

## Minutes for the Special Town Meeting held September 20, 2011

Pursuant to the provisions of the foregoing warrant, the voters assembled at the Nauset Regional High School Auditorium to vote on the following articles with actions as noted.

Moderator Schropfer acknowledged Gwen Pelletier's years served as the previous elected moderator.

The Moderator called the meeting to order at 7:30 p.m. with a quorum of 208 voters present. The Clerk read the call of Town Meeting.

The Moderator read a request by Selectman Eckman asking voters to approve a 6:00 p.m. opening for Town Meeting instead of 7:00 p.m.

Failed by Majority Voice Vote

Article 1. A motion was made and seconded by the Board of Selectmen to appropriate and transfer from Free Cash so called, the sum of \$20,000, to Article 13, May 2011 Annual Town Meeting Data Processing Line #2, to purchase a specialized program to streamline certain permitting and licensing activities in various departments.

Passed – Declared majority vote by Moderator

Article 2. A motion was made and seconded by the Board of Selectmen to appropriate and transfer from available funds the sum of \$60,000 to Article 12, May 2011 Annual Town Meeting Line 1, Selectmen/Administration Salary to pay the partial year salary of an Assistant Town Administrator.

Passed by majority vote  
Count: 124 Yes 92 No

Article 3. A motion was made and seconded by the Board of Selectmen to amend the vote taken under Article 27, Annual Town Meeting May 2011, by changing the purpose for which the sum of \$345,000 was transferred to the Eastham Affordable Housing Trust from being for the purchase of 3150 Herring Brook Road, to being for the purchase any other structure(s) for use as affordable housing as defined by the Commonwealth and consistent with the purposes as detailed in the Trust documents filed at the Barnstable County Registry of Deeds, and further that such purchase shall only proceed with the concurrence of the Board of Selectmen and the Community Preservation Committee.

Passed – Declared majority vote by Moderator

Article 4. A motion was made and seconded by the Board of Selectmen to appropriate the sum of \$300,000 that reverted to the Housing Reserve Fund pursuant to the vote taken under Article 28, Annual Town Meeting May 2008, to the Eastham Housing Authority to permit the Housing Authority to purchase any affordable housing unit(s) on the condition that any purchase of real property, shall only proceed with the concurrence of the Board of Selectmen and the Community Preservation Committee, and under the following conditions:

- 1) proposed for execution an Affordable Housing Deed Restriction in the form approved by the Department of Housing and Community Development to run in perpetuity; and

- 2) enter into a grant agreement with the Town through the Community Preservation Committee; and
- 3) agree to return all unexpended funds to the Community Preservation Fund if an anticipated sale is not completed within three (3) years of this vote, in which case such uncommitted funds shall revert to the Community Preservation Housing Reserve Fund.

Passed – Declared majority vote by Moderator

Article 5. A motion was made and seconded by the Board of Selectmen to hereby approve the \$6,529,186 borrowing authorized by the Nauset Regional School District, for the purpose of paying costs to replace the windows, exterior doors, and the roofs at Nauset Regional High School located at 100 Cable Road, Eastham MA 02642, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, 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 Nauset Regional School Committee.

That the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project 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.

Provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of thirty-seven point thirty-two percent (37.32%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, or take any action relative thereto.

Provided further that the approval of the District’s borrowing by 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 interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59 Section 21C (proposition 2 ½); and that the amount of the borrowing authorized by the district shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

Town Counsel stated that a majority vote was needed, not the 2/3rds majority as printed in the warrant.

Passed – Declared majority vote by Moderator

Article 6. A motion was made by Selectman Eckman and also seconded to call Article 6 out of order.

Passed – Declared necessary 2/3 vote by Moderator

A request was made by a non-registered voter to be allowed to speak to this article.

The Moderator declared that a majority consent of voters allowed him to speak

A motion was made and seconded by the Board of Selectmen to authorize the Board of Selectmen to grant an easement appurtenant to and for the benefit of land now owned by Gary Wolf and Colleen Wolf, known as 500R Ocean View Drive and shown on Assessors Map 24 as Parcel 7, for the purposes of the use of that portion of an existing driveway located upon land of the Town known as Assessors Map 24, Parcel 031C, and for the construction, maintenance and use of a driveway within a portion of Cross Street, so-called, for access to and egress from the Wolf property to Ocean View Drive for house movement equipment and for all purposes for which driveways are used in the Town of Eastham, upon such terms and conditions as the Board of Selectmen shall establish, and to authorize and direct the Board of Selectmen to take any and all actions necessary or convenient therewith. Or to do or take any other action regarding the same.

Passed – Declared 2/3 vote by Moderator

There were 229 voters present at the close of Town Meeting out of a possible 4,168.

There being no further action of Town Meeting, the Moderator declared Town Meeting dissolved at 9:15 p.m.

A True Copy Attest:

Lillian Lamperti  
Town Clerk