

SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

TOWN OF EASTHAM

SPECIAL TOWN MEETING WARRANT

AND

FINANCE COMMITTEE RECOMMENDATIONS

10:00 A.M.

June 22, 2013

NAUSET REGIONAL HIGH SCHOOL GYMNASIUM

**FOR COPIES OF THIS WARRANT IN LARGER PRINT
OR ON TAPE, PLEASE CALL 508 240-5900.**

**Also available on the town website
www.eastham-ma.gov**

Please bring this warrant to Town Meeting

SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

TOWN OF EASTHAM SPECIAL TOWN MEETING WARRANT

Commonwealth of Massachusetts
Barnstable, ss. ~

To: The Constable of the Town of Eastham
in the County of Barnstable

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town affairs to meet at the Nauset Regional High School Gymnasium, Saturday, June Twenty-second, Two Thousand and Thirteen, at ten o'clock in the morning, then and there to act on the following articles in this Warrant

ARTICLE 1

To see if the Town will vote to establish a town-wide water supply and water distributing system pursuant to Section 39A of Chapter 40 of the General Laws; and

to appropriate the sum of **\$114,800,000** for establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land or easements for the water system or for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and engineering and other costs incidental thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$114,800,000 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; and

that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and

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provided further that, pursuant to G.L. c.40, Section 39A, the Board of Selectmen is hereby authorized to act as Water Commissioners and to exercise all of the powers of Water Commissioners pursuant to General Laws Chapter 41, Section 69A; and

provided further that the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; and

provided further, to authorize the Selectmen to petition the General Court to enact legislation as may be needed to permit the Town to assess privilege fees, establish a water enterprise fund and such other duties as are normally assigned to Water Commissioners, and further provided that the General Court may make any clerical or editorial changes of form only to the bill submitted by the Selectmen, and such other amendments to the bill submitted, as the Selectmen may approve before enactment by the General Court, and to authorize the Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition; or take any action relative thereto.

By Board of Selectmen

Summary:

This article will authorize the development and installation of a town wide municipal water system. The system will be installed in six (6) phases focusing first on the main corridor along Route 6, and the service area east of the capped landfill. Subsequent phases are expected to begin at two-year intervals with the final install completed within twelve years of the project start. Contractors chosen via Massachusetts General Laws, Chapter 30B, Chapter 149, and Chapter 30, 39M would install the system. A private operator chosen using the state procurement laws mentioned above would operate the system. No betterments are authorized by this article. The system would include a "gate valve" at each lot to facilitate connection. All roads would be serviced including public and private roads, and fire hydrants would be provided along all water service lines. The system would be financed via taxes for the installation, and the water fees are expected to cover operating costs and provide for the establishment of a capital reserve. The water fees could be segregated into an enterprise fund, and used to support contracted personnel, equipment, water delivery activities, and maintenance costs of the system. All system connections onto private lots would be privately contracted by the property owner and the install would comply with existing state codes for plumbing and electrical installations. No one would be required to connect to the municipal water system, but it would be available to each lot in Eastham.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 6-2

(2/3rds Majority vote required)

SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

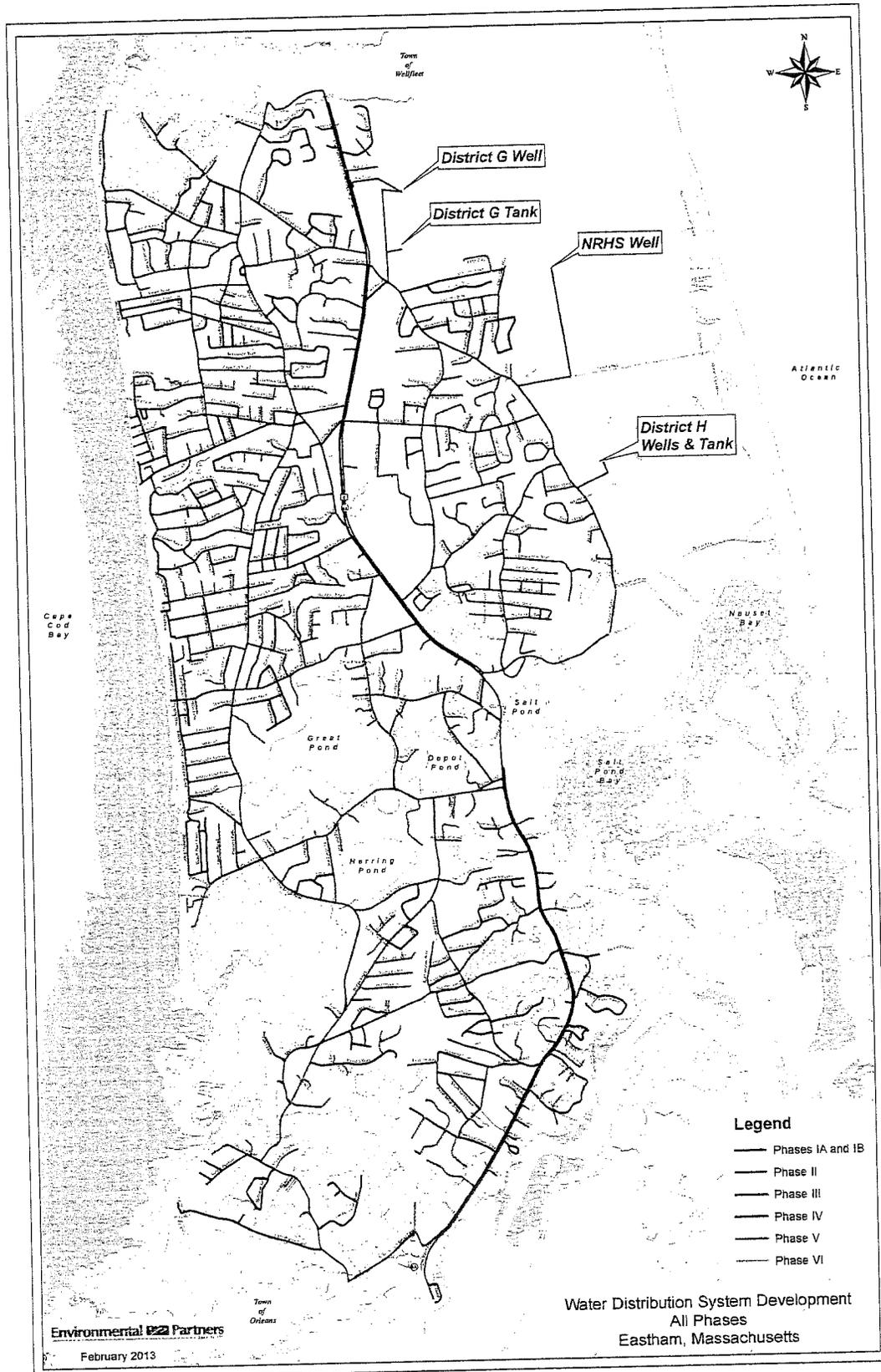
**ARTICLE 1
FULL TOWN SYSTEM**

SUMMARY WATER BORROWING AT 2% PAYBACK TERM TWENTY YEARS

FY	2016	2018	2020	2022	2024	2026	Totals	PER THOUSAND	400K/HSE
	Borrowing	Borrowing	Borrowing	Borrowing	Borrowing	Borrowing			
2015							\$ -	\$0.99	\$396.98
2016	2,856,000.00						\$ 2,856,000	\$0.97	\$389.36
2017	2,815,200.00						\$ 2,815,200	\$1.33	\$531.13
2018	2,774,400.00	\$ 1,085,000					\$ 3,859,400	\$1.30	\$520.77
2019	2,733,600.00	\$ 1,069,500					\$ 3,803,100	\$1.75	\$700.31
2020	2,692,800.00	\$ 1,054,000	\$ 1,393,000				\$ 5,139,800	\$1.71	\$683.10
2021	2,652,000.00	\$ 1,038,500	\$ 1,373,100	\$ 1,141,000			\$ 5,063,600	\$2.05	\$818.56
2022	2,611,200.00	\$ 1,023,000	\$ 1,353,200	\$ 1,124,700			\$ 6,128,400	\$2.00	\$798.22
2023	2,570,400.00	\$ 1,007,500	\$ 1,333,300				\$ 6,035,900	\$2.36	\$945.02
2024	2,529,600.00	\$ 992,000	\$ 1,313,400	\$ 1,108,400	\$ 1,274,000		\$ 7,106,700	\$2.31	\$925.90
2025	2,488,800.00	\$ 976,500	\$ 1,293,500	\$ 1,092,100	\$ 1,255,800		\$ 7,283,000	\$2.35	\$939.47
2026	2,448,000.00	\$ 961,000	\$ 1,273,600	\$ 1,075,800	\$ 1,237,600	\$ 287,000	\$ 7,283,000	\$2.30	\$920.06
2027	2,407,200.00	\$ 945,500	\$ 1,253,700	\$ 1,059,500	\$ 1,219,400	\$ 282,900	\$ 7,168,200	\$2.24	\$896.36
2028	2,366,400.00	\$ 930,000	\$ 1,233,800	\$ 1,043,200	\$ 1,201,200	\$ 278,800	\$ 7,053,400	\$2.18	\$873.04
2029	2,325,600.00	\$ 914,500	\$ 1,213,900	\$ 1,026,900	\$ 1,183,000	\$ 274,700	\$ 6,938,600	\$2.13	\$850.10
