		\$1,701,720.00	\$2,759,099.71	\$2,759,099.71	\$0.00
	<i>OTHER EXPENSES (GENERAL GOVERNMENT)</i>				
70	EMPLOYEE BENEFITS	13,500.00	\$13,500.00		
71	BARN. COUNTY RETIREMENT ASSESSMENT	1,325,677.00	\$1,438,962.00		
72	TOWN INSURANCE - UNEMPLOYMENT EXPENSE	10,000.00	\$20,000.00		
73	TOWN INSURANCE - EMPLOYEE EXPENSE HEALTH	2,115,000.00	\$2,335,000.00		
74	TOWN INSURANCE - TOWN PROTECTION (PROP & LIAB)	340,000.00	\$331,900.00		
		\$3,804,177.00	\$4,139,362.00	\$4,135,856.04	\$3,505.96
	TOTAL	\$23,931,912.00	\$25,755,929.85	\$25,812,783.67	-\$56,853.82

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$622,500** to purchase the following capital items, make improvements to capital facilities as listed below; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 13 is the annual capital acquisition list. All items were shown on a previously approved plan.

This article will be funded using \$439,300 dollars, of Free Cash, \$200,000 transferred from Ambulance Receipts, \$5,000 from the Boat Excise Receipts Reserved, and \$115,000 from the tax levy.

There is a heavy emphasis this year is on safety and technology. IT is a fast moving area and equipment upgrades and software upgrades and additions are necessary to take advantage of improvements in customer service in this area. We have identified the need to step up our investment significantly this year so amounts included on the capital plan have been increased and some items have been accelerated on the schedule to acquire them now instead of later. We have included funding in this article but we are also competing for a major grant to help fund necessary improvements. Correcting and improving communications in phones, computer email, and public access to information. We will be using the funds to enhance software used for permitting and website activities and these funds are expected to be supplemented by grants for which we are eligible.

Included in this request is the first year of a three-year lease for a vehicle for the assessing department. We have been using used cars that have been replaced in other departments. The last such vehicle was the former Fire department vehicle that had a major mechanical problem and had to be removed from service. We will try to purchase an energy efficient vehicle primarily for use by the Data Collector in the Assessing department.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 14

To see if the Town will, in accordance with Chapter 6-6A of the Eastham Home Rule Charter, vote to accept the Capital Improvement Plan for FY18-FY22 as printed below; or take any action relative thereto.

By Board of Selectmen

Summary:

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

FY17 CAPITAL ARTICLE

ARTICLE 13

ITEM	DEPARTMENT	ITEM	FY17
DATA PROCESSING			
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$69,000.00 F
2		SERVER UPGRADES/NETWORK ENHANCEMENTS	\$12,000.00 F
3		FIBER OPTIC CABLE/OPEN CAPE CONNECTION	\$10,000.00 CT
4		VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS	\$5,000.00 CT
5		COMPUTER SOFTWARE/EMAIL UPGRADE	\$22,000.00 F
6		UPGRADE TELEPHONE SYSTEM - ALL BLDGS (VOIP)	\$10,000.00 F
SUB-TOTAL			\$128,000.00
ASSESSING/INSPECTION VEHICLES			
7		DATA COLLECTOR/ PLANNER/INSPECTOR VEHICLE (THREE YR LEASE NEW)	\$8,000.00 F
SUB TOTAL			\$8,000.00
MUNICIPAL BUILDINGS EQUIPMENT			
8		VACUUM/CARPET CLEANERS/ LADDERS	\$2,000.00 F
SUB-TOTAL			\$2,000.00
MUNICIPAL BUILDINGS IMPROVEMENTS			
9		PROJECT CONTINGENCY: MAJOR REPAIRS ,PAINTING ETC	\$30,000.00 F
10		CONNECT MUNICIPAL BUILDING TO TOWN WATER	\$25,000.00 F
SUB-TOTAL			\$55,000.00
11	T.H.	REPLACE EXISTING A/C UNITS	\$40,000.00 F
12	INFO/WMILL	WINDMILL/INFO/ANCIENT CEMETERIES/BACKETT PORT	\$10,000.00 F
SUB-TOTAL			\$50,000.00
13	DPW/NR	NR BLDG PAINT EXTERIOR	\$5,000.00 F
SUB-TOTAL			\$5,000.00
14	POLICE	REPLACE SHINGLES, ROOF & SIDEWALL & WALKWAY	\$50,000.00 F
SUB-TOTAL			\$50,000.00
15	SCHOOL	ROUTINE PAINTING ROTATION	\$5,000.00 F
16		BUILDING MAINTENANCE/IMPROVEMENTS	\$25,000.00 F
SUB-TOTAL			\$30,000.00
BEACHES/RECREATION			
17		WALKWAYS/DUNE MAIN FENCING/MOBI MAT EXTEND	\$10,000.00 F
SUB-TOTAL			\$10,000.00
DPW			
18		ORDINARY ROAD M & R (NOT CHAP 90)	\$60,000.00 T
19		NEW TRASH TRAILERS	\$70,000.00 F
SUB-TOTAL			\$130,000.00
POLICE			
20		DEFIBRILATORS REPLACEMENT	\$2,500.00 F
21		PORTABLE RADIOS (3)	\$10,000.00 T
22		LAP TOP COMPUTER IN CAR REPLACEMENT (4)	\$26,000.00 F
SUB-TOTAL			\$38,500.00
FIRE (EQUIP)			
23		REPLACE SELF CONTAINED BREATHING APPRATUS	\$116,000.00 A
SUB-TOTAL			\$116,000.00
TOTAL			\$622,500.00

ARTICLE

To see if the Town will vote to fix the salary and compensation of all elected officials of the Town as provided by Section 108, Chapter 41, General Laws, as amended, and to raise and appropriate or transfer from available funds the following sums of money for salaries:

Moderator	\$ 500
Town Clerk	\$68,664
Selectmen (5) 2,000 each	\$10,000
Total	\$79,164

or take any action relative thereto.

By Elected Officials

Summary:

The Town Clerk salary has been adjusted by 2% that is the cost of living increase for all union and non-union staff this year. All other salaries in this article are level funded.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of **Seventy Thousand and 00/100 Dollars** to be combined with other monies appropriated in Article 6, Annual Town Meeting May 5, 2014 and Article 19, Annual Town Meeting May 4, 2015, for costs associated with the closure, decommissioning, demolition permitting and design under the Intermunicipal Agreement between the Towns of Orleans, Brewster and Eastham for the Construction, Management and Operation of a Septage Treatment Facility, and to solicit bids and/or proposals as necessary, and enter into a contract or contracts and expend said funds for this purpose; or take any action relative thereto.

By Board of Selectmen/Tri Town Board of Managers

Summary: The original Tri-Town Septage Treatment plant was constructed in 1985 under an inter-municipal agreement between the Towns of Orleans, Eastham, and Brewster; this agreement will expire on December 31, 2016. The Boards of Selectmen of the member communities have voted not to extend the agreement and move ahead with plans to demolish and remove the facilities. The plant is scheduled to close on June 1, 2016 and commence a 3-month process to decommission the facilities in preparation for demolition. A contract for engineering services to oversee decommissioning and complete the permitting and design for the demolition of the facility will begin following the plant closure. The demolition project will go out to bid in early 2017 with the results presented to the annual town meetings in May 2017 for funding.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(3/4 Majority vote required)



TOWN OF EASTHAM

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

IV. A.1.

Date: March 7, 2016

Memo To: Sheila Vanderhoef, Town Administrator
Diane Rommelmeyer, Town Accountant

Memo From: Neil Andres, Superintendent, DPW

Re: Snow & Ice Deficit

In accordance with MGL chapter 44, Section 31D, I am requesting authorization to expend in excess of available appropriation for the removal of snow and ice. The current status of the account is as follows:

	<u>FY16 Budget</u>	<u>Current Expenditures</u>	<u>Balance</u>
Snow and Sand	\$51,612.00	\$49,386.19	\$2,225.81

Given the severity of last year's winter, we started the season with an empty salt shed. Our major expense this year was filling the shed. This was done early to avoid a \$5 per ton increase in the price of salt. While every effort is made to operate the Snow & Ice program efficiently, it is possible that we could incur significant expenditures to maintain Eastham's roadways in safe condition in the event of severe weather.

