

AGENDA

Monday

September 6, 2016

**TOWN OF EASTHAM
BOARD OF SELECTMEN
AGENDA
Tuesday, September 6, 2016
5:00 p.m.**

Location: Earle Mountain Room

I SELECTMEN/PUBLIC INFORMATION

II. APPOINTMENTS

5:05 p.m. Joanna Buffington, Eastham Conservation Foundation regarding the recommendation from the Open Space Committee for the Board to pursue the acquisition of a property located at 390 Locust Road. (Discussion & possible vote)

III. ADMINISTRATIVE MATTERS

A. Action (Vote Required)

1. Water System Regulations & Fee Schedule (Vote needed)
The proposed Draft Regulations are available at town hall Monday through Friday from 8 a.m. to 4 p.m. and online at www.eastham-ma.gov
2. KP Law determination and Board of Selectmen consent to represent both the towns of Eastham and Brewster in connection with the Tri Town District Closure. (Vote needed)
3. Transient Vendor Permits- Please see the attached list (Vote)
4. Resignation of James McMakin from the Eastham Affordable Housing Trust (Vote needed to accept resignation, creates a vacancy that is BOS appointment)
5. Request from the Community Action Committee of Cape Cod & the Islands (CCACI) for the Board to discuss and recommend a representative from Eastham to serve on the CACCI Board of Directors. (Discussion)

IV. APPOINTMENTS (continued)

5:45 p.m. Presentation of Proposed Purcell Property Community Housing Proposal, Charlie Adams, Pennrose Properties, The Architectural Team (TAT), and Horsley Whitten, Engineers

(All times except public hearings are approximate and items may be taken out of order)

VI. TOWN ADMINISTRATOR'S REPORT

1. T.A. Search Committee Update
2. Water Mandatory Connection Update

VII. CORRESPONDENCE

1. Letter of Complaint Received from Dr. Joyce Young
2. Letter of Concern Regarding Razor Clam Fishing from Thomas Pope
3. Memo Regarding 7 Sandy Meadow Way from Paul Lagg, Town Planner

VII. OTHER BUSINESS

Upcoming Meetings

September 7, 2016	3:00pm	Timothy Smith Room	Work Session
September 19, 2016	5:00pm	Earle Mountain Room	Regular Meeting
September 21, 2016	3:00pm	Timothy Smith Room	Work Session

The listing of matters includes those reasonably anticipated by the Chair that may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may 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

AUG 01 2016

RECEIVED

8/1/2016

To: Eastham Board of Selectmen
From: Eastham Open Space Committee
Subject: Recommendation for Open Space Acquisition – 390 Locust Road

One of the roles and functions of the Open Space Committee is to “identify and prioritize a program of continuous land acquisition and protection” and pursuant to that role, the open space committee would like to recommend that the board pursue the acquisition of a parcel located at 390 Locust Road, Eastham.

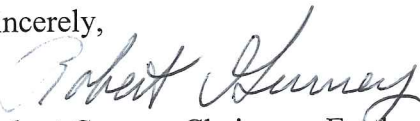
This property, known as the “Possel” property, is a 1.623 acre parcel that meets several important criteria for a high priority open space acquisition:

1. It has high natural resource value, with vegetation consisting of intact, mature native forest. It contains portions of two vernal ponds, and provides adjacent area for those two ponds, plus wetlands on the abutting Walter’s Property. It supports many species of native wildlife, including vernal pond amphibians.
2. It abuts the Cape Cod Bike trail, and its acquisition would protect the natural qualities, aesthetics, and visitor experience for bike trail users.
3. It abuts the Walters Property, an 8 acre town open space that also contains a significant vernal pond and vernal pond adjacent zone, as well as the Opel property, 3.22 acres immediately to the south that is in a conservation restriction. Collectively these three properties would provide a combined open space and habitat value that exceeds their individual worth.
4. Protecting this parcel, in conjunction with the Walters and Opel properties helps protect groundwater resources and helps protect, in this part of town, the “semi-rural atmosphere” called for in Eastham’s Local Comprehensive Plan.

This property is currently being offered for sale for \$279,000. Because of its high value as open space, the Eastham Conservation Foundation has expressed an interest in helping the town acquire this property, as was recently done with the Terrapin Cove acquisition. We believe that this provides an opportunity to leverage their ability to raise private funds to supplement those available for open space purchases from the Community Preservation Act, to enable the Town of Eastham to acquire this important parcel.

Given all these considerations, the Open Space Committee voted unanimously on 7/27/2016 to recommend that you pursue the acquisition of this property. The Open Space Committee would welcome the opportunity to meet with you to discuss this opportunity further. Please advise.

Sincerely,



Robert Gurney, Chairman, Eastham Open Space Committee



EASTHAM CONSERVATION FOUNDATION, INC.
POST OFFICE BOX 183, EASTHAM, MASSACHUSETTS 02642

ADMINISTRATION

AUG 01 2016

RECEIVED

August 1, 2016

To: Eastham Board of Selectmen

Re: Support for Open Space Acquisition of Parcel at 390 Locust Road

We fully support any effort of the Town of Eastham to acquire through purchase the 1.62 acre parcel of land at 390 Locust Road for purposes of conservation. This parcel has multiple qualities that make it important to conserve as undeveloped land. The entire parcel is classified as an area of critical environmental habitat. In addition, it adjoins the Town Land Bank (conservation) property to the north (eight acres bought from the Walters family in 2003), shares a 200 foot border along the bike path on the west side, and is just north of over 3 acres along Locust Road that is protected by a conservation restriction (375 Locust Road). There are also valuable habitat wetlands on the east side of this land. This parcel is well known locally for supporting numerous species of native wildlife, including a number of amphibian species that require both the vernal ponds and the adjacent uplands.

The property was initially on the market at a price of \$329,000, and has since come down to its current asking price of \$279,900. The assessed 2017 value is \$190,400. The Eastham Conservation Foundation, Inc. (ECF), with assistance from the Compact of Cape Cod Conservation Trusts (the Compact) recently inquired about the possible purchase of this lot as a "bargain sale" for conservation purposes, but at the time, the owners were not interested. We believe however, that this is an important parcel to preserve in its current, natural condition and, should the Town agree, ECF would be willing to work with the Town, the Sellers, and potential private donors to raise funds to assist in this effort, similar to the recent success in acquiring the lots now known as "Terrapin Cove".

Sincerely,

Joanna Buffington for H.L.
(clerk ECF)

Henry Lind
President, Eastham Conservation Foundation



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PART V: MUNICIPAL WATER REGULATIONS**EASTHAM MUNICIPAL WATER SYSTEM****RULES AND REGULATIONS**(Draft 9-1-8-12-16)**TABLE OF CONTENTS**

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As adopted by the Board of Water Commissioners, _____, 2016.

PREAMBLE

By virtue of statutory and other authority, and powers as described by General Laws, Chapter 40, Section 39A through Section 39G inclusive, and adopted by the May 4, 2014 and 2015 Town Meeting(s) in Article 8; to establish a municipal water supply and water distributing system, the Board of Water Commissioners (hereinafter called BWC) of Eastham, Massachusetts (hereinafter called Town) establishes the following rules and regulations, fees and charges related to providing potable water from the Eastham Municipal Water System (hereinafter called Water System).

The Water System as defined in Paragraph 2.21 will be operated and maintained by the Town of Eastham, through the Water System Operator under the direction of the BWC.

The Water System's approval of an application for service binds the Consumer to present and future rules and regulations and to present and future payment of all applicable fees, rates and charges.

The BWC may enact changes to the Policy, Rules, Regulations and Fees contained herein only after a Public Hearing.

POLICY & PURPOSE

The BWC will guide and direct the future and present development and operation of the Water System with the following goals and vision:

- 1) **NEED:** Provide potable drinking water to Eastham properties that do not have a potable water source, and to allow property owners a choice to connect to the Water System unless otherwise required under Massachusetts regulatory requirements or Eastham Board of Health regulations to connect to the municipal water system.
- 2) **SELF SUSTAINING:** Establish and maintain a financially sound and self-sustaining management structure for the Water System.
- 3) **RESOURCE PRESERVATION:** Encourage conservation. Maintain and improve water resource protections.
- 4) **INFRASTRUCTURE:** Provide a Water System infrastructure such that the character of the town will be preserved as well as a means to encourage a vital local economy; of which current and future municipal, commercial, and residential uses of properties in Eastham will benefit.
- 5) **VISION:** Implement the Town's desire to provide water service to all properties in Eastham. Also to consider all possibilities that will improve service, reduce costs and increase revenue.
- 6) **REGULATION:** Comply with the requirements of the Massachusetts Water Management Act, Massachusetts Drinking Water Regulations (310 CMR 22.00, Town of Eastham Code and all other laws and regulations governing a

municipal Public Water Supply (PWS).

SECTION 1 - RESPONSIBILITY AND OWNERSHIP

- 1.1 The BWC shall be responsible for overseeing the repairs, maintenance, construction, and reconstruction of the existing Town-owned capital facilities. For the purposes of this regulation, "capital facilities" shall mean water storage tanks, pump stations and appurtenances, water mains, gates, hydrants and appurtenances in public ways and private ways where system components are located.
- 1.2 The water service lines from the curb stop to the individual buildings are the responsibility of the property owners for new and existing water service installations including repairs (except to meters), alterations and maintenance. (See Appendix B).
- 1.3 All Town-owned water mains that are in public or private streets are the responsibility of the Town.
- 1.4 All Consumers and users of the Water System will be charged for water consumption, according to one and the same fee schedule. (See Appendix A).
- 1.5 The BWC may declare a STATE OF WATER EMERGENCY if it finds there exists a water shortage or an impending water shortage; and/or a Declaration of Water Emergency has been made under Massachusetts General Laws, Chapter 21G as it is deemed essential to the protection of the public health, safety and welfare. In so doing, the BWC may establish priorities for the distribution of water or water use by a specified amount or to share water with other water systems. The BWC may also choose to develop a drought management or contingency plan and institute a conservation program for public and private use.

SECTION 2 - DEFINITIONS AND ABBREVIATIONS

- 2.1 **BACK FLOW PREVENTER:** The Back Flow Preventer prevents the flow of water from the building into the Water System. See Appendix B.
- 2.2 **BASE SERVICE FEE:** The fee is assessed on every Water Use bill regardless of amount of water used or the use of the property. Fees are used to help offset costs of Water System operation.
- 2.3 **BOARD OF WATER COMMISSIONERS (BWC):** As defined in General Laws, Chapter 40, Section 39A through Section 39G inclusive, and adopted by the town, the Board of Water Commissioners is the Board of Selectmen, charged with overseeing the repairs, maintenance, construction, and reconstruction of the Eastham Municipal Water System.
- 2.4 **CONSUMER:** The word "Consumer" shall mean any person, partnership, firm,

corporation, or organization of any type in which the owner(s) property is supplied with water by the System. The Consumer shall customarily be the OWNER(S) of record or the duly authorized representative of the property being supplied with water.

- 2.5 **CORPORATION STOP:** A water service shutoff valve located at a street water main. This valve cannot be operated from the ground surface because it is buried and there is no valve box. See Appendix B.
- 2.6 **CURB BOX:** See **CURB STOP**.
- 2.7 **CURB STOP:** The curb stop is inside an in-ground structure called a CURB BOX located at (or near) the property line, which contains a service valve. The service valve is the connecting point between the service line (from the water main) and the service line into the building receiving the water. The curb stop and service valve are the property of and maintenance responsibility of the Town. See Appendix B.
- 2.8 **FULL FLOW CONTROL VALVE:** The Full Flow Control Valve is a water flow control valve located inside the foundation of a building, between the end of the service pipe and the water meter. If a meter pit is specified, the full flow control valve and check valve are included in the meter pit assembly. See Appendix B and C.
- 2.9 **HOT BOX:** A hot box may be installed in lieu of an underground meter vault. The hot box is an aboveground structure designed to keep the meter safe, dry, and accessible ~~mustbut must~~ be heated to prevent freezing of the water service line and meter.
- 2.10 **LIEN:** The word lien shall mean the statutory claim a municipality may impose as defined in Massachusetts General Laws, Chapter 40 Section 42(A).
- 2.11 **METER PIT, ~~READER BOX~~:** If meters are not inside a heated building, they must be protected from weather and freezing. In order to do this a meter pit, hot box, or vault must be installed to house the meter. The meter pit must be located at least 4.5 feet below ground to prevent freezing; ~~a meter pit or vault/hot box must be constructed to house the meter. For buildings without basements or that are located over 150' from curb stop, a meter pit will be required.~~
- 2.12 **OPERATOR:** See Water System Operator.
- 2.13 **PUBLIC OR PRIVATE WAY:** A public or private way is the Town-owned or privately-owned road or street improved and open to the public as a throughway.
- 2.14 **SERVICE LINE:** The service line is a pipe that connects the water supply main through the curb stop to inside the building receiving the water. The service line between the water main and the curb stop is the property and responsibility of the Town. The service line into the building from the curb stop is the responsibility of the Consumer. See Appendix B.
SERVICE PIPE: See SERVICE LINE.
- 2.15 **SERVICE VALVE:** Water flow control valve located inside the Curb Stop.

2.16 SITE PLAN: When applying for a new service connection or alteration, a drawing that is drawn to scale is required to show the a) location of the existing drinking water source (e.g., private well) b) building's location, c) location of the septic system d) location of all underground utility lines (electric, gas, etc.), e) proposed location of the water service pipes, water meter, valves, anti-backflow device and any other required components between the curb stop and into the building, and f) the current and future (if known) land use of the property. The **SITE PLAN** must be included with an application for a new connection and approved by the Water System Operator. In most instances, a Plot Plan or the Septic Plan (on file at the Board of Health) is acceptable if modified to show all the required site plan items.

2.17 TIE SHEET/AS-BUILT DRAWING: A drawing showing the locations of the pipes, meter, meter pit (if applicable), with respect to the septic system, buildings, underground utilities and any other aspect of the water service going into a building from the water main. The tie sheet is usually prepared by the contractor who installs the new water service between the curb stop and the building. Sometimes it is called an "**AS-BUILT**" drawing. This drawing or tie sheet is submitted after the service connection is completed.

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2.172.18 VAULT: A vault is large, underground structure designed to house (keep safe, dry, warm and accessible) a larger water meter. Residential homes will not need a vault; they are for commercial or large system applications.

2.182.19 WATER METER: The water meter is a device for measuring and recording the flow of water from the municipal water supply to the Consumer's building. In some cases the meter is located within the Consumer's building or structure and in other cases, in a meter pit, vault or hot box box or vault elsewhere on the Consumer's property. Regardless of the location, the meter is provided and owned by the Water System. It may be repaired, tested, calibrated, improved or replaced by the Water System Operator, for which purpose the Consumer must permit entry with reasonable advance notice. The Consumer is responsible for reasonable care and use of the meter. Reasonable care is defined in Section 6.11 as "keeping the meter located in a clean, dry, warm, and accessible location".

2.192.20 WATER SUPPLY MAIN: The water supply main is the municipal water pipe (usually located in the street), to which a service line or pipe is connected to supply water to buildings. See Appendix B.

2.202.21 WATER SYSTEM OPERATOR (otherwise known as **OPERATOR**): The Operator is responsible for the day-to-day operation of the Water System, and reports to the Eastham BWC.

2.212.22 EASTHAM MUNICIPAL WATER SYSTEM (otherwise known as **Water System** or **EWMS**) consists of capital facilities and is piped water distribution system drawing water from Town-owned wells located in Eastham. The Water System also includes water tower(s) to facilitate distribution and hydrants to provide fire protection for all properties in the service area.

Additional definitions as applicable are adopted as set forth in the Massachusetts Drinking Water Regulations 310 CMR 22.00, Massachusetts Plumbing Code, 248 CMR and in the Massachusetts Fire Prevention Regulations, 527 CMR.

ABBREVIATIONS

CMR: Code of Massachusetts Regulations
EPA: Environmental Protection Agency
GPD: Gallons per day
EMWS: Eastham Municipal Water System (otherwise called Water System)

SECTION 3 - RESPONSIBILITIES AND LIABILITIES OF THE CONSUMER

- 3.1 **DAMAGE TO THE WATER METER:** Consumers will be held responsible for damage to the Water Meter as a result of freezing, hot water, or other external causes. Other external causes are defined as any damage not related to internal meter malfunction. When damage occurs, the Operator will ~~furnish~~ and furnish and set another Meter or repair the damaged one. The cost of such replacement or repairs shall be charged to the Consumer on the basis of cost of materials, labor, and current sales tax law.
- 3.2 **TAMPERING WITH THE WATER METER:** It is illegal to tamper with a Water Meter. Written authorization must be obtained from the Operator to install, alter or remove a Meter. Violations are subject to a fine as set forth in the General Laws of the Commonwealth of Massachusetts (See Ch. 165, § 11 which specifies a maximum imprisonment of 1 year and a fine. See the Rate Schedule in Appendix A for the amount of the fine.)
- 3.3 **OWNERSHIP OF PIPES, VALVES AND TAPS:** All pipes, valves, taps and other appurtenances between the Municipal Water Main and the outlet of the Curb Stop inclusive, are the property and responsibility of the Town. All piping, valves, equipment and any other appurtenances between the Curb Stop and the Consumer's building, are the property and responsibility of the Consumer; although such items are required to meet standards and specifications of the Water System. An EXCEPTION to the above is the water meter, which will always be the property of the Water System.
- 3.4 **REQUIREMENT FOR CONTROL VALVES:** Requirements established by the BWC for "Consumer" owned portions of the system include (but are not limited to) one (1) Full Flow Control Valve located near the point of entry of the service pipe through the building or structure wall.
- 3.5 **MASSACHUSETTS REGULATIONS:** Valves and other appurtenances shall conform to Massachusetts Plumbing Code Regulations and Water System specifications. All plumbing installations shall be performed by a licensed plumber in accordance with Massachusetts Plumbing Code and any other applicable regulations and to the satisfaction of the Operator. If any defects in workmanship or materials are found or if the Consumer's service has not been installed in accordance with the requirements defined in the Rule and Regulations and other Water System specifications, the water service will either not be turned on or will be

discontinued if such defects are not remedied within a specific time set by the Operator and ratified by BWC. The Town will not be held liable for any defects in such workmanship or material. Consumer must apply to Office of BWC to alter in any way a previously installed and approved water service connection.

- 3.6 **MAINTENANCE OF CONSUMER'S PLUMBING:** All Consumers shall maintain the plumbing and fixtures within their own building(s) in good repair and protected from freezing at their own expense. Consumers shall make any repairs that shall be necessary, other than to meters to, to prevent damage or leaking. All plumbing must conform to Massachusetts Plumbing Code and any other applicable regulations.
- 3.7 **ANTI-BACKFLOW PREVENTION DEVICES (CHECK VALVES):** As part of connecting the Consumer's property to the Water System and pursuant to Massachusetts Regulations 310 CMR 22.22, all water service Consumers are financially and legally responsible for the installation of an approved back-flow prevention device immediately "downstream" of the water meter or as specified by the Operator. See Appendix B. This device prevents water in the building from flowing back into the Water System.
- 3.8 **LEAKS:** The Operator shall have the right to shut off water supplied to any property where a leak EXISTS or is BELIEVED TO EXIST. The Operator will make a reasonable attempt to contact the property owner or authorized representative as soon as a leak is discovered. Any such leaks must be repaired and pass inspection by the Operator before water service will be restored. Operator will report any leaks in Operator's monthly report to the BWC. Consumer shall be responsible for the cost of any repairs from the curb stop into the building.
- 3.9 **SAFEGUARDING OF HOT WATER TANKS:** All Consumers having direct pressure hot water tanks are responsible for the installation of appropriate vacuum breakers and relief valves in the piping system. This is necessary to prevent any damage to such tanks and to protect against damage from other sources, if it becomes necessary to shut off the water at the water main in the street. The Water System will not supply water to buildings where direct pressure hot water tanks or appliances are used without these protective devices in accordance with Massachusetts Drinking Water Regulations 310 CMR 22.22.
- 3.10 **LIABILITY FOR INTERRUPTION OF WATER:** Neither the Town, nor the BWC, including contractors and employees shall be held liable or responsible to Consumers for loss or damage from any excess or deficiency in water pressure and any circumstances beyond the control of the Water System. Prior to the interruption of service to allow repairs, ~~modifications~~ modifications, or maintenance or flushing of to the water distribution system, the Operator will endeavor to notify affected water service Consumers, whenever practical, and with as much notice as is practical. HOWEVER, nothing in this section shall be construed that such notice is required. In the case of routine flushing of the system, consumers will be given at least 48 hours notice of flushing in their service area.
- 3.11 **LIABILITY FOR WATER RUST:** Neither the Town, nor the BWC, including contractors and employees shall be held liable or responsible for loss or damage from dirty water resulting from repairs, modifications, hydrant flushing or maintenance to the water distribution system, or any other reason.

- 3.12 **LIABILITY FOR FROZEN WATER SERVICE COMPONENTS:** It is the responsibility of all water service Consumers to ensure that all plumbing, fixtures, water meters and appliances are protected from freezing. Neither the Town, nor the BWC, including contractors and employees shall be held liable or responsible for loss or damage to any plumbing, fixtures, water meters or appliances due to freezing. The Consumer is financially responsible for any repairs that may be necessary to prevent ~~freezing, leaks~~leaks, and damage.

SECTION 4 - GENERAL RESPONSIBILITIES

- 4.1 **CURB BOX:** The curb box shall contain a service valve which must be readily available to the Operator should it be necessary to turn off the water supply.
- 4.2 **SALE OR USE OF WATER:** The Consumer will not be permitted to supply or directly offer the water for sale or use to the property or parcel of another person, except in special emergencies and then only with the approval of the BWC; which approval, if given, will be for a specified and limited time.
- 4.3 **METERS:** The meter is provided and owned by the Water System. Meters, both residential and commercial, will be initially provided to property owners at no charge. In some cases the meter is located within the Consumer's building or structure and, in other cases, in a meter pit, ~~hot box, or~~ vault elsewhere on the Consumer's property. A hot box is an option in lieu of a vault. If a meter pit or vault is required by the Operator, it will be the responsibility of the consumer to pay for the meter pit or vault and for all fees associated with the installation of these components. Meters may be repaired, tested, calibrated, improved or replaced by the Water System Operator, for which purpose the Consumer must permit entry with reasonable advance notice. Regardless of the location, the Consumer is responsible for the reasonable care and use of the meter. No meter shall be moved or disturbed without prior permission of the Operator.
- 4.4 **METER PITS, VAULTS OR HOT BOXES:** Service connections greater than 150 feet from the curb stop will be required to house the meter in a pit, ~~hot box or vault~~hot box adjacent to the curb box or larger commercial water main capped at the approximate property line. The BWC and/or the Water System Operator will determine whether a pit, ~~hot box or vault~~hot box is required. A meter pit will be utilized for meter sizes underless than two inches and vaults or hot boxes for any meter larger than two inches. The cost of meter pits and vaults/hot boxes will be the responsibility of the Consumer. The Consumer may voluntarily install a meter pit or vault/hot box at their property line (adjacent to the curb stop), in which case the property owner will be allowed to connect to and utilize their existing water service pipe from their water supply well provided that the pressure rating of their existing water service pipe meets that of the Water System. In this instance, the existing well would be removed from service. Meter pits are provided by the Town and paid for by the Consumer. Hot boxes/m~~Meter~~ vaults are provided and paid for by the Consumer. The costs of repairs, maintenance and/or replacement of meter pits, ~~hot and boxes and~~ meter vaults are paid for by the Consumer.
- 4.5 **METER REPAIR:** The Water System Operator will have the right to remove, repair or

replace any meter. The cost of meter repairs or replacements due to defects will be paid by the Town. The costs of repairs, maintenance and/or replacement caused by freezing, hot water, or unknown causes, whether internal or external, will be charged to the Consumer.