2030	2,284,800.00	\$ 899,000	\$ 1,194,000	\$ 1,010,600	\$ 1,164,800	\$ 270,600	\$ 6,823,800	\$2.07	\$827.52
2031	2,244,000.00	\$ 883,500	\$ 1,174,100	\$ 994,300	\$ 1,146,600	\$ 266,500	\$ 6,709,000	\$2.01	\$805.31
2032	2,203,200.00	\$ 868,000	\$ 1,154,200	\$ 978,000	\$ 1,128,400	\$ 262,400	\$ 6,594,200	\$1.97	\$787.35
2033	2,162,400.00	\$ 852,500	\$ 1,134,300	\$ 961,700	\$ 1,110,200	\$ 258,300	\$ 6,479,400	\$1.91	\$765.74
2034	2,121,600.00	\$ 837,000	\$ 1,114,400	\$ 945,400	\$ 1,092,000	\$ 254,200	\$ 6,364,600	\$1.87	\$748.19
2035	2,080,800.00	\$ 821,500	\$ 1,094,500	\$ 929,100	\$ 1,073,800	\$ 250,100	\$ 6,249,800	\$1.21	\$485.38
2036		\$ 806,000	\$ 1,074,600	\$ 912,800	\$ 1,055,600	\$ 246,000	\$ 4,095,000	\$1.19	\$474.23
2037		\$ 790,500	\$ 1,054,700	\$ 896,500	\$ 1,037,400	\$ 241,900	\$ 4,021,000	\$0.93	\$370.40
2038			\$ 1,034,800	\$ 880,200	\$ 1,019,200	\$ 237,800	\$ 3,172,000	\$0.90	\$361.76
2039			\$ 1,014,900	\$ 863,900	\$ 1,001,000	\$ 233,700	\$ 3,113,500	\$0.59	\$236.98
2040				\$ 847,600	\$ 982,800	\$ 229,600	\$ 2,060,000	\$0.58	\$231.39
2041				\$ 831,300	\$ 964,600	\$ 225,500	\$ 2,021,400	\$0.33	\$132.35
2042					\$ 946,400	\$ 221,400	\$ 1,167,800	\$0.32	\$129.18
2043					\$ 928,200	\$ 217,300	\$ 1,145,500	\$0.06	\$23.80
2044						\$ 213,200	\$ 213,200	\$0.06	\$23.23
2045						\$ 209,100	\$ 209,100	\$0.06	\$23.23
						TOTAL	\$ 138,908,000		\$17,591.23
								annual avg	\$586.37
								daily avg	\$1.61

