

# AGENDA

Monday

December 19, 2016

**TOWN OF EASTHAM  
AGENDA  
BOARD OF SELECTMEN  
Monday, December 19, 2016  
4:00 p.m.**

Location: Earle Mountain Room

**I. SELECTMEN/PUBLIC INFORMATION**

**II. APPOINTMENTS**

- A. Discussion/Presentation
- 4:05 p.m. Complete Street Policy (Vote) – Paul Lagg, Town Planner & Neil Andres, DPW Superintendent
- 4:15 p.m. Annual Town Audit – Dan Sullivan & Josee Young, Clifton, Larson, Allen LLP

**(All times above are approximate and items may be taken out of order)**

**III. ADMINISTRATIVE MATTERS**

- A. Action
1. Committee Appointment – Board of Council on Aging, Deborah Albert (Vote)
  2. Tri Town Supplemental Intermunicipal Agreement (Vote)

**IV. LICENSING**

1. Annual Renewals Liquor License Approval (Vote)
2. Annual Renewals Non-Liquor License Approval (Vote)

**V. INTERVIEW TOWN ADMINISTRATOR CANDIDATES**

- 5:00 p.m. Timothy J. King
- 6:30 p.m. Jacqueline W. Beebe

**VI. TOWN ADMINISTRATOR'S REPORT**

- A. 2017 Calendar

**VII. OTHER BUSINESS**

Letter from Open Space Committee - Scenic Impact from Water Main at Boat Meadows

**Upcoming Meetings**

January 3, 2017 (Tuesday), 5:00p.m. Earl Mountain Room Regular Session  
Presentation of FY18 Municipal and Capital Budgets - Finance Committee members will be in attendance.

January 4, 2017 3:00p.m. Timothy Smith Room Work Session  
Development of Selectmen's and Finance Committee Budget Review Schedule for January 2017

*The listing of matters includes those reasonably 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 be brought up for discussion to the extent permitted by law.*

*This meeting will be video recorded and broadcast over Local Access Channel 18 and through the Town website at [www.eastham-ma.gov](http://www.eastham-ma.gov)*



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642

All Departments 508-240-5900

[www.eastham-ma.gov](http://www.eastham-ma.gov)

### MEMORANDUM

DATE: December 5, 2016

TO: Eastham Board of Selectmen  
Sheila Vanderhoef, Town Administrator

CC: Jacqui Beebe, Assistant Town Administrator

FROM: Paul Lagg, Town Planner/ Neil Andres, DPW Superintendant

RE: Complete Street Policy

#### **COMPLETE STREETS DEFINITION (MASSDOT):**

A Complete Street is one that provides safe and accessible options for all travel modes and for people of all ages and abilities. Designing streets with these principles contributes toward the safety, health, economic viability and quality of life in a community by improving the pedestrian and vehicular environments. Providing safer, more accessible and comfortable means of travel between home, school, work, recreation and retail destinations helps promote more livable communities.

#### **PROGRAM OVERVIEW:**

To help put the complete streets concept into practice, the State has created a Complete Streets funding program. The program provides incentives to cities and towns to adopt policies and practices that provide safe and accessible options for all travel modes. Funding is available to participating communities in the following categories

- up to **\$50,000** in technical assistance
- up to **\$400,000** in construction funding

#### **PROGRAM ELIGIBILITY:**

To be eligible, a municipality must meet three primary requirements:

1. Attendance of a municipal employee at a Complete Streets training (*completed Spring 2016*)
2. Passage of a Complete Streets Policy (*see proposed policy, attached*)
3. Development of a Complete Streets Prioritization Plan (*to be completed as part of comprehensive asset management plan*)

**COMPLETE STREET POLICY BENEFITS:**

- Allows Eastham to access transportation funds appropriated through a state transportation bond bill for planning, engineering and construction.
- Creates a framework for comprehensive evaluation of infrastructure projects that will take into consideration all modes of transportation and full spectrum of users.
- Will create framework to integrate roadway projects into comprehensive planning activities and construction schedules.
- Aligns Eastham's infrastructure improvement plans with State's Best Practices.
- Improves Safety and accessibility
- Improves community amenities for residents and visitors.

**PROGRAM NEED:**

Eastham's transportation network is not designed to handle the seasonal demands placed upon it. Many of our public roadways function as both transportation and recreational routes with automobiles, cyclists and pedestrians of all ages sharing the roadway. Adopting a complete street policy and incorporating complete street concepts into future roadway planning will allow the Town to manage its roadway infrastructure in a manner that keeps pace with current and future demands. A well planned transportation system that serves the needs of all users in the community will enhance the quality of life and will ensure that Eastham remains a highly desirable location for both residents and visitors.

**REQUESTED ACTION BY BOARD OF SELECTMEN:**

- Adoption of proposed Completed Street Policy

**NEXT STEPS:**

- Submit policy to MassDOT for review.
- If policy scores minimum of 80 points, Town may apply for technical assistance grant for engineering and project design (*the proposed policy is based on a Cape Cod Commission template designed to meet MassDOT scoring criteria.*)
- Complete Streets Prioritization Plan will utilize the Town's current asset management plan as a basis for prioritizing roadway improvement projects that will enhance our transportation network and fulfill the goals of the Complete Streets Policy.
- Once plan is completed Town may apply for construction grants.



Town of Eastham  
**SELECTMEN POLICY ON  
COMPLETE STREETS**

**1.0 Authority**

The Board of Selectmen hereby adopt a Complete Street Policy.

**2.0 Purpose**

The fifteen towns of Barnstable County make up a distinctive region known for its coastlines, historic villages, and environmental resources. It can be challenging to accommodate all users on narrow roadways that follow colonial layouts and are constrained by historic buildings and environmental resources, especially when the volume of users swells during the summer tourist season. The goal of Eastham's Complete Streets policy is to make sure that all users and resources are considered when designing roadway improvements, and that accommodations for a full array of users are balanced with the elements that are important to both the character and the economy of the town and the region.

Complete Streets are designed and operated to provide safety, comfort, and accessibility for all the users of our roadways, trails, and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial vehicles, and emergency vehicles. "All users" includes users of all ages, abilities, and income levels. Furthermore, Complete Streets principles contribute toward the safety, health, economic viability, and quality of life in a community by improving the pedestrian and vehicular environments in order to provide safe, accessible, and comfortable means of travel between home, school, work, recreation and retail destinations. Complete Streets also furthers equity objectives by providing safe forms of travel for residents of all income levels. The purpose of the town of Eastham's Complete Streets policy, therefore, is to accommodate all users by creating a context-sensitive roadway network that meets the needs of individuals utilizing a variety of transportation modes. It is the intent of the town of Eastham to formalize the plan, design, operation and maintenance of roadways so that they are safe for all users of all ages and abilities and all income levels as a matter of routine. This Policy directs decision-makers to consistently plan, design, construct, and maintain roadways to accommodate all anticipated users including but not limited to pedestrians, bicyclists, motorists, transit riders and vehicles, emergency vehicles, and freight and commercial vehicles.

**3.0 Core Commitment**

The town of Eastham recognizes that users of various modes of transportation, including but not limited to pedestrians, cyclists, transit and school bus riders, motorists, delivery and service personal, freight haulers, and emergency responders, are legitimate users of streets and deserve safe facilities. "All users" includes users of all ages, abilities, and income levels.

The Town of Eastham recognizes that all projects, including new construction, maintenance and reconstruction, are potential opportunities to apply Complete Streets design principles. The town will, to the maximum extent practicable, design, construct, maintain and operate all streets to provide for a comprehensive and integrated street network of facilities for people of all ages and abilities. Complete Streets design recommendations shall be incorporated into all publicly and privately funded projects, as appropriate. All transportation infrastructure and street design projects requiring funding or approval by the Town of Eastham, as well as projects funded by the State and Federal government, including but not limited to Chapter 90 funds, City improvements grants, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, Community Development Block Grants (CDBG), Capital Funding and other state and federal funds for street and infrastructure design shall adhere to the Town of Eastham Complete Street Policy. Private developments and related roadway design components shall also adhere to the Complete Street principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets Policy, including the design, construction and maintenance of such roadways within town boundaries.

Town Departments, will use best judgment regarding the desirability and feasibility of applying Complete Streets principles for routine roadway maintenance and projects such as repaving, restriping and so forth.

#### **4.0 Exemptions**

Transportation infrastructure projects, including but not limited to roadway reconstruction, roadway reconfigurations or subdivisions may be excluded upon approval by the Board of Selectmen with consultation from the appropriate town departments and the Eastham Planning Board where documentation and date indicate that any of the following apply:

- Where it is demonstrated that costs or impacts of accommodation are excessively disproportionate to the need or probable future use.
- Other town policies, regulations or requirements contradict or preclude implementation of Complete Streets principles.

#### **5.0 Best Practices**

The Town of Eastham Complete Streets policy will focus on developing a connected, integrated network that serves all users. Complete Streets will be integrated into policies, planning and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, repair, and maintenance of transportation facilities on streets and redevelopment projects. As practicable, recommendations from the appropriate town departments, Boards and Committees for incorporating complete streets elements will occur in projects' beginning stages prior to design.

Implementation of the Town of Eastham Complete Streets Policy will be carried out cooperatively within all departments in the Town of Eastham with multi-jurisdictional cooperation and, to the greatest extent possible, among private developers and state, regional and federal agencies.

The Town of Eastham will work cooperatively with neighboring communities and regional entities in an effort to strengthen regional connectivity options for all users.

Complete Streets principles include the development and implementation of projects in a context-sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context-sensitive approach to process and design includes a range of goals by giving significant consideration to stakeholder and community values. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical and environmental resources while improving or maintaining safety, mobility and infrastructure conditions.

The Town of Eastham recognizes that "Complete Streets" may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time.

The latest design guidance, standards and recommendations available will be used in the implementation of Complete Streets, including the most up-to-date versions of:

- The Massachusetts Department of Transportation Project Design and Development Guidebook
- American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls
- The Architectural Access Board (AAB) 521 CMR Rules and Regulations
- The Cape Cod Commission's Complete Streets/Living Streets Design Manual
- Cape Cod Metropolitan Planning Organization's Cape Cod Regional Transportation Plan
- Documents and plans created for the Town of Eastham including but not limited to:
  - Local Comprehensive Plan
  - Open Space and Recreation Plan
  - Downtown Improvement or Historic District plans
  - Bicycle and pedestrian network plans.

The Town of Eastham will implement a balanced and flexible approach to Complete Streets implementation that utilizes the latest design guidance, standards and recommendations while providing flexibility to best accommodate all users and modes given the unique characteristics of the surrounding community.

## **6.0 Evaluation of Effectiveness**

The Town will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The Town will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy. These metrics may include:

- Total miles of new on-street bicycle routes defined by lane markings or signage,
- Linear feet of new pedestrian accommodation,
- Number of new curb ramps or other retrofitted pedestrian facilities,
- Increase in the number of users of public transportation,
- Decrease in the number of traffic accidents involving vehicles, bicycles and pedestrians in Complete Streets areas.

These metrics will be compiled into a report by the Town and presented as needed, but no less than annually. Implementation strategies will be adjusted as needed based on the findings in these reports.

## **7.0 Implementation**

The town shall make Complete Streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users, and shall work in coordination with other Town departments, boards, committees, State and Federal agencies, and jurisdictions to achieve Complete Streets.

The Eastham Planning Department shall integrate Complete Streets principles in all new planning documents, as applicable (master plans, open space and recreation plan, etc.), laws, procedures, rules, regulations, guidelines, programs and templates, and make recommendations for zoning and subdivision codes to encourage contextual design of complete streets policies, respecting the presence of important scenic, environmental and historic resources. In facilitating new projects, the Eastham Planning Department may convene a workgroup composed of multi-disciplinary stakeholders, including members of relevant departments, committees and members of the community to ensure that the perspectives of the community are considered and incorporated as appropriate.

The town shall maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bikeway network.

The Town will evaluate projects within the Capital Improvement Plan to encourage implementation of this Policy.

The town will secure training for pertinent town staff and decision-makers on both the technical content of Complete Streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy. Training may be accomplished through workshops and other appropriate means.

The town will utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.

The town will seek out appropriate sources of funding and grants for implementation of Complete Street policies.

**8.0** The Board of Selectmen or their designee reserves the right to revise this policy at any time.

**9.0** Effective Date

The policy is effective as of \_\_\_\_\_

*This policy was adopted by the Board of Selectmen at a public meeting on*

\_\_\_\_\_

Signed,  
Eastham Board of Selectmen.

Signature\_\_\_\_\_

John Knight, Chairman

Date\_\_\_\_\_

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Honorable Board of Trustees  
Eastham Affordable Housing Trust

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Affordable Housing Trust Fund (Trust) of the Town of Eastham, Massachusetts (Town), as of and for the year ended June 30, 2016, and the related notes to the financial statements, and have issued our report thereon dated December 11, 2016.

The Trust's financial statements contain an adverse opinion for not including government-wide financial statements (statement of net position and statement of activities). Accounting principles generally accepted in the United States of America require government-wide financial statements to be reported.

The Trust's financial statements present only the Trust and do not purport to, and do not present fairly the financial position of the Town, as of June 30, 2016, and the changes in the Town's financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Trust's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Trust's internal control. Accordingly, we do not express an opinion on the effectiveness of the Trust's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

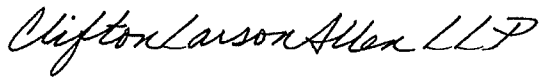
Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

## **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Trust's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

**CliftonLarsonAllen LLP**

Boston, Massachusetts  
December 11, 2016



To the Honorable Board of Selectmen  
Town of Eastham, Massachusetts

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Town of Eastham (Town) as of and for the year ended June 30, 2016, and have issued our report thereon dated November 4, 2016. We have previously communicated to you information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant audit findings**

#### ***Qualitative aspects of accounting practices***

##### *Accounting policies*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Town of Eastham are described in Note 1 to the financial statements.

As described in Note 1, the Town implemented several GASB Statements, none of which had a reporting impact for the Town. The application of existing policies was not changed during fiscal year 2016.

We noted no transactions entered into by the entity during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

##### *Accounting estimates*

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

The most sensitive estimates affecting the financial statements were:

- Management's estimate of net OPEB obligation is based on a certified actuarial valuation, which contains multiple assumptions regarding mortality, retirement, etc. We evaluated the key factors and assumptions used to develop the Net OPEB Obligation in determining that they are reasonable in relation to the financial statements taken as a whole.
- Management's estimates of pension items are based on a certified actuarial valuation, which contains multiple assumptions regarding mortality, retirement, etc. We evaluated the key factors and assumptions used to develop the pension items in determining that they are reasonable in relation to the financial statements taken as a whole.

*Financial statement disclosures*

The financial statement disclosures are neutral, consistent, and clear.

*Difficulties encountered in performing the audit*

We encountered no difficulties in dealing with management in performing and completing our audit.

*Passed Financial Statement Adjustments*

As part of our services, we record adjusting journal entries to convert the Town's cash basis trial balance to financial statements presented in accordance with governmental GAAP. Adjustments that are immaterial can be passed on and not recorded. Professional standards require us to accumulate all such passed adjustments, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has determined that the effects of the following passed adjustments are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

- Accrued workers compensation totaling approximately \$58,000
- Accrued interest on short term debt not recorded totaling approximately \$5,000
- Allowance for uncollectible Timothy Smith education loans totaling approximately \$6,000
- Allowance for uncollectible excise tax receivables totaling approximately \$24,000

*Financial Statement Adjustments*

The attached schedule summarizes all adjustments (material and immaterial), that were required to convert the Town's cash basis trial balance to financial statements presented in accordance with governmental GAAP. Management has accepted responsibility for such adjustments in its November 4, 2016 management representation letter.

*Disagreements with management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. No such disagreements arose during our audit.

*Management representations*

We have requested certain representations from management that are included in the management representation letter dated November 4, 2016.

***Management consultations with other independent accountants***

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Town's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Significant issues discussed with management prior to engagement*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to engagement as the Town's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our engagement.

*Other audit findings or issues*

We have provided a separate letter to you dated November 4, 2016, communicating internal control related matters identified during the audit.

***Other information in documents containing audited financial statements***

With respect to the required supplementary information (RSI) accompanying the financial statements, we made certain inquiries of management about the methods of preparing the RSI, including whether the RSI has been measured and presented in accordance with prescribed guidelines, whether the methods of measurement and preparation have been changed from the prior period and the reasons for any such changes, and whether there were any significant assumptions or interpretations underlying the measurement or presentation of the RSI. We compared the RSI for consistency with management's responses to the foregoing inquiries, the basic financial statements, and other knowledge obtained during the audit of the basic financial statements. Because these limited procedures do not provide sufficient evidence, we did not express an opinion or provide any assurance on the RSI.

This communication is intended solely for the information and use of the Board of Selectmen and Management of the Town of Eastham and is not intended to be, and should not be, used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "CliftonLarsonAllen LLP".