- 4.6 **SHUT-OFF OR TURN ON SERVICE:** Except in the case of emergencies, all water shut-offs and start-ups require two weeks advance notice and billed according to fee schedule in Appendix A.

SECTION 5 - WATER SYSTEM DISCLAIMER OF LIABILITIES

- 5.1 **GUARANTEES:** Constant water pressure and uninterrupted service are not guaranteed. Further, the Consumer is not assured a full volume of water or the required pressure per square inch necessary to effectively operate any appliances and/or fixture. The same rule holds true of all variable conditions that may take place in the use of water from the water supply mains. The Operator will use all reasonable care and diligence to avoid interruptions and fluctuations in the service, but neither the Town, nor the BWC, including contractors and employees shall be held liable or responsible to Consumers for any loss or damage from any excess or deficiency in the pressure or volume or supply of water.
- 5.2 **REPAIRS:** The Town, BWC, as well as water system contractors and employees will not assume any liability for conditions in the Consumer's plumbing or appliances associated with or following installation, repairs or flushing to any part of the system and shall not be responsible for damages caused by dirty water resulting from the opening or closing of any gates for repairs or any other reasons, or the breaking of any supply lines.
- 5.3 **DUE NOTICE:** The Operator will endeavor to give due notice to as many of the Consumers affected whenever it may become necessary to shut off the water supply to any section of the system, to make repairs or changes or because of a broken main or service, and will, as far as practical, use every effort to prevent damage or inconvenience. Failure to give such notice will not involve the Town, the BWC, nor water system contractors and employees in any responsibility or liability for damage arising from the shutting off the water supply.
- 5.4 **SHUT OFFS:** The Operator reserves the right at any time, without notice, to shut off the water supply for the purpose of making repairs, extensions or other reasons. Consumers having boilers or other appliances on their premises are hereby warned against the danger of collapse or damage from the shutoff, and are urged to provide safety devices as described in the Massachusetts Plumbing code, for their protection. The Town, the BWC, water system contractors and employees shall not be liable for damages resulting from the shutoff.

SECTION 6 - PROCEDURES FOR SERVICE INSTALLATION AND USE

- 6.1 **CONTRACTUAL AGREEMENT:** Acceptance of service shall bind the Consumer to

the laws, rules, regulations and policies of the Commonwealth of Massachusetts, the Town of Eastham, and the Rules and Regulations as written by the BWC. Acceptance of service shall form a part of the contract with every Water System Consumer and shall govern their relations.

- 6.2 **APPLICATIONS FOR WATER SERVICE:** All applications for any new installations, alterations, replacements or change of ownership of a water service shall be submitted to the Office of the BWC by the owner of the property or their duly authorized representative. When applying for a new service connection or alteration a Site Plan is required as defined in Section 2 of these Regulations. The application and Site Plan must be approved by the Water System Operator. A plumbing permit will also be required, and will be a part of the initial application. The water system connection will not be turned on until the connection has been inspected and approved by the Operator. A, and the pPlumbing Inspector inspection will be completed shortly after water has been turned on, and a record drawing of the service connection must also be submitted to the Town by the contractor/plumber after installation.
- 6.3 **MATERIALS AND INSTALLATIONS:** All materials to be used in conjunction with any and all water mains and installations of the same shall be in strict accordance with the "Specifications for Water Mains and Service Installation" of these Regulations found in Appendix B. All water mains and all water mains and appurtenances shall be installed by a Contractor who has been approved by the Town of Eastham.
- 6.4 **METERS:** Meters are the property of the Town of Eastham. The meter size for each property will be determined by the Operator. Meters, both residential and commercial, will be initially provided to property owners at no charge.
- 6.5 **RESPONSIBILITY FOR CHARGES:** Consumers of water shall be charged with and held responsible for all water passing through their water meter. Exceptions may be granted only by the BWC.
- 6.6 **EXTENDING MAINS:** Applications for new service will be accepted for review subject to the existence of a municipal water main in a street or right-of-way abutting the property to be served AND the existence of sufficient water capacity. Approval of an application shall in no way obligate the BWC or the Town to extend water mains.
- 6.7 **CONSTRUCTION:** Owner of a property that is already connected with the Water System and desiring construction, alterations or attachments shall submit plans and specifications for the proposed work to the office of the BWC for inspection, approval and for a determination as to whether the same is permissible. The BWC or its designated representatives shall determine the terms, charges and conditions under which the proposed water use shall be permitted.
- 6.8 **WATER SERVICE INSPECTIONS:** The Consumer or Consumer's authorized representative shall notify the Operator prior to commencing work once plans and specifications have been approved. Upon said notification, the Operator will designate the requirements for inspections during construction as approval is required at different

stages of work. No work shall be covered or enclosed until inspected and approved. Water System inspections will be scheduled during normal working hours. If by mutual agreement inspections are scheduled for other than normal working hours, the Consumer will be responsible for paying any and all extra costs. (Usually, the Contractor, hired by the Consumer, will handle all inspections as well as provide a "TIE SHEET" or "AS BUILT" diagram). The property owner is responsible for hiring approved, licensed and insured plumbers and contractors off of the approved lists by the Town. The Operator requires a minimum 48-hour notice to perform any inspection.

- 6.9 **PRIVATE WELL:** The Operator has the responsibility to control all cross connections for the safety of the Water System. Except where denied by the Eastham Board of Health regulations, a property that is connected to the Water System may retain a private well ~~for non-potable uses~~, under the following conditions:

6.9.1 Private wells must meet all the requirements of the Eastham Board of Health regulations.

6.9.2 Cross connections between a public water system (PWS) and a private well or individual water source serving residential properties and dwellings used for potable or non-potable purposes are prohibited.

6.9.3 The BWC has the authority to terminate any water service connection to any facility or structure in which cross connections are found to be in non-compliance with 310 CMR 22.22. If necessary, the water service shall be disconnected for failure to test or maintain backflow prevention devices, as determined by the Operator.

6.9.4 If a backflow prevention device has been removed, by-passed or otherwise rendered ineffective, water service shall be discontinued unless approved corrections are made immediately. All expenses are the responsibility of the Consumer.

6.9.5 All backflow prevention devices must be installed and repaired by a Massachusetts licensed plumber.

6.9.6 A thorough cross connection inspection must be made by the Operator (at no additional cost to Consumer) to prevent any possible cross contamination between the private well and the Water System.

~~6.9.7 Continuing use of a private well on the same property that is serviced by the Water System must be approved by the Eastham Health Agent. Inspections can be made without notice. Violations are subject to fines as set forth in Section 9.1 and possibly other consequences such as shut off of water service.~~

~~6.9.8~~ 6.9.7 The Operator or Office of BWC will keep a record of all private wells that are being used ~~for non-potable uses~~ on file.

- 6.10 **RIGHT OF ENTRY:** Owner or occupants of any premises served by the Water System shall, upon presentation by Water System personnel of their credentials, authorize entry to their building (s) without a warrant for the purpose of inspecting and surveying their water system for new installation, cross connection, leak detection or to remove, repair, read or replace any water meter at any time the Operator deems necessary. When such access is refused, the water may be shut off and may not be turned on until such access has been allowed and fees have been paid for shutting off and turning on the water.

Comment [RJT1]: We need to keep this in per DEP's requirements

6.11 FULL FLOW CONTROL VALVE AND ANTI-BACKFLOW PREVENTION DEVICES:

Full Flow Control Valve at the meter inlet shall be the first fitting inside of a serviced building and shall be inspected and approved by the Operator. There must also be an Anti-backflow prevention device (double-check valve with drain) installed to permit removal of the meter without backflow from the internal water systems. (SEE APPENDIX B) The meter shall be located in a clean, dry, warm and accessible location. Upon completion of the installation of a water meter, the Operator shall be notified to inspect the installation and install a remote reader before the service is activated. The Operator, in cooperation with a licensed plumber, must inspect and approve the meter installation. In some instances, an expansion or "bladder" tank shall be required by plumbing code for the hot water heating system.

6.12 METER PITS AND VAULTS OR "HOT BOX":

When it is necessary or expedient to locate the meter in an underground pit or vault or aboveground in a hot box, it must be approved by the Operator and the Consumer shall bear the expense of same and shall bear the responsibility of reasonable care and maintenance of said pit, box or vault, ~~such as keeping it clean and dry~~. In those instances where the service line from the curb stop to the dwelling or structure is more than 150 feet, a meter pit, vault or hot box is required. A meter pit will be utilized for meter sizes ~~underless than~~ two inches and vaults or hot boxes for any meter larger than two inches. The Consumer may voluntarily install a meter pit, vault or hot box at their property line adjacent to and downstream of the curb stop or valve, in which case the Consumer will be allowed to connect to and utilize their existing water service pipe from their water supply well, provided that the pressure rating of their existing water service pipe meets that of the Water System and the domestic plumbing connection to the well is abandoned. The Consumer shall not cover the pit or hinder access to the water meter in any way. Covers must remain ~~accessible exposed~~ at all times. Pits shall be furnished with inlet and outlet connections.

6.13 RIGHT TO CHANGE METERS:

If, in the opinion of the Operator, a meter does not fit the conditions of the service installation, the Operator has the right to change such meter. Such a change shall be ~~made~~ in accordance with current regulations and its costs ~~may be are~~ the responsibility of the Consumer. There is no charge to the Consumer if the Water System Operator replaces a meter (with no change in size) as part of maintenance to the Water System.

6.14 REPAIRING OR REPLACING OR REMOVING METERS:

The Water System Operator shall have the right to remove, repair or replace any meter at any time it so determines. No meters shall be removed by the Consumer or their Plumber without prior written permission from the Operator.

SECTION 7 - BILLING FOR SERVICES

7.1 METER READING & BASE SERVICE FEE:

Meters will be read a minimum of every three months (quarterly). Water use charges will be billed in accordance with the current fee schedule (Appendix A). In addition to any water use charges, a Base Service

Fee (BSF) will be added to each bill after the initial application for connection to the Water System is received. The BSF Fee ceases only when a house or building is demolished, removed from its site, declared uninhabitable by a legal authority, or the Consumer elects to “disconnect” from the Water System according to Section 7.9.

- 7.2 BILLS PAYABLE:** Bills are payable to the “**Town of Eastham**” and will be sent to the Consumer of Record (or duly appointed representative), to the address provided on the Application for Service or provided by the Consumer. Tenants will not be billed. Consumer shall notify the office of the BWC promptly of any change of mailing address. If a bill is not paid in full within 90 day of the billing date, the account will be considered delinquent.
- 7.3 FAILURE TO RECEIVE A BILL:** Failure of the Consumer (or duly appointed representative) to receive a bill does not relieve the Consumer of the obligation of payment, nor from the consequences of non- payment.
- 7.4 DELINQUENCY NOTICE:** When bills are not paid in full on or before the due date specified on the Consumer’s invoice, reminder notices shall be sent. Notices shall be sent to the Consumer after 30, 60 and 90 days have elapsed from the due date and full payment has not been received. Failure to pay the delinquent amount specified, after a final notice has been sent to the Consumer via certified mail, will subject the property to municipal water lien processing. The delinquent amount shall be certified by the BWC and delivered to the Assessors for commitment to the Collector to be added to the property tax to which it relates, as provided under Mass. General Laws Chapter 40, Sections 42A – 42F. For bills which are already delinquent beyond these time periods, certification proceedings shall begin immediately with or without such notice.
- 7.5 CHANGE OF OWNERSHIP:** The BWC must be notified prior to any transfer or any change in ownership of property currently serviced by the Water System. A final meter reading and a water service turn off must be scheduled with the Operator, coincident with the transfer. The Office of BWC will provide to the previous owner (or legal representative) the resulting water usage in gallons within the current billing cycle. The new owner must complete an Application for Water Service and follow the process of transferring the ownership of the connection to the new owner and the reinstatement of service. Any outstanding water use or any other charges, and the pro-rating of the Base Service Fee, must be adjusted between the buyer and the seller at the time of property transfer. Changes in owner address & billing will become effective at the next regular billing date following the date of notice. Failure of the seller to notify the Office of the BWC of a change of ownership does not alleviate the buyer of any charges due. All charges for any billing period are against the property and whoever the new owner is at the end of the billing period is liable.
- 7.6 METER MALFUNCTION:** All water passing through a Meter must be paid for. If a Meter malfunctions or fails to register, the Consumer will be charged at the average daily consumption as shown by the Meter when it was in working order, for the corresponding period of two years preceding (or for whatever the preceding service

time is, if less). In the case of a malfunction following transfer of ownership as outlined above, a shorter (post-transfer) period may be used to calculate average daily consumption.

- 7.7 **“MAIN” WATER METER:** For each property (parcel) connected to the Water System, there is a single (or main) water meter. This Water Meter is the property of the Town. It provides the water use in gallons for billing the Consumer (or duly appointed representative). If a Consumer with multiple units wants water meters for each unit, the additional water meters (and any additional plumbing charges) are the sole responsibility of the parcel owner and must be installed downstream of the Main Water Meter by a licensed plumber, and inspected by the Plumbing Inspector. Disclaimer: the additional water meter(s) will not be read or maintained by the Water System Operator. ~~Exceptions to this policy can be made by the Board of Water Commissioners.~~
- 7.8 **ABATEMENT & ADJUSTMENTS:** Abatements will be made for clerical errors, misreads or failure of Water System equipment. Abatements will not be issued for water leaks, unless otherwise allowed by the BWC. The Abatement Procedure for Water Bills is:
- 7.8.1 All claims for adjustments of water bills shall be made within thirty (30) days of the billing date.
 - 7.8.2 The BWC or designee shall, upon written request, consider an abatement of a previously paid water bill.
 - 7.8.3 The BWC or designee shall hold a hearing with the Consumer within forty five (45) days of receipt of a request for abatement and shall render a decision within forty five (45) days of the hearing.
- 7.9 **DISCONNECT FROM WATER SYSTEM:** Any Consumer currently connected to the Water System that wishes to disconnect must do so at their own expense. A written request must be submitted to the Office of the BWC. Upon review & approval of this request by BWC and the Eastham Board of Health, the Consumer must hire an approved contractor to disconnect their water service at the water main, as witnessed by the Operator. This work is subject to approval and inspection of the Operator. Once inspected and approved, the water meter must be returned to the Office of the BWC or Operator. A final bill for water use must be paid before the account will be closed. The Consumer is not entitled to a refund of any fees related to their initial hookup. the connection fee. If the property owner wishes to connect at a later time the costs, terms and procedures described in these Regulations in effect at that future time will apply.

SECTION 8 – VIOLATIONS & PENALTIES

- 8.1 **VIOLATIONS OF REGULATIONS:** Any violations of these regulations may result in the BWC or Operator ordering the shutting off of water to the violator’s premises. When water has been shut off due to violations, it shall not be turned on again until the BWC or Operator is satisfied that the violations have been corrected and there is no further cause for complaint, and charges have been paid to cover the costs associated with the violation

and the discontinuing and reconnecting to service.

- 8.2 DISCONTINUANCE OF SERVICE:** A water service may be discontinued for reasons such as non-payment of water bills, charges, and liens for violations of rules and regulations contained herein, and in accordance with MGL Chapter 40 Section 42. A water service may be terminated without notice for fraudulent use. Reconnection of terminated service will be done only during normal working hours of the Operator, and a reconnection fee will be applied. Water service will not be reconnected until all charges are paid in full. If a request is made by the Eastham Health Department, water may be shut off if there is a health or safety reason at the property.
- 8.3 INACTIVE SERVICE:** If an account does not have a meter and has been inactive for more than 24 months, the Operator may disconnect and cap the service from the distribution system.
- 8.4 CROSS CONNECTIONS:** Any consumer found to be in noncompliance with the drinking water regulation of Massachusetts, 310 CMR 22.22 shall be subject to a fine by the Commonwealth of Massachusetts Department of Environmental Protection for each day that the violation occurs or continues. Water will be turned off immediately until violation has been corrected. There will be a Turn on and Turn off fee assessed per violation. There is also a testing fee per device, see non water related fees.
- 8.5 TREATMENT:** No treatment by any unauthorized personnel shall be permitted. If anyone is found adding any treatment to Town's water they will be subject to fines established by the Board of Commissioners for each individual offense.
- 8.6 MANDATORY RESTRICTIONS ON WATER USE:** Any consumer found in violation of a water ban subject to fines by the Town, at a rate set by the Water Commissioners.
- 8.7 UNAUTHORIZED WATER USE:** Whoever unlawfully and intentionally injures a water meter or prevents such meter from registering the quantity of water supplied through it or use or causes to be used water without consent of the BWC shall be fined at a rate set by the Water Commissioners and will be responsible for its repair or replacement.
- 8.8 DEFACING AND LITTERING ON TOWN PROPERTY:** Any person or persons willfully defacing and or littering upon Town owned property located within its watershed shall be fined.
- 8.9 NO TAMPERING WITH TOWN PROPERTY:** All gates, valves, hydrants, shutoffs, water meters and standpipes and any other portion of the municipal system are the sole property of the Eastham Municipal Water System. They are not to be opened, closed, removed or in any way tampered with. Only personnel authorized by the Operator may use this equipment. Violators will be subject to charges or penalties as stated herein or by Massachusetts General Law Chapter 165.

- 8.10 **MARK OUTS:** No excavator shall, except in an emergency, make an excavation where town water exists unless notice is given to the Operator at least **72 business hours, excluding weekends and holidays,** before excavation. If an excavation is made without the request of a water mark out, the excavator shall be held solely responsible for any and all damages and injuries caused, and any penalties or legal action that may be brought against excavator,

SECTION 9 - PRIVATE ROADS

- 9.1 Pursuant to the “POLICY & PURPOSE” of the Water System and based upon reasonable engineering, economic, and water need considerations the BWC in its reasonable discretion may cause water supply mains to be installed on private roads as defined in Section 2.12.

Sections 1 through 8 of the Eastham Municipal Water System Rules and Regulations and all Amendments thereto are specifically applicable to water supply mains installed on such private roads and service lines, valves and meters connected thereto.

- 9.1.2 Appropriate water easements, granting the right to install, inspect, operate, maintain, repair and replace water supply mains and appurtenances, must be granted to the Town, acting by and through the BWC, or waivers of appraisal and damages obtained for the taking of such easements by the BWC, from all property owners who abut the portion of the private way on which the work is to be done or who otherwise have an ownership interest in each such portion.

- 9.1.3 The installation of a water supply main on a private road shall not cause or render the Town of Eastham or the BWC to be responsible for or liable for the maintenance, repair, or plowing of any such private road on which a water main is installed. The private road after water supply main construction will be returned to a condition equivalent to its pre-construction state.

- 9.1.4 Any decision to introduce water supply mains in private roads is limited to private roads in existence as of 2014. Anyone creating a new private way must bear the burden of introducing all necessary utilities pursuant to the current or future requirements of the Eastham Planning Board’s subdivision rules and regulations and the rules and regulations of the Eastham Board of Health where applicable.

SECTION 10 - AUTHENTICATION

Upon due notice and hearing, we the undersigned, Water Commissioners of the Town of Eastham, Massachusetts, do this ___ day of _____ 2016, adopt the foregoing "Rules and Regulations" of the Eastham Municipal Water System.

TOWN OF EASTHAM
BOARD OF WATER COMMISSIONERS:

Linda Burt, Chair Date

Bill O'Shea, Vice Chair Date

John Knight Date

Wallace Adams Date

Elizabeth Gawron Date

APPENDIX A WATER USE RATES AND FEE SCHEDULE

As adopted by the Board of Water commissioners, _____, 2016

Pursuant to the authority given by MGL c. 41, §69B, the Eastham Board of Water Commissioners has established the following schedule of prices and rates which must be paid by every customer as follows:

WATER USE RATES: QUARTERLY BILLING PERIOD

On _____ the Board of Water Commissioners held a Public Hearing and adopted a 2.5% annual increase of water usage rates and service fee effective on July 1, 2018 and each consecutive year thereafter.

Current Water Rates, effective for the Billing Period:

Base Service Fee:	<u>Residential Single-Family/Condo</u>	<u>\$84.00</u>
	<u>Mixed Residential/Commercial</u>	<u>\$132.00</u>
	<u>2-3 Family</u>	<u>\$168.00</u>
	<u>Apts/Mixed Res/Com/Industrial/State</u>	<u>\$204.00</u>
	<u>Retail/Office</u>	<u>\$460.00</u>
	<u>Govt/Town/Church</u>	<u>\$576.00</u>
	<u>Motels</u>	<u>\$920.00 (6" Meter)</u>
	<u>Motels</u>	<u>\$1036.00 (8" Meter)</u>

The Base Service Fee is an annual charge that will be billed quarterly (Example: For a residential home, the charge will be \$96.00 per year, billed quarterly at \$24.00 plus the charge for water usage)
(See Section 7.1 — the base service fee does not include water usage)

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Water Fee

\$1.80 per thousand gallons from 0- to 15,000 gallons
\$4.75 per thousand gallons from 15,001 to 30,000
\$6.10 per thousand gallons from 30,001 to 50,000
\$7.50 per thousand gallons from >50,000
\$ per thousand gallons from 85,000 up

WATER USE BILLING PERIODS: T B A

ADDITIONAL FEES:

Water meter test (1st customer requested test in billing period)-----	No charge
Additional Water meter test requests in same billing period ----- (Refundable if meter is more than 2% inaccurate)	\$50 up to actual cost
Water meter test (initiated by Water System operator) -----	No charge
Turn on or Turn off, or plumbing test -----	\$60 each occurrence
Cross Connection testing -----	No charge
Final Meter Reading (e.g. Ownership transfer) -----	\$50
Cut off water service & cap (System permission required) -----	Actual cost
Research Request -----	\$50/hour (no chg first ½ hr.)
Hydrant Use Setup (large volume purchase directly from System) -----	\$80 & includes 1000 gallons.
Hydrant Use Consumption -----	\$20/1000 gal after 1 st 1000
Return Check Fee (Collected by Town Treasurer) -----	\$25
Late payment fee or Delinquent Account Interest-----	See Section 7
Meter Tampering charge-(each occurrence) –See Section 3.2 -----	\$500
Unauthorized use of fire hydrant (each occurrence) -----	\$1000
Replacement of frozen water meter (each occurrence) -----	Cost of meter plus \$150
Upgrade/Downgrade in meter size) -----	Cost of meter plus \$150

FIRST TIME CONNECTION TO WATER SYSTEM

Note: Most connections will have service sizes less than or equal to 2". The town will supply, at no cost to the property owner, meters for initial residential and commercial hookups and there is no hook-up fee. The BWC may adopt fees for meters and hookups at a later date, but not without holding a public hearing.