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ARTICLE 1 – FULL SYSTEM MAP



SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

ARTICLE 2

To see if the Town will vote to establish a limited municipal water supply and water distributing system pursuant to Section 39A of Chapter 40 of the General Laws; and

to appropriate the sum of **\$40.8 million** for establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land or easements for the water system or for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and engineering and other costs incidental thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$40.8 million and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; and

that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and

provided further that, pursuant to G.L. c.40, Section 39A, the Board of Selectmen is hereby authorized to act as Water Commissioners and to exercise all of the powers of Water Commissioners pursuant to General Laws Chapter 41, Section 69A; and

provided further that the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; and

provided further, to authorize the Selectmen to petition the General Court to enact legislation as may be needed to permit the Town to assess privilege fees, establish a water enterprise fund and such other duties as are normally assigned to Water Commissioners, and further provided that the General Court may make any clerical or editorial changes of form only to the bill submitted by the Selectmen, and such other amendments to the bill submitted, as the Selectmen may approve before enactment by the General Court, and to authorize the Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition; or take any action relative thereto.

By Board of Selectmen

SUMMARY:

This Article will provide a system that includes all the basic elements to allow for expansion to all parts of town in the future. It includes the "backbone" of the system including all the well permits, a single water tower (two will be needed at system build out), hydrants, and service connections along all the ways shown on the map. This plan will provide service to the affected areas within the landfill study area as soon as possible.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 6-2

(2/3rds Majority vote required)

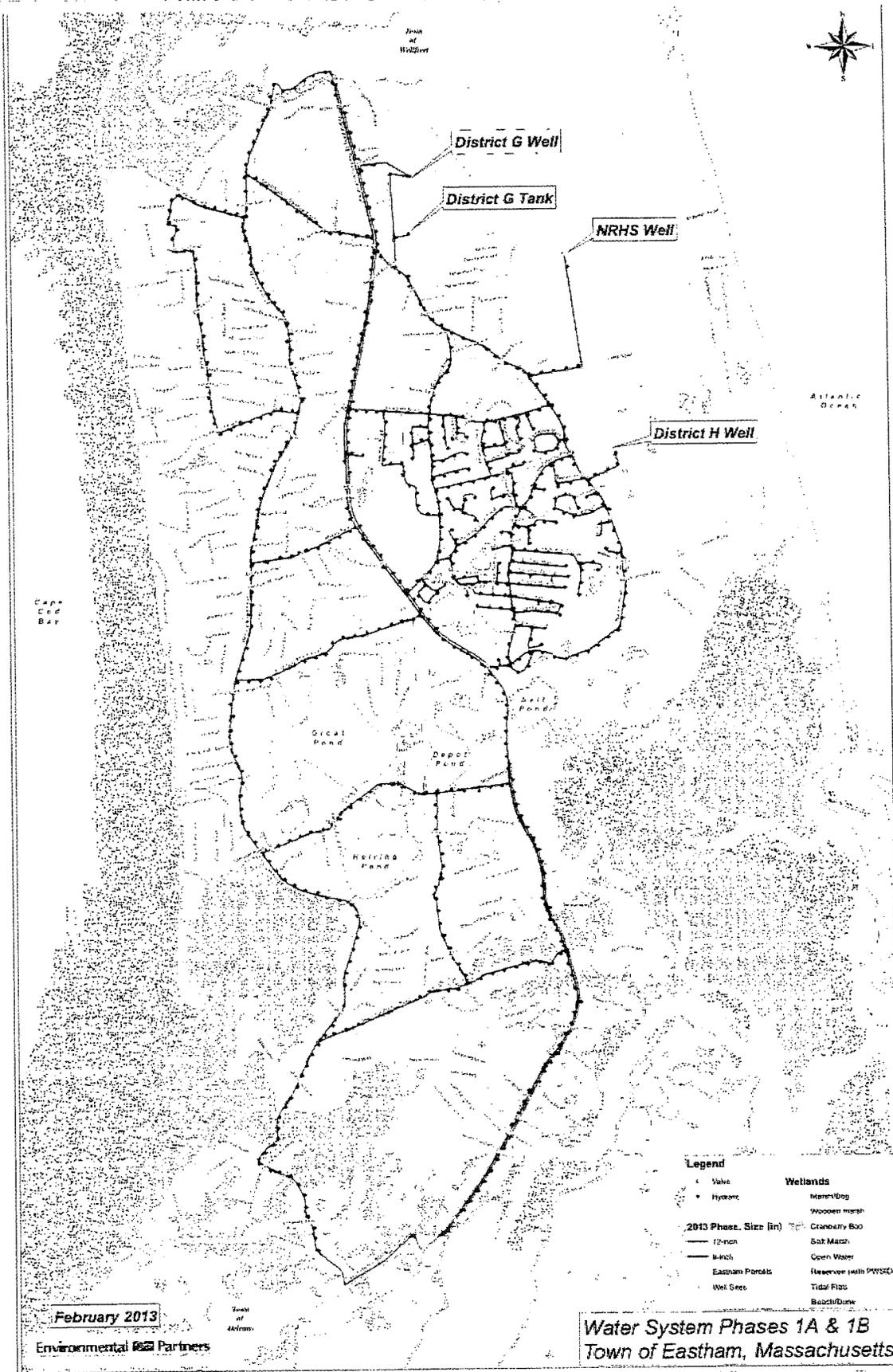
SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