**CliftonLarsonAllen LLP**

Boston, Massachusetts  
November 4, 2016

**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>Adjusting Journal Entries</b>			
<b>Adjusting Journal Entries JE # 101</b>			
Late client entry to record court judgment expense and fund balance reserve.			
0100-0-0000-0000-00-00-0-00-359500	UFB - COURT JUDGMENT	400,000.00	
0100-1-0119-0000-00-00-2-57-576000	JUDGMENTS	400,000.00	
0100-0-0000-0000-00-00-0-00-219001	COURT ATTACHMENT		400,000.00
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE		400,000.00
<b>Total</b>		<b>800,000.00</b>	<b>800,000.00</b>
<b>Adjusting Journal Entries JE # 102</b>			
Late client entry to close out projects and return unused funds to reserve funds.			
1728-0-0120-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	31,136.49	
1728-0-0120-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	85,626.26	
1728-0-0120-0000-00-00-0-00-321100	CONTINUING APPROPRIATIONS		31,136.49
1728-0-0120-0000-00-00-0-00-352005	RESERVE FOR EXPEND-OPEN SPACE		11,837.59
1728-0-0120-0000-00-00-0-00-352005	RESERVE FOR EXPEND-OPEN SPACE		1,219.30
1728-0-0120-0000-00-00-0-00-352005	RESERVE FOR EXPEND-OPEN SPACE		819.00
1728-0-0120-0000-00-00-0-00-352005	RESERVE FOR EXPEND-OPEN SPACE		20,344.00
1728-0-0120-0000-00-00-0-00-352005	RESERVE FOR EXPEND-OPEN SPACE		51,406.37
<b>Total</b>		<b>116,762.75</b>	<b>116,762.75</b>
<b>Adjusting Journal Entries JE # 201</b>			
To record transfer from GF to Municipal Water for BAN paydown			
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	125,000.00	
3011-4-0422-0000-00-00-0-00-499000	OTHER FINANCING SOURCES	125,000.00	
0100-0-0000-0000-00-00-0-00-499000	OTHER FINANCING SOURCES		125,000.00
3011-4-0422-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE		125,000.00
0100-0-0000-0000-00-00-0-00-104000	CASH		
3011-4-0422-0000-00-00-0-00-109000	CASH-POOLED CASH		
<b>Total</b>		<b>250,000.00</b>	<b>250,000.00</b>
<b>Adjusting Journal Entries JE # 202</b>			
To reverse PY AJE#208 to record accrual for summer teachers payroll			
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	344,898.00	
0100-3-0300-0000-00-00-1-51-511000	TEACHERS SALARIES		344,898.00
<b>Total</b>		<b>344,898.00</b>	<b>344,898.00</b>
<b>Adjusting Journal Entries JE # 203</b>			
To reverse PY AJE#211 to reclassify CPA surcharges AR from GF to CPA fund			
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	46.00	
1728-0-0120-0000-00-00-0-00-482000	REVENUE - LAND	46.00	
0100-0-0120-1000-00-00-0-42-484000	OTHER MISCELLANEOUS REVENUES		46.00
1728-0-0120-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE		46.00
<b>Total</b>		<b>92.00</b>	<b>92.00</b>



**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>Adjusting Journal Entries JE # 205</b>			
To record accrual for summer teachers' payroll and remove from encumbrance balance.			
0100-0-0000-0000-00-0-00-321000	ENCUMBRANCE	237,419.00	
0100-3-0300-0000-00-00-1-51-511000	TEACHERS SALARIES	237,419.00	
0100-0-0000-0000-00-0-00-205000	ACCRUED PAYROLL		237,419.00
0100-0-0000-0000-00-0-00-359000	UNRESERVED FUND BALANCE		237,419.00
<b>Total</b>		<b>474,838.00</b>	<b>474,838.00</b>
<b>Adjusting Journal Entries JE # 206</b>			
To record an allowance for uncollectible ambulance receivables as of June 30, 2016.			
1801-2-0220-0000-00-00-0-00-269903	DEFERRED REV COASTAL AMBULANCE	143,220.00	
1801-2-0220-0000-00-00-0-00-147501	RES UNCOLLECTED AMBULANCE FEES		143,220.00
<b>Total</b>		<b>143,220.00</b>	<b>143,220.00</b>
<b>Adjusting Journal Entries JE # 207</b>			
To record beginning balance and current year activity in capital leases			
9120-0-0000-0000-00-0-00-359000	UNRESERVED FUND BALANCE	301,397.00	
9500-2-0000-0000-00-00-0-00-499900	PUB SAFETY FIXED ASSET ADDITN	519,172.00	
9500-4-0422-0000-00-00-0-00-499900	DPW FIXED ASSET ADDITION (CONT	40,272.00	
9120-0-0000-0000-00-0-00-199800	AMT TO BE PROVIDED - LEASES		301,397.00
9120-0-0000-0000-00-0-00-278017	LEASE PAY - FIRE PUMPER		274,448.00
9120-0-0000-0000-00-0-00-551200	LEASE PAYDOWNS - PUBLIC SAFETY		271,185.00
9120-0-0000-0000-00-0-00-551400	LEASE PAYDOWNS - PUBLIC WORKS		13,811.00
<b>Total</b>		<b>860,841.00</b>	<b>860,841.00</b>
<b>Adjusting Journal Entries JE # 208</b>			
To record additional liabilities found during search for unrecorded liabilities.			
1178-1-0000-0000-00-00-0-00-530010	PROGRAM DELIVERY	7,347.00	
1178-1-0000-0000-00-00-0-00-580105	CDBG HOUSING REHAB	32,412.00	
3011-4-0422-0000-00-00-0-00-581010	CONTRACT 2-WELLS/BLDG/PIPING	550,809.00	
3011-4-0422-0000-00-00-0-00-581013	CONTRACT 7- MAINS NORTH SYSTEM	448,910.00	
3011-4-0422-0000-00-00-0-00-581014	CONTRACT 8-MAINS SOUTH SYSTEM	1,177,553.00	
3011-4-0422-0000-00-00-0-00-582002	CONTRACT 1 WATER STORAGE TANK	325,744.00	
3011-4-0422-0000-00-00-0-00-582007	EP - SRF FUNDABLE CONSTRUCTION	371,335.00	
3012-6-0610-0000-00-00-0-00-589014	CONSTRUCTION	543,037.00	
3012-6-0610-0000-00-00-0-00-589015	FURNITURE/FIXTURES/EQUIPMENT	30,804.00	
1178-1-0000-0000-00-00-0-00-200000	ACCOUNTS PAYABLE CONTROL		39,759.00
3011-4-0422-0000-00-00-0-00-210000	WARRANTS PAYABLE		2,874,351.00
3012-6-0610-0000-00-00-0-00-200000	ACCOUNTS PAYABLE CONTROL		573,841.00
<b>Total</b>		<b>3,487,951.00</b>	<b>3,487,951.00</b>
<b>Adjusting Journal Entries JE # 209</b>			
To reclassify continuing appropriations to a different fund balance account			
0100-0-0000-0000-00-0-00-352008	BUDGETED RESERVE-APPROPRIATION	1,276,166.00	
0100-0-0000-0000-00-0-00-321100	CONTINUING APPROPRIATIONS		1,276,166.00
<b>Total</b>		<b>1,276,166.00</b>	<b>1,276,166.00</b>

**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>Adjusting Journal Entries JE # 211</b>			
To record Receivable accrual for an Intergovernmental Receipt for Chapter 90			
1301-4-0422-0000-00-00-0-00-120000	CHAPTER 90 RECEIVABLE	44,555.00	
1301-4-0422-0000-00-00-0-00-469900	OTHER STATE REVENUE		44,555.00
<b>Total</b>		<b>44,555.00</b>	<b>44,555.00</b>
<b>Adjusting Journal Entries JE # 212</b>			
To reclassify CPA surcharges AR from GF to CPA fund as of June 30, 2016			
0100-0-0000-0000-00-00-0-00-262006	DEFERRED REVENUES CPA	9,404.00	
1728-0-0120-0000-00-00-0-00-122500	LANDBANK A/R	9,404.00	
0100-0-0000-0000-00-00-0-00-122515	CPA RECEIVABLE-2015		505.00
0100-0-0000-0000-00-00-0-00-122516	CPA RECEIVABLE-2016		8,899.00
1728-0-0120-0000-00-00-0-00-269900	LANDBANK DEFERRED REVENUE		9,404.00
<b>Total</b>		<b>18,808.00</b>	<b>18,808.00</b>
<b>Adjusting Journal Entries JE # 213</b>			
To reclassify transfer to OPEB trust from transfer out to employee benefit expense			
0100-9-0910-0000-00-00-1-51-517500	TOWN SHARE-HEALTH INSURANCE	20,000.00	
0100-0-0000-0000-00-00-0-00-599000	OTHER FINANCING USES		20,000.00
<b>Total</b>		<b>20,000.00</b>	<b>20,000.00</b>
<b>Total Adjusting Journal Entries</b>		<b>7,838,131.75</b>	<b>7,838,131.75</b>
<b>Reclassifying Journal Entries</b>			
<b>Reclassifying Journal Entries JE # 301</b>			
To reverse PY RJE#314 to record estimated liability for quarterly monitoring of wells and providing bottled water until municipal water system is operational.			
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	250,000.00	
0100-4-0433-0000-00-00-2-54-530025	IRA IMMEDIATE RESPONSE		250,000.00
<b>Total</b>		<b>250,000.00</b>	<b>250,000.00</b>
<b>Reclassifying Journal Entries JE # 302</b>			
To reverse PY entry to record additional liabilities found during search for unrecorded liabilities.			
3011-4-0422-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	182,113.00	
3012-6-0610-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	327,613.00	
3011-4-0422-0000-00-00-0-00-582001	W&S OWNER PROJECT MANAGER		182,113.00
3012-6-0610-0000-00-00-0-00-589014	CONSTRUCTION		327,613.00
<b>Total</b>		<b>509,726.00</b>	<b>509,726.00</b>
<b>Reclassifying Journal Entries JE # 303</b>			
To reverse PY RJE#312 to accrue deferred revenue related to loan receivables for septic betterments as of year end.			
1211-0-0000-0000-12-00-0-00-558000	EOCD S	8,964.00	
1212-1-0000-0000-00-00-0-00-483001	PRINCI	108,707.00	
1211-0-0000-0000-12-00-0-00-359000	UNRESERVED FUND BALANCE		8,964.00
1212-1-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE		108,707.00
<b>Total</b>		<b>117,671.00</b>	<b>117,671.00</b>

**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>Reclassifying Journal Entries JE # 304</b>			
To reverse PY RJE#311 to accrue deferred revenue for Timothy Smith Education Loans PPT			
8222-0-0000-0000-00-00-0-483000	CONTRI	111,073.00	
8222-0-0000-0000-00-00-0-359000	UNRESERVED FUND BALANCE		111,073.00
<b>Total</b>		<b>111,073.00</b>	<b>111,073.00</b>
<b>Reclassifying Journal Entries JE # 305</b>			
To record additional CIP identified during the search for unrecorded liabilities			
9500-0-0000-0000-00-00-0-190500	CONSTRUCTION IN PROGRESS	2,874,352.00	
9500-0-0000-0000-00-00-0-190500	CONSTRUCTION IN PROGRESS	573,840.00	
9500-4-0422-0000-00-00-0-499900	DPW FIXED ASSET ADDITION (CONT		2,874,352.00
9500-6-0610-0000-00-00-0-499900	CULTURE FIXED ASSET ADDITION (		573,840.00
<b>Total</b>		<b>3,448,192.00</b>	<b>3,448,192.00</b>
<b>Reclassifying Journal Entries JE # 306</b>			
To record bond refunding activity			
7000-1-0123-0000-00-00-0-109000	CASH-POOLED CASH	3,751,161.00	
7000-1-0123-0000-00-00-0-592000	DEBT SERVICE INTEREST	1,541.00	
7000-1-0123-0000-00-00-0-450500	PROCEEDS OF REFUNDING BONDS		3,455,000.00
7000-1-0123-0000-00-00-0-493500	PREMIUM FROM SALE OF REFUNDING BONDS		297,702.00
<b>Total</b>		<b>3,752,702.00</b>	<b>3,752,702.00</b>
<b>Reclassifying Journal Entries JE # 307</b>			
To record 60 day receipts.			
0100-0-0000-0000-00-00-0-262001	DEF REVENUE-PROPERTY TAXES	150,557.00	
0100-0-0146-0000-00-00-0-41-411016	PERSONAL PROPERTY TAXES-2016		149,875.00
0100-0-0146-0000-00-00-0-41-412016	REAL ESTATE TAXES-2016		682.00
<b>Total</b>		<b>150,557.00</b>	<b>150,557.00</b>
<b>Reclassifying Journal Entries JE # 308</b>			
To accrue deferred revenue related to loans receivable for septic betterments as of June 30, 2016 and reclassify deferred revenue categories to agree to AR categories			
1211-0-0000-0000-12-00-0-00-269900	DEF REVENUE-DEPT RECEIVABLES	8,482.00	
1212-1-0000-0000-00-00-0-00-269900	DEF REV-BETTERMENTS	91,258.00	
1211-0-0000-0000-12-00-0-00-558000	EOCD S		8,482.00
1212-1-0000-0000-00-00-0-00-269800	DEF REV - COMMITTED INTEREST		125.00
1212-1-0000-0000-00-00-0-00-483001	PRINCI		91,133.00
<b>Total</b>		<b>99,740.00</b>	<b>99,740.00</b>
<b>Reclassifying Journal Entries JE # 309</b>			
To record immaterial adjustments to reconcile beginning fund balance.			
0100-0-0000-0000-00-00-0-359000	UNRESERVED FUND BALANCE	1.00	
1801-2-0220-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	1.00	
3011-4-0422-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	1.00	
0100-0-0120-1000-00-00-0-42-484000	OTHER MISCELLANEOUS REVENUES		1.00
1801-2-0220-0000-00-00-0-00-484500	MISC REVENUE-RECEIPTS RESERVED		1.00
3011-4-0422-0000-00-00-0-00-558000	WATER MISC EXPENSE		1.00
<b>Total</b>		<b>3.00</b>	<b>3.00</b>



**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>Reclassifying Journal Entries JE # 310</b>			
To record a receivable for MCWT drawdown loan. Received \$14,804,140 to date of total \$24,985,403.			
3011-4-0422-0000-00-00-0-00-134000	MCWT LOAN RECEIVABLE	10,181,263.00	
3011-4-0422-0000-00-00-0-00-497000	PROCEEDS FROM BONDS		10,181,263.00
<b>Total</b>		<b>10,181,263.00</b>	<b>10,181,263.00</b>
<b>Reclassifying Journal Entries JE # 311</b>			
To reclassify transfers related to the Plymouth County OPEB Trust.			
8303-0-0000-0000-00-00-0-00-499000	OTHER FINANCING SOURCES	20,000.00	
8303-0-0000-0000-00-00-0-00-530000	PROFESSIONAL & TECHNICAL		20,000.00
<b>Total</b>		<b>20,000.00</b>	<b>20,000.00</b>
<b>Reclassifying Journal Entries JE # 312</b>			
To accrue deferred revenue on the Timothy Smith Education loan PPT fund for loans receivable as of June 30, 2016.			
8222-0-0000-0000-00-00-0-00-269001	DEFERRED REVENUE-T SMITH LOANS	137,095.00	
8222-0-0000-0000-00-00-0-00-483000	CONTRI		137,095.00
<b>Total</b>		<b>137,095.00</b>	<b>137,095.00</b>
<b>Reclassifying Journal Entries JE # 313</b>			
To reclassify short-term interest expense to a different expense account			
0100-7-0710-0000-00-00-2-00-592100	INTEREST EXPENSE	74,250.00	
0100-7-0710-0000-00-00-2-00-592000	INTEREST ON LONG TERM DEBT		74,250.00
<b>Total</b>		<b>74,250.00</b>	<b>74,250.00</b>
<b>Reclassifying Journal Entries JE # 314</b>			
To record estimated liability for quarterly monitoring of wells and providing bottled water until municipal water system is in operations.			
0100-0-0123-0000-00-00-0-00-530000	POLLUTION REMEDIATION EXPENSE	50,000.00	
0100-0-0000-0000-00-00-0-00-256000	POLLUTION REMEDIATION LIABILITY CU		50,000.00
<b>Total</b>		<b>50,000.00</b>	<b>50,000.00</b>
<b>Reclassifying Journal Entries JE # 315</b>			
To reverse transfers between special revenue funds			
1202-0-0000-0000-12-00-0-00-499000	OTHER FINANCING SOURCES	2,236.00	
1210-9-0000-0000-12-00-0-00-109000	CASH-POOLED CASH	2,236.00	
1706-0-0171-0000-00-00-0-00-499000	OTHER FINANCING SOURCES	10,000.00	
1802-0-0171-0000-00-00-0-00-109000	CASH-POOLED CASH	10,000.00	
1202-0-0000-0000-12-00-0-00-109000	CASH-POOLED CASH		2,236.00
1210-9-0000-0000-12-00-0-00-599000	OTHER FINANCING USES		2,236.00
1706-0-0171-0000-00-00-0-00-109000	CASH-POOLED CASH		10,000.00
1802-0-0171-0000-00-00-0-00-599000	OTHER FINANCING USES		10,000.00
<b>Total</b>		<b>24,472.00</b>	<b>24,472.00</b>
<b>Total Reclassifying Journal Entries</b>		<b>18,926,744.00</b>	<b>18,926,744.00</b>

