

# AGENDA

Wednesday

April 19, 2017

**TOWN OF EASTHAM  
AGENDA  
BOARD OF SELECTMEN  
Wednesday, April 19, 2017  
3:00 p.m.**

*Location: Timothy Smith Room*

**I. MOTIONS FOR WARRANT**

Review Annual Town Meeting Motions

**II. LEGAL & AUDITING SERVICES**

**III. MINUTES**

March 20, 2017 – Regular Session

March 22, 2017 – Work Session

April 3, 2017 – Regular Session

**IV. EXECUTIVE SESSION**

- A. To discuss strategy with respect to the appeal of SCG Development Partners filed with Housing Appeals Committee when an open meeting may have a detrimental effect on the negotiating position of the public body and the Chair so declares
- B. To review, discuss and approve executive session meeting minutes for January 30, 2017 and February 22, 2017 when an open meeting may have a detrimental effect on the negotiating/litigating position of the public body and the Chair so declares
- C. To review executive minutes from 2013 to 2016 that were previously approved by the Board for release to public minute when an open meeting may have a detrimental effect on the negotiating/litigating position of the public body and the Chair so declares

**Upcoming Meetings**

<i>May 1, 2017</i>	<i>6:30p.m.</i>	<i>Nauset Regional High School</i>	<i>Pre Annual Town Meeting</i>
<i>May 1, 2017</i>	<i>7:00p.m.</i>	<i>Nauset Regional High School</i>	<i>Annual Town Meeting</i>
<i>May 3, 2017</i>	<i>3:00pm</i>	<i>Timothy Smith Room</i>	<i>Work Session</i>
<i>May 15, 2017</i>	<i>5:00p.m.</i>	<i>Earl Mountain Room</i>	<i>Regular Session</i>
<i>May 17, 2017</i>	<i>3:00p.m.</i>	<i>Timothy Smith Room</i>	<i>Work Session</i>

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



MAY 1,2017  
ATM MOTIONS

ARTICLE	MOTION	
1 MAJORITY	I move to raise and appropriate <b>\$1,700</b> for the Greenhead Fly Control as printed in the warrant.	
2 MAJORITY	I move to assume liability in the manner provided in Section 29 and 29A of Chapter 91 of the General Laws, as printed in the warrant	
3 MAJORITY	I move to accept the provisions of M.G.L Chapter 71, Section 16B which would reallocate the sum of member towns' funding obligation for the Nauset Regional School District as printed in the warrant.	
4 MAJORITY	I move to amend the General Bylaws, pursuant to the provisions of G.L Chapter 4, Section 53E ½, by inserting a new bylaw establishing various revolving funds, specifying the Departmental receipts to be credited to each fund, the purposes and programs for which each fund may be expended, and the entity authorized to expend each fund, as printed in the warrant.	
5 MAJORITY	I move to reauthorize the following revolving accounts, through the Town Accountant's office, in accordance with Massachusetts General Laws, Chapter 44 Section 53E 1/2 RECREATION BOTTLES AND CANS <b>\$10,000</b> HOME COMPOSTING BIN/RECYCLING <b>\$1,200</b> VEHICULAR FUEL SALES <b>\$35,000</b> COUNCIL ON AGING/LOWER CAPE ADULT DAY CENTER <b>\$12,500</b> as printed in the warrant.	
6 MAJORITY	I move that Article 6 be voted as printed in the warrant with the addition of the phrase "or take any action relative thereto".	
7 MAJORITY	I move to transfer from Free Cash <b>\$12,000</b> to the Visitors Service Board, as printed in the warrant	
8 MAJORITY	I move to transfer from Free Cash <b>\$16,000</b> to be given to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth, as printed in the warrant.	
9 MAJORITY	I move to transfer from free cash <b>\$50,000</b> to add to the OPEB Trust, for purposes as printed in the warrant.	
10 MAJORITY	I move to raise and appropriate <b>\$100,000</b> to the Stabilization Trust Fund.	
11 MAJORITY	I move to fix the salary and compensation of all elected officials of the Town as provided by Section 108, Chapter 41 of the General Laws as amended, and further to raise and appropriate <b>\$83,713</b> for the various positions as printed in the warrant.	
12 MAJORITY	I move to set the operating budget at <b>\$27,040,843</b> as printed in the warrant, and to meet this expenditure, to raise and appropriate and use estimated receipts totaling <b>\$26,550,873</b> ; and transfer from the ambulance receipts reserved account <b>\$372,570</b> to: <b>\$100,000</b> to Line 29 Fire Salaries; and <b>\$272,570</b> to Line 31 Fire Capital and transfer from the Septic Loan Betterment Account <b>\$20,400</b> to Line 66 Septic Betterment Loan; and transfer from the Windmill receipts reserved account <b>\$2,000</b> to Line 62 Beach & Recreation Expense; and transfer from the Government Media	