**ARTICLE 2 – DEBT SCHEDULE
ENHANCED PHASE 1 - BACKBONE AND LANDFILL AREA SERVICE**

**ESTIMATE OF ANNUAL COST OF DEBT FOR TWENTY YEAR BORROWING
ENHANCED PHASE ONE MUNICIPAL WATER**

FISCAL YEAR	PRINCIPAL	INTEREST	GROSS	TAX IMPACT PER \$1,000	COST \$400,000 HOUSE
16	\$2,040,000.00	\$816,000.00	\$2,856,000.00	\$0.99	\$396.98
17	\$2,040,000.00	\$775,200.00	\$2,815,200.00	\$0.97	\$389.36
18	\$2,040,000.00	\$734,400.00	\$2,774,400.00	\$0.95	\$378.04
19	\$2,040,000.00	\$693,600.00	\$2,733,600.00	\$0.92	\$368.79
20	\$2,040,000.00	\$652,800.00	\$2,692,800.00	\$0.90	\$359.69
21	\$2,040,000.00	\$612,000.00	\$2,652,000.00	\$0.88	\$350.73
22	\$2,040,000.00	\$571,200.00	\$2,611,200.00	\$0.85	\$341.92
23	\$2,040,000.00	\$530,400.00	\$2,570,400.00	\$0.83	\$333.24
24	\$2,040,000.00	\$489,600.00	\$2,529,600.00	\$0.81	\$324.71
25	\$2,040,000.00	\$448,800.00	\$2,488,800.00	\$0.79	\$316.31
26	\$2,040,000.00	\$408,000.00	\$2,448,000.00	\$0.77	\$308.04
27	\$2,040,000.00	\$367,200.00	\$2,407,200.00	\$0.75	\$299.91
28	\$2,040,000.00	\$326,400.00	\$2,366,400.00	\$0.73	\$291.91
29	\$2,040,000.00	\$285,600.00	\$2,325,600.00	\$0.71	\$284.03
30	\$2,040,000.00	\$244,800.00	\$2,284,800.00	\$0.69	\$276.29
31	\$2,040,000.00	\$204,000.00	\$2,244,000.00	\$0.67	\$268.67
32	\$2,040,000.00	\$163,200.00	\$2,203,200.00	\$0.65	\$261.17
33	\$2,040,000.00	\$122,400.00	\$2,162,400.00	\$0.63	\$253.80
34	\$2,040,000.00	\$81,600.00	\$2,121,600.00	\$0.62	\$246.54
35	\$2,040,000.00	\$40,800.00	\$2,080,800.00	\$0.60	\$239.41
TOTAL LOAN AMOUNT					\$6,289.52
INTEREST RATE					2.00%

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February 2013
 Environmental Partners

Water System Phases 1A & 1B
 Town of Eastham, Massachusetts

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ARTICLE 3

To see if the Town will vote to transfer from free cash so called the sum of **\$158,746** to cover various expenses related to operations of town departments; or take any action relative thereto.