**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>GASB Entries</b>			
<b>GASB Entries JE # 401</b>			
To reclassify depreciation to asset account grouping			
9500-0-0000-0000-00-00-0-00-194000	MACHINERY & EQUIPEMENT	433,352.00	
9500-0-0000-0000-00-00-0-00-197000	INFRASTRUCTURE	269,744.00	
9500-0-0000-0000-00-00-0-00-194900	ACCUM DEPN - M&E		433,352.00
9500-0-0000-0000-00-00-0-00-197900	ACCUM DEPN - INFRASTRUCTURE		269,744.00
<b>Total</b>		<b>703,096.00</b>	<b>703,096.00</b>
<b>GASB Entries JE # 402</b>			
To record net OPEB obligation as of June 30, 2016.			
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	9,525,974.00	
0100-1-0123-0000-00-00-1-51-511000	ADMINISTRATION SALARIES	350,028.00	
0100-2-0210-0000-00-00-1-51-511000	POLICE FT	490,199.00	
0100-3-0300-0000-00-00-1-51-511000	TEACHERS SALARIES	191,493.00	
0100-4-0422-0000-00-00-1-51-511000	DPW SALARIES	7,370.00	
0100-5-0511-0000-00-00-1-51-511000	HEALTH F/T	33,518.00	
0100-6-0610-0000-00-00-1-51-511000	LIBRARY F/T	67,324.00	
0100-0-0000-0000-00-00-0-00-299900	NET OPEB OBLIGATION		10,665,906.00
<b>Total</b>		<b>10,665,906.00</b>	<b>10,665,906.00</b>
<b>GASB Entries JE # 403</b>			
To record the Town's compensated absence liability as of June 30, 2016.			
9120-0-0000-0000-00-00-0-00-279500	COMPENSATION ABSENCES	149,771.00	
9120-0-0000-0000-00-00-0-00-550100	COMP ABS - GENERAL GOVERNMENT	6,989.00	
9120-0-0000-0000-00-00-0-00-550300	COMP ABS - EDUCATION	326.00	
9120-0-0000-0000-00-00-0-00-550500	COMP ABS - HEALTH & HUMAN SERVICES	2,072.00	
9120-0-0000-0000-00-00-0-00-550600	COMP ABS - CULTURE & RECREATION	7,979.00	
9120-0-0000-0000-00-00-0-00-199700	COMPENSATION ABSENCES		13,046.00
9120-0-0000-0000-00-00-0-00-279600	NON-CURRENT COMP ABS		149,771.00
9120-0-0000-0000-00-00-0-00-550200	COMP ABS - PUBLIC SAFETY		4,157.00
9120-0-0000-0000-00-00-0-00-550400	COMP ABS - PUBLIC WORKS		163.00
<b>Total</b>		<b>167,137.00</b>	<b>167,137.00</b>
<b>GASB Entries JE # 404</b>			
To record current portions of capital lease obligations as of June 30, 2016.			
9120-0-0000-0000-00-00-0-00-278005	LEASE PAYABLE EPD ADMIN CAR	12,039.00	
9120-0-0000-0000-00-00-0-00-278007	LEASE PAYABLE FIRE AMBULANCES	158,596.00	
9120-0-0000-0000-00-00-0-00-278013	LEASE PAYABLE - DPW DUMP TRUCK	13,041.00	
9120-0-0000-0000-00-00-0-00-278017	LEASE PAY - FIRE PUMPER	100,453.00	
9120-0-0000-0000-00-00-0-00-278000	CURRENT PORTION LEASE PAYABLE		284,129.00
<b>Total</b>		<b>284,129.00</b>	<b>284,129.00</b>
<b>GASB Entries JE # 405</b>			
To record beginning balance for the net pension liability for GASB 68			
0100-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	14,262,018.00	
0100-0-0000-0000-00-00-0-00-299901	NET PENSION LIABILITY		14,262,018.00
<b>Total</b>		<b>14,262,018.00</b>	<b>14,262,018.00</b>

**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>GASB Entries JE # 406</b>			
To record beginning balance for deferred outflows of resources related to Pension			
0100-0-0000-0000-00-00-0-199900	DEFERRED OUTFLOWS OF RESOURCES RELATED TO PENSION	24,425.00	
0100-0-0000-0000-00-00-0-359000	UNRESERVED FUND BALANCE		24,425.00
<b>Total</b>		<b>24,425.00</b>	<b>24,425.00</b>
<b>GASB Entries JE # 407</b>			
To record GAAP pension expense, net change in pension liability and deferred inflows/outflows per GASB 68.			
0100-0-0000-0000-00-00-0-199900	DEFERRED OUTFLOWS OF RESOURCES RELATED TO PENSION	1,207,985.00	
0100-9-0911-0000-00-00-1-51-517700	RETIREMENT ASSESSEMNT	1,639,690.00	
0100-0-0000-0000-00-00-0-299000	DEFERRED INFLOWS OF RESOURCES RELATED TO PENSION		352,834.00
0100-0-0000-0000-00-00-0-299901	NET PENSION LIABILITY		1,171,182.00
0100-9-0911-0000-00-00-1-51-517700	RETIREMENT ASSESSEMNT		1,323,659.00
<b>Total</b>		<b>2,847,675.00</b>	<b>2,847,675.00</b>
<b>GASB Entries JE # 408</b>			
To record MTRS-on behalf payments as of June 30, 2016			
0100-3-0300-0000-00-00-2-52-578000	SCHOOL EXPENSES	562,111.00	
0100-0-0000-0000-00-00-0-43-430000	MTRS ON-BEHALF PAYMENTS CHERRY SHE		562,111.00
<b>Total</b>		<b>562,111.00</b>	<b>562,111.00</b>
<b>GASB Entries JE # 409</b>			
To allocate pension benefits to the appropriate function as of June 30, 2016			
0100-1-0123-0000-00-00-2-54-530000	PROFESSIONAL & TEC	373,136.00	
0100-2-0210-0000-00-00-1-51-511000	POLICE FT	817,191.00	
0100-3-0300-0000-00-00-2-52-578000	SCHOOL EXPENSES	106,616.00	
0100-4-0422-0000-00-00-1-51-513000	DPW O/T	143,657.00	
0100-5-0511-0000-00-00-2-52-578500	SPECIAL PROGRAM: WRAC	90,025.00	
0100-6-0610-0000-00-00-1-51-511000	LIBRARY F/T	109,065.00	
0100-9-0911-0000-00-00-1-51-517700	RETIREMENT ASSESSEMNT		1,639,690.00
<b>Total</b>		<b>1,639,690.00</b>	<b>1,639,690.00</b>
<b>GASB Entries JE # 410</b>			
To allocate employee benefits to appropriate functions as of June 30, 2016			
0100-1-0114-0000-00-00-5-51-511100	MODERATOR-ELECTED SALARY	380,818.00	
0100-2-0210-0000-00-00-1-51-511000	POLICE FT	834,011.00	
0100-3-0300-0000-00-00-2-52-578000	SCHOOL EXPENSES	544,052.00	
0100-4-0422-0000-00-00-1-51-513000	DPW O/T	146,614.00	
0100-5-0503-0000-00-00-2-52-530000	PROFESSIONAL & TECHNICAL	91,878.00	
0100-6-0610-0000-00-00-1-51-511000	LIBRARY F/T	111,310.00	
0100-9-0910-0000-00-00-1-51-519000	MEDICARE-TN SHARE		2,108,683.00
<b>Total</b>		<b>2,108,683.00</b>	<b>2,108,683.00</b>



**TOWN OF EASTHAM**  
**FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>GASB Entries JE # 411</b>			
To allocate property and liability insurance to appropriate function as of June 30, 2016			
0100-1-0172-0000-00-00-2-52-521000	ENERGY	106,169.00	
0100-2-0210-0000-00-00-2-52-524600	VEHICLE REPAIRS	106,170.00	
0100-4-0422-0000-00-00-1-51-513000	DPW O/T	106,170.00	
0100-9-0941-0000-00-00-2-57-574600	PROPERTY PROTECTION LIABILITY		318,509.00
<b>Total</b>		<b>318,509.00</b>	<b>318,509.00</b>
<b>GASB Entries JE # 412</b>			
To allocate state and county charges to the appropriate function as of June 30, 2016			
0100-1-0123-0000-00-00-2-54-530000	PROFESSIONAL & TEC	233,829.00	
0100-3-0300-0000-00-00-5-00-590027	EDUCATION ARTICLES	165,321.00	
0100-5-0511-0000-00-00-2-52-530000	PROFESSIONAL & TECHNICAL	125,262.00	
0100-8-0810-0000-00-00-2-00-562100	COUNTY TAX ASSESSMENT		229,309.00
0100-8-0820-0000-00-00-2-00-562001	REGIONAL TRANSIT CHARGE		47,597.00
0100-8-0820-0000-00-00-2-00-562002	SCHOOL CHOICE TUITION		46,279.00
0100-8-0820-0000-00-00-2-00-562003	RETIRED TEACHERS' HEALTH INS		119,042.00
0100-8-0820-0000-00-00-2-00-562004	MOSQUITO CONTROL		73,796.00
0100-8-0820-0000-00-00-2-00-562005	AIR POLLUTION		3,869.00
0100-8-0820-0000-00-00-2-00-562006	RMV		4,520.00
<b>Total</b>		<b>524,412.00</b>	<b>524,412.00</b>
<b>GASB Entries JE # 413</b>			
To segregate current and long-term debt as of June 30, 2016			
9120-0-0000-0000-00-00-0-00-279002	FIRE STATION	1,747,027.00	
9120-0-0000-0000-00-00-0-00-279000	BONDS PAYABLE - CURRENT		1,747,027.00
<b>Total</b>		<b>1,747,027.00</b>	<b>1,747,027.00</b>
<b>GASB Entries JE # 414</b>			
To record debt activity and balances for the GW financial statements			
9120-0-0000-0000-00-00-0-00-279002	FIRE STATION	103,944,597.00	
9120-0-0000-0000-00-00-0-00-359000	UNRESERVED FUND BALANCE	12,107,200.00	
9120-0-0000-0000-00-00-0-00-450000	PROCEEDS FROM BONDS	24,985,403.00	
9120-0-0000-0000-00-00-0-00-450500	PROCEEDS FROM REFUNDING BONDS	3,455,000.00	
9120-0-0000-0000-00-00-0-00-199602	FIRE STATION		143,191,800.00
9120-0-0000-0000-00-00-0-00-515000	DEBT SERVICE - PRINCIPAL		1,300,400.00
<b>Total</b>		<b>144,492,200.00</b>	<b>144,492,200.00</b>
<b>GASB Entries JE # 415</b>			
To record accrued interest on LT Debt as of June 30, 2016			
0100-7-0710-0000-00-00-2-00-592000	INTEREST ON LONG TERM DEBT	159,091.00	
0100-0-0000-0000-00-00-0-00-205100	ACCRUED INTEREST		159,091.00
<b>Total</b>		<b>159,091.00</b>	<b>159,091.00</b>

**TOWN OF EASTHAM  
FY 16 FINANCIAL STATEMENT AUDIT ADJUSTMENTS**

Account	Description	Debit	Credit
<b>GASB Entries JE # 416</b>			
To accrue deferred revenue for the government wide financial statements			
0100-0-0000-0000-00-0-00-262001	DEF REVENUE-PROPERTY TAXES	783,120.00	
0100-0-0146-0000-00-0-0-41-412016	REAL ESTATE TAXES-2016	110,782.00	
1728-0-0120-0000-00-0-0-00-269900	LANDBANK DEFERRED REVENUE	9,404.00	
1801-2-0220-0000-00-0-0-00-484500	MISC REVENUE-RECEIPTS RESERVED	77,999.00	
0100-0-0000-0000-00-0-0-00-359000	UNRESERVED FUND BALANCE		620,873.00
0100-0-0146-0000-00-0-0-41-414200	TAX LIENS		41,351.00
0100-0-0146-0000-00-0-0-41-415016	MOTOR VEHICLE EXC-2016		5,788.00
1728-0-0120-0000-00-0-0-00-359000	UNRESERVED FUND BALANCE		7,794.00
1728-0-0120-0000-00-0-0-00-482000	REVENUE - LAND		1,611.00
1801-2-0220-0000-00-0-0-00-359000	UNRESERVED FUND BALANCE		303,888.00
<b>Total</b>		<b>981,305.00</b>	<b>981,305.00</b>
<b>GASB Entries JE # 417</b>			
To reverse PY fixed asset additions that were accrued based on the search for unrecorded liabilities.			
9500-4-0422-0000-00-0-0-00-499900	DPW FIXED ASSET ADDITION (CONT	182,113.00	
9500-6-0610-0000-00-0-0-00-499900	CULTURE FIXED ASSET ADDITION (	327,613.00	
9500-0-0000-0000-00-0-0-00-359000	NET INVESTMENT IN FIXED ASSETS		509,726.00
<b>Total</b>		<b>509,726.00</b>	<b>509,726.00</b>
<b>Total GASB Entries</b>		<b>181,997,140.00</b>	<b>181,997,140.00</b>
<b>Total All Journal Entries</b>		<b>208,762,015.75</b>	<b>208,762,015.75</b>

**TOWN OF EASTHAM, MASSACHUSETTS**

**BASIC FINANCIAL STATEMENTS AND  
REQUIRED SUPPLEMENTARY INFORMATION**

**YEAR ENDED JUNE 30, 2016**

**TOWN OF EASTHAM, MASSACHUSETTS  
TABLE OF CONTENTS  
YEAR ENDED JUNE 30, 2016**

<b>INDEPENDENT AUDITORS' REPORT</b>	<b>1</b>
<b>MANAGEMENT'S DISCUSSION AND ANALYSIS</b>	<b>3</b>
<b>BASIC FINANCIAL STATEMENTS</b>	
STATEMENT OF NET POSITION	10
STATEMENT OF ACTIVITIES	11
GOVERNMENTAL FUNDS – BALANCE SHEET	12
GOVERNMENTAL FUNDS – STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES	14
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TOTAL FUND BALANCES TO THE STATEMENT OF NET POSITION	16
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES	17
FIDUCIARY FUNDS – STATEMENT OF FIDUCIARY NET POSITION	18
FIDUCIARY FUNDS – STATEMENT OF CHANGES FIDUCIARY NET POSITION	19
NOTES TO BASIC FINANCIAL STATEMENTS	20
<b>REQUIRED SUPPLEMENTARY INFORMATION</b>	
GENERAL FUND – SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	52
COMMUNITY PRESERVATION FUND – SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	54
PENSION PLAN SCHEDULES	
SCHEDULE OF FUNDING PROGRESS (SYSTEM)	56
SCHEDULE OF EMPLOYER CONTRIBUTION (SYSTEM)	56
TOWN SHARE OF SYSTEM ARC	56
OTHER POSTEMPLOYMENT BENEFITS SCHEDULE	57
NOTE TO REQUIRED SUPPLEMENTARY INFORMATION	58



## INDEPENDENT AUDITORS' REPORT

Honorable Board of Selectmen  
Town of Eastham, Massachusetts

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Town of Eastham, Massachusetts, as of and for the year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the Town of Eastham, Massachusetts' basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Town of Eastham, Massachusetts, as of June 30, 2016, and the changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

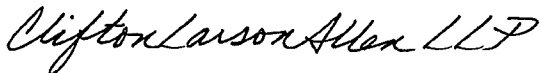
**Other Matters**

***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (located on pages 3 through 9) and general fund and community preservation fund budgetary comparisons and certain pension and other postemployment benefits information (located on pages 52 through 58) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

**Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated November 4, 2016 on our consideration of the Town of Eastham, Massachusetts' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Eastham, Massachusetts' internal control over financial reporting and compliance.



**CliftonLarsonAllen LLP**

Boston, Massachusetts  
November 4, 2016

**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

As management of the Town of Eastham, Massachusetts (Town), we offer readers of these financial statements this narrative overview and analysis of the Town's financial activities for the fiscal year ended June 30, 2016.

**FINANCIAL HIGHLIGHTS**

- The assets and deferred outflows of resources of the Town exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$15,948,950 (net position). The Town had an unrestricted deficit at the end of the current fiscal year totaling \$17,570,088.
- The Town's total net position increased \$980,147.
- At the end of the fiscal year, unassigned fund balance for the general fund totaled \$1,217,447, or 4.8% of total fiscal year 2016 general fund revenues and other financing sources of \$25,394,547.
- The Town's total bonded debt outstanding was \$39,247,203 at June 30, 2016. The Town's total bonded debt increased by \$27,140,003 during the fiscal year. The Town issued \$28,440,403 of long-term debt in fiscal year 2016.