Please let me know if additional information is required.



03/03/2016 12:28
dianes

Eastham Munis Database
YEAR TO DATE REPORT

FY 2016 - YTD REPORT

P 1
glytdbud

FOR 2016 09

JOURNAL DETAIL 2016 1 TO 2016 9

ACCOUNTS FOR:	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0100 GENERAL FUND							
014231 SNOW & SAND- SALARIES							
513000 OVERTIME	35,112	0	35,112	18,543.56	.00	16,568.44	52.8%
524600 VEHICLE REPAIRS	2,000	0	2,000	.00	.00	2,000.00	.0%
527000 RENTALS & LEASES	1,100	0	1,100	.00	.00	1,100.00	.0%
548000 VEHICULAR SUPPLIES	2,000	0	2,000	8,050.77	.00	-6,050.77	402.5%
553000 PUBLIC WORKS SUPPLIES	11,400	0	11,400	22,791.86	.00	-11,391.86	199.9%
TOTAL SNOW & SAND- SALARIES	51,612	0	51,612	49,386.19	.00	2,225.81	95.7%
TOTAL GENERAL FUND	51,612	0	51,612	49,386.19	.00	2,225.81	95.7%



TOWN OF EASTHAM

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

IV A-2

March 3, 2016

Department of Public Safety
Building Code Appeals Board
One Ashburton Place, Room 1301
Boston, MA 02108

RE: Town of Eastham Library Certificate of Occupancy Denial
190 Samoset Road, Eastham, MA

Dear Members of the Board:

Please consider this letter a denial of a Certificate of Occupancy for the newly constructed Town of Eastham Library.

Considering that all other local, state and federal regulations and standards will be met for the construction of this new structure, as Building Commissioner of the Town of Eastham I cannot issue a Certificate of Occupancy. Documents relative to 780 CMR 901.5.1 Certificate of Occupancy

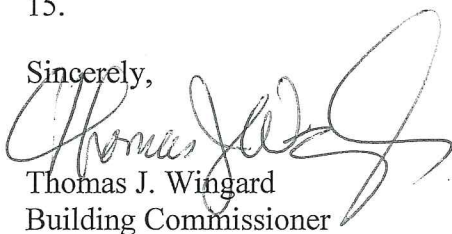
901.5.1 Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy and prior to witness of acceptance testing the following documents must be submitted to the building and fire officials, or designees.

- 1. Certification from the registered design professional, or other legally recognized professional, responsible for the construction documents per section 107.6, stating that the fire protection systems have been installed in accordance with applicable codes and standards, in accordance with the approved construction documents and that the record drawings indicate any deviations, if any.*
- 2. Confirmation by the building owner or the owner's authorized representative that they have received the as-built record drawings.*
- 3. Material, Test, Performance, and Completion Certificates, properly executed by the installing contractor in accordance with the applicable NFPA standards.*

Note. In lieu of witnessing a satisfactory functional test, the building official and fire official or designees, may accept a final performance test report from a registered design professional, or other legally recognized professional, as an acceptance test. Said report shall certify that complete and satisfactory functional tests of all fire protection systems, in accordance with the applicable codes and standards, and that the approved testing criteria and operational sequence, have been witnessed.

cannot be offered by the Town due to the inability of the Town at this time to satisfy 780 CMR 903.3.1 Sprinkler System Standards, particularly the water supply requirements of NFPA Chapter 15.