By Board of Selectmen

Summary:

This article will transfer funds from free cash to cover actual and anticipated shortfall in FY12 appropriations created in large part by the cost of the annual and special town meetings. Included in those costs is the rental of equipment such as chairs, use of consultants for audio and hearing impaired assistance, printing of warrants, and town clerk staff to provide registration assistance prior to and at the Special Town Meeting and the deficit for expenses related to the special town meeting of (\$14,166). Additionally there is insufficient appropriations to continue the testing and reporting as DEP will require for three additional quarterly testing rounds anticipated in FY14. The anticipated cost of that work is \$60,000 per quarter or \$120,000. We are anticipating a FEMA reimbursement for storm damage of (\$24,580) but after the fiscal year ends.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 6-2

(Majority vote required)

ARTICLE 4

To see if the Town will vote to establish a water supply and distribution system pursuant to Section 39A of Chapter 40 of the General Laws in a portion of said Town;

and to appropriate the sum of **\$5,800,000.00** for establishing the system for the Town, including the construction and development of public wells TPW-2B and TPW-3C (so-called) in water protection Zone H as shown on the Zoning Map, the construction of one water tower, the construction of a building for water treatment and pumping stations, the purchase and installations of water meters, fire hydrants and other water department equipment and including the design and engineering of said system and other costs incidental thereto and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

providing for the laying and relaying of water mains from said wells to Nauset Road and crossing the same to lay a 12 inch water main on Schoolhouse Road with fire hydrants approximately every 500 feet and an 8 inch water main with fire hydrants approximately every 500 feet on the following public and private roads:

Old Orchard Road from Starlight Lane to Glacier Hills Road, Starlight Lane, Sharon Circle, Meetinghouse Road, Meetinghouse Road Rear, Whydah Lane, Eldia Way, Alston Avenue, Alston Court, Moll's Pond Road, Knowles Street, Chipman Street, Fairview Avenue, Piper Lane, Duck March Lane, Selah Circle

that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$5,800,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; and provided however, that this \$5,800,000.00 appropriation shall be contingent upon the passage of a debt exclusion under General Law Chapter 59, Section 21C (Proposition 2 1/2, so-called); and

that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Water Pollution Abatement Trust establish pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

providing further the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and

providing further that, pursuant to General Laws Chapter 40, Section 39A, that a Board of Water Commissioners is

SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

hereby established and said Board is to exercise all the powers of water commissioners pursuant to General Laws Chapter 41 Section 69A; and providing that the Board of Water Commissioners shall have 3 members to be elected at the 2014 Annual Town Meeting; and

the Board of Selectmen are hereby authorized to act as water commissioners until said 2014 Town Meeting; and

provided further that the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowners/occupants.

By Petition

Summary: This article establishes a Public Water System for the Town of Eastham and provides relief for the residents and non-residents who live in the area designated by the town consultant, Bennett Associates, as being in the plume of the former Eastham Dump. The construction costs are from data supplied by Environmental Partners Group and actual construction contracts undertaken by the Town of Wellfleet in 2010 with a 20% contingency and inflation adjustment. The article also establishes an elected Water Commission who would be responsible for the operation and expansion of the system.

BOARD OF SELECTMEN RECOMMENDATION: 0-5

FINANCE COMMITTEE: RECOMMENDATION: 2-6

(2/3rds Majority vote required)

(Note: The Town of Eastham consultants mentioned above are contractors to the town and did not contribute to the development or evaluate this article for engineering or cost accuracy, ability to be permitted, or built.)