**OVERVIEW OF THE BASIC FINANCIAL STATEMENTS**

This discussion and analysis is intended to serve as an introduction to the *basic financial statements*, which consists of the following three components:

1. Government-wide financial statements
2. Fund financial statements
3. Notes to the basic financial statements

This report also contains required supplementary information in addition to the basic financial statements.

**Government-Wide Financial Statements**

The government-wide financial statements are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private-sector business.

The **statement of net position** presents information on all of the Town's non-fiduciary assets, liabilities and deferred inflows/outflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating.

The **statement of activities** presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes, earned but unused vacation leave, etc.).

The government-wide financial statements present functions of the Town that are principally supported by taxes and intergovernmental revenues (governmental activities). Governmental activities include general government, public safety, education, public works, health and human services, culture and recreation, community development and debt service (interest).

**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

The government-wide financial statements can be found on pages 11-12 of this report.

**Fund Financial Statements**

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds can be divided into the following categories and are described below:

1. Governmental funds
2. Fiduciary funds

**Governmental Funds**

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental funds financial statements focus on near-term inflows and outflows of expendable resources, as well as on balances of expendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term effect of the government's near-term financing decisions. Both the governmental funds balance sheet and the governmental funds statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Town maintains 229 individual governmental funds. Information is presented separately in the governmental funds balance sheet and in the governmental funds statement of revenues, expenditures, and changes in fund balances for the general, community preservation (special revenue), municipal water supply (capital project), library building (capital project) and debt service funds, each of which are considered to be major funds. Data from the other 224 governmental funds are combined into a single, aggregated presentation titled *nonmajor governmental funds*.

The basic governmental funds financial statements can be found on pages 13-18 of this report.

**Fiduciary Funds**

Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the Town's programs. The accounting used for fiduciary funds is similar to that used for the government-wide financial statements.

The fiduciary funds provide separate information for private-purpose trust funds and agency funds, and are combined into a single, aggregate presentation in the fiduciary fund financial statements under the captions "private purpose trust funds" and "agency funds", respectively.

The basic fiduciary funds financial statements can be found on pages 19-20 of this report.

**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

**Notes to the Basic Financial Statements**

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements are on pages 21-52.

**Required Supplementary Information**

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information. Presented in this information is the budget comparison for the general fund and community preservation fund and certain pension and other postemployment benefits information, which can be found on pages 53-59 of this report.

**GOVERNMENT-WIDE FINANCIAL ANALYSIS**

The following tables present current and prior year data on the government-wide financial statements.

**Net Position**

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. The Town's assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$15,948,950 at the close of the fiscal year and are summarized as follows:

	2016	2015
<b>Assets</b>		
Current Assets	\$ 27,174,891	\$ 34,747,500
Noncurrent Assets (Excluding Capital Assets)	58,928	58,928
Capital Assets (Net)	65,995,715	39,633,291
Total Assets	93,229,534	74,439,719
<b>Deferred Outflows of Resources</b>	1,232,410	24,425
<b>Liabilities</b>		
Current Liabilities (Excluding Debt)	4,920,982	2,091,071
Noncurrent Liabilities (Excluding Debt)	26,540,592	24,184,570
Current Debt	9,198,410	22,412,900
Noncurrent Debt	37,500,176	10,806,800
Total Liabilities	78,160,160	59,495,341
<b>Deferred Inflows of Resources</b>	352,834	-
<b>Net Position</b>		
Net investment in capital assets	20,647,787	28,971,441
Restricted	12,871,251	6,615,108
Unrestricted	(17,570,088)	(20,617,746)
Total Net Position	\$ 15,948,950	\$ 14,968,803

**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

The largest portion of the Town's net position reflects its net investment in capital assets. These capital assets are used to provide services to citizens; consequently, these assets are not available for future spending. Although the net investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities. An additional portion of the Town's net position (\$12,871,251) represents resources that are subject to external restrictions on how they may be used. The Town has no unrestricted net position available for the support of governmental activities. Such resources have been consumed with the recognition of net pension and other postretirement benefit liabilities.

**Changes in Net Position**

The following table summarizes the Town's changes in net position for the fiscal years ended June 30, 2016 and 2015:

	2016	2015
<b>Revenues</b>		
<i>Program Revenues:</i>		
Charges for Services	\$ 4,162,126	\$ 3,550,950
Operating Grants and Contributions	2,938,165	1,353,400
Capital Grants and Contributions	1,133,280	926,803
<i>General Revenues:</i>		
Real Estate, Personal Property Taxes and Tax Liens	20,206,752	18,819,459
Motor Vehicle and Other Excise Taxes	804,050	772,411
Hotel/Motel Taxes	320,842	288,092
Penalties and Interest on Taxes	99,453	91,157
Payments in Lieu of Taxes	8,529	7,349
Community Preservation Surcharges	597,598	556,688
Grants and Contributions not Restricted to Specific Programs	137,341	132,569
Unrestricted Investment Income	46,460	4,458
Premium from Issuance of Bonds and Notes	-	348,462
<b>Total Revenues</b>	<u>30,454,596</u>	<u>26,851,799</u>
<b>Expenses</b>		
General Government	5,642,965	5,188,353
Public Safety	7,196,623	5,868,575
Education	10,781,570	10,476,034
Public Works	1,902,704	2,135,633
Health and Human Services	926,975	962,342
Culture and Recreation	1,136,599	1,181,136
Community Development	503,015	35,229
Other	4,499	26,597
Debt Service - Interest	979,499	233,888
<b>Total Expenses</b>	<u>29,474,449</u>	<u>26,107,787</u>
Change in Net Position	980,147	744,012
Net Position - Beginning of Year	<u>14,968,803</u>	<u>14,224,791</u>
Net Position - End of Year	<u><u>\$ 15,948,950</u></u>	<u><u>\$ 14,968,803</u></u>

**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

Governmental activities increased the Town's net position by \$980,147, which is consistent with the prior year, in which governmental activities increased the Town's net position by \$744,012.

**FUND FINANCIAL STATEMENT ANALYSIS**

As noted earlier, the Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

**Governmental Funds**

The focus of the governmental funds is to provide information on near-term inflows, outflows, and balances of expendable resources. Such information is useful in assessing the Town's financing requirements.

At the end of the current fiscal year, the governmental funds reported combined ending fund balances totaling \$14,720,909 an increase of \$3,800,304 in comparison with the prior year. Unassigned fund balance has a deficit of \$178,711 at June 30, 2016. The remainder of fund balance at June 30, 2016 includes the following constraints:

- Nonspendable (\$236,293)
- Restricted (\$12,399,664)
- Committed (\$2,196,166)
- Assigned (\$67,497)

The general fund is the chief operating fund of the Town. At the end of the current fiscal year, unassigned fund balance of the general fund totaled \$1,217,447, while total fund balance was \$3,481,110. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund revenues and other financing sources. Unassigned fund balance represents 4.8% of total general fund revenues and other financing sources, while total fund balance represents 13.7% of that total.

The fund balance of the general fund decreased \$25,610 during the current fiscal year. The Town recognized an approximate \$823,000 budgetary surplus (budget vs. actual activity) and approximately \$2,538,000 of reserves were utilized during fiscal year 2016.

Financial highlights of the Town's other major governmental funds are as follows:

The fund balance of the community preservation fund (special revenue) decreased \$1,016,631 during the current fiscal year. The fund recognized \$595,987 in surcharges, \$221,311 in intergovernmental revenues, \$26,036 in departmental revenue, and \$4,450 in investment income. Expenditures of \$922,505 were incurred during the fiscal year. The fund transferred \$942,000 to other funds.

The fund balance of the municipal water supply fund (capital project) increased \$3,954,766 during the current fiscal year. The fund received \$24,985,403 of bond proceeds and expenditures of \$21,030,637 were incurred during the fiscal year.

The fund balance of the library building fund (capital project) decreased \$4,115,695 during the current fiscal year. The fund received \$866,385 of intergovernmental revenues and \$800 of investment income. Expenditures of \$5,097,880 were incurred during the fiscal year.



**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

The fund balance of the debt service fund increased \$3,751,161 during the current fiscal year. The fund received \$3,455,000 in proceeds of refunding bonds and \$297,702 in bond premiums. Expenditures of \$1,541 were incurred during the fiscal year.

**General Fund Budgetary Highlights**

The original general fund budget of \$25,347,626 was increased by \$524,000 (2.1%) during the fiscal year. The following table summarizes the increase:

Purpose of Increase	Amount	Funding Source
Interest on Short-Term Debt	\$ 390,000	Unassigned Fund Balance
Waste Collection & Disposal	74,000	Unassigned Fund Balance
OPEB contribution	20,000	Unassigned Fund Balance
Fire	13,000	Unassigned Fund Balance
Data Processing Salary	12,000	Unassigned Fund Balance
Transfer to Visitors Service Board fund	10,000	Unassigned Fund Balance
Unemployment Compensation	5,000	Unassigned Fund Balance
Total Increase	<u>\$ 524,000</u>	

**CAPITAL ASSET AND DEBT ADMINISTRATION**

**Capital Assets**

The Town's investment in capital assets for its governmental activities at the end of the fiscal year totaled \$65,995,715 (net of accumulated depreciation). This investment in capital assets includes land, buildings and improvements, machinery, vehicles and equipment, infrastructure and construction in progress. The total increase in the investment in capital assets for the current fiscal year totaled 66.5%.

Major capital asset events that occurred during the current fiscal year include the following:

- Municipal water supply construction in progress (\$21,031,000)
- Library building construction in progress (\$4,524,000)
- Vehicles (\$784,000)
- Land (\$554,000)
- Road Infrastructure (\$262,000)

The following table summarizes the Town's capital assets (net of accumulated depreciation):

	2016	2015
Land	\$ 11,665,861	\$ 11,111,962
Construction in Progress	34,243,952	8,096,454
Buildings and Improvements	14,409,037	14,950,757
Machinery, Vehicles and Equipment	1,966,846	1,708,138
Infrastructure	<u>3,710,019</u>	<u>3,765,980</u>
Total Capital Assets	<u>\$ 65,995,715</u>	<u>\$ 39,633,291</u>

Additional information on the Town's capital assets can be found in Note 5 of this report.

**TOWN OF EASTHAM, MASSACHUSETTS  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
JUNE 30, 2016**

**Long-Term Debt**

At the end of the current fiscal year, total bonded debt outstanding was \$39,247,203, which is backed by the full faith and credit of the Town, and is summarized as follows:

	<u>2016</u>	<u>2015</u>
General Obligation Bonds	\$ 14,110,000	\$ 11,935,000
MCWT Notes	<u>25,137,203</u>	<u>172,000</u>
Total Bonds and Notes	<u>\$ 39,247,203</u>	<u>\$ 12,107,000</u>

During the current fiscal year, the Town issued \$28,440,403 and retired \$1,300,400 of long-term debt.

Additional information on the Town's long-term debt can be found in Note 9 of this report.

**ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES**

This fiscal year, FY16, we needed a portion of the capacity created by the successful FY15 override. However, this is also the last year of employee collective bargaining contracts. Negotiations for new agreements and the budgetary impact of those is anticipated to impact FY18, so FY17 spending was developed with respect for those revenue needs upcoming.

The budget was also developed with particular emphasis on anticipated tax rate impact of debt service as the water system Phase 1 nears completion. In particular, we continue to manage expenses and debt service so as to maintain our AAA Bond rating and we have been successful in that regard.

Management of this debt and the tolerance for future borrowings and expenditures will require careful consideration of any new spending initiatives for long or short-term projects or acquisitions. Our five-year capital plan recognizes this major capital draw and other projects are being planned accordingly.

The projections indicate that the next override may be considered for the FY19 or FY20 budget. All expenditures will be managed to support that projection.

**REQUESTS FOR INFORMATION**

This financial report is designed to provide a general overview of the Town's finances for all those with an interest in its finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Town Accountant, 2500 State Highway, Eastham, Massachusetts 02642.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**STATEMENT OF NET POSITION**  
**JUNE 30, 2016**

	Primary Government
	Governmental Activities
<b>ASSETS</b>	
Current Assets:	
Cash and Cash Equivalents	\$ 4,111,607
Restricted Cash and Cash Equivalents	11,853,700
Receivables, Net of Allowance for Uncollectible Amounts:	
Real Estate and Personal Property Taxes	368,689
Tax, Trash and Utility Liens	192,785
Motor Vehicle and Other Excise Taxes	87,383
Community Preservation Surcharges	9,404
Department and Other	225,890
Intergovernmental	10,225,818
Loans	99,615
Total Current Assets	<u>27,174,891</u>
Noncurrent Assets:	
Tax Foreclosures	58,928
Capital Assets not being Depreciated	45,909,813
Capital Assets, Net of Accumulated Depreciation	<u>20,085,902</u>
Total Noncurrent Assets	<u>66,054,643</u>
Total Assets	<u>\$ 93,229,534</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>	
Deferred Outflows of Resources Related to Pension	<u>\$ 1,232,410</u>
<b>LIABILITIES</b>	
Current Liabilities:	
Warrants Payable	\$ 3,701,122
Accrued Payroll	387,327
Other Liabilities	130,553
Accrued Interest	159,091
Pollution Remediation	50,000
Capital Lease Obligations	284,129
Compensated Absences	208,759
Short-Term Notes Payable	7,451,383
Long-Term Bonds and Notes Payable	<u>1,747,027</u>
Total Current Liabilities	<u>14,119,391</u>
Noncurrent Liabilities:	
Capital Lease Obligations	291,716
Compensated Absences	149,771
Net OPEB Obligation	10,665,906
Net Pension Liability	15,433,200
Long-Term Bonds and Notes Payable	<u>37,500,176</u>
Total Noncurrent Liabilities	<u>64,040,769</u>
Total Liabilities	<u>\$ 78,160,160</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Related to Pension	<u>\$ 352,834</u>
<b>NET POSITION</b>	
Net Investment in Capital Assets	\$ 20,647,787
Restricted for:	
Capital Purposes - Library	164,579
Capital Purposes - Municipal Water	2,412,874
Community Preservation	1,583,166
Loans	99,615
Debt Service	3,751,161
Permanent Funds:	
Expendable	129,742
Nonexpendable	136,678
Other Specific Purposes	4,593,436
Unrestricted	<u>(17,570,088)</u>
Total Net Position	<u>\$ 15,948,950</u>

See accompanying Notes to Basic Financial Statements.

**TOWN OF EASTHAM, MASSACHUSETTS  
STATEMENT OF ACTIVITIES  
FISCAL YEAR ENDED JUNE 30, 2016**

Functions/Programs	Expenses	Program Revenues			Net (Expense)/ Revenue
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	
<b>Primary Government:</b>					
Governmental Activities:					
General Government	\$ 5,642,965	\$ 1,257,044	\$ 402,950	\$ -	\$ (3,982,971)
Public Safety	7,196,623	1,439,442	83,342	-	(5,673,839)
Education	10,781,570	55,296	1,119,997	-	(9,606,277)
Public Works	1,902,704	793,381	6,474	266,895	(835,954)
Health and Human Services	926,975	142,053	42,533	-	(742,389)
Culture and Recreation	1,136,599	474,910	458,684	866,385	663,380
Community Development	503,015	-	464,048	-	(38,967)
Other	4,499	-	-	-	(4,499)
Debt Service-Interest	979,499	-	360,137	-	(619,362)
Total Governmental Activities	<u>29,474,449</u>	<u>4,162,126</u>	<u>2,938,165</u>	<u>1,133,280</u>	<u>(21,240,878)</u>
<b>General Revenues:</b>					
					20,206,752
Real Estate and Personal Property Taxes					804,050
Motor Vehicle and Other Excise Taxes					320,842
Hotel/Motel Taxes					99,453
Penalties and Interest on Taxes					8,529
Payments in Lieu of Taxes					597,598
Community Preservation Surcharges					137,341
Grants and Contributions not Restricted to Specific Programs					<u>46,460</u>
Unrestricted Investment Income					
Total General Revenues and Transfers					<u>22,221,025</u>
<b>CHANGE IN NET POSITION</b>					980,147
Net Position - Beginning of Year					<u>14,968,803</u>
<b>NET POSITION - END OF YEAR</b>					<u>\$ 15,948,950</u>

See accompanying Notes to Basic Financial Statements.