CONSUMER COST COMPONENTS:

The total cost to a consumer to connect to the Water System is the SUM of the following:

	What	Make Payment to	Financial Terms
1.	SYSTEM CONNECTION FEE	N/A	No FEE
2.	METER PRICE	Town of Eastham	No FEE
3	METER PIT, VAULT OR HOT BOX	Town of Eastham	Meter Pits must be purchased from the Town of Eastham. If a vault or hot box is required, it must be purchased separately and approved by the Water System Operator.
4.	PIPE INSTALLATION FROM curb stop (shut off close to property line) TO YOUR BUILDING.	Contractor who is "approved" by the System for service installations. (Meets competency & licensing requirements as established by System). (List available)	Contractor is hired by and works directly for Consumer. Cost includes all associated expense items such as parts & permits and inspection fees.
5.	INTERNAL PLUMBING WORK to connect to the Water System and disconnect your building's old water source, if applicable.	MA Licensed Plumber	Plumber is hired by and works directly for Consumer. This cost includes all associated parts such as expansion tanks, connection to water meter, permit & inspection fees.

OTHER TERMS:

1. Meter size and Service Size determination: Final decision rests with the Water System Operator, who will consider customer's current use of property and any expectations of the property owner.
2. Water Meter is the property of Town.
3. Service installation from Curb Stop to within Consumer's building: Must use a Contractor approved by the BWC (List available from Office of BWC).
4. Plumber for internal plumbing work: Must be Massachusetts licensed plumber.
5. These rates & charges apply to all parcels within the service area.
6. Fire protection taps (Residential & Commercial) require approval of the Eastham Fire Department
7. All service connections must be inspected by Operator prior to the first-time water turn-on.
8. Connection Application can be withdrawn and all monies refunded if the Office of BWC is notified in writing within 90 days of connection application approval notice and the water meter has not yet been installed.
9. "First billing period" starts upon approval of Consumer's application and ends when the current billing period ends. This means that the first billing period is at the very least, 1 month in duration and at the greatest, it is 6 months in duration.

APPENDIX B

Specifications for Water Mains and Service Installation

All materials to be used in conjunction with any and all water mains and installations of the same shall be in strict accordance with the "Specifications for Water Mains and Service Installation" of these regulations. All water mains and appurtenances shall be installed by the Town or a Contractor who has been approved by the Town.

B1 Pipe Size

All water mains shall be sized by the Town in conjunction with the Master Plan of the distribution system, or as calculated by the BWC or its consulting engineers. Piping for hydrant services shall have the minimum diameter of six (6) inches.

B2 Fire Hydrant Spacing

Fire hydrants shall be spaced at a minimum distance of 500 feet in residential zoned areas; 250 feet in commercial, business, and industrial zoned areas. The Fire Chief can request a different spacing standard depending on the situation. The applicant must show proof that the Fire Chief has approved all proposed fire hydrant locations. Measurements shall be taken along traveled way, whether public or private. Spacing of additional fire hydrants shall begin at the closest existing hydrant. An additional fire hydrant shall be placed at the dead end of all water mains.

B3 Fire Hydrant Access

No person shall obstruct access to a fire hydrant. Fire hydrants shall have a three foot clear radius measured from the center of the stem of the top of the hydrant. No foliage, fencing, parking space, or other object shall obstruct the clear area. No person may landscape to change the grade around the base of the hydrant so as to prevent the use of a four inch cap. Location where existing objects such as, but not limited to, buildings, walls, fences, trees, on sloping grades that does not permit a three (3) foot clearance radius, may be granted a waiver by the Town. Before any waiver of this Regulation is granted, all other possible locations must be considered.

B4 Cost of Water Mains

In private division of lands, commercial, business or industrial complexes, and all other areas not presently serviced by Town water, the developer or owner shall be responsible for all costs with regard to water main installation(s) and connection(s) to existing system and or maintenance of already installed water mains. All water mains shall be installed to the furthest property line.

B5 Need for Water Mains

The developer or owner of a division of land where water is available within 500 feet will be required to serve and supply the development with water in accordance with these regulations. Any property that has existing public water service and is a division of land, the developer or owner will be required to upgrade the water mains and services to comply with these rules and regulations before the transfer of any parcel. Industrial, commercial, condominiums or multi-family residential, and like buildings that are not a division of land shall be reviewed by the Water Superintendent and the Fire Chief on an individual basis. They shall still be governed by these Rules and Regulations and be required to install and maintain water mains and fire hydrants.

B6 Application for Water Main Installations

An application for water main installation shall be completed by the developer or owner and submitted to the Town for review and approval before any work can proceed. All applications must contain the complete information requested and an engineer construction plan prepared by

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Massachusetts Registered Professional Engineer with a scale of 1 inch equal 40 feet (1"=40'). Payment of all required tapping fees, and installation fees including the service availability charge and any other fees established by the Board of Water Commissioners shall be made at the time of application.

B7 Ductile Iron Pipe and Fittings

- B7.1 All water main pipes shall conform in design and manufactured to the latest issue of ANSI/AWWA standard C150 "Thickness Design of Ductile Iron Pipe" and standard C151-91 Class 50 "Ductile-Iron Pipe, Centrifugal Cast in Metal Molds or Sand-Lined Molds for Water or Other Liquids". The pipes shall be supplied in lengths not to exceed 20 feet. Acceptable manufactures include American, McWane, US Pipe, or equal.
- B7.2 Fittings shall be compact ductile iron Class 350 Mechanical Joint, conforming to ANSI Specification A21.53 (AWWA C153 "Ductile-Iron Compact Fittings, 3-in t Through 16-in for Water and Other Liquids"), latest edition. Fittings shall be suitable for use with restraints as specified hereinafter. Fittings shall be manufactured in the United States. Fittings shall be made of the same material and have the same lining and coating as the pipe specified above. All fittings shall be marked with the weight and shall have distinctly cast upon them the pressure rating, the manufacturer's identification, nominal diameter of openings and the number of degrees or fraction of the circle on all bends. Fittings shall be Tyler Union Awwa C153 Compact Fittings, or approved equal.
 - a. Hydrant tees shall have a rotatable mechanical joint gland on the 6-inch plain end branch to provide positive valve restraint, unless otherwise allowed by the Engineer.
 - b. Caps and plugs, installed in all new work as indicated on the drawings, shall be provided with a threaded corporation or bleeder valve so that air and water pressure can be relieved prior to a future connection.
- B7.3 All pipe and fittings shall have a bituminous outside coating in accordance with AWWA C151 and C110, respectively, latest edition. All pipe and fittings shall be cement-mortar lined and seal coated in accordance with AWWA C104 "Cement-Mortar lining for Ductile-Iron pipe and fittings for water", latest edition. Cement mortar lining shall be double thickness.
- B7.4 Joints for pipe and fittings shall be push-on or mechanical joints conforming to AWWA C111, latest edition.
- B7.5 Restraint joints shall be furnished for thrust restraint for installation on all fittings and valves, where indicated on the drawings, or where required by the Engineer. Restraints for mechanical joints shall be Series 1100 Megalug as manufactured by EBAA Iron, ONE-LOK Series D-Slide Restraints as manufactured by SIGMA Corp., or approved equal.
- B7.6 Restraints for push-on joints shall be Field Lok gaskets by U.S. Pipe or Sure Stop 350 by McWane Ductile. Push-on joint restraints shall not affect the warranty by the pipe manufacturer.
- B7.7 Sleeve type couplings shall be of steel and shall be Style 38 by Dresser Mfg. Div.; Smith-Blair Style 441 or approved equal. Couplings shall be furnished with black steel bolts and nuts and with pipe stop removed. Gaskets shall be of a material suitable for exposure to liquid within the pipe.
- B7.8 Polyethylene pipe encasement shall conform to requirements of AWWA C105, latest edition. Virgin polyethylene shall conform to ANSI/ASTM D1248. Minimum nominal thickness shall be 8 mils. Polyethylene pipe encasement shall be V-BIO Poly.
- B7.9 Insulation shall be 2-inch thick polyisocyanurate foam with a density of 2.0 lbs/cf3. A 30-mils thick bitumen adhesive shall be used as a vapor and moisture barrier for direct burial applications.

- B7.10 Detectable aluminum foil plastic backed tape or detectable magnetic plastic tape manufactured specifically for warning and identification of buried piping shall be used. Tape shall be detectable by an electronic detection instrument. Tape shall be provided in rolls, 3 inches minimum width, color coded for the utility involved with warning and identification imprinted in bold black letters continuously and repeatedly over entire tape length. Warning and identification shall be CAUTION BURIED WATER PIPING BELOW or similar. Permanent code and letter coloring unaffected by moisture and other substances contained in trench backfill material shall be used. Tape shall be buried tape with the printed side up at a depth of 12 inches below the top surface of earth or the top surface of the subgrade under pavements.

B8 Polyethylene Pipe and Fittings for Directional Drilling

- B8.1 Black polyethylene (PE) materials used for the manufacture of polyethylene pipe, tube and fittings shall be PE 4710 high density polyethylene meeting ASTM D3350 cell classification 445574C (formerly PE 3408 meeting 345464C per ASTM D3350-02) and shall be listed in the name of the pipe and fitting Manufacturer in PPI (Plastics Pipe Institute) TR-4 with a standard grade HDB rating of 1600 psi at 73°F. The material shall be listed and approved for potable water in accordance with NSF/ANSI 61. Gray PE material, when used, shall be the same except for meeting ASTM D 3350 cell classification 445574E. When requested on the order, the Manufacturer shall certify that the materials used to manufacture pipe and fittings meet these requirements.
- B8.2 Polyethylene pipe shall be manufactured in accordance with AWWA C901-96 for sizes 1-1/4" thru 3" IPS diameters and to the requirements of ASTM D3035. Pipe 4" IPS and DIPS sizes 4" and above shall be manufactured to the requirements of ASTM F714 and AWWA C906-99. 2" and smaller water service pipe and tubing shall be manufactured in accordance with ASTM D2239 for inside diameter control IPS size or ASTM D2737 for outside diameter control CTS size.
- B8.3 The polyethylene pipe and fittings shall be certified as suitable for use in a potable water system, impart no taste, odor or other objectionable compounds to the water, and shall comply with AWWA C906 and applicable National Sanitation Foundation (NSF) requirements. Pipe delivered to the site shall have all required AWWA/NSF potable water markings.
- B8.4 Welded sections of pipe shall be pressure tested at 150 psi for 15-minutes prior to being pulled/installed in the ground. The pressure test shall result in zero leakage.
- B8.5 Polyethylene pipe shall be furnished with restrained mechanical joint adapters to allow mechanical joining with ductile iron pipe. The adapters shall have the same pressure rating as the polyethylene pipe and shall be butt fused to the pipe as specified herein. The adapters shall be complete with pipe stiffener, gaskets and all required bolts and nuts.
- B8.6 All high-density polyethylene piping to be installed as a water main or water line shall be DR11 DIPS. All high-density polyethylene to be installed as a casing pipe shall be SDR17 IPS. For 1" services, install 1" PE tubing within a 2" IPS SDR17 HDPE casing pipe with tracer wire. For services larger than 1", install PE tubing within a 4" IPS SDR17 HDPE casing pipe with tracer wire. Only long-side services (2" and smaller) shall have a casing pipe.
- B8.7 All polyethylene pipes shall be installed with tracer wire to facilitate the detection of the water line or casing pipe after installation. Tracer wire shall be attached to the center of the pipe at a minimum of 6 foot intervals and at all bends with duct tape. Tracer wire shall be 12 gauge copper with a 30 mil polyethylene coated jacket.

B9 Water Services: Pipe, Corporations, Curb Stops, Saddles and Fittings

- B9.1 Each unit shall have its own separate service, consisting of a corporation stop, curb stop, curb box, ball valve as soon as service enters building, meter and remote reader. From curb stop into building shall be the ~~owners~~^{owner's} responsibility to maintain.
- B9.2 Unless otherwise specified, all pipe for services and 2-inch mains shall be polyethylene PE 4710, Class 250 tubing and shall conform to the provisions of AWWA specification C901 (latest version). The tubing shall be copper O.D. size and suitable for use with standard industry brass compression fittings without special adapters. Insert stiffeners shall be provided for use with all compression joint connections. Polyethylene tubing to be Drisco Pipe, Endot Industries, Inc., or approved equal. Tracer wire shall be 12 AWG copper with a blue in color, 30 mil polyethylene coated jacket.
- B9.3 The corporation stops shall meet the most recent revision of the AWWA standard "Threads for Underground Service Line Fittings" (AWWA C800). Corporation stops shall be Mueller 300 Ball Corporation Valve, Model B-25008N, as manufactured by Mueller Company or The Ford Meter Box Company for standardization purposes, no exceptions. Corporations larger than one inch shall be installed with saddles.
- B9.4 The curb stops shall meet the most recent revision of the AWWA standard "Threads for Underground Service Line Fittings" (AWWA C800). Curb stops shall be Mueller 300 Ball Curb Valve, Model B-25209N as manufactured by Mueller Company or The Ford Meter Box Company for standardization purposes, no exceptions. Curb Stops shall open Left.
- B9.5 The curb box shall be of the "Erie" type, cast-iron construction. The curb box shall be tar base enamel coated inside and out and shall be equipped with an operating extension rod. The lid shall be of extra heavy cast-iron construction with a brass pentagon plug. Curb stop boxes shall be manufactured in United States only.
- B9.6 Service saddles (for services larger than one inch) shall be Smith-Blair 313 Double Strap. Bodies shall be ductile iron (with fusion-bonded flexi-coat epoxy) and bales, nuts and washers shall be Type 304 stainless steel. Units shall be complete with Buna-N gaskets.
- B9.7 Unless otherwise approved, only compression type fittings manufactured by Mueller ~~Inc.~~^{Inc.} or Ford Meter Box shall be used. Mueller brass tees shall be used to provide 1-inch services off of 2-inch polyethylene tubing. Adapters required to allow connection to existing services shall be provided.

B10 Gate Valves and Boxes

- B10.1 Resilient wedge gate valves shall be iron body, resilient seated type meeting the latest edition of AWWA C509 or AWWA C515 with mechanical joint ends. The valves shall be designed for 200 psi working pressure and 400 psi test pressure. Valves shall have corrosion resistant fusion - bonded interior and exterior coatings. Valves shall be made in the United States. For standardization, valves shall be as manufactured by Mueller Company or American Flow Control, no exceptions.
- B10.2 Valves are to have O-ring seals and a non-rising stem. Valves shall have a 2-inch square operating nut, and be Open Left (counter-clockwise to open).
- B10.3 Valve boxes shall be cast iron, asphalt coated, sliding type, adjustable, together with cast iron covers with the word "WATER" plainly cast in relief on the top surface. A minimum 6-inch overlap is required between sliding sections. The inside diameter of the bottom section shall be at least 5-1/4-inches and shall have a belled base. The top section shall be at least 6-1/8-inches and have top flanges. The bottom section shall be at least 36-inches in length. The top section shall be at least 26-inches in length and have a plain bottom. No three piece combinations shall be acceptable. Valve boxes shall be manufactured in the United States.

B11 Hydrants

- B11.1 Fire hydrants shall have mechanical joint inlet connections to the main, two 2-1/2-inch hose connections, and one 4-1/2-inch steamer connection with a valve opening 5-1/4-inches in diameter minimum and a standpipe with an 8-1/2-inch minimum diameter. Hydrants shall be traffic model with dual drain ports.
- B11.2 The hydrants shall have an oil reservoir to provide lubrication to all stem threads, bearing surfaces and O-rings each time the hydrant is operated. The hydrants shall be made in the United States.
- B11.3 The hydrants shall have mechanical joint shoes, 5'6" bury (street level shoulder areas) or 6'-0" bury (raised sidewalk), 5-1/4-inch valve, and conform to AWWA Specification C-502. Hydrant shall be marked with an arrow and the word "open" to indicate the direction to turn the stem to open the hydrant. Hydrants shall open left.
- B11.4 The hydrants are to receive two coats of prime paint before shipment and once installed are to be cleaned and painted by the Contractor. Hydrants shall be painted in accordance with the Town of Eastham requirements.
- B11.5 For standardization, hydrants shall be Mueller Co. Centurion Model A-423, American Darling Model B84-B-5, no exceptions.
- B11.6 Hydrants shall have hydrant markers with reinforced fiberglass shaft heavy duty spring mounted 4' long x 3/8" diameter. One bolt mounting.

B12 Tapping Sleeves

Tapping Sleeves shall be manufactured by Mueller Co., Clow Corporation, or approved equal. Tapping sleeves shall match the requirements of the detail on the construction drawings. Tapping valves shall be manufactured by Mueller Company, Kennedy Valve Manufacturing Company or equal and shall be furnished with one flange end and one mechanical joint end. Valves shall open left. The Contractor shall verify the outside diameter of the pipe to be tapped.

B13 Cover Over Pipe

- B13.1 Pipe shall have four and one-half (4.5) feet of cover measured to finish grade of the street. Pipe to be hand covered one (1) foot with sand or stone free gravel and compacted and tamped around pipe to give good support and protection.
- B13.2 In case of any excavation, ground water swamps or when any unsuitable materials are encountered, the Contractor shall replace it with good material to provide proper support and alignment of the pipeline. In some cases, the Contractor shall use crushed stone for bedding covered with sand. Trench backfill shall be suitable material taken from excavation, approved common borrow or gravel hauled in. No mud, frozen earth, stones larger than 3/4" or other objectionable materials is to be used for refilling.

B14 Ledge

All ledges shall be removed to width of two (2) feet or greater than the diameter of the pipe and one (1) foot below the underside of the pipe. A bed of sand shall be placed in the trench prior to laying pipe.

B15 Blasting Precautions

All blasting shall be discussed with the Operator and or the Engineer's and the decision shall be made on individual bases.

B16 Survey Markers

Survey markers (line and grade) shall be required on all newly proposed streets. Pipes shall be laid within the roadway layout (easement in certain cases) as shown on plans approved by the Eastham Planning / Zoning Board.

B17 Excavation within the Limits of Public Ways

Permission shall be obtained from the Department of Highway's before any excavation can begin within any Town accepted street. The work shall be performed in accordance with EHD requirements. A street opening permit shall be obtained from Massachusetts Department of Public Works before any excavation can begin on any State Highway. This work shall be performed in accordance with permit.

B18 Testing of Water Mains: Pressure Test and Chlorination

- B18.1 Before acceptance by the Town, the pipe shall be pressure tested and chlorinated in accordance with "Installation of Ductile-Iron Water Mains and Appurtenances" AWWA Designation C600 latest edition. No one shall pressure test or chlorinate an installation without notifying the Town at least 48 hours prior. An Operator must be present for the duration of the pressure test and chlorination to witness and sign the chain of custody forms. All pressure test reports shall consist of actual distance of pipe and size, and the number of valves and hydrants. The Town shall furnish a water meter to measure water usage for disinfection and flushing. Before final approval is given, the contractor must submit an as-built drawing to the Town. It is at this time the Board of Water Commissioners shall then determine whether the pipes (project) may be accepted into the Town's water system.
- B18.2 Prior to pressure and leakage tests, the piping shall be thoroughly flushed clean of all dirt, dust, oil, grease and other foreign materials. This work shall be done with care to avoid damage to lining and coatings.
- B18.3 The Contractor shall submit a plan on the method of testing and chlorinating the mains for review to the Engineer. The plan shall include all equipment proposed for use during the work, or the name of the qualified testing company, which will perform the work. Testing of the water main shall not begin until the Engineer has approved the Contractor's plan. All testing shall be done in the presence of the Engineer.
- B18.4 Testing of Water Main:
- The Contractor, in accordance with ANSI/AWWA C600 specifications or latest revision thereof, will make all pressure and leakage tests to determine that the ductile iron pipe is structurally safe and free of excess leakage. The Contractor shall furnish all the equipment, materials and labor required for testing. The Contractor shall furnish, at his own expense, all the water needed for all water main testing.
 - Testing shall be done in sections of the main not to exceed a 3,000-foot maximum length. Valves shall be placed in the off position at the ends of the sections to be tested. The Contractor shall provide means to prevent water from entering other parts of the pipeline not subject to testing at all times. Contractor will ensure that air release valves and other venting devices are properly installed and placed in open position when filling pipe with water. Taps shall be installed at high points to release air in the water system.
 - After all entrapped air has been removed from the section; fill the main to the normal static pressure. The Contractor is allowed to let the main rest for up to 48 hours with static pressure. Using a special pressure pump, the Contractor shall raise the pressure to 150 pounds per square inch. The pump will then be shut off and separated from the test section by a globe valve. A fluid filled pressure gage, with a

maximum reading of 250 psi, shall have been placed beyond the globe valve. The test section will then be monitored for a 2-hour period.

- d. This pressure shall be maintained, within 5 psi, for a minimum of 2 hours during which time the line checked for leaks by the Engineer. Based on an average test pressure of 150 psi, the measured rate of water leakage shall not exceed the following rates in the section under test:

$$L = \frac{12.25SD}{133,200}$$

Where:

L = Allowable leakage, gallons per hour
S = Length of pipe section tested, feet
D = Nominal pipe diameter, inches

- e. Should leakage exceed this rate, the Contractor shall immediately locate the leak or leaks and repair same at his expense. Pipe shall be flushed and chlorinated when leakage does not exceed above standard. Approval does not absolve the Contractor from his responsibility if leaks develop within the new main or water services (to curb box) later within the warranty period.