	Access Account <b>\$90,000</b> to Line 12 Data Processing salary; and transfer from the Waterway Improvement Account <b>\$5,000</b> to Line 18 Natural Resources Salary, and further transfer from Free Cash (dog receipts) an additional <b>\$2,500</b> to Line 60, Library Expense.	
13 4/5ths	I move to appropriate <b>\$931,000</b> and to meet this appropriation, to raise and appropriate <b>\$150,000</b> ; and transfer from Free Cash <b>\$635,000</b> and transfer from the Ambulance Receipts Reserved Account <b>\$146,000</b> , for the purposes of acquiring the items and undertaking the improvements as printed in the warrant.	
14 MAJORITY	I move in accordance with the requirements of the Town of Eastham Home Rule Charter Section 6-6A to accept the Capital Improvement Plan for FY19-FY23, as printed in the warrant.	
15 MAJORITY	I move that the Town vote to transfer from Free Cash, the sum of <b>\$150,000</b> to be apportioned as follows to the May 2016 Annual Town Meeting Article 12, <b>\$45,000</b> to Fire Salaries <b>\$20,000</b> to Data Processing Expense Account, <b>\$35,000</b> to Selectmen Administrative Salaries Account, <b>\$26,000</b> to Municipal Building Expense, <b>\$14,000</b> to Collections Expense, and <b>\$10,000</b> to the Consulting and Engineering Account.	
16 MAJORITY	I move Article 16 as printed in the warrant	
17 MAJORITY	I move Article 17 as printed in the warrant	
18 4/5ths	I move to transfer from free cash \$11,453.40 to pay an unpaid bill from FY2016.	
19 MAJORITY	I move Article 19 as printed in the warrant	
20 MAJORITY	I move Article 20 as printed in the warrant	
21 MAJORITY	I move to amend the Eastham Zoning Bylaw, Section IV- Flood Plain Zoning, Article III Use Regulations, by adding the new language as printed in the warrant.	
22 MAJORITY	I move to amend the Eastham Zoning Bylaw-Site Plan Approval Special Permit, Section XIII, subsection C; Section XIII, subsection F; and Residential Section XIV, subsection B; as printed in the warrant.	
23 MAJORITY	I move to amend the Eastham Zoning Bylaw, Section V- Uses District I; and Section V-Uses-Mixed Use Special Permit; and Section V-Uses Table of Principle Uses, as printed in the warrant.	
24 MAJORITY	I move Article 24 as printed in the warrant.	
25 MAJORITY	I move Article 25 as printed in the warrant.	
26 MAJORITY	I move Article 26 as printed in the warrant.	
27 MAJORITY	I move to authorize expanding the allowable use of the balance of previously allocated Community Preservation Funds in the amount of <b>\$359,016</b> to the Affordable Housing Trust to be used to fund additional affordable housing program options in addition to the Rental Subsidy Program, or to take any other action relative thereto.	

28 MAJORITY	I move to transfer <b>\$166,000</b> from the Community Preservation Affordable Housing Reserve and <b>\$134,000</b> from the Community Preservation Undesignated Fund Balance for a total of <b>\$300,000</b> to Pennrose Properties LLC for the purposes as printed in the warrant, or take any action relative thereto.	
29 MAJORITY	I move to transfer <b>\$11,500</b> from the Community Preservation Active Recreation Reserve to the Cape Cod Children's Place for purposes as printed in the warrant, or take any action relative thereto.	
30 MAJORITY	I move to transfer <b>\$100,000</b> from the Community Preservation Undesignated Fund Balance to Cape Cod Village, Inc. for purposes as printed in the warrant, or take any other action relative thereto.	
31 MAJORITY	I move that Article 31 be indefinitely postponed.	
32	I move Article 32 as printed in the warrant.	
33 MAJORITY	I move that the Town vote to approve the <b>\$1,300,000</b> borrowing authorized by the Nauset Regional School District, for the purpose of paying costs of a feasibility study for the Nauset Regional High School 100 Cable Road N. Eastham, MA 02651 including the payment of all costs incidental and related thereto (the "Study"), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA; and further this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 ½).	School Committee
34 MAJORITY		Petitioner
35 MAJORITY		Petitioner
36	I move that the Town vote to accept the published reports and that the 2017 Town Meeting be dissolved.	

Alternative/corrected motions

1 MAJORITY	<b>I move to approve Articles 1-10 as printed in the warrant,</b> and that the sum of \$1,700 be raised and appropriated for Article 1, that the sum of \$12,000 be transferred from free cash for Article 7 and that the sum of \$16,000 be transferred from free cash for Article 8, and that the sum of \$50,000 be transferred from free cash for Article 9, and that the sum of \$100,000 be raised and appropriated for Article 10.	