Minutes for the Annual Town Meeting held May 2, 2016

Pursuant to the provisions of the foregoing warrant, the voters assembled at the Nauset Regional High School Gymnasium to vote on the following articles with actions as noted. The Moderator called the meeting to order at 7:00 p.m. with a quorum of 204 voters present. The Town Clerk read the call of Town Meeting.

Articles 1 through 6. A motion was made and seconded by the Board of Selectmen to approve Articles 1-6 as printed in the warrant, and that the sum of $1,700 be raised and appropriated for Article 1, that the sum of $10,000 be transferred from free cash for Article 5 and that the sum of $16,000 be transferred from free cash for Article 6 so that the articles read as follows:

Article 1. To raise and appropriate **$1,700** for Greenhead Fly Control as authorized by G.L. C.252 §24, and authorize the Town Treasurer to pay said appropriation into the State Treasury.

Article 2. To assume liability in the manner provided by Sections 29 and 29A of Chapter 91 of the General Laws, as most recently amended for all damages that may be incurred by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshore and shores along a beach, in accordance with Section 11 of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth of Massachusetts.

Article 3. To accept the provisions of G. L. C.71, §16B, which would reallocate the sum of members towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called for fiscal year 2018.

Article 4. To reauthorize revolving funds, as listed below, for certain town departments under M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2016

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

Article 5. To transfer from Free Cash the sum of **$10,000** from Fiscal Year 16 Hotel Motel Excise Tax (free cash so called), in accordance with Annual Town Meeting Article 26, May 4, 1998, to the Eastham Promotions Fund to be expended by the Visitors Services Board on the following items: Landscaping, lighting, and holiday decorations and general improvement on Windmill Green $3,000, Flower Island support $500, and Summer concerts, $6,500.

Article 6. To transfer from Free Cash the sum of **$16,000** to be given to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth.

Passed – majority vote declared by Moderator
Count: 549 Yes 22 No

Article 7. A motion was made and seconded by the Board of Selectmen to transfer from free cash the sum of $70,000 to be combined with monies from Article 6, ATM May 5, 2014 and Article 19, May 4, 2015 for costs associated with the closure, decommissioning, demolition permitting and design under the Intermunicipal Agreement between the Towns of Orleans, Brewster and Eastham for the Construction, Management and Operation of a Septage Treatment Facility, and to solicit bids and/or proposals as necessary, and enter into a contract or contracts and expend said funds for this purpose.

Passed – majority vote declared by Moderator
Count: 540 Yes 29 No

Article 8. A motion was made and seconded by the Board of Selectmen to raise and appropriate the sum of $50,000 to add to the OPEB Trust, which is to be reserved for appropriation for the purpose of funding future post-employment benefits, other than pensions.

Passed – majority voice vote declared by Moderator

Article 9. A motion was made and seconded by the Board of Selectmen to transfer from May 2014 ATM Article 16, May 2014 available funds, the sum of **$20,000** for the purpose of conducting a classification study for positions within the Employee Association, and other union and non-union positions in the Town.

Passed – majority vote declared by Moderator
Count: 449 Yes 114 No

Article 10. A motion was made and seconded by the Board of Selectmen to transfer from Free Cash, the sum of $104,000 to be apportioned as follows to the May 2015 Annual Town Meeting Article 12, Line 46 Waste Collection and Disposal Expense, $74,000, Line 27 Fire Salaries $3,000, Line 28 Fire Expense $10,000, Line 14 Central Purchasing $12,000 and Line 71 Unemployment Expense $5,000 and further the Town vote to transfer $12,000 to Line 12 Data Processing Expense from Line 13 Data Processing Salary and transfer $6,5000 to Line 15 Town Clerk Salary from Line 8 Assessor's Salary.

Passed – majority voice vote declared by Moderator

Article 11. A motion was made and seconded by the Board of Selectmen 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 $81,664 for the following positions:

Moderator	$ 500
Town Clerk	$68,664
Selectmen (5) 2,500 each	$12,500
Total	**$81,664**

Passed – majority vote declared by Moderator
Count: 484 Yes 80 No

Article 12. A motion was made and seconded by the Board of Selectmen to set the operating budget at $25,641,738 as printed in the warrant, and to meet this expenditure, to raise and appropriate and use estimated receipts totaling $24,729,338; and transfer from the Ambulance Receipts Reserved account $300,000 to Line 28 Fire Salaries; and transfer from the Septic Loan Betterment Account $20,400 to Line 65 Septic Betterment Loan; and transfer from the Windmill Receipts Reserved account $1,000 to Line 60 Beach & Recreation Expense; and transfer from the Government Media Access Account $111,000 to Line 11 Data Processing salary; and transfer from the Solar Income Account, the sum of $80,000 to Line 23 Energy and Fuels Expense; and transfer from Free Cash $400,000 to Line 37; and further transfer from Free Cash (dog receipts) an additional $2,500 to line 59, Library Expense.