ARTICLE 4 – DEBT SCHEDULE

PETITION 5.8M LANDFILL WATER SYSTEM

ESTIMATE OF ANNUAL COST OF DEBT FOR TWENTY YEAR BORROWING ENHANCED PHASE ONE MUNICIPAL WATER

FISCAL		PRINCIPAL	INTEREST	GROSS	TAX	COST
YEAR	YEAR				IMPACT PER \$1,000	\$400,000 HOUSE
16	1	\$290,000.00	\$116,000.00	\$406,000.00	\$0.14	\$56.43
17	2	\$290,000.00	\$110,200.00	\$400,200.00	\$0.14	\$55.08
18	3	\$290,000.00	\$104,400.00	\$394,400.00	\$0.13	\$53.74
19	4	\$290,000.00	\$98,600.00	\$388,600.00	\$0.13	\$52.43
20	5	\$290,000.00	\$92,800.00	\$382,800.00	\$0.13	\$51.13
21	6	\$290,000.00	\$87,000.00	\$377,000.00	\$0.12	\$49.86
22	7	\$290,000.00	\$81,200.00	\$371,200.00	\$0.12	\$48.61
23	8	\$290,000.00	\$75,400.00	\$365,400.00	\$0.12	\$47.37
24	9	\$290,000.00	\$69,600.00	\$359,600.00	\$0.12	\$46.16
25	10	\$290,000.00	\$63,800.00	\$353,800.00	\$0.11	\$44.97
26	11	\$290,000.00	\$58,000.00	\$348,000.00	\$0.11	\$43.79
27	12	\$290,000.00	\$52,200.00	\$342,200.00	\$0.11	\$42.63
28	13	\$290,000.00	\$46,400.00	\$336,400.00	\$0.10	\$41.50
29	14	\$290,000.00	\$40,600.00	\$330,600.00	\$0.10	\$40.38
30	15	\$290,000.00	\$34,800.00	\$324,800.00	\$0.10	\$39.28
31	16	\$290,000.00	\$29,000.00	\$319,000.00	\$0.10	\$38.19
32	17	\$290,000.00	\$23,200.00	\$313,200.00	\$0.09	\$37.13
33	18	\$290,000.00	\$17,400.00	\$307,400.00	\$0.09	\$36.08
34	19	\$290,000.00	\$11,600.00	\$301,600.00	\$0.09	\$35.05
35	20	\$290,000.00	\$5,800.00	\$295,800.00	\$0.09	\$34.03
		\$5,800,000.00	\$1,218,000.00	\$7,018,000.00		\$893.82
		TOTAL LOAN AMOUNT		\$5,800,000.00		
		INTEREST RATE		2.00%		

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ARTICLE 5

To see if the town will maintain and plow Hoffman Lane (to which many homes in the area have deeded rights of access) in the same manner as they had for over forty years, or take any action relative thereto.

By Petition

BOARD OF SELECTMEN RECOMMENDATION: 0-5

FINANCE COMMITTEE: RECOMMENDATION: 7-1

(Resolution/Majority vote required)

(Note: This article proposes actions that the town is not presently allowed to take, due to restrictions of State law on appropriating funds for either maintenance or plowing of private roads. Maintenance of private roads is governed by G. L. c. 40 §6N, which requires that the Town first adopt a bylaw which meets eight separate standards set out in that statute. Plowing of private roads is governed by G. L. c.40, §6C and 6D. The Town must accept §6C in a two-step process: 1) 200 voters must petition for a ballot question, and 2.) the question must be voted at a town-wide election. Thereafter, the town is allowed to appropriate funds to plow only those private roads which are open to public travel. Maintenance and plowing of private roads are two separate statutes and adoption procedures, as outlined above. It is the intent of the Board of Selectmen to establish a committee to continue to explore this process in an effort to support a necessary resolution.)

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, for general municipal purposes, a parcel of land located at 325 Schoolhouse Road, identified on Assessors Map 12 as Lot 100-0-R, and being described in deeds recorded with the Barnstable Registry of Deeds in Book 12692, Page 142; currently or formerly owned by Lisa and Stephen Colley; and further to raise and appropriate, transfer from available funds, and/or borrow a sum of up to \$1.9 million for the acquisition of said property and costs related thereto and payment of damages claimed by Lisa and Stephen Colley on behalf of themselves and their children as a result of alleged contamination caused to said property allegedly resulting in response action costs, property damage, personal injury, emotional distress, and loss of use of property; and further, to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments to effectuate said acquisition; or take any action in relative thereto.

By Board of Selectmen

Summary:

The Board voted to place this article on the warrant in order to provide a vehicle for Town Meeting to consider whether to fund payment to the Colleys, in the event that they are able to produce adequate evidence of their entitlement to damages from the Town. The Board of Selectmen has not yet received proof of damages from the Colleys as of the publication of this warrant.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: At Town Meeting

(2/3rds Majority vote required)

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You are directed to serve this Warrant by posting attested copies thereof at the Post Office in Eastham and North Eastham fourteen days at least before the date of holding said meeting.