B18.5 Chlorinating and Flushing:

- a. The Contractor, in accordance with the latest edition of ANSI/AWWA 651 Standard for Disinfecting Water Mains, shall chlorinate and flush the new water main. Chlorinated water to be flushed from the pipeline shall be de-chlorinated as shown on detail drawings or as approved by the Engineer. It shall then be discharged to the nearest storm drain. Chlorinated water shall not be discharged to any natural water body.
- b. Prior to chlorination, the Contractor shall properly flush the water mains. In general, flushing shall be performed at a flow rate required to achieve a minimum velocity of 3 feet per second, which is approximately 400 GPM in an 8-inch diameter main, 600 GPM in a 10-inch main, 900 GPM in a 12-inch main and 1,600 GPM in a 16-inch main. Flushing of the water main, at the above rates, for approximately 20-minutes per 1,000-foot section, will allow for three volume changes. This is a sufficient period of time for successfully cleaning the water main.
- c. The Contractor shall chlorinate the water main until the main contains a solution containing 25 mg/L available chlorine. The valves shall then be closed and the chlorinated water allowed to sit in the mains for 24 hours. The main will then be checked to assure the chlorine residual shall be at least 10 mg/L. If less than 10 mg/L is measured, the Contractor shall flush and re-chlorinate the mains at no cost to the Owner. All valves and hydrants shall be operated to insure their proper disinfection. Valves shall be operated to prevent super chlorinated water from entering the existing distribution system. The Contractor shall then flush the mains until clear, clean water is being discharged.
- d. Sixteen hours after the main has been flushed of chlorinated water, bacteriological samples (total coliforms and heterotrophic plate count) shall be taken. Two sample events shall occur. The first sample event from the designated locations shall be taken and the second sample event shall be taken from the same designated locations a minimum of 15 minutes apart. Both sets of samples shall pass. Water samples shall be taken from corporation stops along the length of the water main as designated by the Engineer. A minimum of two (2) samples shall be taken on each street, or two per 3,000 feet of pipe, whichever is greater. Each sample shall be

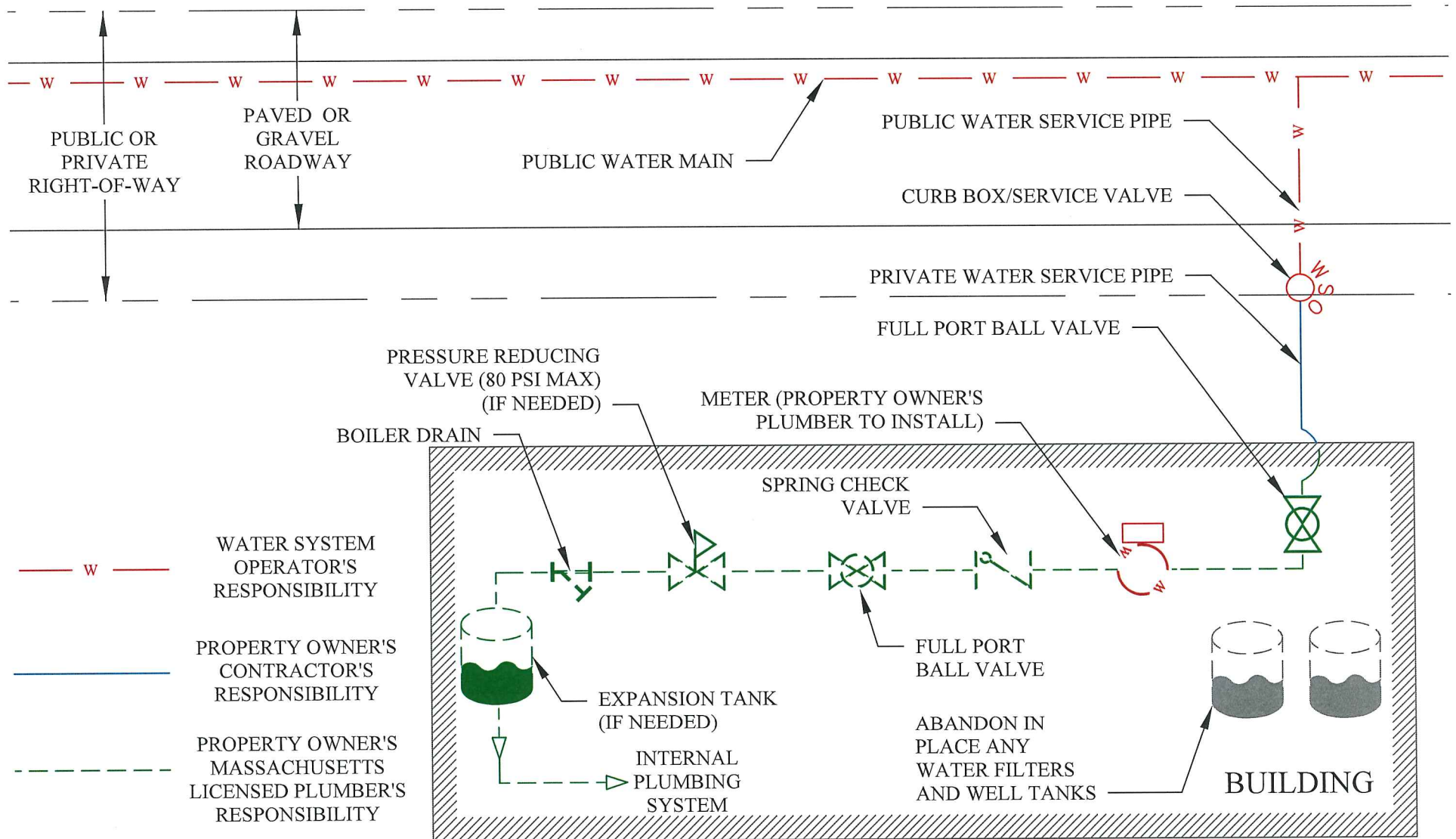
taken in duplicate, in sterile bottles and sent to a State approved private laboratory for analysis. The Contractor shall perform all necessary work including delivery of samples to a certified laboratory, and shall include the cost for sampling and analysis in his bid price. The results of the tests on these samples will determine the acceptance of the work and allow these new mains to be connected to the Town's system. The failure of any sample to pass the laboratory tests shall require the Contractor to reflush and re-chlorinate the mains and resample and test the water until acceptable results are obtained, all at no additional cost to the Owner.

- e. If, during construction, trench water has entered the main, or if in the opinion of the Owner's Engineer, excessive quantities of dirt or debris have entered the main, bacteriological samples shall be taken at 200-foot intervals and shall be identified as to location. Additional sample taps shall be installed and removed at the Contractor's expense.

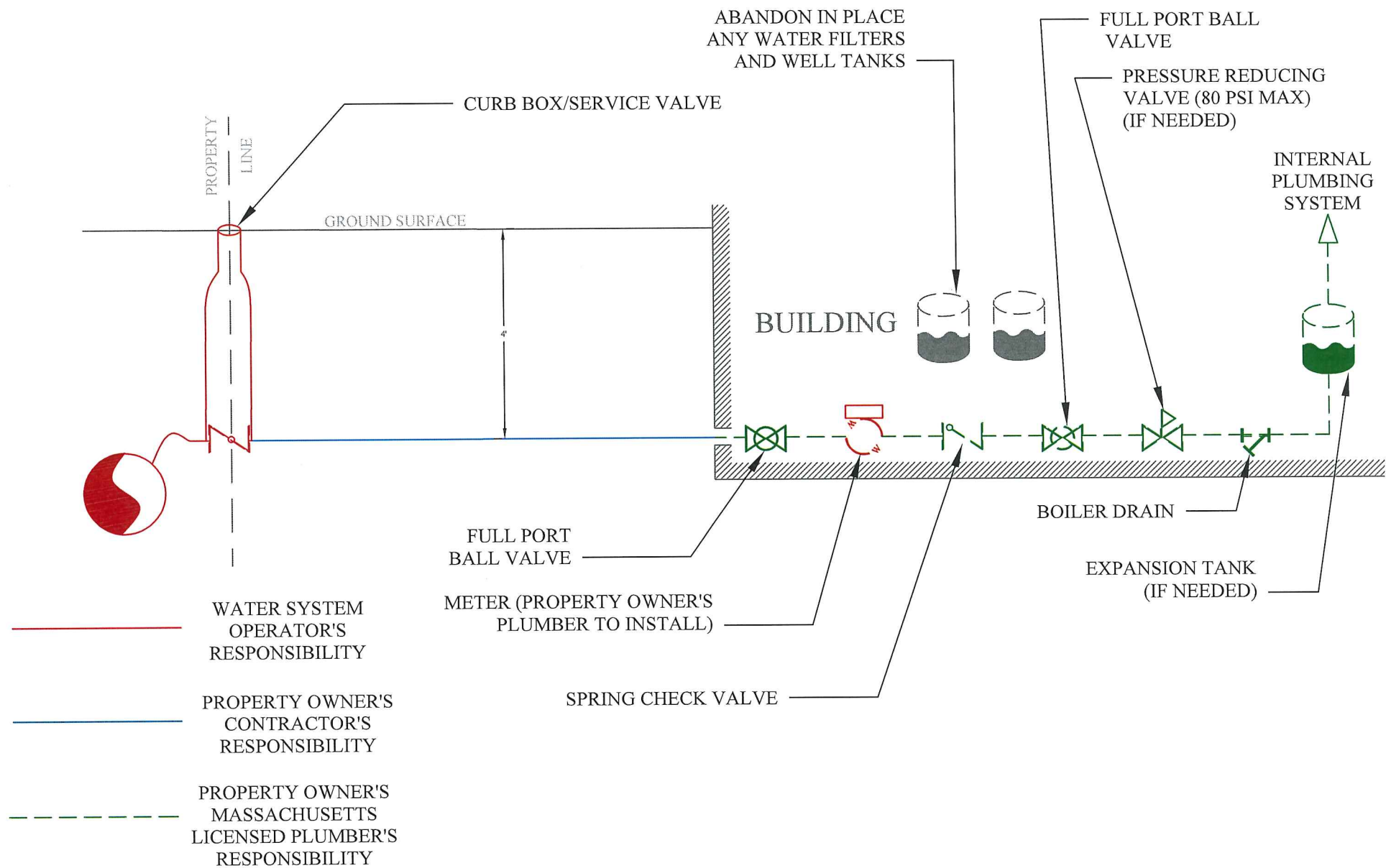
B19 Road Layout (Previous B19 in 8-5-16 draft removed)

Any privately owned pipes and or wires in the Town's road layout are not the responsibility of the town. Any items in the road layout that are damaged will not be paid for by the Town of Eastham

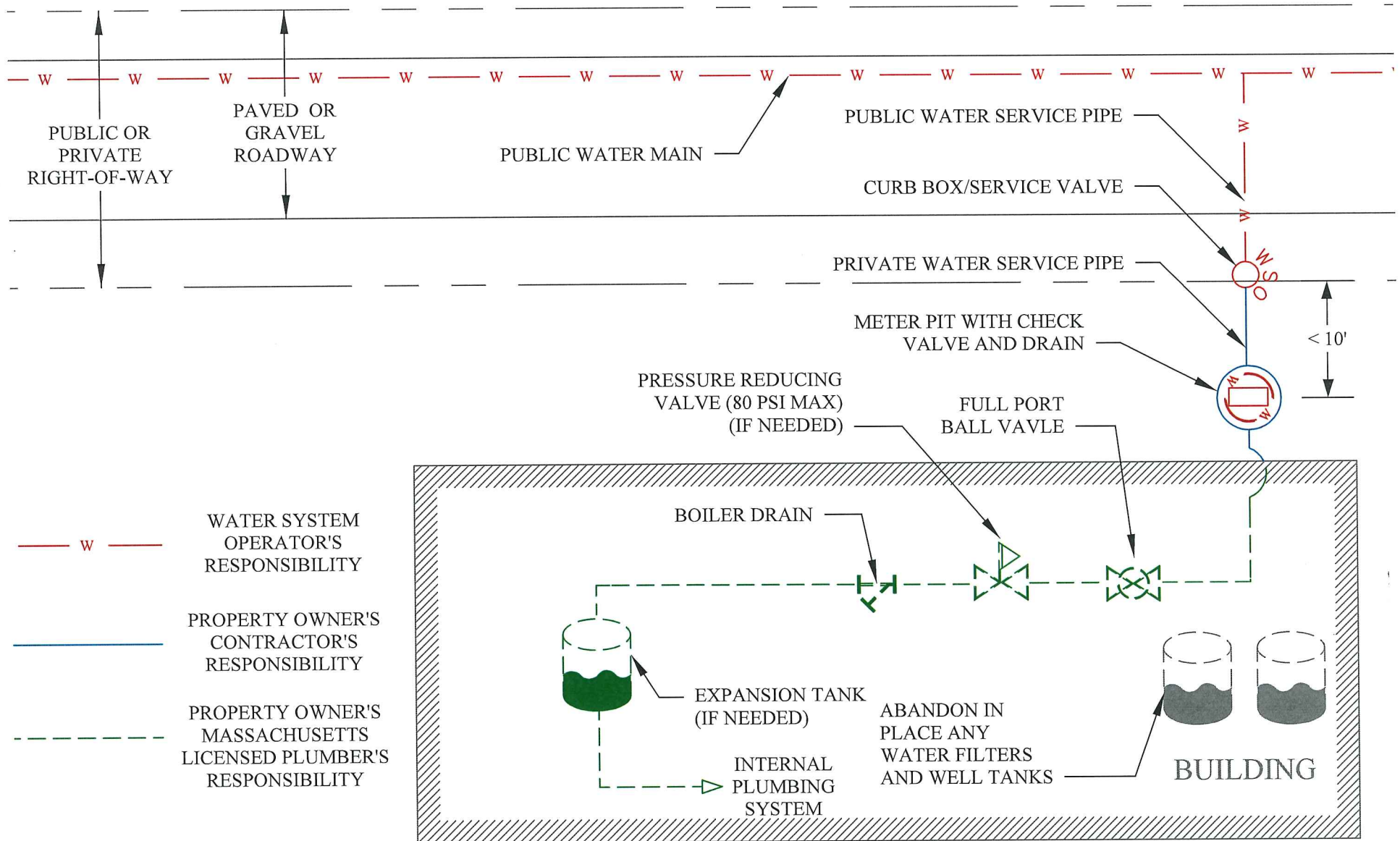
EASTHAM MUNICIPAL WATER SYSTEM RULES & REGULATIONS
APPENDIX C
TYPICAL WATER SUPPLY INSTALLATION PLAN DIAGRAM
WITHOUT METER PIT



EASTHAM MUNICIPAL WATER SYSTEM RULES & REGULATIONS
APPENDIX C
TYPICAL WATER SUPPLY INSTALLATION PROFILE DIAGRAM
WITHOUT METER PIT



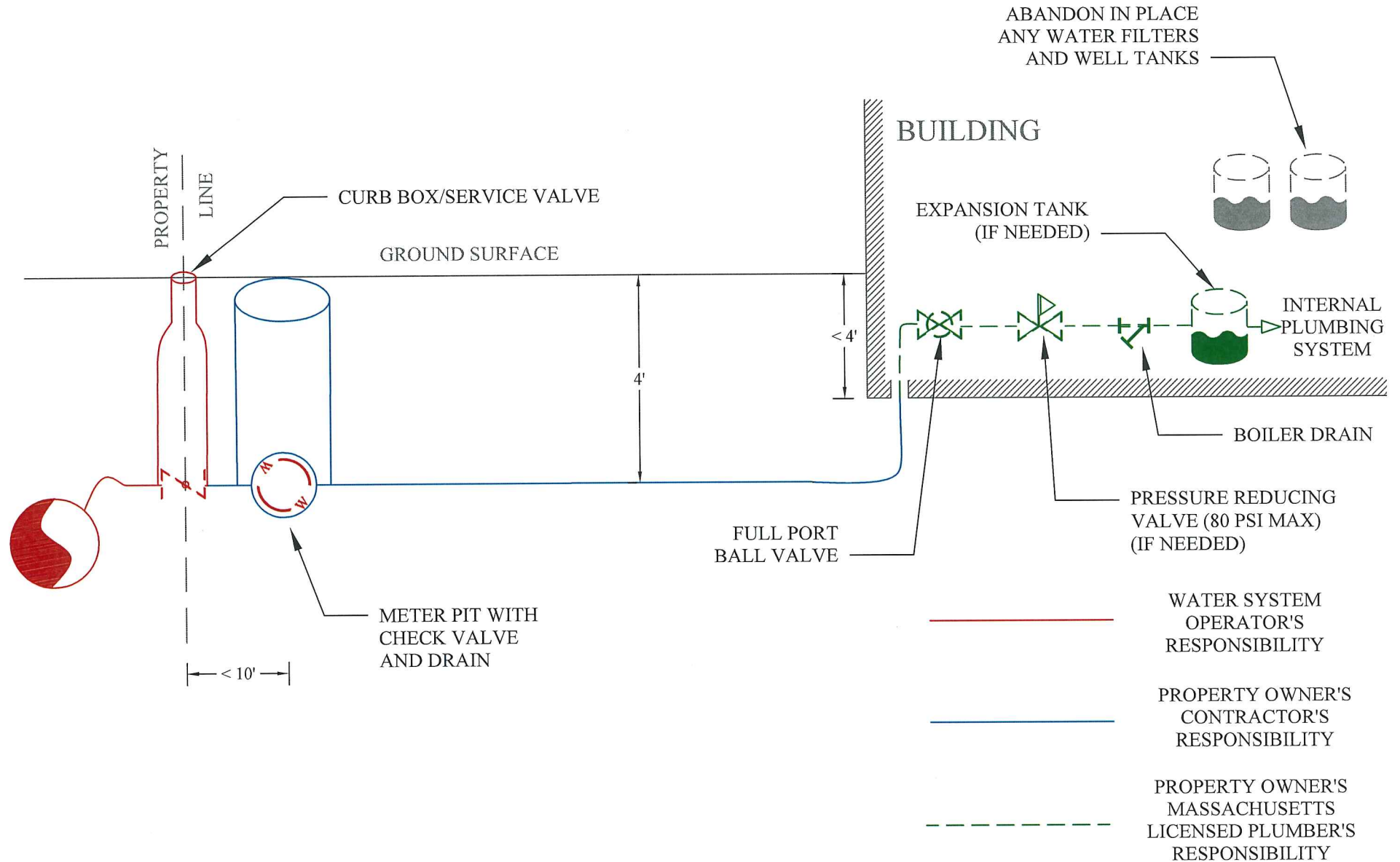
EASTHAM MUNICIPAL WATER SYSTEM RULES & REGULATIONS
APPENDIX C
TYPICAL WATER SUPPLY INSTALLATION PLAN DIAGRAM
WITH METER PIT



EASTHAM MUNICIPAL WATER SYSTEM RULES & REGULATIONS

APPENDIX C

TYPICAL WATER SUPPLY INSTALLATION PROFILE DIAGRAM WITH METER PIT



8/22/2016

To: Board of Selectman/Board of Water Commissioners
Subject: Eastham Municipal Water System

The Eastham Finance Committee has met twice (with the town administrator and assistant town administrator also in attendance) to review the proposed procedures and rates associated with the Eastham Municipal Water System. A number of committee members also attended the recent BOS meeting on that subject. As a result of our review the Finance Committee would like to communicate our findings and make recommendations for your consideration:

1. We found that the expense and revenue projections in the latest draft document were reasonable. Vote: 6-0.
2. We found that the base fees in the latest draft document were reasonable assuming that they represent a per meter charge. For example, if there are two meters for a two family house we felt there should be a base fee of \$96 per meter versus the \$168.00 fee. The \$168.00 fee would only be appropriate if there is one meter for house. Vote: 6-0.
3. We found that the initial rates of \$1.80 - \$7.60 over the four volume ranges in the latest draft document were reasonable. Vote: 5-1-0. This assumes that usage would be cumulative so if at anytime in the year the volume exceeded the identified range, the rate would step up to that level. We did discuss and consider breaking the volume steps into quarters and charging the rate by quarter but elected to stay with the current proposal.
4. Indexing/Billing
 - a. We support the 2.5% rate indexing on a yearly basis. Vote: 5-1-0.
 - b. We support a review of the rates every two years. Vote: 6-0.
 - c. We would recommend quarterly billing. Vote: 6-0.
5. As an incentive to connect and assuming that the data is available to identify the date when a property is able to connect to the system, we would recommend that if that connection is not accomplished within two years of that date the customer will have to pay for the meter. Vote: 6-0.

We also discussed a one-time charge of a \$500.00 - \$1,000.00 to the customer if that don't connect within two years of the connection availability date but this was voted down. Vote: 2-4.

Respectfully Submitted:

Michael Hackworth
Chairman Eastham Finance Committee

Arthur Autorino
Vice Chairman Eastham Finance Committee

cc: Sheila Vanderhoef	Peter Wade
Jacqui Beebe	Jerry Cerasale
Fred Guidi	Judy Cannon
John Knox	Aimee Eckman
Russ French	

August 26, 2016

Michele E. Randazzo
mrandazzo@k-plaw.com

Hon. John F. Knight and
Members of the Board of Selectmen
Eastham Town Hall
2500 State Highway
Eastham, MA 02642

Re: Determination and Consent Pursuant to the Massachusetts Rules of Professional Conduct,
Rule 1.7 - Representation of Towns of Eastham and Brewster in connection with the
Tri-Town Groundwater Protection District Dissolution

Dear Members of the Board of Selectmen:

We have received requests from the Town Administrators of both Eastham and Brewster to advise on issues related to the pending closure of the Tri-Town septage treatment facility and anticipated dissolution of the Tri-Town Groundwater Protection District. As you know, KP Law, P.C. serves as Town Counsel for both towns. Given that the issues related to the facility closure are the same for both Eastham and Brewster, we believe it is cost-effective for the firm to provide relevant advice to both towns simultaneously.

With respect to the firm's ability to represent either town in this regard, however, our relationship with both communities creates an interest that requires disclosure pursuant to the Rules of Professional Conduct applicable to members of the Massachusetts Bar, and we must obtain the "informed consent" of both communities, after disclosure of adequate information and explanation about the risks of, and alternatives to, the proposed simultaneous representation, before we can undertake such representation. In addition, while the State Ethics Commission has determined that KP Law, P.C. and its individual attorneys are not "municipal employees" pursuant to the Conflict of Interest Law, we provide this letter to dispel any appearance of conflict on the firm's behalf in this matter.

MULTIPLE REPRESENTATION DISCLOSURE

The representation of multiple clients is regulated under the Massachusetts Rules of Professional Conduct. The relevant provision, Rule 1.7, states that an attorney may not represent multiple clients if doing so involves a concurrent conflict of interest. The standard for determining whether a concurrent conflict of interest exists is: (1) will the representation of one client be directly adverse to another client; or (2) is there a significant risk that the representation of one or more clients will be materially limited by our responsibilities to another client, a former client, a third person, or our own personal interest. Even where a concurrent conflict of interest exists, we may still undertake the simultaneous representation if: we reasonably believe that we will be able to



Hon. John F. Knight and
Members of the Board of Selectmen
August 26, 2016
Page 2

provide competent and diligent representation to each client; there is no legal prohibition on the simultaneous representation; the simultaneous representation does not involve the assertion of a claim by one client, against another, in a single piece of litigation or other proceeding before a tribunal; and each client gives informed consent, confirmed in writing.

I do not believe that our role as town counsel to Eastham and Brewster, including any guidance we may provide to each town relative to the Tri-Town Groundwater Protection District dissolution, creates a concurrent conflict of interest. Furthermore, even if a concurrent conflict of interest is present, I do not believe that our ability to provide competent and diligent representation to the Town of Eastham will be affected by our representation of Brewster as town counsel, either generally, or with specific reference to the Tri-Town Groundwater Protection District dissolution. There are preexisting intermunicipal agreements and special acts that govern the parties' relationship with respect to the Tri-Town Groundwater Protection District, and it is anticipated that our interpretation of these documents and applicable provisions of law would be the same for both Eastham and Brewster.