Sincerely,



Thomas J. Wingard
Building Commissioner

cc. Dan Pallotta, Project Manager
Sheila Vanderhoef, Town Administrator
Kent Farrenkopf, Fire Chief

Date: March 1, 2016

Subject: Re: Library Fire Suppression

The Library CPC is seeking to receive relief from Mass Regulation "CMR 780" Eighth Edition of the State Building Code for the requirement of Fire Suppression while we await the availability of Municipal Water. The Town never had suppression at this facility and once the Town water is available the pressure indicated for Samoset Road will be adequate to meet the NFPA requirements to suppress a fire.

The Town currently has a registered Public Water Supply on the property that will be properly filtered for potable and non-potable uses.

The Commonwealth may or may not grant the waiver. If the waiver is granted the project will move forward to connect to the Well and the Library will be opened once completed.

DANIEL PALLOTTA

P³ PROJECT PLANNING PROFESSIONALS
150 Longwater Drive Ste 102
Norwell MA 02061-1618
tel 781.871.3136
cell 617.594.8011
www.p-threeinc.com

INFORMATION

Info

March 7, 2016

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: Committee Appointments by Finance Committee and the Secretary of the Interior

To make you aware, the following appointments have been made by the stated appointing authorities.

Amy Hackworth

The Finance Committee has appointed Amy Hackworth as a regular member to the Search Committee.

Her first term commenced February 3, 2016 and will expire June 30, 2016. She has replaced Steven Cole, whose term ended June 30, 2013.

Donald Nuendel

The Secretary of the Interior has reappointed Donald Nuendel to the Cape Cod National Seashore Advisory Committee as the Eastham Representative.

His first term commenced September 10, 2015 and will expire September 10, 2017.



THE SECRETARY OF THE INTERIOR
WASHINGTON

SEP 10 2015

Mr. Donald T. Nuendel
255 Meetinghouse Road
Eastham, Massachusetts 02642

Dear Mr. Nuendel:

It gives me great pleasure to appoint you to the Cape Cod National Seashore Advisory Commission representing the Town of Eastham. Your appointment is for a 2-year term, effective the date of this letter.

The purpose of the Commission is to advise the Secretary of the Interior, or the Secretary's designee, on matters relating to the development of the Seashore and other issues identified in the Commission's charter. A copy of the Commission's charter is enclosed for your information.

Mr. George Price, Superintendent of the Cape Cod National Seashore for the National Park Service, will contact you regarding activities of the Commission. Mr. Price can be reached at (508) 771-2144.

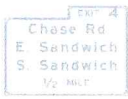
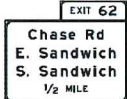
I appreciate and thank you for your commitment to this important Commission and look forward to the benefit of your participation in the activities it will undertake.

Sincerely,

Sally Jewell

Enclosure

MassDOT Route 6 Sign Replacement Project (Sandwich to Eastham)

Intersection Roadway	Exit Number		Sign Type	
	Existing	Proposed	Existing	Proposed
Route 6A/Scusset Road/Route 3	No Changes proposed			
Route 130	Exit 2	Exit 58	Post-mounted	Overhead, cantilever
Quaker Meeting House Road	Exit 3	Exit 60		
Chase Road	Exit 4	Exit 62		
Route 149	Exit 5	Exit 65		
Route 132	Exit 6	Exit 68		
Willow Street	Exit 7	Exit 72		
Union Street	Exit 8	Exit 74		
Route 134	Exit 9 A-B	Exit 77 A-B		Overhead, full-span
Route 124	Exit 10	Exit 81		Overhead, cantilever
Route 137	Exit 11	Exit 84		
Route 6A	Exit 12	Exit 88		
Example				

Notes:

- MassDOT Project Number 607918 funded for FFY2016 at \$5.8 M (includes I-195 signage as well)
- A public hearing is planned (date TBD)
- Additional guardrail (~300 feet) will be installed at new sign supports
- All signs will use materials to make them more visible at night (improved retro-reflectivity)
- Besides exit signs, most signs up to current standards will be retained or replaced with a similar new sign that may be larger
- Services ahead and select destination signs to be removed, including those shown below:



Sign Type Examples



**BOARD OF WATER
COMMISSIONERS
MEETING**

6:30 PM

Gillespie-Lee, Laurie

Board of
Water
Commissioners
6:30
p.m.
3/7

From: Vicki Marsh <VMarsh@k-plaw.com>
Sent: Wednesday, March 02, 2016 11:59 AM
To: Sheila Vanderhoef
Cc: Jacqueline Beebe; Elizabeth Shaw; Gillespie-Lee, Laurie; John Giorgio
Subject: Eastham Water Project- Contract 7
Attachments: KP-#549152-v1-EHAM-_Order_of_Taking-_Wamisco_Road.DOC; KP-#549155-v1-EHAM-_Order_of_Taking-_Jackcin_Drive.DOC; KP-#549157-v1-EHAM-_Order_of_Taking-_Whelpley_Court_snd_Whelpley_Road.DOC; KP-#549094-v1-EHAM-_Order_of_Taking-_Treat_Road.DOC; KP-#549146-v1-EHAM-_Order_of_Taking-_Oquamoshod_Road.DOC; KP-#549388-v1-EHAM-_Order_of_Taking-_Pompmo_Road.DOC

Sheila-

Enclosed please find the remaining Orders of Taking of easements for the water project located in contract 7:

1. Wamisco Road;
2. Jackcin Drive;
3. Whelpley Court and Whelpley Road;
4. Treat Road;
5. Oquamoshod Road; and
6. Pompmo Road.

Please have all of the Orders of Taking executed by the Board of Selectmen acting as Water Commissioners and then return all of the original executed orders of Taking to me with a certified copy of the Town Meeting Vote of Article 8 of the 2014 Annual Town Meeting attached to each Order of Taking. I will then promptly record all of the Orders of Taking.

If you have any questions concerning this matter, please do not hesitate to contact me.

Vicki

Vicki S. Marsh, Esq.
KOPELMAN AND PAIGE, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
F: (617) 654 1735
vmarsh@k-plaw.com
www.k-plaw.com

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Gillespie-Lee, Laurie

From: Vicki Marsh <VMarsh@k-plaw.com>
Sent: Tuesday, March 01, 2016 10:37 AM
To: Sheila Vanderhoef
Cc: Jacqueline Beebe; Elizabeth Shaw; Gillespie-Lee, Laurie; John Giorgio
Subject: Eastham Water Project- Contract 7
Attachments: KP-#548946-v1-EHAM-_Order_of_Taking-_Sparrow_Road.DOC; KP-#549037-v1-EAHM-_Order_of_Taking-_Quason_Court_and_Quason_Drive.DOC; KP-#548859-v1-EAHM-_Order_of_Taking-_Hatch_Court_and_Hatch_Road.DOC; KP-#549232-v1-EHAM-_Order_of_Taking-_Nauset_Oaks_Lane.DOC; KP-#549177-v1-EHAM-_Order_of_Taking-_Harvest_Road.DOC; KP-#548839-v1-EHAM-_Order_of_Taking-_Bangs_Road.DOC

Sheila-

Enclosed please find the following Orders of Taking of easements for the water project located in Contract 7:

1. Bangs Road;
2. Harvest Road and Gimlet Way;
3. Nauset Oaks Lane;
4. Hatch Court and Hatch Road;
5. Quason Court and Quason Drive; and
6. Sparrow Road.

The remaining Orders of Taking are already drafted but I just need to include the final few parcels on the ends of the streets abutting the public ways once those rundowns are completed. They should be ready by the end of today.

Once the Orders are all complete, then please have the Board of Selectmen execute all of the Orders of Taking and attach a certified copy of the Town Meeting Vote of Article 8 of the 2014 Annual Town Meeting to each Order. Then please have the executed Orders returned to me for recording. I recommend that I record all of the Orders of Taking in order to avoid any difficulties recording these Orders. Most of the Orders of Taking are registered land, although a couple of them will need to both be recorded at the Registry of Deeds and filed with the Registry District of the Land Court.

I assume that once all of the Orders of Taking are recorded that you will have me deliver a Certification to DEP as we have done in the past for the other Contracts.

If you have any questions concerning this matter, please do not hesitate to contact me.

Vicki

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