

MINUTES

SELECT BOARD MEETING

Meeting: Monday, January 23, 2023, 5:30 PM

Location: Eastham Town Hall – Earle Mountain Room

Present: Jamie Demetri, Chair; Arthur Autorino, Vice Chair; Aimée Eckman, Clerk; Suzanne Bryan; Jacqui Beebe, Town Manager; Richard Bienvenue, Assistant Town Manager/Finance Director

Remote Participation: Jerry Cerasale

Jamie Demetri called the Select Board meeting to order at 5:30 PM.

Jamie read an excerpt from the book *Ptown*, by Peter Manso. The excerpt can be heard through the video recording of the meeting as available on the Town website at www.eastham-ma.gov.

PUBLIC / SELECT BOARD INFORMATION

Suzanne Bryan advised that she and members of staff attended the MMA Conference in Boston this past weekend. The workshops and interactions Suzanne had with other Towns made her aware of how proud she is to be a resident in Eastham and the direction Eastham is taking.

PUBLIC HEARING/LICENSING

Aquaculture License, New Issue:

1. Gideon Turner – Site N66: 1/2 acre – Nauset Marsh Estuary

Jamie Demetri read the Legal Notice that was posted.

Nicole Paine, Shellfish Constable, reviewed the license application with the Board.

Aimée Eckman made a motion to approve the license for site N66 for Gideon Turner

Suzanne Bryan seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

APPOINTMENTS

Open Warrant for the May 6, 2023 Annual Town Meeting

Jamie Demetri read the Legal Notice that was posted.

Arthur Autorino made a motion to open the warrant for the May 6, 2023 Annual Town Meeting on Monday, January 23, 2023 and close it on Monday, February 27, 2023

Aimée Eckman seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

Route 6 Corridor Improvements – Jim Fitzgerald, Environmental Partners Group

Lauren Barker, Economic Development Planner, introduced Jim Fitzgerald for the presentation.

Jim Fitzgerald provided a presentation that can be viewed in the Agenda Packet for this meeting. The full presentation and discussion can be viewed and heard through the video recording of the meeting that is available on the Town website at www.eastham-ma.gov.

Jim Fitzgerald's Recommendations:

- Wellfleet to Brackett:
 - 1 travel lane each way
 - median island in center and on both sides between travel lanes and bike/pedestrian
 - 2 way bike path with pedestrian on one side
 - pedestrian path on the other side
- Brackett to Cape Cod Rail Trail:
 - 2 travel lanes each way
 - median island in center and on one side between travel lanes and bike/pedestrian path
 - 2 way bike path with pedestrian on one side
 - pedestrian path on the other
- Cape Cod Rail Trail to Orleans Rotary:
 - 2 travel lanes each way
 - median island in center and on one side between travel lanes and bike/pedestrian path
 - 2 way bike path with pedestrian on one side
 - pedestrian path on the other

The Board discussed the presentation in greater detail with Jim Fitzgerald and each other. The Board agreed that they would like to recommend the median options. Jim will proceed in that direction and begin discussions with MassDOT.

Residential Tax Exemption (RTE) Presentation - Colleen Mercurio, Principal Assessor and Rich Bienvenue, Assistant Town Manager/Finance Director

Jacqui Beebe confirmed that this meeting is for the Board to discuss the impact of Residential Tax Exemption if it is applied to Eastham. The Board will not take a final vote on it this evening. They will vote in August of 2023 and will have public hearings before that vote is taken.

Rich Bienvenue presented the data that has been used to consider a Residential Tax Exemption:

- 6162 properties in Eastham
- 438 of those properties are vacant land so are excluded from the calculation
- 3344 of those properties are owned by residents of Eastham
- 54.98% is the percentage of properties that are owned by residents

Colleen Mercurio reviewed some examples if the exemption is applied. Some points made during the presentation were:

- The Board can consider any percentage between 1% and 35% to apply to the exemption if it is approved
- To get the residential exemption, residents must apply for the exemption, it is not automatically applied to your taxes
- Two examples were reviewed with the Board:
 - Based on an exemption of 10% with a 55%/45% split:
 - the savings to a median square foot residential property would be \$278
 - the increase to a median square foot non-residential property would be \$227
 - Based on an exemption of 10% with a 60%/40% split:
 - the savings to a median square foot residential property would be \$297
 - the increase to a median square foot non-residential property would be \$204

- Based on an exemption of 20% with a 55%/45% split:
 - the savings to a median square foot residential property would be \$609
 - the increase to a median square foot non-residential property would be \$444
- Based on an exemption of 20% with a 60%/40% split:
 - the savings to a median square foot residential property would be \$649
 - the increase to a median square foot non-residential property would be \$294

Eastham has approved a Community Fund which would be allow the Town to collect and use funds where it is needed to help residents with the issues facing Eastham including the housing crisis. This Fund is awaiting approval from legislation and once approved, it will be a great tool.