Reviewing these issues on behalf of both communities simultaneously will result in a cost savings to each town individually. The provision of uniform commentary and opinion to both towns, at the same time, should aid in the smooth transition resulting from the treatment facility's closure.

Please note, however, that joint representation implicates our obligations as Town Counsel to each town, including confidentiality and the attorney-client privilege. As a result, if at some point the interests of Eastham and Brewster diverge with respect to the District dissolution, we would not be able to negotiate on your behalf with Brewster (or the third party to the District, Orleans). In addition, should the towns ultimately enter into a successor or "final" intermunicipal agreement, governing the parties' responsibilities as a result of the treatment facility's closure and anticipated District dissolution, if Eastham and Brewster becomes adverse to each other in connection with the implementation of that agreement in the future, we may be limited or precluded by the Rules of Professional Conduct from representing Eastham against Brewster in relation to the agreement. I simply wanted to alert you to that possibility.

DETERMINATION

It is my belief that the firm's representation of Eastham and Brewster, for the purposes and under the conditions described in this letter, does not constitute a concurrent conflict of interest. It is my further belief that even if a concurrent conflict of interest exists, our ability to provide competent and diligent representation to the Town of Eastham will not be negatively impacted by our simultaneous representation as town counsel to Brewster. It is, however, for you to determine, as Appointing Authority, as to whether the representation described herein will not impair the integrity of this firm's services to Eastham, either generally, or with respect to the pending closure of the Tri-



Hon. John F. Knight and
Members of the Board of Selectmen
August 26, 2016
Page 3

Town septage treatment facility and anticipated dissolution of the Tri-Town Groundwater Protection District.

Therefore, I request that you, as Appointing Authority for Town Counsel, consent to KP Law, P.C.'s representation of the Town of Eastham in connection with the above-referenced issues, notwithstanding that the firm also serves as counsel to Brewster. Should you so consent, I ask that you sign the enclosed determination as required by the Rules of Professional Conduct. Please sign the two originals provided, return one copy to me, and retain one copy for your records.

Thank you for your consideration. Please do not hesitate contact me with any questions you have in this regard.

Very truly yours,

A handwritten signature in blue ink, appearing to be "ME", followed by a long horizontal line.

Michele E. Randazzo

MER/smm
Enc.
cc: Town Clerk

562676/EAHM/0502

DETERMINATION

It is determined, pursuant to Rule 1.7 of the Massachusetts Rules of Professional Conduct, that the Eastham Board of Selectmen consents to KP Law, P.C. representing the Town of Brewster with regard to the closure of the Tri-Town septage treatment facility and anticipated dissolution of the Tri-Town Groundwater Protection District, as disclosed in a letter to the Board dated August 26, 2016, notwithstanding that KP Law, P.C. serves as Town Counsel and represents the Town of Brewster.

Dated: _____, 2016.

TOWN OF EASTHAM
By its Board of Selectmen,



TOWN OF EASTHAM

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

III. A. 3.

September 6, 2016

To: Board of Selectmen
From: Sheila Vanderhoef, Town Administrator

Re: Transient Vendor Permits
Windmill Weekend- September 10 & 11, 2016

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

*Permits are valid as stated, and was approved by Sheila July 19, 2016.


Theresa M. Chad P.O. Box 1378 North Eastham, MA 02651 Valid: September 6, 2016 – September 6, 2017	Ronald Hunter P.O. Box 923 East Dennis, MA 02641 Valid: September 6, 2016 – September 6, 2017
Martin Levine 27 Four Seasons Drive South Yarmouth, MA 02664 Valid: September 6, 2016 – September 6, 2017	Leisa Risher 197 Salem Road Billerica, MA 01821 Valid: September 6, 2016 – September 6, 2017
Valerie Jaros 57 Pearl Street Plymouth, MA 02360 Valid: September 6, 2016 – September 6, 2017	Elaine C. Goslin 304 Meiggs Backus Road Sandwich, MA 02563 Valid: September 6, 2016 – September 6, 2017

TO Town Clerk

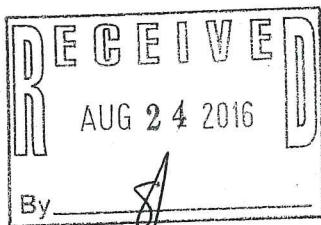
III. A. 4

8-24-16

Effective immediately I am resigning from
The Eastham Affordable Trust.

 C McMakin

JAMES McMakin



ADMINISTRATION

AUG 24 2016

RECEIVED

Administration
88 North Street
Hyannis, MA 02601
508-790-0400
Fax: 508-790-0969



Community Action Committee of
Cape Cod & Islands, Inc.
www.cacci.cc

Operations
372 North Street
Hyannis, MA 02601
Tel: 508-771-1727
Fax: 508-775-7488

info 8/15

August 8, 2016

Chairman John F. Knight
Town of Eastham
Board of Selectmen
2500 State Highway
Eastham, MA 02642

Dear Mr. Knight:

Community Action Committee of Cape Cod and Islands, Inc. (CACCI) is an anti-poverty agency, committed to helping low-income individuals and families become stabilized and move towards self-sufficiency. Some of the programs/services we provide are: Access to Care (assistance in navigating the Health Connector; consumer education; assistance in applying for and enrolling in health insurance; and assistance in accessing a primary care provider); SNAP (information about and assistance in enrolling in the Supplemental Nutrition Assistance Program); Child Care Network (assistance with applying for child care vouchers, receiving information about accessing childcare, and obtaining referrals to childcare providers); and Safe Harbor (our domestic violence shelter).

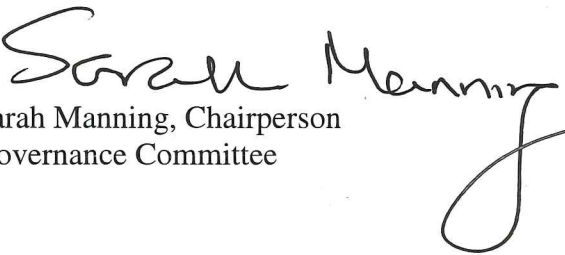
As we implement our mission through existing and new programs, we are seeking input from all areas of the Cape and Islands. Our current Board of Directors includes Directors primarily from the mid-Cape, Falmouth and Martha's Vineyard. We would like to ensure that all people who need our assistance and support are represented on our Board. Therefore we are requesting that you, as Chairman of the Eastham Board of Selectmen, speak with your fellow Board members and develop a recommendation for an individual to represent the interest of your constituents on the CACCI Board of Directors. If you or one of your fellow Selectmen are unable to participate on our Board, we would like you to consider recommending someone that you could suggest that would represent you, your town and its people. The interests of all Cape and Islands low income residents are important to us as we move our organization and its programs forward.

The Board of Directors meets on the fourth Wednesday of the month at 8:00 a.m. at our operations office located at 372 North Street in Hyannis. We have a poly com system that allows members of the Board of Directors who cannot attend the meeting in person to participate via telephone.

We currently have four (4) vacancies designated for publicly elected officials or their designees. If you would like further information, please feel free to call Kris Dower, our Executive Director, at 508-737-6347 or email her at jtecKED@aol.com.

We would like to receive your recommendation by Friday, September 16, 2016 so that we can prepare nominations for our September 28th Board of Directors Meeting. We look forward to hearing from you.

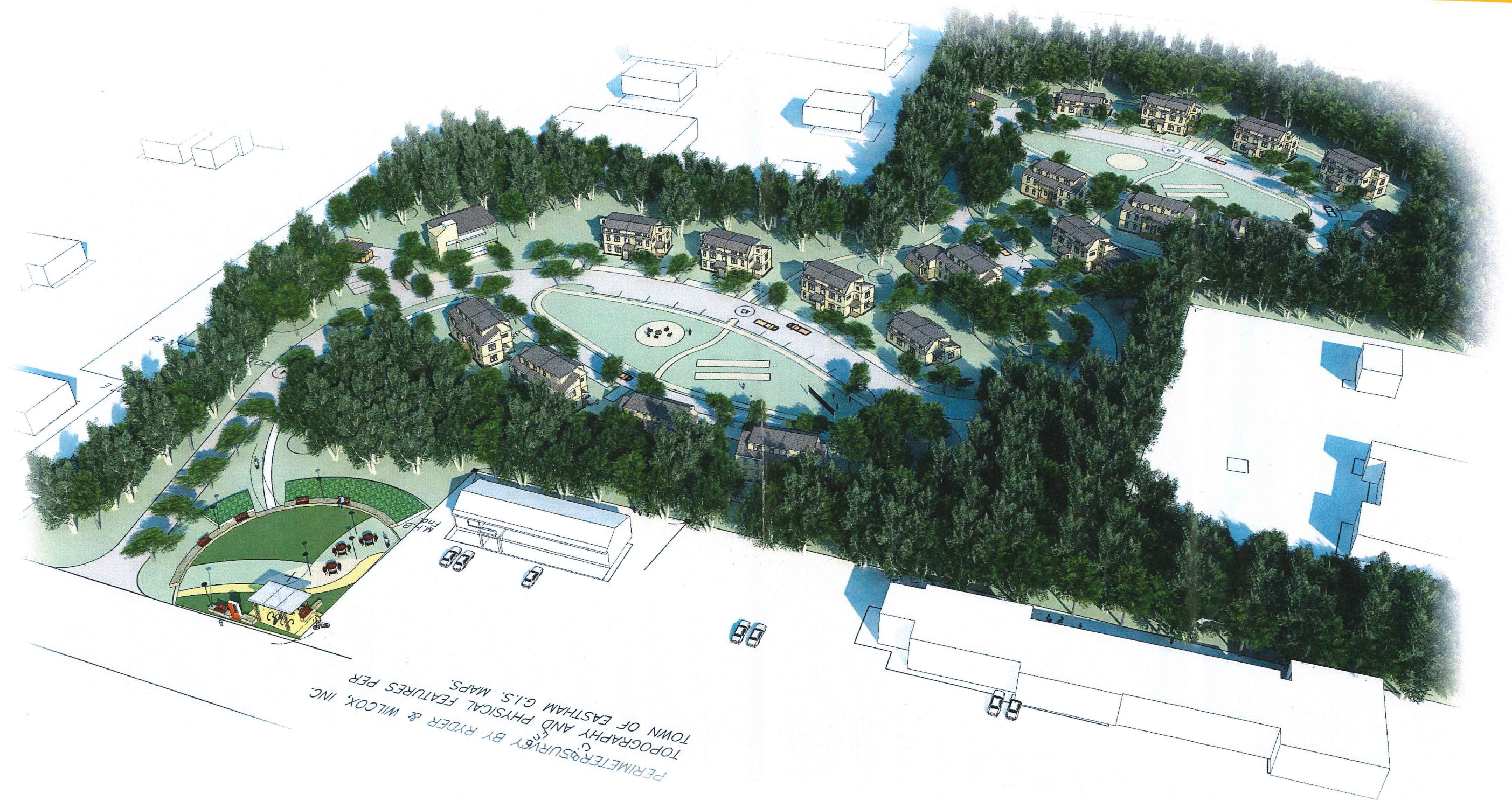
Sincerely,

A handwritten signature in black ink, reading "Sarah Manning". The signature is fluid and cursive, with the first name "Sarah" and last name "Manning" clearly distinguishable.

Sarah Manning, Chairperson
Governance Committee

c.c. Town Manager/Town Administrator

IV. 5:45 pm



PERIMETER SURVEY BY RYDER & WILCOX, INC.
TOPOGRAPHY AND PHYSICAL FEATURES PER
TOWN OF EASTHAM G.I.S. MAPS.

Purcell Property Community Housing

4300 State Highway | Eastham, MA

Aerial Perspective

August 17, 2016

DEVELOPER : Pennrose Property LLC | Boston, MA
ARCHITECT : The Architectural Team | Chelsea, MA
ENGINEER : Horsley Witten Group | Sandwich, MA

16065

tat | the architectural team



Purcell Property Community Housing

4300 State Highway | Eastham, MA

Site Plan

August 17, 2016

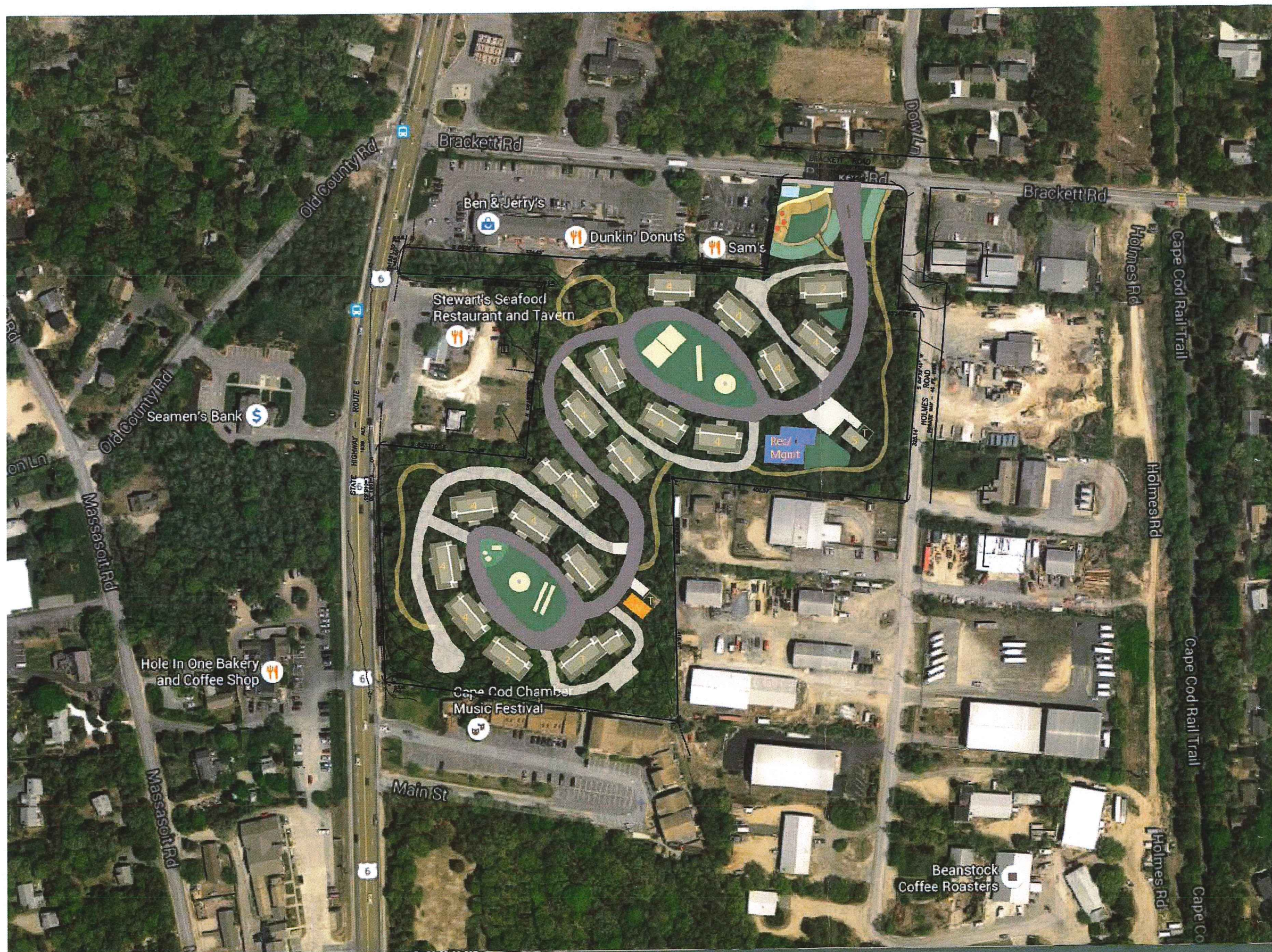
DEVELOPER : Pennrose Property LLC | Boston, MA

ARCHITECT : The Architectural Team | Chelsea, MA

ENGINEER : Horsley Witten Group | Sandwich, MA

tat | the architectural team

16065



Unit Distribution:

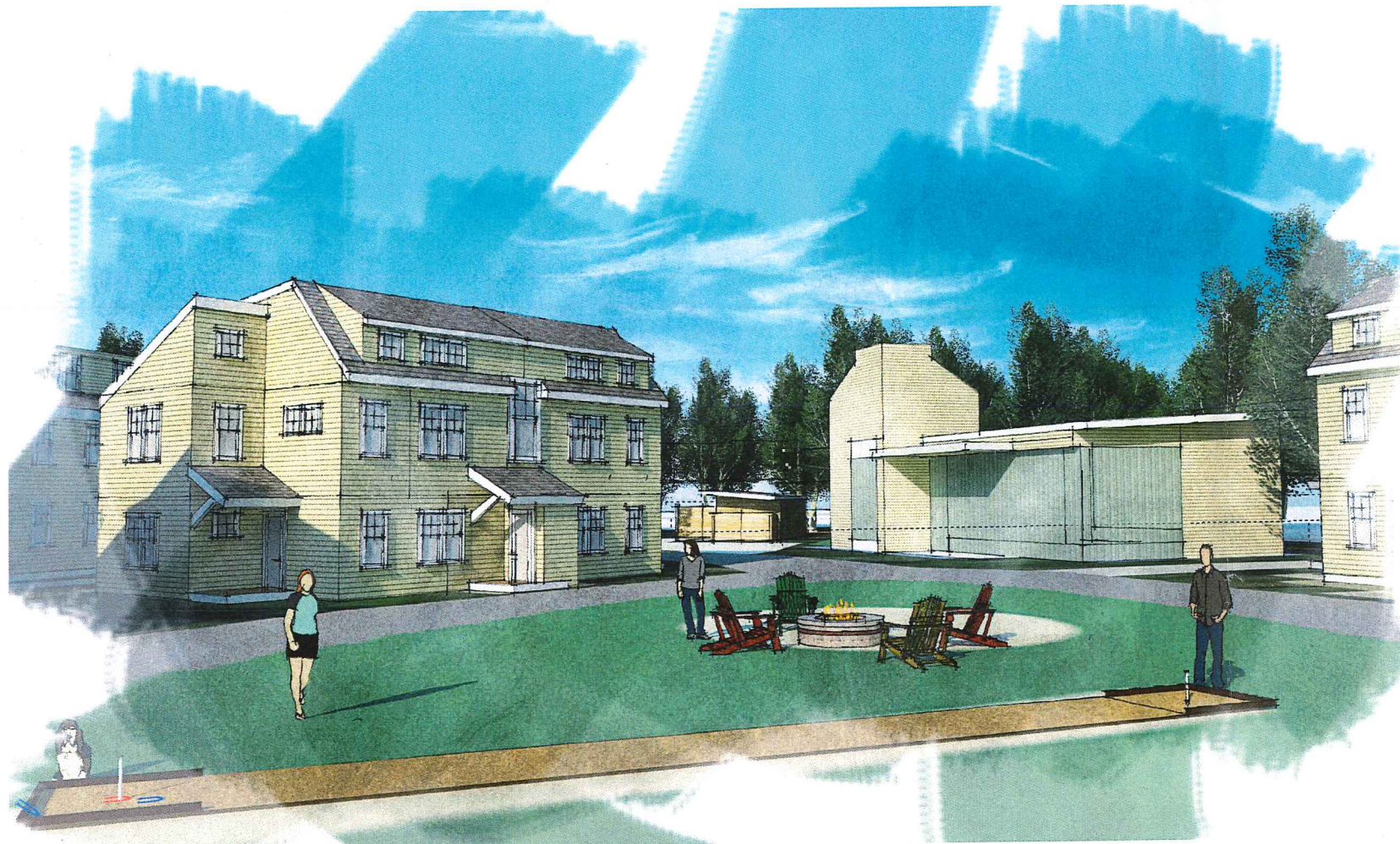
18 Buildings:
 (27) 1 Bedroom Units
 (31) 2 Bedroom Units
 (7) 3 Bedroom Units

Total: 65 Units
 110 Bedrooms

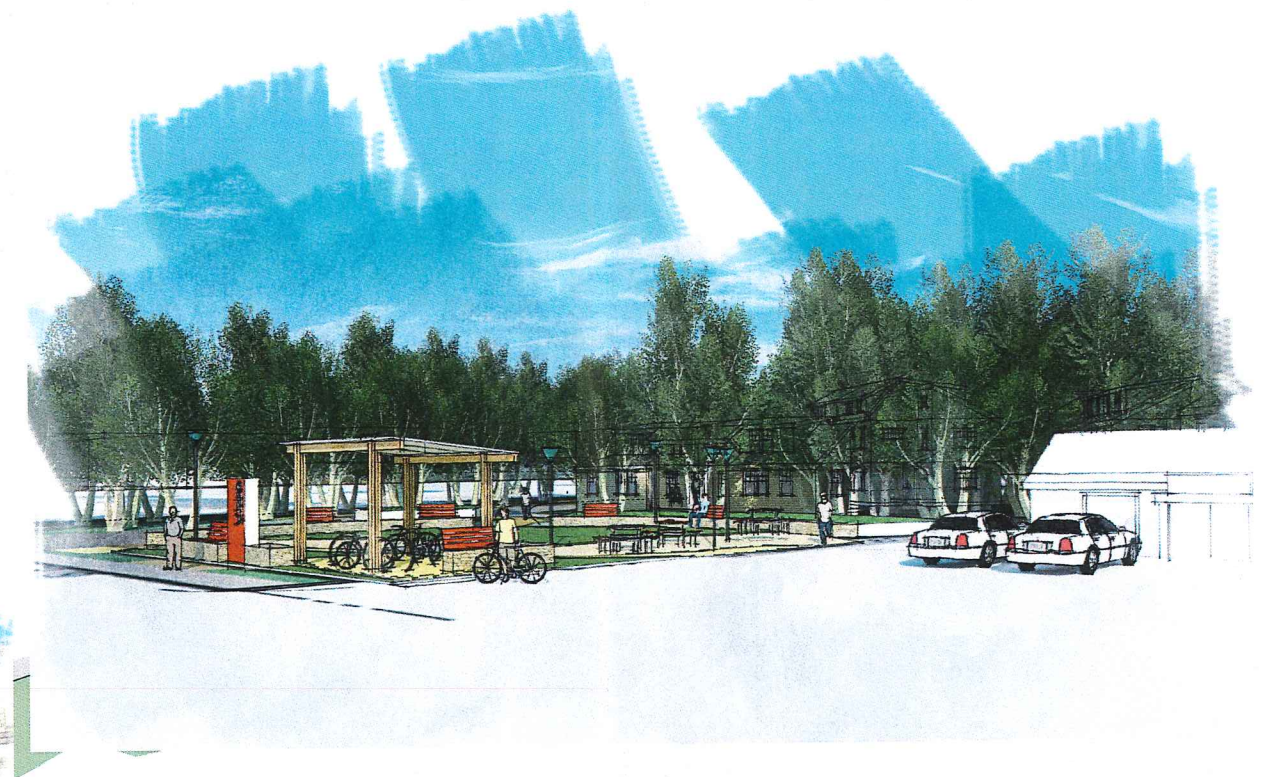
- Asphalt Road
- Permeable Drive
- Gravel Walking Path
- 3000 sf Community Building, Mgmt Office
- Waste Water Treatment
- Open Recreation / Leach Field