**TOWN OF EASTHAM, MASSACHUSETTS  
GOVERNMENTAL FUNDS  
BALANCE SHEET  
JUNE 30, 2016**

	<u>General</u>	<u>Community Preservation</u>	<u>Municipal Water Supply</u>
<b>ASSETS</b>			
Cash and Cash Equivalents	\$ 4,111,607	\$ -	\$ -
Receivables, Net of Allowance for Uncollectible Amounts:			
Real Estate and Personal Property Taxes	368,689	-	-
Tax and Trash Liens	192,785	-	-
Motor Vehicle and Other Excise taxes	87,383	-	-
Community Preservation Surcharges	-	9,404	-
Departmental and Other	-	-	-
Intergovernmental	-	-	10,181,263
Loans	-	-	-
Tax Foreclosures	58,928	-	-
Restricted Assets:			
Cash and Cash Equivalents	-	1,573,761	105,962
<b>Total Assets</b>	<b><u>\$ 4,819,392</u></b>	<b><u>\$ 1,583,165</u></b>	<b><u>\$ 10,287,225</u></b>
<b>LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES</b>			
<b>LIABILITIES</b>			
Warrants Payable	\$ 213,173	\$ -	\$ 2,874,351
Accrued Payroll	387,327	-	-
Other Liabilities	130,553	-	-
Pollution Remediation Liability	50,000	-	-
Short-Term Notes Payable	-	-	5,000,000
<b>Total Liabilities</b>	<b><u>781,053</u></b>	<b><u>-</u></b>	<b><u>7,874,351</u></b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Unavailable Revenue	<u>557,229</u>	<u>9,404</u>	<u>-</u>
<b>FUND BALANCES</b>			
Nonspendable	-	-	-
Restricted	-	1,573,761	2,412,874
Committed	2,196,166	-	-
Assigned	67,497	-	-
Unassigned	<u>1,217,447</u>	<u>-</u>	<u>-</u>
<b>Total Fund Balances</b>	<b><u>3,481,110</u></b>	<b><u>1,573,761</u></b>	<b><u>2,412,874</u></b>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balances</b>	<b><u>\$ 4,819,392</u></b>	<b><u>\$ 1,583,165</u></b>	<b><u>\$ 10,287,225</u></b>

See accompanying Notes to Basic Financial Statements.

<u>Library Building</u>	<u>Debt Service Fund</u>	<u>Nonmajor Governmental Funds</u>	<u>Total Governmental Funds</u>
\$ -	\$ -	\$ -	\$ 4,111,607
-	-	-	368,689
-	-	-	192,785
-	-	-	87,383
-	-	-	9,404
-	-	225,890	225,890
-	-	44,555	10,225,818
-	-	99,615	99,615
-	-	-	58,928
<u>1,604,803</u>	<u>3,751,161</u>	<u>4,818,013</u>	<u>11,853,700</u>
<u>\$ 1,604,803</u>	<u>\$ 3,751,161</u>	<u>\$ 5,188,073</u>	<u>\$ 27,233,819</u>
\$ 573,841	\$ -	\$ 39,758	\$ 3,701,123
-	-	-	387,327
-	-	-	130,553
-	-	-	50,000
<u>866,383</u>	<u>-</u>	<u>1,585,000</u>	<u>7,451,383</u>
<u>1,440,224</u>	<u>-</u>	<u>1,624,758</u>	<u>11,720,386</u>
<u>-</u>	<u>-</u>	<u>225,891</u>	<u>792,524</u>
-	-	236,293	236,293
164,579	3,751,161	4,497,289	12,399,664
-	-	-	2,196,166
-	-	-	67,497
<u>-</u>	<u>-</u>	<u>(1,396,158)</u>	<u>(178,711)</u>
<u>164,579</u>	<u>3,751,161</u>	<u>3,337,424</u>	<u>14,720,909</u>
<u>\$ 1,604,803</u>	<u>\$ 3,751,161</u>	<u>\$ 5,188,073</u>	<u>\$ 27,233,819</u>

**TOWN OF EASTHAM, MASSACHUSETTS  
GOVERNMENTAL FUNDS  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
YEAR ENDED JUNE 30, 2016**

	General	Community Preservation	Municipal Water Supply
<b>REVENUES</b>			
Real Estate and Personal Property Taxes	\$ 20,239,507	\$ -	\$ -
Motor Vehicle and Other Excise Taxes	798,262	-	-
Hotel/Motel Tax	320,842	-	-
Tax and Trash Liens	36,675	-	-
Payments in Lieu of Taxes	8,529	-	-
Community Preservation Surcharges	-	595,987	-
Charges for Services	-	-	-
Intergovernmental	495,204	221,311	-
Penalties and Interest on Taxes	99,453	-	-
Licenses and Permits	559,752	-	-
Fines and Forfeitures	37,267	-	-
Departmental and Other	2,036,615	26,036	-
Contributions	-	-	-
Investment Income	46,683	4,540	-
Total Revenues	<u>24,678,789</u>	<u>847,874</u>	<u>-</u>
<b>EXPENDITURES</b>			
Current:			
General Government	3,304,727	840,458	-
Public Safety	4,224,838	-	-
Education	8,806,627	-	-
Public Works	1,162,659	-	21,030,637
Health and Human Services	556,877	-	-
Culture and Recreation	641,946	-	-
Community Development	-	-	-
Pension Benefits	1,323,659	-	-
Employee Benefits	2,108,683	-	-
Property and Liability Insurance	318,509	-	-
Claims and Judgments	400,000	-	-
Other	-	-	-
State and County Charges	524,412	-	-
Debt Service:			
Principal	1,240,400	60,000	-
Interest	796,820	22,047	-
Total Expenditures	<u>25,410,157</u>	<u>922,505</u>	<u>21,030,637</u>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</b>	<u>(731,368)</u>	<u>(74,631)</u>	<u>(21,030,637)</u>
<b>OTHER FINANCING SOURCES (USES)</b>			
Proceeds of Bonds and Notes	-	-	24,985,403
Premium from Issuance of Short-Term Debt	62,435	-	-
Proceeds of Refunding Bonds (Current)	-	-	-
Premium from Issuance of Refunding Bonds (Current)	-	-	-
Transfers In	653,323	-	-
Transfer Out	(10,000)	(942,000)	-
Total Other Financing Sources (Uses)	<u>705,758</u>	<u>(942,000)</u>	<u>24,985,403</u>
<b>NET CHANGE IN FUND BALANCES</b>	(25,610)	(1,016,631)	3,954,766
Fund Balances - Beginning of Year	<u>3,506,720</u>	<u>2,590,392</u>	<u>(1,541,892)</u>
<b>FUND BALANCES - END OF YEAR</b>	<u>\$ 3,481,110</u>	<u>\$ 1,573,761</u>	<u>\$ 2,412,874</u>

See accompanying Notes to Basic Financial Statements.

Library Building	Debt Service Fund	Nonmajor Governmental Funds	Total Governmental Funds
\$ -	\$ -	\$ -	\$ 20,239,507
-	-	-	798,262
-	-	-	320,842
-	-	-	36,675
-	-	-	8,529
-	-	-	595,987
-	-	554,069	554,069
866,385	-	1,024,317	2,607,217
-	-	-	99,453
-	-	-	559,752
-	-	1,410	38,677
-	-	1,250,314	3,312,965
-	-	443,004	443,004
800	-	5,409	57,432
<u>867,185</u>	<u>-</u>	<u>3,278,523</u>	<u>29,672,371</u>
-	-	507,696	4,652,881
-	-	620,973	4,845,811
-	-	98,708	8,905,335
-	-	262,677	22,455,973
-	-	44,126	601,003
5,097,880	-	168,193	5,908,019
-	-	503,015	503,015
-	-	-	1,323,659
-	-	-	2,108,683
-	-	-	318,509
-	-	-	400,000
-	-	4,499	4,499
-	-	-	524,412
-	-	-	1,300,400
-	1,541	-	820,408
<u>5,097,880</u>	<u>1,541</u>	<u>2,209,887</u>	<u>54,672,607</u>
<u>(4,230,695)</u>	<u>(1,541)</u>	<u>1,068,636</u>	<u>(25,000,236)</u>
-	-	-	24,985,403
-	-	-	62,435
-	3,455,000	-	3,455,000
-	297,702	-	297,702
115,000	-	803,000	1,571,323
-	-	(619,323)	(1,571,323)
<u>115,000</u>	<u>3,752,702</u>	<u>183,677</u>	<u>28,800,540</u>
<u>(4,115,695)</u>	<u>3,751,161</u>	<u>1,252,313</u>	<u>3,800,304</u>
<u>4,280,274</u>	<u>-</u>	<u>2,085,111</u>	<u>10,920,605</u>
<u>\$ 164,579</u>	<u>\$ 3,751,161</u>	<u>\$ 3,337,424</u>	<u>\$ 14,720,909</u>



**TOWN OF EASTHAM, MASSACHUSETTS  
GOVERNMENTAL FUNDS  
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET  
TOTAL FUND BALANCES TO THE STATEMENT OF NET POSITION  
JUNE 30, 2016**

Total Governmental Fund Balances	\$ 14,720,909
Capital assets (net of accumulated depreciation) used in governmental activities are not financial resources and, therefore are not reported in the governmental funds	65,995,715
In the statement of net position, deferred outflows/inflows of resources are reported for amounts related to pensions	879,577
Other assets are not available to pay for current period expenditures and, therefore, are reported as deferred inflows of resources in the governmental funds	792,524
In the statement of net position, interest is accrued on outstanding long-term debt, whereas in the governmental funds interest is not reported until due	(159,091)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds.	
Bonds and Notes Payable	(39,247,203)
Capital Lease Obligations	(575,845)
Compensated Absences	(358,530)
Net OPEB Obligation	(10,665,906)
Net Pension Liability	(15,433,200)
Net Position of Governmental Activities	<u>\$ 15,948,950</u>

*See accompanying Notes to Basic Financial Statements.*

**TOWN OF EASTHAM, MASSACHUSETTS  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF ACTIVITIES  
FISCAL YEAR ENDED JUNE 30, 2016**

Net Change in Fund Balances - Total Governmental Funds \$ 3,800,304

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. These amounts represent the related activity of the current period.

Capital Outlays	27,747,679
Depreciation	(1,267,356)

In the statement of activities, the loss on the disposals of capital assets is reported, whereas in the governmental funds the disposals are not reported as financial resources. As a result, the change in net position differs from the change in fund balance by the net book value of the capital assets disposed (117,900)

In the statement of activities, deferred outflows/inflows related to pensions are amortized and recognized as pension expense. This amount represents the net change in deferred inflows related to pensions. 855,153

Revenues in the statement of activities that do not provide current financial resources are reported as deferred inflows of resources in the governmental funds. Therefore, the recognition of revenue for various types of accounts receivable (i.e., real estate and personal property, motor vehicle excise, etc.) differ between the two statements. This amount represents the net change in deferred inflows of resources. (140,031)

The issuance of long-term debt (e.g., bonds and leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the financial resources of governmental funds. Neither transaction, however, has any impact on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. These amounts represent the related activity of the current period.

Proceeds of Bonds	(24,985,403)
Proceeds of Refunding Bonds	(3,455,000)
Bond Maturities	1,300,400
Capital Lease Proceeds	(559,444)
Capital Lease Maturities	284,996

In the statement of activities, interest is accrued on outstanding long-term debt, whereas in the governmental funds interest is not reported until due. This amount represents the net change in accrued interest payable (159,091)

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported in the governmental funds.

These amounts represent the net changes:

Compensated Absences	(13,046)
Net OPEB Obligation	(1,139,932)
Net Pension Liability	(1,171,182)

Changes in Net Position of Governmental Activities	\$ 980,147
--	------------

*See accompanying Notes to Basic Financial Statements.*

**TOWN OF EASTHAM, MASSACHUSETTS  
FIDUCIARY FUNDS  
STATEMENT OF FIDUCIARY NET POSITION  
JUNE 30, 2016**

	Private Purpose Trust Funds	Agency Funds
<b>ASSETS</b>		
Cash and Cash Equivalents	\$ 53,926	\$ 28
Receivables, Net of Allowance for Uncollectible Amounts:		
Loans	<u>137,095</u>	<u>-</u>
Total Assets	<u>191,021</u>	<u>28</u>
<b>LIABILITIES</b>		
Liabilities Due Depositors	<u>-</u>	<u>28</u>
<b>NET POSITION</b>		
Held in Trust for Other Purposes	<u>\$ 191,021</u>	<u>\$ -</u>

*See accompanying Notes to Basic Financial Statements.*

**TOWN OF EASTHAM, MASSACHUSETTS  
FIDUCIARY FUNDS  
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION  
YEAR ENDED JUNE 30, 2016**

	<u>Trust Funds</u>
<b>ADDITIONS</b>	
Contributions:	
Private Donations	\$ 11,558
Other	<u>32,000</u>
Total Contributions	<u>43,558</u>
Net Investment Income:	
Interest	<u>1,081</u>
Total Investment Income	<u>1,081</u>
Total Additions	<u>44,639</u>
<b>DEDUCTIONS</b>	
Scholarships Awarded	<u>32,000</u>
Total Deductions	<u>32,000</u>
<b>CHANGE IN NET POSITION</b>	12,639
Net Position - Beginning of Year	<u>178,382</u>
<b>NET POSITION - END OF YEAR</b>	<u><u>\$ 191,021</u></u>

*See accompanying Notes to Basic Financial Statements.*

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. General**

The basic financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the standard-setting body for establishing governmental accounting and financial reporting principles. The significant accounting policies are described herein.

**B. Reporting Entity**

The Town of Eastham, Massachusetts (Town) is a municipal corporation that is governed by an elected Board of Selectmen (the Board).

For financial reporting purposes, the basic financial statements include all funds, organizations, account groups, agencies, boards, commissions and institutions that are not legally separate from the Town.

The Town has also considered all potential component units for which it is financially accountable as well as other organizations for which the nature and/or significance of their relationship with the Town are such that exclusion would cause the Town's basic financial statements to be misleading or incomplete. It has been determined that there are no component units that require inclusion in the basic financial statements.

**Joint Ventures**

A joint venture is an organization (resulting from a contractual agreement) that is owned, operated or governed by two or more participants as a separate and specific activity subject to joint control in which the participants retain an ongoing financial interest or ongoing financial responsibility. Joint control means that no single participant has the ability to unilaterally control the financial or operating policies of the joint venture.

The Town participates in two joint ventures with other municipalities to pool resources and share the costs, risks and rewards of providing goods and services to venture participants directly, or for the benefit of the general public or specific recipients. The following table identifies the Town's joint ventures and related information:

Name	Purpose	Address	Fiscal Year 2016 Assessment
Nauset Regional School District	To provide educational services	78 Elderidge Parkway Orleans, MA 02653	\$ 5,064,556
Cape Cod Regional Technical High School	To provide vocational educational services	351 Pleasant Lake Avenue Harwich, MA 02645	\$ 216,660

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

The Nauset Regional School District (District) is governed by a 10 member school committee consisting of two elected representatives from the Town. The Town is indirectly liable for the District's debt and other expenditures and is assessed annually for its share of operating and capital costs. Separate financial statements may be obtained by writing to the Treasurer of the District at the address previously identified.

The Cape Cod Regional Technical High School (School) is governed by a 21 member school committee consisting of two representatives (appointed by the Board of Selectmen) from the Town. The Town is indirectly liable for the School's debt and other expenditures and is assessed annually for its share of operating and capital costs. Separate financial statements may be obtained by writing to the Treasurer of the District at the address previously identified.

***Government-Wide Financial Statements***

The government-wide financial statements (statement of net position and the statement activities) report information on all non-fiduciary activities of the primary government. *Governmental activities* are primarily supported by taxes and intergovernmental revenues.

***Fund Financial Statements***

Separate financial statements are provided for governmental funds and fiduciary funds, even though fiduciary funds are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements. Nonmajor funds are aggregated and displayed in a single column. Fiduciary funds are reported by fund type.

**C. Implementation of New Accounting Principles**

For the year ended June 30, 2016, the Town implemented the following pronouncements issued by the GASB:

- GASB Statement No. 72, *Fair Value Measurement and Application*
- GASB Statement No. 73, *Accounting and Financial Reporting pension and Related Assets That Are Not within the scope of GASB 68, and Amendments to Certain Provisions of GASB Statements 67 and 68*
- GASB Statement No. 76, *The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments*

The implementation of these GASB Statements had no reporting impact for the Town.



**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Measurement Focus, Basis of Accounting and Basis of Presentation**

***Government-Wide Financial Statements***

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded when the liabilities are incurred. Real estate and personal property taxes are recognized as revenues in the fiscal year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The statement of activities demonstrates the degree to which the direct expenses of a function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include the following:

- Charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment.
- Grants and contributions that are restricted to meeting the operational requirements of a specific function or segment.
- Grants and contributions that are restricted to meeting the capital requirements of a specific function or segment.

Taxes and other items not identifiable as program revenues are reported as general revenues.

The effect of interfund activity has been eliminated from the government-wide financial statements.

***Fund Financial Statements***

**Governmental funds** financial statements are reported using the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., measurable and available). Measurable means the amount of the transaction can be determined and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures are recorded when the related fund liability is incurred, except for unmatured interest on general long-term debt which is recognized when due, and certain compensated absences, claims and judgments which are recognized when the obligations are expected to be liquidated with current expendable available resources.

Real estate and personal property tax revenues are considered available if they are collected within 60-days after the end of the fiscal year. Investment income is susceptible to accrual. Other receipts and tax revenues become measurable and available when the cash is received and are recognized as revenue at that time.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Entitlements and shared revenues are recorded at the time of receipt or earlier if the susceptible to accrual criteria is met. Expenditure driven grants recognize revenue when the qualifying expenditures are incurred and all other grant requirements are met.