Hereof, fail not and make due return of this Warrant and your doings thereon to the Town Clerk at the time and place of holding said meeting.

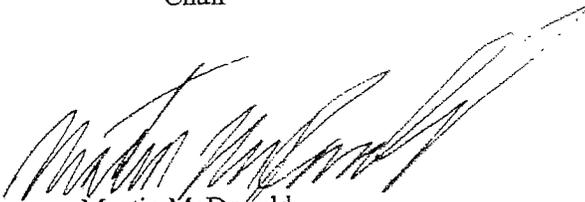
Given under our hands and seals this 7th day of June in the year of our Lord, Two Thousand and Thirteen.



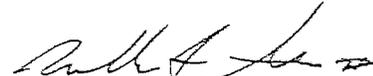
Aimee Eckman
Chair



John Knight
Vice Chair



Martin McDonald



Wallace Adams
Clerk



Linda S. Burt
BOARD OF SELECTMEN

Greetings:

In a pursuance of the conditions of the foregoing warrant, I have posted attested copies, one each at the Post Office in Eastham and North Eastham fourteen days before time of said meeting.

Constable



A True Copy Attest:
Lillian Lamperti, Town Clerk

Posted 6-7-13

SPECIAL TOWN MEETING WARRANT JUNE 22, 2013

PROCEDURES FOR TOWN MEETING

In accordance with Section C2-8-B of the Eastham Town Charter, the following procedures will be followed:

1. The Open Town Meeting shall be the Legislative branch of the municipal government of the Town of Eastham, as set forth in the Charter, Section C2-1 through C2-6 inclusive.
2. Every registered voter wishing to speak at Town Meeting shall proceed to one of the available microphones. Once recognized the voter shall give his or her name and address, speak to the question for not more than three minutes, and shall not speak again until all those wishing to speak thereon have done so. See Section C2-8-C of the Charter for exceptions-persons making the motion and persons required to be in attendance under Section C2-8-A.
3. Eastham taxpayers who are not registered voters may only speak at Town Meeting if permitted by majority consent of voters. Consent will be requested when any non-resident has identified himself/herself in advance to the Moderator.
4. Registered voters will be seated first. Special seating may be available for non-registered parties; however, that seating will be made available only after the Town Clerk has determined that there are an adequate number of seats for all registered voters in attendance. Voters who sit in the Non-Voter Section will not have their votes counted.
5. Discussion on each article in the Town Warrant shall terminate when there is no one wishing to speak on said article or the discussion becomes redundant in the opinion of the Moderator, or someone is recognized and moves the question, or a motion to limit or extend debate has been approved by a 2/3 vote of Town Meeting.
6. The Moderator determines and declares the results of all votes. The vote on any motion may be taken by voice vote, or by counted vote (hand count, standing count or paper ballot), the method being in the discretion of the Moderator, except that in the case of borrowing, the required 2/3 vote shall be by counted vote, provided that, if the vote is unanimous, the Moderator shall so declare, and a counted vote need not be taken. If seven or more voters immediately question the Moderator's declaration of the results of a voice vote, the vote shall be verified by a counted vote, the method to be in the discretion of the Moderator.
7. An article may be reconsidered, on the same day, as such article is declared by the Moderator. The Town Clerk's minutes shall record such times.
8. TOWN MEETING TIME, A Handbook of Parliamentary Law, Third Edition, 2001, published by and for the Massachusetts Moderators Association, is the parliamentary handbook that will be used to guide Eastham Town Meetings.
9. The only persons allowed in the foyer at Town Meeting will be Registrars, Checkers and voters. Persons with handouts of any nature must be outside the building or in a designated area.

These provisions address issues that commonly arise at Town Meeting, but do not purport to address all issues that may arise.

**PLEASE BE COURTEOUS
ALLOW EACH SPEAKER TO PRESENT THEIR IDEAS
WITHOUT INTERRUPTION**