200 ft





Village Green



Park at Bracket Road



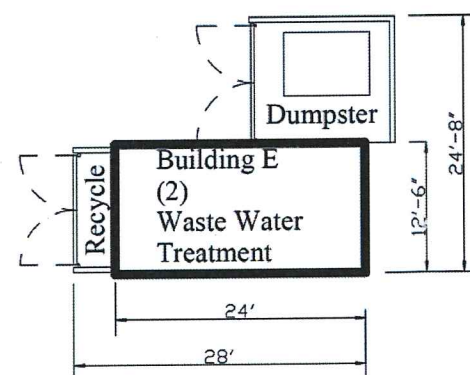
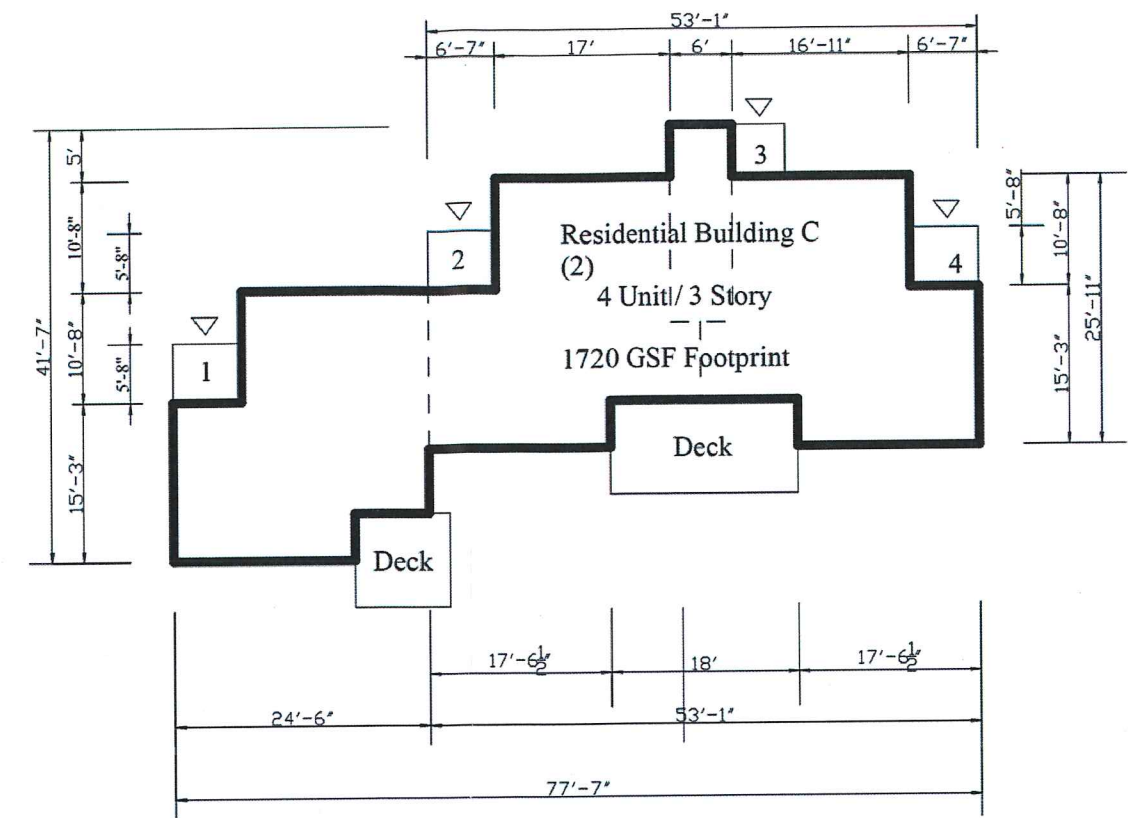
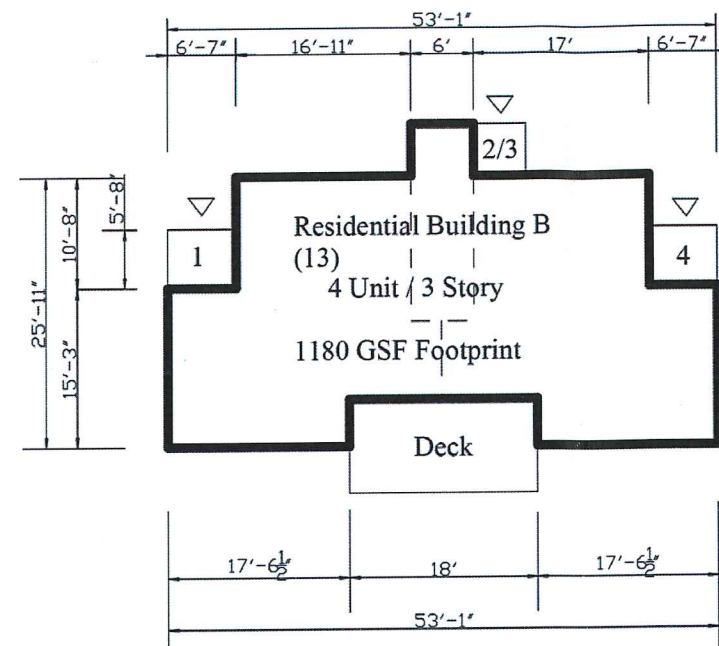
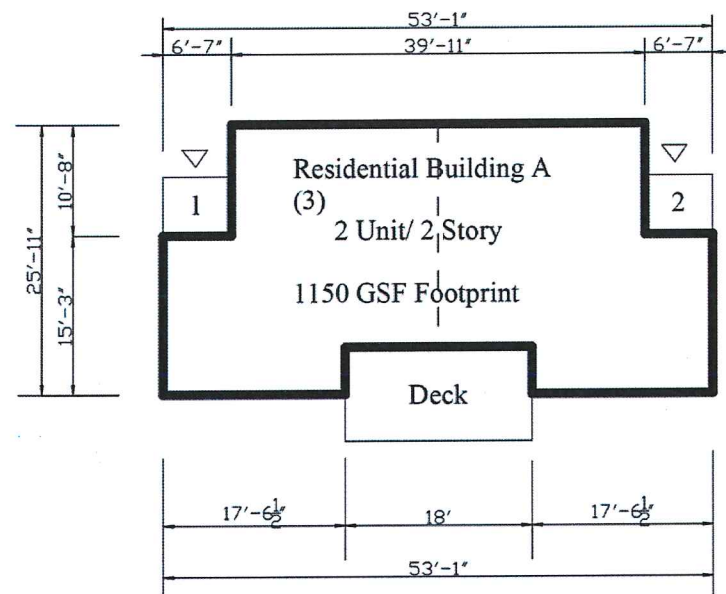
Purcell Property Community Housing
4300 State Highway | Eastham, MA

Site Views

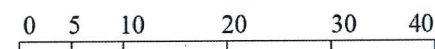
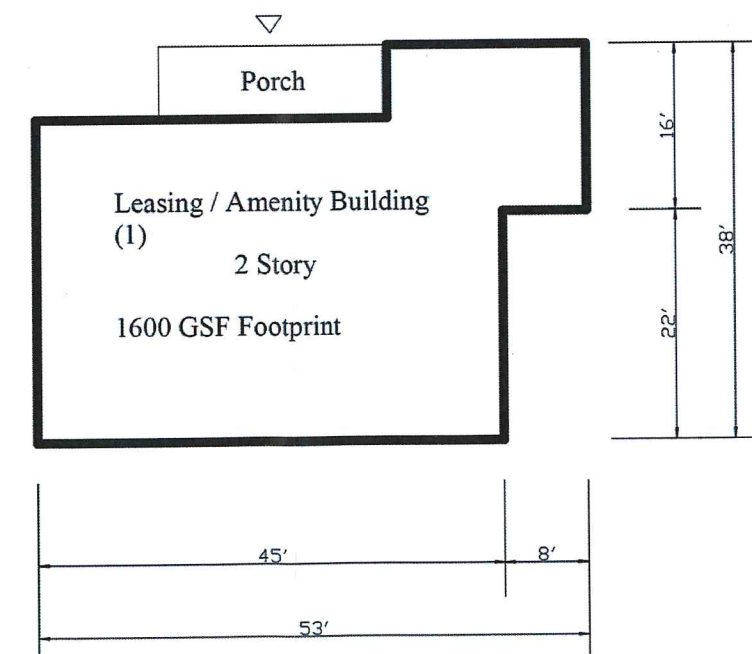
August 17, 2016
DEVELOPER : Pennrose Property LLC | Boston, MA
ARCHITECT : The Architectural Team | Chelsea, MA
ENGINEER : Horsley Witten Group | Sandwich, MA

tat | the architectural team

16065



Building 1: Waste Treatment 300 GSF
Building 2: Bicycle Storage 300 GSF



CORRESPONDENCE



TOWN OF EASTHAM

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

August 25, 2016

Dr. Joyce R. Young
335A North Sunken Meadow Road
Eastham, MA 02642

Dear Dr. Young.:

I have received your letter dated August 25, 2016 on behalf of the Board of Selectmen.

We are currently gathering, from the various departments, the inspection documents you referenced in your letter. We will forward that information with your letter to the Board of Selectmen for their review and consideration.

If the Chair or any other member of the Board needs additional information, we will contact you.

Respectfully,

Sheila Vanderhoef
Town Administrator

cc: Sue Fischer, Town Clerk
Jane Crowley, Health Agent
Tom Wingard, Building Inspector
Kent Farrenkopf, Fire Chief
Ed Kulhawik, Police Chief

(774) 801-2509.

355A North
Sunken Meadow
Rd

Eastham, MA 02642

Dr. Joyce R. Young, N.D., IBCLC

Naturopathic Doctor (N.D.) Board Certified (NABNE) Maine License #ND-328

Naturopathic Physician (N.D.) Board Certified (NABNE) Oregon License #1296

Lactation Consultant (IBCLC) International Board Certified

Former

~~63 Old Mail Road, North Chatham, MA 02650~~

~~508-348-1722~~

Rec'd by
T. W. Myland
8/25/16
12:09

Thurs 25 Aug 2016

Board of Selectmen
Town of Eastham
Eastham, MA 02642

p. 1(2) + Addendum
• Hand Delivered

Dear Board of Selectmen,

This letter is a follow-up to my phone call to Laurie, Town Administrator's secretary on Wed 24 Aug 2016 and is a written partial summary of the circumstances surrounding my eviction jury trial in Orleans District Court on Tues 23 Aug 2016 and the Town of Eastham's role in this nightmare situation at 355A No. Sunken Meadow Rd that has existed since I moved into this rental house owned by David J. Segal on 10 Nov 2015.

In essence, I contacted the Town of Eastham various Bds / Depts numerous times for help in the egregious conditions that continued to exist in this house to the present. The Fire Chief & Police were the only ones that followed up on the severe problems in this house. Since I attempted to be my own lawyer in this jury trial and didn't "do it right" and lost the case, it is quite obvious, in hindsight, that if the Town of Eastham boards had ~~done~~ enforced the Laws of the State of Massachusetts, I would never have had to go thru any of this in the 1st place. The whole situation has severely affected both of my 2-full time businesses (Naturopathic Physician, Oregon Licensed Primary Care on Cape and my organic garden Orleans Farmer's Market) ~~and~~ has thrown me close to bankruptcy/homeless and severely affected my health (mold, microbial toxins and Exterior Liquid Nails solvents used in new kitchen). The Town of Eastham is 100% responsible for

Bring the lushness of life... back into your life.
Learn how to make wise lifestyle choices.

774) 801-2509.

55A North
Sunken Meadow
Rd
Eastham, Ma. 02642

Dr. Joyce R. Young, N.D., IBCLC

Naturopathic Doctor (N.D.) Board-Certified (NABNE) Maine License #ND-328
Naturopathic Physician (N.D.) Board-Certified (NABNE) Oregon License #1296
Lactation Consultant (IBCLC) International Board Certified Former

~~63 Old Mail Road, North Chatham, MA 02650~~

~~508-348-1722~~

p2(2) Thurs 25 Aug 2016

having allowed this situation to go on for many years at 355A No. Sunken Meadow Rd, as can be seen by some of the history in the Bd Health/Building Inspector's digital History of this house/property (not even complete / poor bookkeeping as evidenced by No record of the Mon 9 Nov 2015 inspection/report done by the Bd of Health)

The Town of Eastham's Boards Ineptitude has allowed David J. Segal, the owner, to continue to victimize numerous tenants, including myself, by considering himself to be "above the law!!" This is fully evidenced by the 1 Feb 2016 inspection reports by the Eastham Health, Building, Electrical Inspectors / & Fire Chief showing numerous code violations, which have never been followed up on! Only when legally forced (present & historical Electric meter situation back in 1990's) has David Segal obeyed the law!!!

He is already advertising this house to "re-rent" it. Even tho there is presently No Certificate of Residential Rental Occupancy and only ONE is present in the digital records of this house (2004). This house has been consistently rented since ~ the early 1990's. ~~the~~

There is something MAJORLY WRONG here, I have not been protected by the Town of Eastham, have suffered MAJOR Health and monetary consequences due to the Town of Eastham's 100% Ineptitude!!! I had planned on appealing the judgement but am told I need to have a lawyer & I cannot afford one!!! I expect & request a written response to this letter within 48 hours (2 days) from the date of this letter!!

Sincerely,

Bring the lushness of life... back into your life.
Learn how to make wise lifestyle choices.

Dr. Joyce R. Young N.D.

(774) 801-2509

355A No.
Sunken Meadow
Rd

Eastham, MA 02642

Dr. Joyce R. Young, N.D., IBCLC

Naturopathic Doctor (N.D.) Board Certified (NABNE) Maine License #NP 328

Naturopathic Physician (N.D.) Board Certified (NABNE) Oregon License #1296

Lactation Consultant (IBCLC) International Board Certified Former

~~63 Old Mail Road, North Chatham, MA 02659~~

~~508-348-1722~~

Board of Selectmen
Town of Eastham
Eastham, MA 0242

THURS 25 Aug 2016
Addendum p.3.

As a Board-Certified, licensed in Oregon as Primary Care Naturopathic Physician, with an expertise in Environmental Medicine (What are all the 100,000 chemicals in air, water, food, consumer products; various types of radiation; and microbial toxins doing to folks?), I am informing you in writing that there are severe toxicity problems in this house (microbial toxins, solvents etc) and that someone that inhabits this house WILL get very sick and perhaps die.

Be aware that I predicted before anyone moved into the 355B No Sunken Meadow Rd Small Cottage on this same property, that someone would get very sick in there and perhaps die. Unfortunately for David Meyers, I was right. I did write up a written opinion statement that I gave to the Eastham Police and which is in the file on the death of David Meyers.

I am leaving the 355A North Sunken Meadow Rd house as soon as I can as I have the following Severe symptoms in this house (in Kitchen, Living Rm, Dining Rm only) within 5 min of entering this house: Severe burning of my eyes, nose, throat, sinuses, Lungs, skin; severe eye inflammation, hoarseness, nausea, headaches, wheezing/handle breathing, dizziness, feet are swelling etc. This is bad in the kitchen area and by the chimney/fireplace. My friend Bruce Austin (25yr. Building Inspector Greenfield MA) has written up an affidavit about this situation. This is NOT my responsibility to have to pay for definitive analysis of this situation!!

Bring the lushness of life... back into your life.
Learn how to make wise lifestyle choices.

Dr. Joyce R. Young, N.D.

ADMINISTRATION

AUG 24 2016

RECEIVED

August 23, 2016

Mr. John F. Knight
Chair, Board of Selectmen Town of Eastham
2500 State Highway
Town Hall
Eastham, MA 02642

Dear Mr. Knight,

It has always been my belief that as a member of a community each citizen has an obligation to contribute to the community. That contribution extends beyond the payment of taxes and compliance with standards of behavior. When necessary, a citizen should step forward to improve, protect or participate in their governance, not for themselves but rather for the benefit of the community as a whole.

It is for this reason I find it necessary to write concerning the shellfish harvesting particularly along our bay side beaches. I am witnessing the destruction of a natural resource, what should be a tradition and legacy passed to the next generation is being abused and destroyed.

As a child I remember looking for steamers at Sunken Meadow, as I got older digging quahogs at low tide was more than shellfishing it was a time of bonding with my father and passing on a family tradition. It was a sad day when the draggers came through and destroyed the clam beds, today digging quahogs in the bay is more a fond memory than an option for family activity.

Today the assault is not on quahogs or steamers, they are virtually gone. Today razor clams are being harvested by the cartload not by traditionally digging them but with a squirt and grab that clears an area in a matter of minutes. If actions are not taken to protect our natural resources our next generation will only read about steamers, quahogs and razor clams. Gone will be the traditions, gone will be the smiles of the young finding a clam, gone will be another natural resource.

This is not a time for tunnel vision to provide opportunity for a select few to the detriment of the community as a whole. I am asking that you as an elected official take a panoramic view of the issue. It is in times like this that the burden of elected office weighs most upon your shoulders. A time when the community as a whole must be the number one consideration above personal preference or convenience.

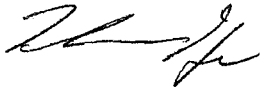
I am asking that you take action to limit the abusive harvesting of shellfish in Eastham particularly as it applies to the recent over harvesting of razor clams. I understand the needs of commercial harvesters but the community as a whole should not sit idly by and watch as those needs destroy the traditions, sustainability and quality of life treasured by generations.

Our current rate of shellfish harvesting is at the expense of future generations. It is time for a comprehensive review of the management policies for our shellfishing activities in Eastham. We must provide an environment of sustainability or the next generation will not be able to experience the traditions so treasured by our past generations.

The time to act is now, the legacy of Eastham is in your hands and under your stewardship. When you ran for office you asked for a vote of support from the community, now the community needs

your support and action to preserve our natural resources and our quality of life. Every day that passes brings greater harm to shellfishing in Eastham. It is time for a comprehensive plan of sustainability to protect not only the bay but also Nauset Marsh. Please act today to protect a vital economic and cultural asset that is so fundamental to Eastham, act now to save our natural resources for the children of the next generation.

With respect,



Thomas Pope
2420 Herring Brook Road
Eastham, Ma 02642
tom4candles@yahoo.com
(860) 989-9344

Cc:
Mike O'Connor, Sr. Natural Resources Officer/Harbormaster
Richard Hilmer, Deputy Natural Resource Officer



TOWN OF EASTHAM

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

MEMORANDUM

DATE: June 14, 2016
 TO: Sheila Vanderhoef, Town Administrator
 FROM: Paul Lagg, Town Planner
 RE: 7 Sandy Meadow Way

7 Sandy Meadow Way is a deed restricted affordable housing unit. It was developed as part of a 40B in 2006. The owner is interested in selling the property. The Town of Eastham has the first right of refusal to acquire the property. The Town has a 30 day response period which expires on September 13th. The following information summarizes the current situation.

7 Sandy Meadow Way

- Single family Dwelling
- Three bedrooms/Two bathrooms
- Year Built - 2006
- Lot Size: 36,154
- Appraised value: \$180,700
- Maximum re-sale price: **\$195,834** (determined by DHCD per State re-sale formula)

If Town does not exercise its right of first refusal, the seller is still obligated to restrict the sale of the home to a buyer who is income-eligible for a period of 90 days. During this period, DHCD will assign the unit to a local non-profit agency or resale agent for marketing. If an eligible buyer is not located during the 90 day period, the owner may sell the property without regard to the income level of the buyer. Any proceeds over the maximum resale price will be recaptured by the local community and earmarked for affordable housing.

ITEMS TO CONSIDER:

1. There is currently \$859,000 in the Housing Trust earmarked for the purposes of purchasing property and converting them to affordable rental units. These funds were allocated through CPA.
2. Approval by the Community Preservation Committee (CPC) is required prior to the purchase of property by the Housing Trust.
3. The Housing Trust currently owns 7 properties. These units are managed under contract by the Community Development Partnership (CDP). The CDP has indicated that they do not have the capacity to take on the management of any additional units at this time and the Trust itself does not have the capacity to manage the units on its own.
4. It is possible that the Housing Trust could contract with a real estate company to manage this new unit. I have inquired with a few local companies but I have no information at this time.

5. Exercising the first right of refusal does not obligate the Town to purchase the property. The Town will still have 90 days in which to conduct due diligence on the property. If the purchase is not viable the Town may drop out and the seller will have whatever time may remain within the 90 days to find an eligible buyer before it goes on the open market.

AFFORDABLE HOUSING TRUST RECOMENDATION:

The Affordable Housing Trust met on 8/31/16 to discuss this topic. The Trust members are aware that there are several logistical issues that need to be analyzed as noted above. However, the Trust recommends that the Board of Selectmen exercise its right of first refusal. This will allow for additional time to evaluate the property and determine the feasibility of converting this property into an affordable rental unit without further obligation to purchase the property.

NEXT STEPS: - If the Board exercises the right of first refusal

- Property inspection and due diligence
- Establish a viable plan for managing the unit
- Analyze financial viability for the Trust to maintain the property (up front costs & long term maintenance)
- Research options and obligations for tenant selection

Attachments:

Property Record Card

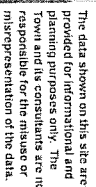
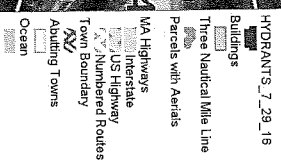
Locus Map

DHCD Resale Instructions

Resale property Info Sheet

SEQ #: 6,906

ECONOMIC=AFFORDABLE.									
BUILDING		CD	ADJ	DESC		MEASURE		3/2/2010	
MODEL		1		RESIDENTIAL		LIST		8/11/2006	
STYLE		4	1.25	CAPE (100%)		REVIEW		2/22/2007	
QUALITY		A	1.00	AVERAGE (100%)		BE		BE	
FRAME		1	1.00	WOOD FRAME (100%)		BE		BE	
YEAR BLT	2005	SIZE ADJ	1.030						
NET AREA	1,721	DETAIL ADJ	1,250						
\$NLA/RGN	\$147	OVERALL	1,000						
CAPACITY		UNITS	ADJ						
STORIES	1.8		1.00						
ROOMS	5		1.00						
BEDROOMS	3		1.00						
BATHROOMS	2		1.00						
HALL/BATHS	0		1.00						
% AC	0		1.00						
GARAGE SPACES	0		1.00						
FIXTURES	6		\$4,200						
ELEMENT				CD	DESCRIPTION	ADJ	S	BAT	T
FOUNDATION				4	FLR & WALL	1.00	+	BMU	N
EXT COVER				1	WOOD SHINGLES	1.00	+	BAS	L
ROOF SHAPE				1	GABLE	1.00	A	USF	L
ROOF COVER				3	ASPHALT SHINGLE	1.00	C	WDK	N
FLOOR COVER				1	W/W CARPET	1.00	F21	O	FPL 2S TOP
INT. FINISH				2	DRYWALL	1.00			
HEATING				2	HOT WATER	1.00			
FUEL SOURCE				2	GAS	1.00			
NBHD				2	SEASONAL	1.00			
PRIVATE ROAD				2	NO	1.00			
TOTAL RCN									
CONDITION ELEM									
EXTERIOR									
INTERIOR									
KITCHEN									
BATHS									
HEAT/ELEC									
EFF. YR/AGE									
COND.									
FUNC.									
ECON									
DEPR									
RCNLD									



Printed on 09/01/2016 at 11:55 AM

ADMINISTRATION

AUG 15 2013

RECEIVED

To whom it may concern,

My name is John Monahan.