The following major governmental funds are reported:

The *general fund* is used to account for and report all financial resources not accounted for and reported in another fund.

The *community preservation fund* is a special revenue fund used to account for the 3% local real estate tax surcharge on nonexempt property (and matching state trust fund distribution) that can be used for open space, historic resource and affordable housing purposes. Disbursements from this fund must originate from the Community Preservation Committee and be approved by Town Meeting.

The *municipal water supply fund* is a capital projects fund used to account for the development of a Town-wide municipal water system.

The *library building fund* is a capital projects fund used to account for accumulation of funds to build a new public library.

The *debt service fund* is used to account for a debt refunding transaction.

The nonmajor governmental funds consist of other special revenue, capital projects and permanent funds that are aggregated and presented in the *nonmajor governmental funds* column on the governmental funds financial statements. The following describes the general use of these fund types:

*Special revenue funds* are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.

*Capital projects funds* are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets. Capital projects funds exclude those types of capital-related outflows financed by proprietary funds or for assets that will be held in trust for individuals, private organizations, or other governments.

*Permanent funds* are used to account for and report resources that are restricted to the extent that only earnings, and not principal, may be used for purposes that support the government's programs and benefit the government or its citizenry.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Fiduciary funds** financial statements are reported using the flow of economic resources measurement focus and use the accrual basis of accounting. Fiduciary funds are used to account for assets held in a trustee capacity for others that cannot be used to support the government's programs.

The following fiduciary fund types are reported:

The *private-purpose trust fund* is used to account for trust arrangements, other than those properly reported in the permanent fund, under which principal and investment income exclusively benefits individuals, private organizations, or other governments.

The *agency fund* is used to account for assets held in a custodial capacity. Such assets consist of police detail and student activity funds. Agency funds do not present the results of operations or have a measurement focus.

**E. Cash and Cash Equivalents and Investments**

**Government-Wide and Fund Financial Statements**

Cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with an original maturity of three months or less from the date of acquisition.

Investments are carried at fair value.

**F. Accounts Receivable**

**Government-Wide and Fund Financial Statements**

The recognition of revenue related to accounts receivable reported in the government-wide financial statements and fund financial statements are reported under the accrual basis of accounting and the modified accrual basis of accounting, respectively.

**Real Estate Taxes, Personal Property Taxes and Tax Liens**

Real estate and personal property taxes are levied and based on values assessed on January 1 of every year. Assessed values are established by the Board of Assessor's for 100% of the estimated fair market value. Taxes are due on November 1 and May 1 and are subject to penalties and interest if they are not paid by the respective due date. Real estate and personal property taxes levied are recorded as receivables in the fiscal year of the levy.

Real estate tax liens are processed annually on delinquent properties and are recorded as receivables in the fiscal year they are processed.

**Motor Vehicle and Other Excise Taxes**

Motor vehicle excise taxes are assessed annually for each vehicle registered in the Town and are recorded as receivables in the fiscal year of the levy. The Commonwealth is responsible for reporting the number of vehicles registered and the fair values of those vehicles to the Town. The tax calculation is the fair value of the vehicle multiplied by \$25 per \$1,000 of value.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Community Preservation Surcharges**

Community preservation surcharges are levied annually and at a rate of 3% of residents' real estate tax bills. The surcharge is due with the real estate tax on November 1 and May 1 and is subject to penalties and interest if they are not paid by the respective due date. Overdue surcharges would be included on the tax liens processed on delinquent real estate taxes. Surcharges are recorded as receivables in the fiscal year of the levy.

**Departmental and Other**

Departmental and other receivables represent amounts due from various departmental activities. These receivables are recorded when the service has been provided or the applicable agreement has been entered into.

**Intergovernmental**

Various state and federal operating and capital grants are applied for and received annually. For non-expenditure driven grants, revenue is recognized as soon as all eligibility requirements imposed by the provider have been met. For expenditure driven grants, revenue is recognized when the qualifying expenditures are incurred and all other grant requirements are met.

**Loans**

The Town administers various loan programs to residents that provide assistance to comply with Title V of the Massachusetts State Environmental Code regulating septic systems. The Town also administers educational loan programs. Loans are recorded as receivables upon issuance.

**G. Allowance for Uncollectible Accounts**

The allowance for uncollectible accounts is estimated based on historical trends and specific account analysis for the following accounts receivable:

- Personal property taxes
- Motor vehicle and other excise taxes
- Departmental and other
- Loans

The following types of accounts receivable are secured via the lien process and are considered 100% collectible. Accordingly, an allowance for uncollectible accounts is not reported.

- Real estate taxes
- Tax liens
- Community preservation surcharges

Intergovernmental receivables are considered 100% collectible.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**H. Inventories**

**Government-Wide and Fund Financial Statements**

Inventories are recorded as expenditures at the time of purchase. Such inventories are not material in total to the government-wide and fund financial statements and therefore are not reported.

**I. Restricted Assets**

**Government-Wide and Fund Financial Statements**

Assets are reported as restricted when limitations on their use change the nature of the availability of the asset. Such constraints are either externally imposed by creditors, contributors, grantors, or laws of other governments, or are imposed by law through constitutional provisions or enabling legislation.

**J. Capital Assets**

**Government-Wide Financial Statements**

Capital assets, which consist of land, construction in progress, land improvements, buildings and improvements, machinery, equipment and vehicles, and infrastructure (e.g., roads, sidewalks and similar items), are reported in the governmental activities column of the government-wide financial statements.

Capital assets are recorded at historical cost or at estimated historical cost if actual historical cost is not available. Donated capital assets are recorded at the estimated fair market value at the date of donation. Construction period interest is not capitalized on constructed capital assets.

All purchases and construction costs in excess of \$10,000 are capitalized at the date of acquisition or construction, respectively, with expected useful lives of greater than one year.

Capital assets (excluding land and construction-in-progress) are depreciated on a straight-line basis. The estimated useful lives of capital assets are as follows:

<u>Capital Asset Type</u>	<u>Estimated Useful Life (in years)</u>
Land Improvements	20
Buildings and Improvements	20-40
Machinery, Vehicles and Equipment	3-20
Infrastructure	20-40

The cost of normal maintenance and repairs that do not add to the value of the assets or materially extend asset lives are not capitalized and are treated as expenses when incurred. Improvements are capitalized.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Governmental Fund Financial Statements**

Capital asset costs are recorded as expenditures in the acquiring fund in the fiscal year of the purchase.

**K. Interfund Receivables and Payables**

During the course of its operations, transactions occur between and within funds that may result in amounts owed between funds.

**Government-Wide Financial Statements**

Transactions of a buyer/seller nature between and within governmental funds are eliminated from the governmental activities in the statement of net position.

**Fund Financial Statements**

Transactions of a buyer/seller nature between and within funds are not eliminated from the individual fund statements. Receivables and payables resulting from these transactions are classified as "Due from other funds" or "Due to other funds" on the balance sheet.

**L. Interfund Transfers**

During the course of its operations, resources are permanently reallocated between and within funds.

**Government-Wide Financial Statements**

Transfers between and within governmental funds are eliminated from the governmental activities in the statement of net position.

**Fund Financial Statements**

Transfers between and within funds are not eliminated from the individual fund statements and are reported as transfers in and transfers out.

Transfers between and within funds are not eliminated from the individual fund statements and are reported as transfers in and transfers out.

**M. Deferred Outflows of Resources**

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until that time.

The governmental unit has deferred outflows of resources related to pension which is reported in the government-wide financial statements statement of net position.



**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**N. Deferred Inflows of Resources**

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

The government has unavailable revenue that is reported in the governmental funds balance sheet. Unavailable revenue represents billed receivables that do not meet the available criterion in accordance with the current financial resources measurement focus and the modified accrual basis of accounting.

The governmental unit also has deferred inflows of resources related to pension which is reported in the government-wide financial statements statement of net position.

**O. Net Position and Fund Balances**

**Government-Wide Financial Statements (Net Position)**

Net position is reported as restricted when amounts are not available for appropriation or are legally restricted by outside parties for a specific future use.

Net position has been "restricted" for the following:

"Capital purposes - Library" represents amounts restricted for Library building construction.

"Capital purposes - Municipal Water" represents amounts restricted for the development of a Town-wide municipal water system.

"Community preservation" represents amounts restricted for open space, historic resource and affordable housing purposes.

"Loans" represents outstanding septic loans receivable.

"Debt service" represents amounts restricted for a debt refunding transaction.

"Permanent funds - expendable" represents amounts held in trust for which the expenditures are restricted by various trust agreements.

"Permanent funds - nonexpendable" represents amounts held in trust for which only investment earnings may be expended.

"Other specific purposes" represents restrictions placed on assets from outside parties.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Governmental Funds Financial Statements (Fund Balances)**

The following fund balance classifications describe the relative strength of the spending constraints:

*Nonspendable* – represents amounts that cannot be spent either because they are in nonspendable form (i.e., prepaid amounts) or because they are legally or contractually required to be maintained intact (i.e., principal of permanent fund).

*Restricted* – represents amounts that can be spent only for specific purposes because of constitutional provisions or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

*Committed* – represents amounts that can be used only for specific purposes imposed by a formal action of Town Meeting, which is the highest level of decision-making authority for the Town. Committed amounts may be established, modified, or rescinded only through actions approved by Town Meeting.

*Assigned* – represents amounts that do not meet the criteria to be classified as restricted or committed but are intended to be used for specific purposes. Under the Town's structure, only authorized assignments for non-contractual encumbrances can be made by individual department heads.

*Unassigned* – represents the residual fund balance for the General Fund and the negative residual fund balance of any other governmental fund that cannot be eliminated by offsetting assigned fund balance amounts.

In circumstances when an expenditure is made for a purpose for which amounts are available in multiple fund balance classifications, fund balance is depleted in the order of restricted, committed, assigned and unassigned.

Encumbrance amounts have been assigned for specific purposes for which resources already have been allocated.

**P. Long-Term Debt**

**Government-Wide Financial Statements**

Long-term debt is reported as liabilities in the government-wide statement of net position. Material bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount.

**Governmental Fund Financial Statements**

The face amount of governmental funds long-term debt is reported as other financing sources when the debt is issued. Bond premiums and discounts, as well as issuance costs, are recognized in the current period. Bond premiums are reported as other financing sources and bond discounts are reported as other financing uses. Issuance costs, whether or not withheld from the actual bond proceeds received, are reported as general government expenditures.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Q. Investment Income**

Excluding the permanent funds, investment income derived from major and nonmajor governmental funds is legally assigned to the general fund unless otherwise directed by Massachusetts General Law (MGL).

**R. Compensated Absences**

Employees are granted vacation and sick leave in varying amounts based on collective bargaining agreements, state laws and executive policies.

**Government-Wide Financial Statements**

Vested or accumulated vacation and sick leave are reported as liabilities and expensed as incurred.

**Governmental Fund Financial Statements**

Vested or accumulated vacation and sick leave, which will be liquidated with expendable available financial resources, are reported as expenditures and fund liabilities.

**S. Pensions**

**Government-Wide and Fund Financial Statements**

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Barnstable County Retirement Association (BCRA) and additions to/deductions from BCRA's fiduciary net position have been determined on the same basis as they are reported by BCRA. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**T. Postretirement Benefits**

**Government-Wide and Fund Financial Statements**

In addition to providing pension benefits, and as more fully described in Note 11, the Town provides health and life insurance coverage for current and future retirees and their spouses.

**U. Use of Estimates**

**Government-Wide and Fund Financial Statements**

The preparation of basic financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure for contingent assets and liabilities at the date of the basic financial statements and the reported amounts of the revenues and expenditures/expenses during the fiscal year. Actual results could vary from estimates that were used.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**V. Total Column**

**Fund Financial Statements**

The total column presented on the fund financial statements is presented only to facilitate financial analysis. Data in this column is not the equivalent of consolidated financial information.

**NOTE 2 STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY**

**A. Budgetary Information**

The municipal finance laws of the Commonwealth require the adoption of a balanced budget that is approved by Town Meeting vote. The Finance Committee presents an annual budget to Town Meeting, which includes estimates of revenues and other financing sources and recommendations of expenditures and other financing uses. Town Meeting, which has full authority to amend and/or reject the budget or any line item, adopts the expenditure budget by majority vote.

Increases to the annual budget subsequent to Annual Town Meeting approval require Special Town Meeting approval.

The majority of appropriations are non-continuing which lapse at the end of each fiscal year. Others are continuing appropriations for which the governing body has authorized that an unspent balance from a prior fiscal year be carried forward and made available for spending in the current fiscal year.

Generally, expenditures may not exceed the level of spending (salaries, expenses and capital) authorized for an appropriation account. However, the Town is statutorily required to pay debt service, regardless of whether such amounts are appropriated.

An annual budget is adopted for the general fund and community preservation fund in conformity with the guidelines described above. The original fiscal year 2016 approved budget for the general fund authorized \$25,347,626 in appropriations and other amounts to be raised. During fiscal year 2016, appropriations were increased by \$494,000.

The Accountant's office has the responsibility to ensure that budgetary control is maintained. Budgetary control is exercised through the accounting system.

The budgetary comparison schedules presented in the accompanying required supplementary information presents comparisons of the legally adopted budget, as amended, with actual results. The originally adopted budget is presented for purposes of comparison to the final, amended budget.

**B. Fund Deficits**

The following fund deficits existed as of June 30, 2016.

<u>Fund</u>	<u>Amount</u>	<u>Funding Source</u>
Land Purchase Dyer Prince Road	885,000	Issuance of Long-Term Debt
Rock Harbor Dredge	511,158	Issuance of Long-Term Debt

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**C. Excess of Expenditures over Appropriations**

For the fiscal year ended June 30, 2016, expenditures exceeded appropriations for court judgments and state and county charges. These over-expenditures will be funded by taxes during fiscal year 2017.

**NOTE 3 DEPOSITS AND INVESTMENTS**

The municipal finance laws of the Commonwealth authorize the Town to invest available cash in bank term deposits and certificates of deposits, and treasury and agency obligations of the United States government, with maturities of one year or less; U.S. treasury or agency repurchase agreements with maturities of not more than 90 days; money market accounts; and the state treasurer's investment pool – the Massachusetts Municipal Depository Trust (MMDT).

The MMDT meets the criteria of an external investment pool and operates in accordance with applicable state laws and regulations. The Treasurer of the Commonwealth serves as Trustee. The reported value of the pool is the same as the fair value of pool shares.

A cash and investment pool is maintained that is available for use by all funds with unrestricted cash and investments. The deposits and investments of the permanent funds and private purpose trust funds are held separately from other Town funds.

**Deposits – Custodial Credit Risk**

Custodial credit risk for deposits is the risk that, in the event of a bank failure, the Town's deposits may not be recovered. The Town's policy is to rely on FDIC and DIF insurance coverage and to collateralize an additional portion of deposits. In addition, the Town's deposits will be limited to financial institutions with proven financial strength, capital adequacy and overall affirmative reputation in the municipal industry.

As of June 30, 2016, \$3,501,161 of the Town's bank balance of \$15,989,085 was uninsured and exposed to custodial credit risk.

**Investments Summary**

The Town's investments at June 30, 2016 totaled \$571,004 and consisted entirely of MMDT.

**Investments - Interest Rate Risk of Debt Securities**

Interest rate risk for debt securities is the risk that changes in interest rates of debt securities will adversely affect the fair value of an investment. The Town's policy for interest rate risk is to manage duration of investments consistent with the municipal finance laws of the Commonwealth. As of June 30, 2016, the Town was not exposed to interest rate risk.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**Investments - Custodial Credit Risk**

Custodial credit risk for investments is the risk that, in the event of the failure of the counterparty, the Town will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The Town's policy for custodial credit risk of investments is to limit the Town's investment to financial institutions with proven financial strength, capital adequacy and overall affirmative reputation in the municipal industry. In addition, all securities not held directly by the Town will be held in the Town's name and tax identification number by a third party custodian approved by the Treasurer and evidenced by safekeeping receipts showing individual CUSIP numbers for each security. As of June 30, 2016, the Town's investments were not exposed to custodial credit risk.

**Investments - Credit Risk of Debt Securities**

Credit risk for investments is the risk that an issuer or other counterparty to a debt security will not fulfill its obligations. The Town's policy for credit risk of debt securities is to allow for unlimited investments in United State treasury and agency obligations which carry an AAA rating. In regards to other investment, the Town will only purchase investment grade securities with a high concentration in securities rated A and above. In addition, the Town may invest in MMDT with no limit to the amount of funds placed in the trust. As of June 30, 2016, the Town's investments in MMDT were unrated by a national credit rating organization.