Passed – majority vote declared by Moderator
Count: 523 Yes 51 No

Article 13. A motion was made and seconded by the Board of Selectmen to appropriate $622,500, and to meet this appropriation, to raise and appropriate $70,000; and transfer from Free Cash $421,500 and transfer from the Ambulance Receipts Reserved Account $116,000, and transfer from the Government media Access Account $15,000, for the purposes of acquiring the items and undertaking the improvements as printed in the warrant.

Passed – majority vote declared by Moderator
Count: 528 Yes 38 No

Article 14. A motion was made and seconded by the Board of Selectmen in accordance with the requirements of the Town of Eastham Home Rule Charter Section 6-6A to accept the Capital Improvement Plan for FY18-FY22, as printed in the warrant.

A motion was made and seconded to amend Article 14 by removing item 142.

Motion to amend failed to pass required 2/3rds vote declared by Moderator
Count: 134 Yes 451 No

Main motion passed - declared majority by Moderator
Count: 536 Yes 43 No

Article 15. A motion was made and seconded by the Board of Selectmen to authorize the Board of Selectmen to petition the Great and General Court to approve a Home Rule Petition generally stated as follows, provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF EASTHAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1: Chapter C9-5N of the charter of the Town of Eastham, which is on file in the office of the archivist of the commonwealth as provided in Section 12 of chapter 43B of the General Laws, is hereby amended by changing in the last sentence the word "three" to "five", so that the sentence reads:-

"The Capital Projects committee shall consist of five **(5)** voting members and other nonvoting members, as follows";

Section 2: Chapter C9-5N is further amended by adding in subsection (1) the words "and two at-large members", so that the subsection reads:

(1) A Selectman and two at-large members, to be appointed by the Board of Selectmen (voting members).

Passed – majority voice vote declared by Moderator

Article 16. A motion was made and seconded by the Board of Selectmen to amend the Town of Eastham Zoning Bylaw Section II – Zoning Districts by adding a new Overlay District entitled "Groundwater Protection Overlay District" by adding the following text:

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

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

DISTRICT J: GROUNDWATER PROTECTION OVERLAY DISTRICT:

SECTION 1: INTRODUCTION AND PURPOSE OF DISTRICT
1.1. The Groundwater Protection District is an overlay district superimposed on the zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities and uses in a portion of one of the underlying zoning districts that fall within the Groundwater Protection District must additionally comply with the requirements of this Bylaw. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.

1.2. The purpose of this Groundwater Protection District is to:
a. promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the Town of Eastham;
b. preserve and protect existing and potential sources of drinking water;
c. conserve natural resources in the Town of Eastham; and
d. prevent temporary and permanent contamination of the environment.

SECTION 2: DEFINITIONS

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

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

CMR: Code of Massachusetts Regulations.

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

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

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

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

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

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

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

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

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

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

MassDEP: Massachusetts Department of Environmental Protection.

G.L.: Massachusetts General Law.

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

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

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

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

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

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

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

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

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

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

Zone I: The protective radius around a public water supply well or well field that must be owned by the water supplier, or controlled through recorded conservation restriction. In most cases, it is a four hundred (400) foot radius around the well (less for wells pumping less than one hundred thousand (100,000) gallons per day (gpd)).
Zone II: The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.00. The area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180

days of pumping at safe yield with no recharge from precipitation), as defined by 310 CMR 22.00 and as approved by the Massachusetts Department of Environmental Protection (DEP).

SECTION 3: ESTABLISHMENT AND DELINEATION OF GROUNDWATER PROTECTION DISTRICT

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

SECTION 4: SPECIAL PERMIT

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

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

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

SECTION 5: PERMITTED USES

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

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

SECTION 6: PROHIBITED USES

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

a. landfills and open dumps;

b. automobile graveyards and junkyards;

c. facilities that generate, treat, store, or dispose of hazardous waste that are subject to G.L. c.21C and 310 CMR 30.000, except for:

1. very small quantity generators as defined under 310 CMR 30.000;
2. household hazardous waste centers and events under 310 CMR 30.390;
3. waste oil retention facilities required by G.L. c. 21, s.52A;
4. water remediation treatment works approved by MassDEP for the treatment of contaminated waters.

d. petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under North American Industry Classification System (NAICS) Codes 424710 and 454311, except for liquefied petroleum gas.

e. storage of liquid hazardous materials and/or liquid petroleum products unless such storage is above ground level and on an impervious surface and either:

1. in container(s) or above ground tank(s) within a building; or
2. outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either; 10% of the total possible storage capacity of all containers or 110% of the largest container's storage capacity, whichever is greater. However, these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline provided the replacement is performed in a manner consistent with state and local requirements;

f. storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31;

g. storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;

h. storage of animal manure unless contained within a structure designed to prevent the generation and escape of contaminated runoff or leachate;

i. storage of commercial fertilizers unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;

j. stockpiling and disposal of snow and ice containing deicing chemicals brought in from outside the Groundwater Protection District;

k. earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material to within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, utility works or wetland restoration work conducted in accordance with a valid Order of Condition issued pursuant to G.L. c. 131, s.40; and

l. treatment or disposal works subject to 314 CMR 5.00, for non-sanitary wastewater, including those activities listed under 310 CMR 15.004(6), except for:

1. treatment works approved by MassDEP designed for the treatment of contaminated ground or surface water and operating in compliance with 314 CMR 5.05(3) or 5.05(13); and
2. publicly owned treatment works.

m. The use, generation, storage, treatment, or disposal of toxic or hazardous materials or wastes, including but not limited to: pesticides, herbicides, fungicides, rodenticides, nitrate fertilizers in quantities greater than those associated with normal household use or as regulated in the underlying zoning district.

n. rendering impervious any lot or parcel more than 15% or 2,500 square feet, whichever is greater; unless artificial recharge, that will not degrade water quality, is provided using methods demonstrated to

be capable of removing contaminants from storm water and which are consistent with methods described in MassDEP Stormwater Handbook, Vol. I, II and III, as amended.

SECTION 7: ENFORCEMENT

7.1. Written notice of any violations of this Bylaw shall be given by the Building Commissioner to the responsible person as soon as possible after detection of a violation or a continuing violation. Notice to the assessed owner of the property shall be deemed notice to the responsible person. Such notice shall specify the requirement or restriction violated and the nature of the violation, and may identify the actions necessary to remove or remedy the violations and preventive measures required for avoiding future violations and a schedule of compliance.

7.2. A copy of such notice shall be submitted to the Town of Eastham Water Commissioners, the Eastham Board of Health and the Eastham Planning Board. The cost of containment, clean up, or other action of compliance shall be borne by the owner/operator of the premises.

7.3. A person aggrieved by a notice of violation may appeal said notice to the Eastham Zoning Board of Appeals. All appeals shall be brought within thirty (30) days from the date of the notice which is being appealed.

SECTION 8: SEVERABILITY

8.1. If any provision of this Bylaw is held invalid by a court of competent jurisdiction, the remainder of the Bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this Bylaw shall not affect the validity of the remainder of this Bylaw.

Passed required 2/3rds majority vote declared by Moderator
Count: 539 Yes 41 No

Article 17. A motion was made and seconded by the Board of Selectmen to transfer from the Debt Account the sum of **$348,461.66** and transfer from free cash **$41,538.34** to the FY 16 Interest on Long Term Debt Account.

Passed – majority vote declared by Moderator
Count: 541 Yes 27 No

Article 18. A motion was made and seconded by the Board of Selectmen to accept G.L. c39, Section 23D to authorize a member of a town board who has been absent from no more than a single session of a hearing at which testimony is heard or received, to participate in the remaining hearing sessions, provided said member shall examine all evidence received at the missed session, and certify such examination in writing in compliance with subsection (a) of said statute.

Passed – majority voice vote declared by Moderator

Article 19. A motion was made and seconded by the Board of Selectmen to transfer from the FY2017 Estimated Community Preservation revenues the following amounts: Open Space Reserve $75,754; Historical Reserve $75,754; Affordable Housing $75,754; and $75,754 Active Recreation Reserve, and $454,527 to the FY17 Community Preservation Budgeted Reserve for Appropriation for a total of $757,543.

Passed – majority vote declared by Moderator
Count: 509 Yes 55 No

Article 20. A motion was made and seconded by the Board of Selectmen to transfer from the Community Preservation Undesignated Fund Balance $37,877 to an Administrative Expense Account for the purposes of administrative expenses.

Passed – majority voice vote declared by Moderator

Article 21. A motion was made and seconded by the Board of Selectmen to extend Article 27 of the 2013 Annual Town Meeting until May 31, 2017.

Passed – majority voice vote declared by Moderator

Article 22. A motion was made and seconded by the Board of Selectmen to transfer from the Community Preservation Fund Historic Reserve total sum of $207,000, as a grant to the Nauset Fellowship, under such terms and conditions as the Selectmen may request, for purposes as printed in the warrant; and further to authorize the Board of Selectmen to acquire an historic preservation restriction on the property.

Passed – majority vote declared by Moderator
Count: 552 Yes 32 No

Article 23. A motion was made and seconded by the Board of Selectmen to transfer $151,400 from the Community Preservation Active Recreation Reserve and $348,600 from the Undesignated Fund Balance for expenditure under the direction of the Board of Selectmen for the construction of new recreational facilities or the repair of existing recreational facilities located at the Field of Dreams (rear of Town Hall).