It is my intent to sell my (LIP) deed restricted home.

The address is 7 Sandy Meadow Way Eastham, Ma.

Sincerely

John Monahan

7 Sandy Meadow Way

Eastham, Ma.

A handwritten signature in cursive script, appearing to read "John J. Monahan".

RESALE PROPERTY INFORMATION FORM

Please complete this form and return with your letter of intent to sell

Seller Name: John Monahan

Address: 7 Sandy Meadow Way

Phone: Day: 774-216-1902 Evening: _____

Email: Jaymo1958@aol.com

Primary Contact: _____ E-mail _____

Phone: Day: 774-216-1902

Evening: 774-216-1902

Seller's Attorney: _____ na

Name of Development: _____ na

of Units/Homes in Development: _____ na Size of Home: 1,721 sq. ft. Age of Home: 10yrs

Style of Home: (Check One)

- ☒ Single Family
☐ Town Home
☐ Detached Condominium
☐ Garden Style Condominium

Condominium/Association Fee, if applicable: \$ 0 per month

Estimated Annual Taxes: \$ 850.00 per year

☐ Town Water ☒ Septic System

Condo Association: _____ na

Contact Name: _____

Address: _____

Phone: Day: _____

Evening: _____

About the Unit:

of Bedrooms: ☐ One ☐ Two ☒ Three

of Bathrooms: ☐ 1 ☐ 1½ ☒ 2 ☐ 2½

Garage: ☐ Yes, # of cars 1 or 2 (circle one) ☒ No

Basement: ☒ Yes ☐ No

Heat (check two): ☒ Gas ☐ Electric ☐ Oil ☐ Forced Hot Air ☒ Forced Hot Water ☐ Steam

Appliances included in home sale:

Refrigerator ☐ Yes ☒ No - Not Sure

Stove/Oven ☒ Yes ☐ No - Not Sure

Microwave ☒ Yes ☐ No - Not Sure

Dishwasher ☒ Yes ☐ No - Not Sure

Garbage Disposal ☐ Yes ☒ No - Not Sure

Washer/Dryer ☐ Yes ☒ No - Not Sure

Central Air Conditioning: ☐ Yes ☒ No

Hard Wood Floors: ☐ Yes ☒ No

Please list any other applicable description of the unit:

_____ Almost ¾ of an acre of land, fenced backyard



INFORMATION



*Eastham Police & Fire Departments
State Highway
Eastham, Mass 02642
508-240-5942 / 508-240-5935*

**PRESS RELEASE
FOR IMMEDIATE RELEASE
August 25, 2016**

**911 CEREMONY - OPEN HOUSE
SEPTEMBER 11, 2016**

On Sunday September 11, 2011 beginning at 10:00 am, the Eastham Police and Fire Departments will be holding a joint ceremony in front of the Eastham Fire Department to commemorate the 911 attack. Fire Chief Kent Farrenkopf and Police Chief Edward Kulhawik are asking all residents and visitors to join them and their staff for this 10:00am ceremony and to remember and reflect on this infamous day in our countries history. Several thousand US citizens were killed including many Fire, Police and EMS workers.

Beginning at 10:00 am and continuing until 12:00am both agencies will be holding **open houses and tours** of their respective facilities with demonstrations of their equipment and operation, by several members of their staff.

Coffee and light pastries will be offered at both facilities.

August 4, 2016

Robert Sheldon
Chair
Zoning Board of Appeals
Town of Eastham
2500 State Highway
Eastham, MA 02642

*FYI -
I filed this in a
temporary folder in the
zoning filing cabinet
until the actual filing comes in
and it has a real folder*

RECEIVED

AUG 08 2016

BY: _____

*FYI
-PAUL*

*OK
BoS 9/6
agenda*

Dear Mr. Sheldon:

On behalf of The Family Pantry of Cape Cod, I am writing to express our strong support for the proposed Governor Prence Residences, a fifty unit affordable housing neighborhood proposed for 4790 State Highway in Eastham.

The need for affordable housing in Eastham and throughout the Lower Cape is well documented. As a non-profit agency providing food and clothing for those in need across the Cape, we hear about the challenges our clients face in securing a year-round, safe and affordable place to live on a daily basis. This proposed project will help our community make a significant step forward in meeting the needs for working families who can't compete with second home owners and retirees in finding an affordable home.

The Governor Prence Residences will accommodate fifty families in one, two and three bedroom apartments. Forty-six of the units will be for families earning 60% or below of Area Median Income (AMI). A family with a single parent and child working full time for \$20 an hour will qualify to live at the Governor Prence Residences. Forty-five of the units are one or two bedrooms and all of the units are accessible via an elevator making them ideal for seniors living on a fixed income. Six of the apartments will be open to families earning more than 60% of AMI.

The Community Development Partnership and Stratford Capital Partners have formed a partnership to develop this project ensuring that it will be locally managed and responsive to community needs. This is an exciting and much needed project. We urge the Town of Eastham's Zoning Board of Appeals to approve the comprehensive permit application without delay.

Sincerely,



Christine H Menard
The Family Pantry of Cape Cod
Executive Director



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

www.eastham-ma.gov

Memo

Date: August 25, 2016
To: Town of Eastham Board of Selectmen
From: Susanne Fischer, Town Clerk
Re: Early Voting

The Commonwealth of Massachusetts is implementing early voting periods, beginning with the State Election on November 8, 2016. This year, early voting begins on Monday, October 24th and ends on Friday, November 4th. Early voting periods will be available hereafter for biennial state elections only.

While town and city clerks are only required to offer early voting during regular business hours, the Secretary of the Commonwealth has asked that extended early voting hours, including evenings and Saturday, be made available.

After careful consideration and discussion with the Town of Eastham Board of Registrars, the following extended voting hours will be implemented in the Town of Eastham for the November 8, 2016 state election:

Tuesday, October 25	4:00 to 8:00 p.m.
Thursday, October 27	4:00 to 8:00 p.m.
Saturday, October 29	9:00 a.m. to Noon
Tuesday, November 1	4:00 to 8:00 p.m.
Thursday, November 3	4:00 to 8:00 p.m.

Early voting will take place at the Town Clerk's office. The AutoMark voter assist terminal will also be available to help the visually impaired in marking their ballot.

BOS
info

Town of Eastham
Fire Department &
Emergency Medical Services

Kent Farrenkopf
Chief of the Department
2520 State Highway Eastham, MA 02642
(508) 255-2324
kfarrenkopf@eastham-ma.gov

August 18, 2016

The Honorable William B. Keating
United States House of Representatives
315 Cannon HOB
Washington, DC 20515

Re: 2015 Assistance to Firefighters Grant – Eastham, MA

Dear Representative Keating:

On behalf of the men and women of the Eastham, MA Fire Department, I wish to thank you for your assistance with our 2015 Federal Emergency Management Agency's Assistance to Firefighters Grant (AFG) application. The grant award (Application #: EMW-2015-FO-00155), in the amount of \$17,266 for the purchase of hydrant equipment.

The current equipment was purchased for the occasional utilization in other communities with municipal water. Last year, voters approved a town-wide municipal water system which will enhance firefighting operations for our department. However, in order to take advantage of the added fire protection capabilities, the hydrant equipment used to draw water from the system and deliver the water to the fire needed upgrading. Through the Massachusetts-approved contract bid pricing we researched, the full complement of firefighting apparatus in our department can be improved for less than \$25,000. The financial state of the Town of Eastham is similar to many across the Commonwealth. Without this grant funding, these necessary upgrades could not have taken place, which would posed a significant risk to members of our department, as well as our community.

Again, we wish to thank you for your assistance with this project, as well as supporting fire departments in the Commonwealth.

Please feel free to contact me with any questions or concerns.

Sincerely,



Chief Kent Farrenkopf
Eastham Fire Department
2520 State Hwy
Eastham, MA 02642
[w] (508)255-2324
[c] (774)212-2486
kfarrenkopf@eastham-ma.gov

EASTHAM PUBLIC LIBRARY

TRUSTEES MEETING, August 13, 2016

1. CALL TO ORDER: The meeting was called to order at 9:00 a.m.
2. PRESENT: Members: Dave Payor, Norma Marcellino, Mary Shaw, Sharon Krause, Debra DeJonker-Berry
Guests: Al Alfano, Elizabeth Gawron
3. MINUTES: The minutes of July 25th were approved.
4. FINANCIAL REPORTS: The Financial Reports were gone through page by page. The repairs expense is for the pumping of the tight tank for the trailers. The large materials amount includes present contracts for data bases, etc. that are due at this time of the year. The Memorial Gifts section needs to be redone and updated. Mary feels that the Trustees need an updated financial page from Dan Pallotta. Staffing increases and maintenance in the new building need to be addressed.
5. DIRECTOR'S REPORT: The most successful Summer Reading Program ends today. Forty people attended the first One Book One Town event on July 29th "Native Plant Restoration, a Case Study", by Caitrin Higgins from Wilkinson Ecological Design. There is now a wonderful new educational computer program for the Children's Room called ABCmouse. Also now offered to patrons with an Eastham Library card are the full features of the web-site ConsumerReports.org. The new CLAMS public catalog, the Encore Discovery Platform is up and running. Deb brought the new Chromebook computers for the Trustees to test out. They will be available for use in the Childrens and the Young Adult Rooms. Diamond Movers will hopefully finish up on Monday moving everything out of the Meeting Room and bring the Eastham Collection to the Eastham Room. The ARIS report has been submitted and Deb is working on the Annual Report for the MBLC.
6. OLD BUSINESS:
Septic Update: The Engineers went before the Board of Health on August 12th. They were asked for verification of the plan that they say will work. They were asked to be on site for all changes and they need to

show that the system works as planned. They will go before the Board again on August 25th.

Book Move: The shelving of the books will be a mixing of books from 4 different sites. Much work will need to be done by the staff to facilitate this.

Punch List: Matt is working on the third part of his punch list. Hopefully he will finish soon so that Nauset Construction can begin to fix the concerns.

Plan B: It seems that about \$60,000 has been spent so far on Plan B. Deb expressed a concern about removing water that is already in the pipes and toilets.

Benches and Landscaping: The bench in honor of Harold Goemaat cannot be matched so it seems that two benches will be purchased – similar to those already purchased -and one will be in memory of Joan Normandy and the other will have a plaque in honor of Harold Goemaat.

FF&E: The computer tables are ready to be shipped. The circulation desks are delayed as Tucker Designs wants additional money to build them. This will probably not happen so there are no definite plans yet for the desks.

Policies: Policies will be discussed at the August 27th meeting.

By-Laws: The revised by-laws have been printed. At some time in the future they should be looked at and updated again.

7. NEW BUSINESS: Mary Shaw was elected as Vice Chairperson of the Trustees. Dave talked about work that may be done by the pond. This includes possible removal of invasive trees such as the black locust and Norway maple. There are also questions about the type of grasses that are in the landscaping plan.
8. ELBFI: The Trustees approved an ELBFI recommendation for a named gift podium in memory of Mary Sedlock.
9. FRIENDS: The Friends will have a table on the green at Windmill Weekend with membership information and selling turnip cookbooks and magnets. Committees are working on merchandise and setting up the ongoing Book Sale in the VIS Room. The Friends approved the purchase of two new museum passes. They are for the Harvard Museums

consortium (includes the Natural History, Peabody, Fogg, Sackler and Busch-Reisinger Museums) and the Roger Williams Zoo in Providence.

10. STAFF AND VOLUNTEERS: The staff is as always working very hard!

11. PUBLIC COMMENTS: No additional comments

12. NEXT MEETING: The CPC will meet on Monday August 15th at 8:00 a.m. at Town Hall. The Trustees will meet on Saturday August 27, 2016 at 9:00 a.m. at Town Hall.

13. ADJOURN: The meeting was adjourned at 10:32 a.m.

Respectfully submitted,

Norma Marcellino

From The President

Summer has finally arrived bringing the part-time residents and visitors back to the Cape. The season has begun and it is great to see the flower islands spring to life with beautiful blooms of color. Eastham like all towns on the Lower Cape, is dealing with changes that will affect all of us. The work on the water system continues to move along, and the construction will be with us for some time. Like Eastham, many towns are trying to cope with the lack of affordable housing and how to put together a reasonable plan to avoid having a negative impact on the town and neighborhoods. There is also concern about the small amount of parking at Nauset Light beach and some people have proposed that an area of town- owned land near the beach could be used to provide adequate parking to avoid the use of shuttle busing. Discussions are ongoing and we will try to keep you informed through the newsletter and email alerts.

Thank you to all the members who participated in the surveys EPRTA conducted this spring. We were surprised to find that many of our members were not aware of many of the issues swirling around the Lower Cape this year. We shared the results with Town Officials and will share the survey results with you at our member meetings this year. Our plan going forward is to occasionally ask you to participate in surveys and give us your opinion on issues as they arise. We will share your responses with the Board of Selectmen and the Town Administrator.

We are moving to more electronic recordkeeping and automation. Thank you to all of our members that have helped us update our database when they see an error. We will continue to ask you to share your email address to help us keep you informed. Our administrator is working diligently to keep everything up to date to assure accuracy of membership and dues payment.

As you know, our newsletter is now available to our members via email. This option allows members to share it with others more easily. If you are not

(Continued on page 5)

NEXT SCHEDULED MEMBER MEETING

Saturday, August 20, 9 A.M.
Elks Lodge
McKoy Road, Eastham

EPRTA SURVEY UPDATE

By Richard Boyatzis , EPRTA Board Member

Following is a recap of the survey EPRTA sent out to the membership this spring.

EPRTA has instituted a periodic electronic survey to document the views of its members and share these results with the Eastham BOS and Town Administrator. We may legally have taxation without representation, but the Town leadership is eager to hear of our thoughts and positions on these and other issues.

The survey was completed by a record number of 315 members (this is 23% of all members, and 26% of members who receive their newsletter by email). The details of the survey results will be presented and discussed at the August Member Meeting. But, as they tease you in the nightly news, "Stay tuned to hear about EPRTA members' relatively low level of awareness or knowledge of several key issues that could dramatically affect their real estate taxes (i.e., water project possible escalation of costs, two tier taxation system as implemented in Provincetown, waste water possible project)."

On the other hand, our members are aware of other issues such as the current fresh water piping of the town, possible additional renter's tax, and proposal to build 150+ subsidized housing units in Eastham at the Purcell and T-Time locations. When asked how they felt about these projects, members were, on the whole, for the fresh water, against everything else but for subsidized housing but in smaller clusters of units.

To see the full results please go to www.eprta.org and click on the survey results icon.

WHAT'S HAPPENING IN EASTHAM

■ **May Town Election**

27% of the town's registered voters turned out to re-elect both Wally Adams and John Knight to three year terms as Selectmen. Other winners were Ed Brookshire to Nauset Regional School Committee, Ann Crozier and Maura Noonan-Kerry to the Eastham School Committee, James McMakin to the Housing Authority, and Norma Marcellino and Sharon Krause to Library Trustee

■ **Annual Town Meeting**

The Annual Town Meeting was held on May 2nd in the Nauset Regional High School auditorium. There were a number of articles on the Warrant. A summary of the most germane and the final status follows.

1. Article 16 - Municipal Water - to create what will be known as a 'Groundwater Protection Overlay District' that will protect the new municipal water system's water source by preventing harmful pollution. The district will cover most of the town of Eastham east of Rt. 6 and north of the transfer station. Needed a 2/3 vote. - Passed
2. Article 22 - Chapel in the Pines - to appropriate \$207,000 for restoring and preserving the historical Chapel on Samoset Rd. - **Passed**
3. Articles 27 - to have the town declare Hay Road a public way. - Passed
4. Article 30 - Affordable Housing - the Town to be authorized by the voters to lease for 99 years the Purcell property (off Holmes Rd.) for the purpose of creating affordable housing rental units. **Passed.**
5. Article 31 - T-Time - for the Town to acquire the 10.9 acre property on Rt. 6 formerly used as a golf driving range. The purpose here was to give the Town some control over how the property got developed. Needed a 2/3 vote. - **Failed (vote was 321/228, not 2/3rds)**

■ **Summer Concerts on Windmill Green**

1. July 25 Cape Cod Jazz Quintet
2. August 1 Toast & Jam
3. August 8 Sarah Swain & The Oh Boys
4. August 15 Peking & The Mystics
5. August 22 Chandler Travis Philharmonic

All concerts are held on Windmill Green, State Highway 6, across from Town Hall from 7 pm to 8 pm. Bring your chairs, blankets, and refreshments and enjoy your summer in Eastham.

■ **Selectmen Support National Seashore**

Eastham Board of Selectmen, at their June 20th meeting, unanimously agreed to adopt a Resolution of Support for the National Park System. The resolution asks our elected officials in Washington to maintain the condition of the Parks as it was envisioned and intended. The National Park System is responsible for guarding our heritage but has a deferred maintenance backlog of \$11.9 billion, \$47.7 million of which is in the Cape Cod National Seashore. Eastham's economy is directly tied to the CCNS.

■ **Eastham Historical Society**

The Historical Society is looking for guides and docents to provide tours of the Swift-Daley Museum complex. For further information contact Maureen Andujar at 508 -240-3005 or at loumogym@comcast.net.

■ **Volunteers Needed**

Have you thought of giving back to your community. Well, Eastham has a number of openings on various boards, committees and commissions such as The Advisory Committee, The Board of Health, The Community Preservation Committee, The Council on Aging, The Cultural Committee, The Human Resources Committee, The Old Town Center Committee, The Open Space Committee, The Planning Board, The Recycling Committee, The Search Committee, The 1651 Forest Advisory Committee and the Management Committee. You can apply for one of these openings by stopping by the Town Hall and picking up an application.

■ **Eastham Senior Center**

The Center is a steady resource of magnificent cultural, educational and social programs available to everyone. With so much scheduled, you will easily find something that is of interest to you.

One of the programs they sponsor is **HELP THY NEIGHBOR!!!!** There is a need for volunteers to work with their Outreach Coordinator, Cindy Dunham. Many seniors live alone and don't have any immediate family in the area to help. In a crisis, many of them are left alone at the hospital or simply dropped off at a walk-in clinic. They are looking for people to volunteer to be available-on call-to offer a ride to/from a medical facility, stop by to visit an elder or to help the individual with anything else they may need. To volunteer or get more information on other programs,

(Continued on page 3)

REAL ESTATE UPDATE — FIRST HALF 2016

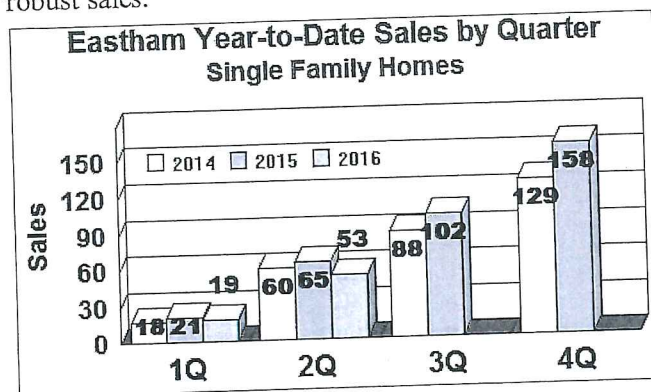
By Robert Sheldon
www.RobertSheldon.com, Phone: 508-237-9545

Commentary

This year is shaping up to be somewhat of a disappointing year with sales behind last year by over 18%. The YTD median sales price of \$390K is 6.6% below the full year 2015 median of \$417,500. Please keep in mind that it's too early to draw too many conclusions from the data points I've presented. However, we are 45 - 50%, sales wise, into the new year.

There are 76 homes currently for sale in Eastham, with an average days-on-market of 209. Last year we had 102 active listings at this time. The 76 'actives' will be about 7 months' worth of inventory. Hopefully we'll see enough new listings to keep the market moving.

The market is feeling like less of a "buyer's market" due to the lack of fresh inventory of mid-priced homes. However, I expect that the still low mortgage rates (about 3.5%) will convince some potential buyers that this is 'their' opportunity. Summer is a fun time to be on the Cape, so I'm hoping the market responds with robust sales.



(Continued from page 2)

please call Cindy Dunham at 508-240-2327 or at cindyoutreach@comcast.net.

■ Nauset Spit-Spat

In this continuing saga, in mid April, Barnstable Superior Court Judge Raymond P. Veary Jr. struck down the Eastham Conservation Commission's denial of a permit that would allow over-land vehicles on the portion of the Nauset Spit that lies in Eastham.

Eastham has a by-law that prohibits driving on their beaches. Orleans residents have for years been allowed to drive on the beach in this area and it wasn't till several years ago as the beach in Eastham increased in size due to shifting sands that this became an issue. Residents in Eastham wanted the by-law upheld and vehicles prohibited from the Eastham beach. The spit/spat between the two towns on this issue continues.

■ BE SAFE- Biking Rules and Regulations

- Keep to the right
- Ride in a single file
- Alert other riders if you are going to pass
- Wear visible clothing
- Wear an approved bicycle helmet
- Stop and dismount at all road crossings
- Children 16 and under MUST wear a helmet
- No child under the age of one may ride in a baby seat

■ Animal Control

The Eastham Police Department has responsibility for Animal Control. There is a dedicated Officer and an Animal Control Van. They handle nearly 1,000 calls a year. The Animal Control Officer can be reached at 508-255-0551. If an emergency, dial 911.

■ Beach Regulations for Dogs

There are absolutely no dogs allowed on any of the town beaches or in parking lots at any time from June 15th through Labor Day.

Special Recognition

The entire EPRTA Board wishes to express our sincere thanks to Richard (Dick) Parrett for his many years of devoted service to EPRTA. Dick was in fact one of the founding fathers of the organization over 50 years ago. He was Past President and had served as Historian and was Parliamentarian at the time of his retirement. He helped to grow our organization from a small group of 25 to close to 1400 members today and was instrumental in ensuring that the Board of Selectmen and the town officials continue to work with our group on the issues and concerns of the part-time residents.

**Dick, many thanks for
everything you have done!!!!**

WATER PROJECT UPDATE

The painting of the District G Water Storage Tank is complete. A brand new video is available for viewing which shows the steps of the water tank construction since the ground breaking ceremony in 2015. (<https://vimeo.com/channels/845648/172771234>).