**NOTE 4 ACCOUNTS RECEIVABLE**

At June 30, 2016, receivables for the individual major governmental funds, nonmajor governmental funds and fiduciary funds in the aggregate, including the applicable allowances for uncollectible accounts, are as follows:

	Gross Amount	Allowance for Uncollectibles	Net Amount
<b>Receivables:</b>			
Real Estate and Personal Property Taxes	\$ 368,689	\$ -	\$ 368,689
Tax, Trash and Utility Liens	192,785	-	192,785
Motor Vehicle and Other Excise Taxes	87,383	-	87,383
Community Preservation Surcharges	9,404	-	9,404
Intergovernmental	10,225,818		10,225,818
Department and Other	369,110	143,220	225,890
Loans	236,710	-	236,710
Total	<u>\$ 11,489,899</u>	<u>\$ 143,220</u>	<u>\$ 11,346,679</u>

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 5 CAPITAL ASSETS**

Capital asset activity for the fiscal year ended June 30, 2016 was as follows:

	Beginning Balance	Additions	Disposals	Ending Balance
<b>Governmental Activities:</b>				
<u>Capital assets not being depreciated:</u>				
Land	\$ 11,111,962	\$ 553,899	\$ -	\$ 11,665,861
Construction in Progress	8,096,454	26,147,498	-	34,243,952
Total Capital Assets not being Depreciated	19,208,416	26,701,397	-	45,909,813
<u>Capital assets being depreciated:</u>				
Land Improvements	14,000	-	-	14,000
Buildings and Improvements	21,888,082	-	-	21,888,082
Machinery, Vehicles and Equipment	5,522,781	784,088	(423,132)	5,883,737
Infrastructure	8,892,957	262,195	-	9,155,152
Total Capital Assets being Depreciated	36,317,820	1,046,283	(423,132)	36,940,971
<u>Less Accumulated Depreciation for:</u>				
Land Improvements	(14,000)	-	-	(14,000)
Buildings and Improvements	(6,937,325)	(541,720)	-	(7,479,045)
Machinery, Vehicles and Equipment	(3,814,643)	(407,479)	305,232	(3,916,890)
Infrastructure	(5,126,977)	(318,157)	-	(5,445,134)
Total Accumulated Depreciation	(15,892,945)	(1,267,356)	305,232	(16,855,069)
Total Capital Assets being Depreciated, Net	20,424,875	(221,073)	(117,900)	20,085,902
Total Governmental Activities Capital Assets, Net	\$ 39,633,291	\$ 26,480,324	\$ (117,900)	\$ 65,995,715

Depreciation expense was charged to functions/programs of the primary government as follows:

<b>Governmental Activities:</b>	
General Government	\$ 111,995
Public Safety	379,256
Education	306,308
Public Works	423,343
Health and Human Services	15,673
Culture and Recreation	30,781
Total Depreciation Expense - Governmental Activities	<u>\$ 1,267,356</u>



**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 6 INTERFUND TRANSFERS**

Interfund transfers for the fiscal year ended June 30, 2016, are summarized as follows:

Transfers Out:	Transfers In:			Total
	General Fund	Library Building	Nonmajor Governmental Funds	
General Fund	\$ -	\$ -	\$ 10,000	\$ 10,000 (1)
Community Preservation	34,000	115,000	793,000	942,000 (2)
Nonmajor Governmental Funds	619,323		-	619,323 (3)
	<u>\$ 653,323</u>	<u>\$ 115,000</u>	<u>\$ 803,000</u>	<u>\$ 1,571,323</u>

- (1) Represents budgeted transfers from general fund to FY16 Visitors Service Board/Promotions Fund (\$10,000).
- (2) Represents budgeted transfers from the community preservation major fund to the Affordable Housing Trust fund (\$565,500), Land Dyer Prince Special Revenue Fund (\$227,500), Library Major Fund (\$115,000), and General Fund (\$34,000).
- (3) Represents budgeted transfers to the general fund from Ambulance Receipts (\$454,000), Government Media Access (\$96,120), Title V Betterment (\$20,400), Waterway Management (\$5,000) and Olde Mill Receipts (\$1,000) special revenue funds and non-budgeted transfers to the general fund from landfill solar farm special revenue fund (\$33,092) and various closed grant funds (\$9,711).

**NOTE 7 SHORT-TERM FINANCING**

Short-term debt may be authorized and issued to fund the following:

- Current operating costs prior to collection of revenues through issuance of revenue anticipation notes (RAN) or tax anticipation notes (TAN).
- Capital project costs and other approved expenditures incurred prior to obtaining permanent financing through issuance of bond anticipation notes (BAN) or grant anticipation notes (GAN).

Short-term loans are general obligations and carry maturity dates that are limited by statute. Interest expenditures for short-term borrowings are accounted for in the general fund.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 7 SHORT-TERM FINANCING (CONTINUED)**

Details related to short-term debt activity for the fiscal year ended June 30, 2016, is as follows:

**Governmental Funds**

Type	Description	Origination Date	Maturity Date	Interest Rate	Balance at June 30, 2015	Increases	Decreases	Balance at June 30, 2016
BAN	Land Acquisition	8/15/2014	8/14/2015	0.50%	1,112,500	-	(1,112,500)	-
BAN	Dredging	6/30/2015	6/30/2016	2.00%	625,000	-	(625,000)	-
BAN	Water	6/30/2015	6/30/2016	2.00%	19,375,000	-	(19,375,000)	-
BAN	Land Acquisition	8/14/2015	8/12/2016	0.65%		885,000		885,000
BAN	Dredging	6/30/2016	6/17/2017	2.25%		700,000		700,000
SAN	Library	6/30/2016	6/17/2017	2.25%		866,383		866,383
BAN	Water	6/30/2016	6/17/2017	2.25%		5,000,000		5,000,000
Total					<u>\$ 21,112,500</u>	<u>\$ 7,451,383</u>	<u>\$ (21,112,500)</u>	<u>\$ 7,451,383</u>

**Subsequent Event**

On August 12, 2016, the Town used available funds to pay down \$344,000 of the \$885,000 land acquisition BAN and issued a new BAN in the amount of \$541,000 at an interest rate of .95% and a maturity date of August 11, 2017.

**NOTE 8 LONG-TERM OBLIGATIONS**

The following represents a summary of changes that occurred in long-term liabilities during the fiscal year ended June 30, 2016:

	Balance June 30, 2015	Increases	Decreases	Balance June 30, 2016	Current Portion
<b>Governmental Activities:</b>					
Bonds and Notes Payable	\$ 12,107,200	\$ 28,440,403	\$ (1,300,400)	\$ 39,247,203	\$ 1,747,027
Pollution Remediation Liability	250,000	-	(200,000)	50,000	50,000
Capital Lease Obligations	301,397	559,444	(284,996)	575,845	284,129
Compensated Absences	345,484	13,046	-	358,530	208,759
Net OPEB Obligation	9,525,974	1,939,111	(799,179)	10,665,906	-
Net Pension Liability	14,262,018	1,171,182		15,433,200	-
Total	<u>\$ 36,792,073</u>	<u>\$ 32,123,186</u>	<u>\$ (2,584,575)</u>	<u>\$ 66,330,684</u>	<u>\$ 2,289,915</u>

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 9 LONG-TERM DEBT**

Details related to the outstanding indebtedness at June 30, 2016 are as follows:

**Bonds and Notes Payable – Governmental Funds**

Project	Maturity Date	Interest Rate	Outstanding at June 30, 2015	Issued	Redeemed	Outstanding at June 30, 2016
Septic Repair Loan Program (MCWT)	08/01/20	5.05%	62,200	-	(10,400)	51,800
Fire Station	12/15/15	4.85%	150,000	-	(150,000)	-
Land Acquisition	08/15/20	4.62%	560,000	-	(100,000)	460,000
Septic Repair Loan Program (MCWT)	07/15/25	0.00%	110,000	-	(10,000)	100,000
Elementary School Addition	08/15/16	4.24%	4,490,000	-	(410,000)	4,080,000
Municipal Water Supply Project	01/15/21	1.25-2%	2,235,000	-	(395,000)	1,840,000
Eastham Library	06/15/35	3.01%	4,500,000	-	(225,000)	4,275,000
Municipal Water Supply Project (MCWT)	01/15/46	2.40%	-	24,985,403	-	24,985,403
Refunding	08/01/25	4.00%	-	3,455,000	-	3,455,000

Total bonds and notes payable \$ 12,107,200    \$ 28,440,403    \$ (1,300,400)    \$ 39,247,203

Debt service requirements for principal and interest for governmental bonds and notes payable in future fiscal years are as follows:

Fiscal Year	Principal	Interest	Total
2017	5,417,027	1,012,728	6,429,755
2018	1,721,533	1,028,127	2,749,660
2019	1,741,414	958,077	2,699,491
2020	1,751,680	888,930	2,640,610
2021	1,517,140	818,318	2,335,458
2022	1,258,004	756,102	2,014,106
2023	1,269,483	701,422	1,970,905
2024	1,281,388	624,450	1,905,838
2025	1,293,730	585,859	1,879,589
2026	1,301,519	546,290	1,847,809
2027	949,768	513,875	1,463,643
2028	968,488	489,731	1,458,219
2029	987,692	465,137	1,452,829
2030	1,007,392	440,083	1,447,475
2031	1,027,600	413,993	1,441,593
2032	1,048,331	387,418	1,435,749
2033	1,069,597	360,064	1,429,661
2034	1,091,413	332,200	1,423,613
2035	1,113,791	303,531	1,417,322
2036	911,748	274,325	1,186,073
2037	935,298	252,443	1,187,741
2038	959,456	229,996	1,189,452
2039	984,238	206,969	1,191,207
2040	1,009,660	183,347	1,193,007
2041	1,035,739	159,116	1,194,855
2042	1,062,492	134,258	1,196,750
2043	1,089,935	108,758	1,198,693
2044	1,118,088	82,600	1,200,688
2045	1,146,967	55,765	1,202,732
2046	1,176,592	28,238	1,204,830
Total	\$ 39,247,203	\$ 13,342,150	\$ 52,589,353

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 9 LONG-TERM DEBT (CONTINUED)**

The Town receives subsidy assistance from the Massachusetts Water Pollution Abatement Trust (MWPAT). Principal and interest on the outstanding bonds for MWPAT is subsidized over the life of the bonds to assist the Town in the repayment of this future debt. During fiscal year 2016, the Town's subsidy totaled approximately \$3,000.

**Current Refunding – May 2016**

In May 2016, the Town issued \$3,455,000 in current refunding bonds to refund \$3,670,000 of previously issued and outstanding bonds with an average interest rate of approximately 4.24%. The interest rates of the current refunding bonds are between 2.0 - 4.0%.

The net proceeds of \$3,751,161 were used to retire the outstanding bonds and related accrued interest on August 1, 2016.

As a result of this refunding, the Town will reduce its total gross debt service payments over the remaining life of the bonds by approximately \$511,000 and will realize an economic gain (difference between the present values of the debt service payments on the old and new debt) of approximately \$478,000.

The Town is subject to various debt limits by statute and may issue additional general obligation debt under the normal debt limit. At June 30, 2016, the Town had the following authorized and unissued debt:

<u>Purpose</u>	<u>Amount</u>
Water Supply and Distribution System	\$ 105,814,597
Acquisition of Open Space	885,000
Engineering, Design, Dredging, and Material Disposal	700,000
Total	<u>\$ 107,399,597</u>

**NOTE 10 CAPITAL LEASES**

The Town has entered into certain capital lease agreements for various machinery, vehicles and equipment, under which the assets will become property of the Town when all terms of the lease agreement are met. The agreements also contain early purchase options which would allow the Town to purchase the assets before the end of the lease term.

The following schedule presents future minimum lease payments as of June 30, 2016:

<u>Fiscal Years Ending June 30,</u>	<u>Amount</u>
2017	\$ 299,530
2018	299,529
Total Minimum Lease Payments	599,059
Less: Amounts Representing Interest	(23,214)
Present Value of Minimum Lease Payments	<u>\$ 575,845</u>

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 10 CAPITAL LEASES (CONTINUED)**

Machinery, vehicles and equipment and the related accumulated depreciation under capital leases is as follows:

<u>Asset:</u>	<u>Governmental Activities</u>
Machinery, Vehicles and Equipment	\$ 1,160,935
Less: Accumulated Amortization	<u>(174,227)</u>
Total	<u><u>\$ 986,708</u></u>

**NOTE 11 OTHER POSTEMPLOYMENT BENEFITS**

**Plan Description** – The Town provides health, dental and life insurance coverage for its retirees and their survivors (hereinafter referred to as the Plan) as a single-employer defined benefit Other Postemployment Benefit (OPEB) plan. Chapter 32B of the MGL assigns authority to establish and amend benefit provisions. Changes to plan design and contribution rates must be accomplished through the collective bargaining process. The Plan does not issue a stand-alone financial report since there are no assets legally segregated for the sole purpose of paying benefits under the Plan.

The number of participants as of June 30, 2014, the latest actuarial valuation, is as follows:

Active Employees	115
Retired Employees, Beneficiaries and Dependents	<u>118</u>
Total	<u><u>233</u></u>

***Plymouth County Pooled OPEB Trust Fund***

The Town is a member of the Plymouth County Pooled OPEB Trust Fund (Trust), an agent multiple-employer plan. The purpose of the Trust is to accumulate resources to offset its members' (various governmental units) unfunded OPEB liability. The Trust is governed by a Board of Trustees comprised of an appointed member from each governmental unit. Member/Employer contributions to the trust are irrevocable and all investment income (losses) is retained by the Trust. Although the assets of the Trust are commingled for investment purposes, each member's assets may only be used for the reimbursement of OPEB to the member of that plan, in accordance with the terms of the plan. The Trust issues a publicly available financial report that can be obtained by contacting the Trust located at 44 Cherry Street, Plymouth Massachusetts, 02360.

During fiscal year 2016, the Town made contributions to the Trust in the amount of \$25,009, which is reported as employee benefits. The Town's portion of the Trust's net position at June 30, 2016 was \$25,425.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 11 OTHER POSTEMPLOYMENT BENEFITS (CONTINUED)**

**Funding Policy** - The contribution requirements of Plan members and the Town are established and may be amended by the Town. The required health and dental insurance (including Medicare Part B) contribution rates of Plan members and the Town are 35% and 65%, respectively. The Plan members and Town each contribute 50% towards a \$5,000 term life insurance premium. The Town currently contributes enough money to the Plan to satisfy current obligations on a pay-as-you-go basis. The costs of administering the Plan are paid by the Town.

**Annual OPEB Cost and Net OPEB Obligation** - The Town's annual OPEB cost (expense) is calculated based on the annual required contribution (ARC) of the employer, an actuarially determined amount that is calculated in accordance with the parameters set forth in GASB Statement #45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years.