Passed – majority vote declared by Moderator
Count: 498 Yes 78 No

Article 24. A motion was made and seconded by the Board of Selectmen to transfer the sum of $12,000 from the Community Preservation Affordable Housing Fund Reserves, as a grant, to the Affordable Housing Trust for securing staff assistance; under such terms and conditions which the Board of Selectmen may require.

Passed – majority vote declared by Moderator
Count: 497 Yes 77 No

Article 25. A motion was made and seconded by the Board of Selectmen to transfer from the Community Preservation Undesignated Fund Balance, the sum of $8,500 for expenditure under the direction of the Board of Selectmen for the construction of a new shade shelter at Wiley Park.

Passed – majority voice vote declared by Moderator

Article 26. A motion was made and seconded by the Board of Selectmen to transfer the sum of $428,500 from the Community Preservation Undesignated Fund Balance for the purpose of paying debt payments for the following land acquisitions; Dyer Prince (Harris) Land Purchase **$350,000** and the Aschettino Land Purchase **$78,500.**

Passed – unanimous voice vote declared by Moderator

Article 27. A motion was made and seconded by the Board of Selectmen to accept as a public way, the layout of Hay Road from Governor Prence to Bridge Road as printed in the warrant; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement in said road to use for all purposes for which public ways are used in the Town of Eastham and all related easements thereto.

Motion to call the question passed required 2/3rds vote as declared by Moderator
Count: 502 Yes 80 No

Main motion passed required 2/3rds vote declared by Moderator
Count: 463 Yes 119 No

Article 28. A motion was made and seconded by the Board of Selectmen to indefinitely postpone Article 28.

Passed – majority voice vote declared by Moderator

Article 29. A motion was made and seconded by the Board of Selectmen to amend the Town of Eastham Code, Part 1, The Bylaws, Chapter 49, and Section 4 Paragraph by deleting in its entirety and replacing it with the following:

A. In the event of a vacancy or vacancies occurring on the Finance Committee, the original appointing authority for that member shall be notified and the original appointing authority shall appoint a new member to complete the remainder of the term.

Passed – majority voice vote declared by Moderator

Article 30. A motion was made and seconded by the Board of Selectmen to authorize the Board of Selectmen to enter into a 99-year ground lease to assist in the development of affordable rental housing on Town owned land for two adjacent parcels of land (formerly owned by Purcell) consisting of a total of 11.2 acres more or less, and as shown on Eastham Assessor's Map 8, Parcel 147 and 147A, on such terms and conditions as the Board of Selectmen deem appropriate.

Passed – majority vote declared by Moderator
Count: 456 Yes 85 No

Article 31. Petitioner Scott Kerry made a motion, which was seconded, to vote to authorize the Board of Selectmen to acquire by gift, purchase, grant, and/or eminent domain, pursuant to M.G.L. c.79, a parcel of land located at 4790 State Highway and shown on Assessors Map 05, Parcel 124, and as more particularly identified in deeds recorded in the Barnstable County Registry of Deeds in Book 27046, Page 73, for general municipal purposes, including, but not limited to public housing, recreation, open space, economic development, and under such terms and conditions agreeable to the Selectmen; and that the sum of $1,400,000 be appropriated for such acquisition; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow $1,400,000 and to issue bonds and notes therefore; provided that said appropriation is contingent on the passage of a Proposition 2 ½ debt exclusion vote.

Motion to call the question passed required 2/3rds vote as declared by Moderator
Count: 486 Yes 57 No

Main motion failed required 2/3rds vote as declared by Moderator
Count: 321 Yes 228 No

Article 32. Petitioner Tom Johnson made a motion, which was seconded, to amend Section 100 of the Town of Eastham ByLaws to add a new Article III – Each Town Employee, elected official and appointed board member shall be provided an email account within the town electronic mail system and said account will be used for all official correspondence of the town.

Passed – majority voice vote declared by Moderator

Article 33. Petitioner Tom Johnson made a motion to indefinitely postpone Article 33.

Passed – majority voice vote declared by Moderator

Article 34. A motion was made and seconded by the Board of Selectmen to accept the published reports of the town officers as printed and made available to the public in the 2015 Town of Eastham Annual Report, and to hear any unpublished reports of committees and to do or act on anything which may legally come before this meeting.

Passed – unanimous voice vote declared by Moderator

There were 606 voters present at the close of Town Meeting out of a possible 4085. This was the second time electronic voting was implemented. There being no further action of Town Meeting, the Selectmen moved and seconded a motion to dissolve Town Meeting at 9:35 p.m. The Moderator declared Town Meeting dissolved after a unanimous vote by voters.

A True Copy Attest:

Susanne Fischer
Town Clerk