The two prefabricated well control buildings are scheduled to arrive in mid-July, at which point the utility work will be completed and testing will begin. Utility poles along Cable Road are currently being installed to bring electrical service to the well station. Work continued on the water main construction along Whelpley Road. Work will continue along Massasoit Road south of North Sunken Meadow Road, proceeding southerly towards South Sunken Meadow Road.

At the same time water main construction continued along Herring Brook Road and Bridge Road. A second construction crew will be mobilizing pipe and construction materials to Samoset Road between Herring Brook Road and Lawton Road next week. Construction is set to tentatively begin on this section of Samoset Road the week of July 11th.

Please note that throughout the construction roads may be temporarily closed during work hours except for one lane alternating traffic for local resident access and buses. Other traffic will be detoured where possible to avoid delays and increase construction site and public safety. Normal construction hours are 7am to 5pm, Monday through Friday.

Water main construction within the landfill area is complete for the season. Notification flyers will be sent over the next several weeks and months to residents within these contract areas, asking residents to specify their preferred curb stop location along their property line. Flyers are being mailed in a strategic order; do not be concerned if you have not yet received a flyer.

If you have a property along Nauset Road, Brackett Road, Schoolhouse Road, Old Orchard Road, or Meetinghouse Road and have not specified your preferred curb-stop location, please call or email (617-657-0279 or easthamwater@envpartners.com).

Additionally, subdivisions off Nauset Road and Brackett Road should receive notices in the coming days. The contractor will re-mobilize in Town this summer to complete the water main flushing and testing.

GREAT WHITE SHARK PHENOMENON

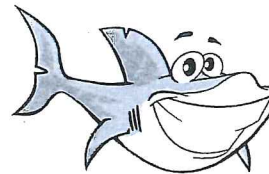
News Release, June 27, 2016
Cape Cod National Seashore

As top predators, sharks are critical for maintaining a healthy and balanced marine ecosystem. Seals are the major prey species for the great white shark, and as the seal population increases, the great white sharks have become more numerous.

In recent years there have been confirmed reports of great white sharks feeding on seals close to shore, as well as great white shark sightings from spotter planes flying along the Outer Cape and near swimming beaches. While it is rare for a great white shark to bite a human, it did occur in Truro in 2012.

To stay safe and to protect wildlife:

- Do not swim near seals.
- Swim close to shore, where your feet can touch the bottom.
- Swim, paddle, kayak, and surf in groups.
- Do not swim alone in the ocean at dawn or dusk. Avoid isolation.
- Limit splashing and do not wear shiny jewelry.
- Follow instructions of lifeguards. Become familiar with the beach flag warning system. Take time to read signage at the beaches.



The National Seashore, the towns of Cape Cod and the Islands, the Massachusetts Shark Research Program, and the Atlantic White Shark Conservancy have worked together to produce

shark advisory signs for beaches and brochures that provide education and safety tips for beach users. Brochures about shark information may be obtained at all National Park Service beaches and be seen on the park's website at www.nps.gov/caco.

In addition, water main construction along Rt. 6 is complete. There will be a flushing program along and adjacent to Rt. 6 once water is available, with minimal traffic impacts. Work south of the CCNS Visitors Center will resume after Labor Day with construction of water services. Final paving of the eastbound travel lane of Rt. 6 is tentatively scheduled for Spring 2017.

AREA WIDE

■ Lower Cape Traffic Initiative

This initiative's genesis came about after a series of accidents along Rt. 6 in the summer of 2014. At that time, Representative Sarah Peake convened a series of meetings with public safety officials, representatives from the towns of Eastham, Provincetown, Truro and Wellfleet and their police chiefs, along with representatives from the National Seashore to look for solutions. She was instrumental in obtaining a \$30,000 grant from the State to pursue this issue. Beginning in late May and continuing through the Columbus Day weekend, officers from the four towns will be authorized to make traffic stops and arrests in all four towns for aggressive driving and texting while driving. Teams will be out at different times. Helping this cause was the installation of rumble strips installed by the Dept. of Transportation in Wellfleet this past year with more to be installed in Truro this year.

■ Cape & Islands Theatre Coalition

The coalition was founded in 1995 by 5 theaters. Through the initiative and leadership of the Cape Cod 5 Bank and support from the Cape Cod 5 Foundation, the Theater Coalition has flourished and now grown to 26 member theaters and producing organizations from Woods Hole to Provincetown, Nantucket and Marthas Vineyard. With the Foundation's continued financial assistance and the Bank's support, the Theater Coalition is an outstanding example of the benefits all involved realize when organizations work together.

The Coalition works to strengthen the performing arts venues, organizations, audiences and individual artists of the region, and through the collaboration of their member theaters they endeavor to ensure the continued cultural richness of the area by providing opportunities for information and resource sharing, promotion of live performance, education and outreach, collegiality and cooperation for the benefit of the performing arts community, their audiences and supporters. For more information go to www.capecodlive.org.

■ Community Development Partnership

The partnership has funds available for housing rehabilitation in the towns of Dennis, Eastham, Harwich, Provincetown, Truro and Wellfleet. To be eligible go to www.capecodlive.org. Funds are made possible through Community Development Block Grant funds provided by the MA. Dept. of Housing and Community Development. Further questions can be directed to Jean Stanley, the Housing Rehab Program Manager at 508-240-7873 ext 14 or jean@capecodlive.org.

■ Tri-Town Septage Treatment Plant

This treatment plant took its last breath and closed its doors at the end of May. The plant was originally slated to stay open till the fall but with the loss of key personnel, they had to advance the closing date. Haulers will have to truck sewage further away, which will be felt in their rate structures.

WINDMILL WEEKEND

The Eastham Windmill Weekend Parade will be held on Sunday, September 11, 2016. This year's theme is "From Bayshore to Seashore". This invites your imagination to show the natural resources of Eastham, and gives the opportunity to display the part you play in the fabric of the town.

Start the weekend off with an evening of FUN. Do you sing in the car? Strum a guitar? Are you a closet magician? Or a dancing electrician? Croon with a group? Juggle with hoops? Play drums or a sax?

It's EASTHAM - RELAX!

We hope you'll share YOUR talent on the stage on Friday, September 9, when we celebrate our honoree(s) and parade marshal. Your chance to be on the stage at the Elks Club will follow. Step out! This is not a contest, just your friends and neighbors.

There will be eight acts this year, so first come, first considered. Call or email Bonnie and Don Nuendel at 508-255-6305 or by email at nuendelcapecod@aol.com

(Continued from page 1)

currently receiving yours via email, please contact us with your current, correct email address and we will add you to the list.

One of our goals as an organization is to keep our members informed throughout the year and to open up avenues for you to voice your opinion on the issues that are facing Eastham. Please feel free to share your ideas, comments and concerns with EPRTA.

I hope you are able to attend one of our meetings this year. The dates and times are in the newsletter. The meetings are held at the Elks Lodge on McKoy Road in Eastham. I look forward to seeing you there.

Sue Connor

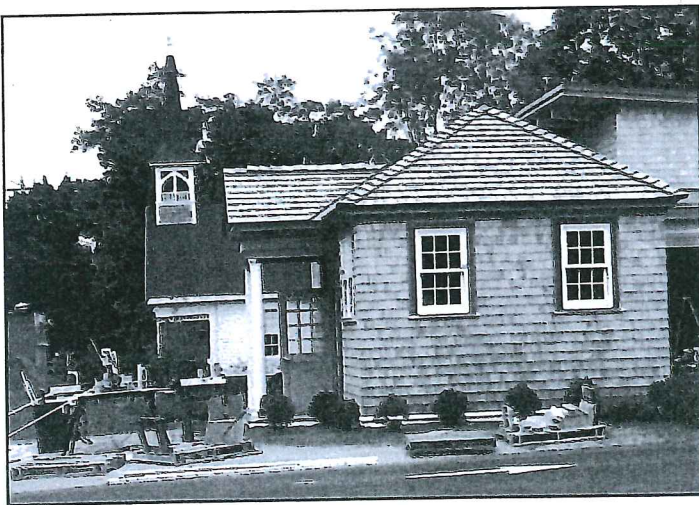
LIBRARY UPDATE

Shortly after you read this the library should be back home in their new facility. There will be some limitations, as they were not able to hook up with the municipal water system at this time. That should happen late in the year when the water system is ready.

In the meantime, Sheila Vanderhoef, Town Administrator, Tom Wingard, Building Inspector, and Fire Chief Kent Farrenkoph went to Boston and were able to gain a temporary variance to open without the final water system in place, provided that they had a 10,000 gallon water tank on the premises, postponed use of the large community meeting room, and tied into the existing old well until the municipal water system is completed.

Other Library News

- The Satellite Book Drop is now available at the Schoolhouse Museum for returning library books at your convenience.
- At the top of the [Library home page](#), please note the "[Virtual Tour](#)" link. It is a large file, but will update you on the new library, both inside and out. In case you missed Joelle Szerdi's presentation at the Friends annual meeting, this is it! There was a full house at Town Hall for this event.
- Beginning July 29th and continuing through mid-October there will be an exciting series of events related to our next ONE BOOK ONE TOWN choice - Bringing Nature Home by Doug Tallamey. Our adult services librarian Karen MacDonald and her committee have planned informative and exciting programs for all ages.



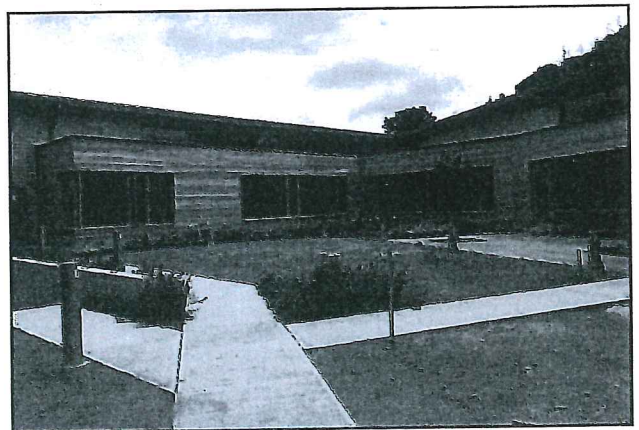
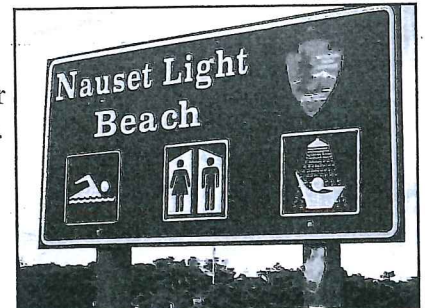
NATIONAL SEASHORE

EASTHAM – The stairs at Nauset Light Beach in Eastham have been replaced for the fourth straight year after being destroyed by winter erosion, which saw 10 feet taken from the bluff, which continues to retreat at a faster than normal pace (18 feet were lost the winter before).

Superintendent George Price stated they are investigating a replacement stair program at Nauset Light Beach. "It's about a 60-foot bluff so it's pretty intense and with the type of construction you need to have in order to have safe access you need to have a landing partway down," Price said. "It makes it a little more complicated than people think it is sometimes."

Along with the stairs, the erosion is causing issues with the bath house, which Price said will need to be destroyed as the actual septic tank is only 10 feet from the bluff.

The beach is tentatively scheduled for the National Park Service to construct a new bath house facility in 2019. Price said the facility will probably be smaller than the current bath house and will be closer to the other end of the parking lot near Ocean View Drive. Temporary facilities will be used during the interim. Engineers will also look at the stability of the parking lot.



JOIN OR RENEW EPRTA MEMBERSHIP Dues \$20.00 per year

(Please print)

E-mail: (Please print carefully)

First Name: _____

Last Name: _____

Eastham Street Address: _____

Eastham [] No. Eastham []

Off Cape Street Address or
Eastham PO Box or Mailing Address: _____

City/Town _____

State: _____ Zip: _____

Do you want your EPRTA Newsletter by e-mail?
Yes [] No []

Use PayPal to pay your membership: go to
www.eprta.org then click on the "Join/Renew
Membership" button, OR

Make Checks Payable to:
EPRTA, PO Box 122, N. Eastham, MA 02651

New Member: Yes ____ Renewal: ____

Cut on dotted line



EPRTA JOINS FACEBOOK

By Jennifer Keen, EPRTA Board Secretary



The EPRTA board realizes that we are in an age of 24-7 news and information coverage. We've been discussing how to

disseminate information that we learn quicker to all of our members using Facebook. After reading our survey results, we understand that this is something many of you are interested in, too.

Therefore, we have started a closed group named EPRTA on Facebook. With a closed group, only people that are members of the group can read the posts. You can go to <https://www.facebook.com/groups/eprta/> and ask to join. Once we confirm you are a paying member of EPRTA, we will accept you and you can see our posts, and also post other relevant information that EPRTA members might be interested in. Just another benefit of being an EPRTA member!

We hope our new Facebook group will help drive engagement from some of our computer savvy members all year long, and especially during the lulls between our quarterly newsletters. Facebook will also help enable discussion among our members about some

of the important town topics. We do ask that, if you post anything, it is relevant to other members of EPRTA and is respectful to all. We do reserve the right to delete any posts that aren't following these guidelines.

You can access the page using the following: <https://www.facebook.com/groups/eprta/>
Hope to see you online soon!

In Memoriam

Katherine (Kate) Alpert of Eastham and Newton, died June 10, 2016. In retirement, Kate moved back to her beloved Eastham where she served as President of the Eastham Historical Society for 8 years and as a member of the Eastham Historical Commission.

Kate was a frequent contributor to our newsletter. Kate is survived by her daughter Ronnie Lapidus (Bragen) and her son Gary.

PRSR7 FCM
US POSTAGE
PAID
FALL RIVER, MA 02722
PERMIT NO. 316

JUL 28 2016

RECEIVED

13 *****AUTO**SCH 3-DIGIT 025
2016 Dues Exempt
Sheila Vanderhoef
2500 State Hwy
Eastham MA 02642-2589

A standard linear barcode consisting of vertical black bars of varying widths on a white background, located at the bottom of the document.

"Dr. Beach" (www.DrBeach.org), Leatherman has selected the annual Top 10 Beaches since 1991. This year he rated the Coast Guard Beach as #5 in the world. Fifty criteria are used to evaluate beaches, which include water and sand quality as well as safety and management. Dr. Leatherman is an internationally known coastal scientist who has published 20 books and hundreds of scientific articles and reports about storm impacts, coastal erosion and ways to improve beach health and safety.

Sheila Vanderhoef

From: Charlie Adams <cadams@pennrose.com>
Sent: Thursday, September 01, 2016 10:52 AM
To: Sheila Vanderhoef; Jacqueline Beebe; Paul Lagg
Subject: DHCD Site Visit

Morning – DHCD has scheduled a site visit at 11:30 on September 15th for the PEL. No need for you to be there – it will be a quick look at the site. I was informed by DHCD that I needed to let the community know about the visit. DHCD informed me that the process for doing this is to let the Town know about the visit. That is the purpose of this email. Thank you.



Pennrose.com

Charlie Adams
Regional Vice President
Pennrose Properties, LLC

Boston
50 Milk Street, 16th Floor | Boston, MA 02109
Phone: 857.415.4650 | Fax: 617.294.6684 | Email: cadams@pennrose.com

Mission: Our committed team of exceptional professionals transforms communities by creating high quality real estate developments and delivering outstanding value to our clients and partners.

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

info



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

July 15, 2016

SENT VIA FIRST CLASS MAIL
AND EMAIL

ADMINISTRATION

JUL 18 2016

RECEIVED

William Hayes, Senior Transmission Arborist
Eversource Energy, Eastern, MA
Planning Scheduling and Contract Services Department
One NSTAR Way, SE-370
Westwood, MA 02090-9230

RE: Eversource Energy, Eastern MA 2016 Yearly Operational Plan for Cape Cod and Martha's Vineyard (Barnstable and Dukes Counties) (YOP) for the use of herbicide on Rights-of-Way list within the YOP

Dear Mr. Hayes:

After reviewing the *Eversource Energy, Eastern MA 2016 Yearly Operational Plan for Cape Cod and Martha's Vineyard (Barnstable and Dukes Counties) (YOP) for the use of herbicide on Rights-of-Way list within the YOP*, the Department of Agricultural Resources (Department) has determined that the YOP satisfies the requirements set forth in M.G.L. c. 132B and 333 CMR 11.00 and is approved.

Pursuant to 333 CMR 11.00, the approved YOP, in conjunction with the Vegetation Management Plan (VMP), shall govern the application of herbicide on rights-of-way and the 2016 YOP shall expire on December 31, 2016. All activities must comply with the requirements set forth in M.G.L. c. 132B and all regulations promulgated thereunder. Additionally, please be aware that all applications of herbicide to a right-of-way in any city or town must comply with the public notice requirements set forth in 333 CMR 11.07. Please review the additional requirements for applications to rights-of-way set forth in 333 CMR 11.00 and contact the Department with any questions.

On behalf of the Department, we appreciate your continued cooperation throughout this process. Please call the Department at 617-626-1700 if you have any questions.

Sincerely,

John Lebeaux, Commissioner
Massachusetts Department of Agricultural Resources

Commonwealth of Massachusetts

DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Chrystal Kornegay, Undersecretary

SELLING YOUR LOCAL INITIATIVE PROGRAM HOME

Dear Local Initiative Program (LIP) Homeowner:

The following is a summary on how to sell your home under the LIP program. *We wish to emphasize that before you may begin the process of selling your LIP unit, your town/city and the Department of Housing and Community Development (DHCD) must review your written request to sell, and issue a written response.*

To begin the review process, please mail the following information to both your town/city **and** DHCD:

- ~ **Written notice of your intent to sell** - Your written notice should include your name, the property address and a phone number where you can be reached during the day.
- ~ Your **LIP Property Information form** and a clear **color photograph** of the exterior of your LIP unit for posting on the DHCD Affordable Units for Sale web page.

The above documents should be mailed to the following address:

The Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114
Attn: Division of Housing Development – LIP Program

Please contact your town or city hall for information on who will handle your resale request.

You may inquire at the Board of Selectmen's office, the Housing Authority or the Planning Department.



MAXIMUM RESALE PRICE

After receiving the Letter of Intent to Sell, the Town or DHCD will send a written response to you stating the price for which you may sell your home. This price is called the **Maximum Resale Price**, and is determined based on the formula in your Deed Rider. The maximum resale price of your home is calculated by multiplying the appropriate current median income by the maximum resale price multiplier factor listed in the deed rider.

After receiving notification, the Town will send a response letter within 30 days. (DHCD has 40 days to respond to your letter if your local community does not exercise its right of first refusal). The response letter will state the price for which you may sell your home. This price is called the **Maximum Resale Price**. For a period of 90 days, the community and/or DHCD reserves the right to restrict the sale of the home to a buyer who is income-eligible under the LIP program. This is the **Right of First Refusal period**, and the expiration date of this period is included in the response letter.

For a period of 90 days, the Town and DHCD reserve the right to restrict the sale of the home to a buyer who is income-eligible under the LIP program. If an eligible buyer is not located by the Town, DHCD has an additional 15 days to locate an eligible buyer.

MARKETING THE UNIT

During the right of first refusal period, the local community will market the unit to its list of eligible buyers. For communities that do not maintain such a list, DHCD will assign the unit to a local non-profit agency or resale agent for marketing and qualifying applicants.

DHCD will post information about your property on its "Units For Sale" web page as well.

THE NEW BUYER

The new buyer must be income eligible under the LIP program. The town or the resale agent will verify eligibility. When the buyer's eligibility has been verified and has been approved for financing, both the seller and the buyer should retain legal counsel and sign a purchase and sale agreement. DHCD must receive a copy of the purchase and sale agreement, and the loan commitment for the buyer, in order to prepare the closing documents.

If an eligible buyer is not located during the right of first refusal period, you may sell your home without regard to the income level of the buyer. If the home is sold to an ineligible buyer it must be sold at market value as determined by your appraisal. Any proceeds over the Maximum Resale Price will be recaptured by the local community and earmarked for homeownership programs or assisting other eligible buyers. DHCD will release the deed restriction when a LIP home is sold off the program, after approving the terms of the sale.

For more information, please contact Rieko Hayashi of DHCD's Division of Housing Development at 617-573-1426.



COUNTY OF BARNSTABLE
SUPERIOR COURTHOUSE
P.O BOX 427
BARNSTABLE, MASSACHUSETTS 02630

ADMINISTRATION

JUL 29 2016

RECEIVED

JACK T. YUNITS, JR
County Administrator
Office: (508) 375-6771
jack.yunits@barnstablecounty.org

July 27, 2016

Sheila Vanderhoef
Town Administrator
2500 State Highway
Eastham, MA 02642

Dear Sheila Vanderhoef,

As you know the Barnstable Fire Training Academy has come under fire recently resulting from a Civil Action brought by Barnstable against the County pursuant to Mass. Gen. Law Chapter 21E alleging that actions by the County at the Academy have caused damages to the Mary Dunn Wells.

Chapter 21E is a strict liability statute that imposes liability, jointly and severally, upon any party who contributed to the generation of hazardous substances on the site, in this case affecting the wells, including the property owner, transporters and generators, and persons who otherwise caused the release of hazardous materials.

The unique nature of Chapter 21E therefore would implicate all Barnstable County towns that used foam at the Academy at any time, including the five Barnstable fire districts, Plymouth Power, Entergy and others. Ironically Barnstable County never used foam at the site. The County does have a fire response unit or department that would use foam.

Nonetheless we owe a professional duty to notify all of our fire departments and districts of the imminent potential for litigation and that each community may be enjoined in this litigation because of the legal obligations set forth in Chapter 21E.

The Academy always operated in compliance with regulatory standards. Barnstable's Board of Health inspected and permitted the Academy annually and regulatory permits were issued by DEP. The County recognizes the significant benefits that their annual appropriation provides to the fire service enhancing

public safety for all of our first responders and for all of our Barnstable County residents. Therefore we are resolved to and committed to a course of action that will continue this service for local communities while we simultaneously employ our best effort to remediate any threat to the wells whether related to the Academy or any other point source of contamination to insure that the Mary Dunn Wells are environmentally compliant.

It should be noted that Aqueous Film Forming Foam has been utilized on the site for approximately four decades, until prohibited by the County in 2007, and this chemical compounds continuous use has created the current dilemma. We are presently and have been undertaking over the last two fiscal years remedial actions and we are in the process of extracting all contaminated soils located in a hot spot, the localized catchment area with the highest level of PFOS, and disposing of those soils at a DEP approved location. We have also initiated a system that diverts ground flows away from the wells and returns the water to the Academy where it is cleaned on site.

We are working with DEP to manage clean up activities and we remain engaged with the Town with the hope of reaching a reasonable solution. We will continue to keep you advised as to the progress of those communications and the status of ongoing remediation. It remains our hope that further legal entanglements can be avoided and that we can continue to facilitate the public safety function that is so necessary to our Cape's fire service.

Sincerely,



Jack Yunits
County Administrator