The Board discussed the presentation and the many letters received from residents and non-residents regarding this topic.

Jacqui Beebe asked the Board if they could take a vote just so that she can have a sense on where the Board stands regarding the RTE as of today. This will allow Jacqui plan for the staff levels to support the RTE if the Board approves it at their meeting in August 2023.

Arthur Autorino made a motion to implement the Residential Tax Exemption
Suzanne Bryan seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, No; Arthur Autorino, No; Aimée Eckman, No, Jamie Demetri, Yes

LICENSING

Renewal of Common Victualler License:

1. Royal Thai Cuisine – 4550 State Highway

Arthur Autorino made a motion to approve the Renewal of the Common Victualler License for the Royal Thai Cuisine

Aimée Eckman seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Recuse

ADMINISTRATIVE MATTERS

Review and Approval of Note Sale

Aimée Eckman made a motion to authorize borrowing of notes as detailed in the Clerk’s certification on pages 96 and 97 of the Agenda Packet. (*for convenience in the minutes, that certification is noted below*)

I, the Clerk of the Select Board of the Town of Eastham, Massachusetts, certify that at a meeting of the board held January 23, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$3,080,000 5.25 percent General Obligation Bond Anticipation Notes, Series A (Subject to Federal and Massachusetts Income Taxation) (the “Series A Notes”) of the Town dated January 27, 2023, and payable January 26, 2024, to Fidelity Capital Markets, a division of National Financial Services LLC at par and accrued interest, if any, plus a premium of \$5,482.50.

Further Voted: to approve the sale of \$3,260,000 4.00 percent General Obligation Bond Anticipation

Notes, Series B (the “Series B Notes” and together with the Series A Notes, the “Notes”) of the Town dated January 27, 2023, and payable January 26, 2024, to Jefferies LLC at par and accrued interest, if any, plus a premium of \$29,144.40.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 11, 2023, and a final Official Statement dated January 17, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Series B Notes and to comply with relevant securities laws relating to the Notes.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk, and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Arthur Autorino seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

Strategic Planning Committee – Revised Charge

Lauren Barker reviewed the main updates and changes to the original charge. Jacqui, Art and Lauren confirmed that there is no longer a requirement for membership from each regulatory Board. In addition, the charge has divided the tasks and duties by Plan Update Years and Active Plan Years.

Arthur Autorino made a motion to approved the revised charge

Suzanne Bryan seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

Participation in the FY22/FY23 Truro Regional CDBG Grant Authorization:

Jacqui Beebe reviewed the grant which provides help for Day Care subsidies and financial support to help with major upgrades or fixes to residential homes. The Grant has strict income levels that must be met to be eligible.

The Board discussed this in further detail and noted that we should include information about this grant on the website. Jacqui agreed and will look into that further.

Aimée Eckman made a motion to participate in the FY22/FY23 Truro Regional CDBG Grant
Suzanne Bryan seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

Proposed Fee Increases/Additions:

The Board reviewed and discussed the proposed fees which will be presented at a public hearing on February 6, 2023.

Proposed Regulations for Pole and Wire Location Petitions

The Board reviewed the draft regulations presented.

Aimée Eckman made a motion to approve the regulations presented

Arthur Autorino seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

TOWN MANAGER REPORT

Jacqui Beebe provided the following updates to the Board in addition to her Report included in the Packet:

- Regular news flashes are being sent out now from Administration thanks to Kayla Urquhart. To get them, just text Eastham to the number 42828
- Rich Bienvenue noted that the Finance Committee is meeting weekly to review the budgets for the departments. The meetings are mostly on Wednesday but everyone is invited to attend these public meetings

NEW/UPCOMING AGENDA ITEMS

Art Autorino will draft a response to the emails and letters received about the Residential Tax Exemption to be sent. The response will be sent to Laurie Gillespie-Lee to send.

MINUTES

1. January 9, 2023 – Regular Session

Aimée Eckman made a motion to approve the minutes as listed

Arthur Autorino seconded the motion with corrections noted.

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

OTHER BUSINESS / CORRESPONDENCE

- None

ADJOURNMENT

Aimée Eckman made a motion to adjourn at 7:54 PM

Suzanne Bryan seconded the motion

ROLL CALL VOTE: Suzanne Bryan, Yes; Jerry Cerasale, Yes; Arthur Autorino, Yes; Aimée Eckman, Yes, Jamie Demetri, Yes

Respectfully submitted,



Laurie Gillespie-Lee

Public documents for this meeting can be viewed on the town website through this link:

<https://www.eastham-ma.gov/DocumentCenter/View/2009/01-23-2023-Select-Board-Packet>