The following table identifies the components of the Town's annual OPEB cost for the year, the actual amount contributed to the plan, and changes in the Town's net OPEB obligation:

	<u>Amount</u>
Annual Required Contribution	\$ 1,858,118
Interest on Net OPEB Obligation	428,669
Adjustment to Annual Required Contribution	<u>(347,676)</u>
Annual OPEB Cost	1,939,111
Contributions Made	<u>(799,179)</u>
Increase in Net OPEB Obligation	1,139,932
Net OPEB Obligation at Beginning of Year	<u>9,525,974</u>
Net OPEB Obligation at End of Year	<u><u>\$ 10,665,906</u></u>

Trend information regarding annual OPEB cost, the percentage of the annual OPEB cost contributed and the net OPEB obligation is as follows:

<u>Fiscal Year Ending</u>	<u>Annual OPEB Cost (AOPEBC)</u>	<u>Percentage of AOPEBC Contributed</u>	<u>Net OPEB Obligation</u>
June 30, 2014	\$ 1,777,223	25.4%	\$ 8,391,741
June 30, 2015	\$ 1,839,033	38.3%	\$ 9,525,974
June 30, 2016	\$ 1,939,111	41.2%	\$ 10,665,906

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 11 OTHER POSTEMPLOYMENT BENEFITS (CONTINUED)**

**Funded Status and Funding Progress** – The funded status of the Plan at June 30, 2014, the most recent actuarial valuation, was as follows:

Actuarial Valuation Date	Actuarial Value of Assets (A)	Actuarial Accrued Liability (AAL) Projected Unit Credit (B)	Unfunded AAL (UAAL) (B-A)	Funded Ratio (A/B)	Covered Payroll (C)	UAAL as a Percentage of Covered Payroll ((B-A)/C)
06/30/14	\$ -	\$ 24,352,625	\$ 24,352,625	0.0%	\$ 8,532,205	285.4%

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multi-year trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

**Methods and Assumptions** – Projections of benefits for financial reporting purposes are based on the substantive Plan (the Plan as understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and Plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

The significant methods and assumptions as of the latest actuarial valuation are as follows:

Valuation Date:	June 30, 2014
Actuarial Cost Method:	Projected Unit Credit
Amortization Method:	Amortization payments increasing at 4.0%
Remaining Amortization Period:	30 years (open)
Interest Discount Rate:	4.5%
Medical/Prescription Drug Cost Trend Rate:	
Under 65:	10.0% decreasing by 2.0% for 6 years to an ultimate rate of 5.0% per year
Over 65:	10.0% decreasing by 0.5% for 10 years to an ultimate level of 5.0% per year.
GIC Medical/Prescription Drug Cost Trend Rate:	6.5% for 1 year, 6.0% for 8 years, 5.5% for 1 year and finally an ultimate level of 5.0% per year
Dental:	2.0% for 1 year then 5.0% thereafter
Inflation Rate:	4.0% annually

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 11 OTHER POSTEMPLOYMENT BENEFITS (CONTINUED)**

**Allocation of AOPEBC** – AOPEBC costs were allocated to the Town's functions as follows:

**Governmental Activities:**

General Government	\$ 350,194
Public Safety	766,944
Education	500,301
Public Works	134,824
Human Services	84,490
Culture and Recreation	102,358

Total AOPEBC - Governmental Activities	<u>\$ 1,939,111</u>
--	---------------------

**NOTE 12 FUND BALANCES**

The constraints on fund balances as listed in aggregate in the Governmental Funds Balance Sheet are detailed as follows:

	General	Community Preservation	Municipal Water Supply	Library Building	Debt Service Fund	Nonmajor Governmental Funds	Total Governmental Funds
<b>Nonspendable</b>							
Loans	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 99,615	\$ 99,615
Permanent Fund Principal	-	-	-	-	-	136,678	136,678
Subtotal - Nonspendable	-	-	-	-	-	236,293	236,293
<b>Restricted</b>							
Community Preservation	-	1,573,761	-	-	-	-	1,573,761
Municipal Water Supply	-	-	2,412,874	-	-	-	2,412,874
Debt service	-	-	-	-	3,751,161	-	3,751,161
Library Building	-	-	-	164,579	-	-	164,579
Affordable Housing	-	-	-	-	-	1,426,327	1,426,327
Ambulance Receipts Reserved	-	-	-	-	-	547,410	547,410
Library Trustees Permanent Fund	-	-	-	-	-	354,885	354,885
General Government	-	-	-	-	-	587,890	587,890
Public Safety	-	-	-	-	-	44,906	44,906
Education	-	-	-	-	-	259,338	259,338
Public Works	-	-	-	-	-	324,749	324,749
Health and Human Services	-	-	-	-	-	42,505	42,505
Culture and Recreation	-	-	-	-	-	502,579	502,579
Community Development	-	-	-	-	-	406,700	406,700
Subtotal - Restricted	-	1,573,761	2,412,874	164,579	3,751,161	4,497,289	12,399,664
<b>Committed</b>							
Subsequent Year's Expenditures	920,000	-	-	-	-	-	920,000
Continuing Appropriations	1,276,166	-	-	-	-	-	1,276,166
Subtotal - Committed	2,196,166	-	-	-	-	-	2,196,166
<b>Assigned</b>							
Encumbrances	67,497	-	-	-	-	-	67,497
<b>Unassigned</b>	1,217,447	-	-	-	-	(1,396,158)	(178,711)
	<u>\$ 3,481,110</u>	<u>\$ 1,573,761</u>	<u>\$ 2,412,874</u>	<u>\$ 164,579</u>	<u>\$ 3,751,161</u>	<u>\$ 3,337,424</u>	<u>\$ 14,720,909</u>



**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 13 STABILIZATION FUNDS**

The Town maintains a general stabilization fund that was established under MGL Chapter 40, Section 5B. Appropriations in and out of the stabilization fund require two-thirds vote of Town meeting. Investment income is retained by the fund.

The balance of the stabilization fund at June 30, 2016 totals \$53,079 and is reported as unassigned fund balance in the general fund.

**NOTE 14 RISK FINANCING**

The Town is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the Town carries commercial insurance.

**Health Insurance**

The Town participates in a health insurance risk pool administered by the Cape Cod Municipal Health Group (Group). The Group offers a variety of premium based plans to its members with each participating governmental unit charged a premium for coverage based on rates established by the Group. The Town is obligated to pay the Group its required premiums and, in the event the Group is terminated, its proportionate share of a deficit, should one exist. The amount of claim settlements has not exceeded insurance coverage in any of the previous three fiscal years.

**Workers' Compensation**

The Town participates in a premium-based workers' compensation policy for all employees. The amount of claim settlements has not exceeded insurance coverage in any of the previous three fiscal years.

**NOTE 15 PENSION PLAN**

**General Information about the Pension Plan**

*Plan description.* Employees of the Town deemed eligible by the Barnstable County Retirement Board are provided with pensions through the BCRA - a cost-sharing multiple-employer defined benefit pension plan administered by the Barnstable County Retirement Board. Membership in the BCRA is mandatory immediately upon the commencement of employment for all permanent employees (except for school department employees who serve in a teaching capacity) working a minimum of 25 hours per week. The BCRA issues a publicly available financial report that can be obtained by contacting the BCRA located at 750 Attucks Lane, Hyannis, Massachusetts, 02601.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 15 PENSION PLAN (CONTINUED)**

**General Information about the Pension Plan (Continued)**

*Benefits provided.* Chapter 32 of the MGL assigns authority to establish and amend benefit provisions of the plan. The plan provides for retirement allowance benefits up to a maximum of 80% of a member's highest three-year average annual rate of regular compensation for those hired prior to April 2, 2012. For persons who became members on or after April 2, 2012, average salary is the average annual rate of regular compensation received during the five consecutive years that produce the highest average, or, if greater, during the last five years (whether or not consecutive) preceding retirement. Benefit payments are based upon a member's age, length of creditable service, level of compensation, and group classification.

There are three classes of membership in the plan; Group 1, Group 2 and Group 4. Group 1 consists of general employees which includes clerical and administrative positions. Group 2 consists of positions that have been specified as hazardous. Lastly, Group 4 consists of police officers, firefighters, and other hazardous positions.

Any individual in Group 1 or Group 2 whose membership began before January 1, 1978, and who maintains an annuity savings fund account, is eligible to receive a superannuation retirement allowance at age 55 or later, regardless of how many years of credible service he or she has completed.

There are no minimum vesting requirements for individuals in Group 4.

Members in Groups 1 and 2, hired after January 1, 1978 and prior to April 2, 2012, are eligible to receive a superannuation retirement allowance upon the completion of 20 years of service or upon the completion of 10 years of service and upon reaching the age of 55.

Members in Groups 1 and 2, hired on or after April 2, 2012, are eligible to receive a superannuation retirement allowance upon the completion of 10 years of service and upon reaching the age of 60 (Group 1) or age 55 (Group 2).

A retirement allowance consists of two parts: an annuity and a pension. A member's accumulated total deductions and the interest they generate constitute the annuity. The differential between the total retirement benefit and the annuity is the pension.

Members who become permanently and totally disabled for further duty may be eligible to receive a disability retirement allowance. The amount of benefits to be received in such cases is dependent on several factors, including whether or not the disability is work related, the member's age, years of creditable service, level of compensation, veterans' status and group classification.

Survivor benefits are extended to eligible beneficiaries of members whose death occurs prior to or following retirement.

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 15 PENSION PLAN (CONTINUED)**

*Contributions.* Chapter 32 of the MGL assigns authority to establish and amend contribution requirements of the plan. Employers are required to pay an actuarially determined annual appropriation. The total appropriation includes the amounts to pay the pension portion of each member's retirement allowance, an amount to amortize the actuarially determined unfunded liability to zero in accordance with the plan's funding schedule, and additional appropriations in accordance with adopted early retirement incentive programs. The pension fund appropriations are allocated amongst employers based on covered payroll. Active member employees contribute between 5% and 9% of their gross regular compensation. The percentage rate is keyed to the date upon which an employee's membership commences. Members hired on or after January 1, 1979, contribute an additional 2% of annual regular compensation in excess of \$30,000. Contributions to the pension plan from the Town were \$1,323,659 for the year ended June 30, 2016.

**Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**

At June 30, 2016, the Town reported a liability of \$15,433,200 for its proportionate share of the net pension liability. The net pension liability was measured as of December 31, 2015, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of January 1, 2014 for which update procedures were used to roll forward the total pension liability to the measurement date. The Town proportion of the net pension liability is a blended rate of the proportionate share of active employer's covered payroll, direct charges for early retirement incentives and the direct amortization of the actuarial determined net pension liability for employer members that no longer have active covered payroll.

At December 31, 2015, the Town proportion was 2.451%.

For the year ended June 30, 2016, the Town recognized pension expense of \$1,639,690. At June 30, 2016, the Town reported deferred outflows of resources related to pensions of \$1,232,410 and deferred inflows of resources related to pensions of \$352,834.

The amounts reported as deferred outflows/inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ending June 30,</u>	<u>Amount</u>
2017	\$ 238,632
2018	238,632
2019	238,632
2020	232,707
2021	(69,027)
Totals	<u>\$ 879,576</u>

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 15 PENSION PLAN (CONTINUED)**

*Actuarial assumptions.* The total pension liability was determined using the following actuarial assumptions:

Inflation Rate:	4.00%
Salary Increases:	Varies by length of service with ultimate rates of 4.25% for Group 1, 4.50% for Group 2 and 4.75% for Group 4.
Mortality Rates:	Pre-Retirement - The RP-2000 Employee Mortality Table projected generationally with a Scale AA from 2010  Healthy Retiree - The RP-2000 Healthy Annuitant Mortality Table projected generationally with a Scale AA from 2010.  Disabled Retiree - The RP-2000 Healthy Annuitant Mortality Table set forward three years for males only projected generationally with Scale AA from 2010
Investment Rate of Return:	7.75%, net of pension plan investment expense, including inflation

The actuarial assumptions used in the December 31, 2015 valuation were based on the results of an actuarial experience study for the period January 1, 2012 to December 31, 2014.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic Equity	20%	6.6%
International Equity - Developed Markets	16%	7.1%
International Equity - Emerging Markets	7%	9.4%
Core Fixed Income	13%	2.2%
High-Yield Fixed Income	10%	4.7%
Real Estate	10%	4.4%
Commodities	4%	4.4%
Hedge Fund, GTAA, Risk Parity	10%	3.9%
Private Equity	10%	11.7%
Totals	100%	

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 15 PENSION PLAN (CONTINUED)**

*Discount rate.* The discount rate used to measure the total pension liability was 7.75%. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that contributions from employers will be made at rates equal to the actuarially determined contribution rates. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

*Sensitivity of the Town's proportionate share of the net pension liability to changes in the discount rate.* The following presents the Town's proportionate share of the net pension liability calculated using the discount rate of 7.75%, as well as what the Town proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.75%) or 1-percentage-point higher (8.75%) than the current rate:

	1% Decrease (6.75%)	Current Discount Rate (7.75%)	1% Increase (8.75%)
Town of Eastham's Proportionate Share of the Net Pension Liability	\$ 19,571,591	\$ 15,433,200	\$ 11,920,992

*Pension plan fiduciary net position.* Detailed information about the pension plan's fiduciary net position is available in the separately issued BCRA financial report.

**NOTE 16 MASSACHUSETTS TEACHERS RETIREMENT SYSTEM**

**General Information about the Pension Plan**

*Plan description.* Public school teachers and certain administrators are provided with pensions through the Massachusetts Teachers' Retirement System (MTRS), a cost-sharing multiple-employer defined benefit pension plan administered by the Massachusetts Teachers' Retirement Board. The MTRS is part of the Commonwealth of Massachusetts' (Commonwealth) reporting entity and does not issue a stand-alone audited financial report. The MTRS is reported as a Pension Trust Fund in the Commonwealth's audited financial statements that can be obtained at <http://www.mass.gov/osc/publications-and-reports/financial-reports/cafr-reports.html>.

*Benefits provided.* MTRS provides retirement, disability, survivor and death benefits to members and their beneficiaries. Massachusetts General Laws (MGL) establishes uniform benefit requirements. These requirements provide for superannuation retirement allowance benefits up to a maximum of 80% of a member's highest three-year average annual rate of regular compensation. For employees hired after April 1, 2012, retirement allowances are calculated on the basis of the last five years or any five consecutive years, whichever is greater in terms of compensation. Benefit payments are based upon a member's age, length of creditable service, and group creditable service, and group classification. The authority for amending these provisions rests with the Legislature.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 16 MASSACHUSETTS TEACHERS RETIREMENT SYSTEM (CONTINUED)**

Members become vested after 10 years of creditable service. A superannuation retirement allowance may be received upon the completion of 20 years of creditable service or upon reaching the age of 55 with 10 years of service. Normal retirement for most employees occurs at age 65. Most employees who joined the system after April 1, 2012 cannot retire prior to age 60.

*Contributions.* The MTRS' funding policies have been established by Chapter 32 of the MGL. The Legislature has the authority to amend these policies. The annuity portion of the MTRS retirement allowance is funded by employees, who contribute a percentage of their regular compensation. Member contributions for MTRS vary depending on the most recent date of membership, ranging from 5% to 11% of regular compensation. Members hired in 1979 or subsequent contribute an additional 2% of regular compensation in excess of \$30,000.

The Commonwealth is a nonemployer contributor and is required by statute to make all actuarially determined employer contributions on behalf of the member employers. Therefore, the Town is considered to be in a special funding situation as defined by GASB Statement No. 68, Accounting and Financial Reporting for Pensions and the Commonwealth is a nonemployer contributing entity in MTRS.

**Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**

Since the Town does not contribute directly to MTRS, the Town does not report a proportionate share of the net pension liability of the MTRS at June 30, 2016. The Commonwealth's net pension liability associated with the Town was \$6,930,327.

The MTRS' net pension liability was measured as of June 30, 2015, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of January 1, 2015 rolled forward to June 30, 2015.

For the year ended June 30, 2016, the Town recognized pension expense of \$562,111 associated with MTRS and revenue of the same amount for support provided by the Commonwealth.

**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 16 MASSACHUSETTS TEACHERS RETIREMENT SYSTEM (CONTINUED)**

*Actuarial assumptions.* The MTRS' total pension liability for the June 30, 2015 measurement date was determined by an actuarial valuation as of January 1, 2015 rolled forward to June 30, 2015. This valuation used the following assumptions:

Investment Rate of Return: 7.5%

Salary Increases: Salary increases are based on analyses of past experience but range from 4.0% to 7.5% depending on length of service

Mortality Rates: Pre-retirement – reflects RP-2014 Employees table projected generationally with Scale BB and a base year of 2014 (gender distinct)

Postretirement - reflects RP-2014 Healthy Annuitant table projected generationally with Scale BB and a base year of 2014 (gender distinct)

Disability – assumed to be in accordance with the RP-2014 Healthy Annuitant Table projected generationally with Scale BB and a base year 2014 set forward 4 years.

Investment assets of the MTRS are with the Pension Reserves Investment Trust (PRIT) Fund. The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future rates of return by the target asset allocation percentage. Best estimates of geometric rates of return for each major asset class included in the PRIT Fund's target asset allocation as of June 30, 2015 are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Global Equity	40%	6.9%
Core Fixed Income	13%	2.4%
Private Equity	10%	8.5%
Real Estate	10%	6.5%
Value Added Fixed Income	10%	5.8%
Hedge Funds	9%	5.8%
Portfolio Completion Strategies	4%	5.5%
Timber/Natural Resources	4%	6.6%
Total	100%	

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2016**

**NOTE 16 MASSACHUSETTS TEACHERS RETIREMENT SYSTEM (CONTINUED)**

*Discount rate.* The discount rate used to measure the MTRS' total pension liability was 7.5%. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rates and the Commonwealth's contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rates. Based on those assumptions, the net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

*Pension plan fiduciary net position.* Detailed information about the MTRS' fiduciary net position is available in the Commonwealth's audited financial statements.

**NOTE 17 COMMITMENTS**

The Town has authorized and unissued borrowings for approximately \$106 million and has entered into related contracts or is planning to enter into related contracts totaling said amount, to install the town-wide municipal water supply and water distribution system. It is expected that the public water supply will be available for connection in fiscal year 2017.

**NOTE 18 CONTINGENCIES**

Various legal actions and claims are pending against the Town all of which arise over an alleged release of hazardous materials, specifically a chemical known as 1,4 Dioxane, from the Town's former landfill and the impact that said release has had on private drinking water wells in the area. Based on study and assessment conducted by the Town's consultants, it is believed there are approximately 38 properties with well water containing levels of 1,4 Dioxane above regulatory standards. Some property owners have filed claims against the Town for personal injury, and property damages. Litigation is subject to many uncertainties, and the outcome of individual litigated matters is not always predictable. The amount of liability, at June 30, 2016, related to these legal actions and claims cannot be ascertained.

The Town participates in a number of federal award programs. The programs are subject to financial and compliance audits. The amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although the Town expects such amounts, if any, to be immaterial.



**TOWN OF EASTHAM, MASSACHUSETTS  
NOTES TO BASIC FINANCIAL STATEMENTS  
JUNE 30, 2016**

**NOTE 19 POLLUTION REMEDIATION**

Since the Town's landfill was capped in 1997, the Massachusetts Department of Environmental Protection (DEP) has required the Town to closely monitor wells on the landfill and private neighboring wells. Public record documents available show that 1,4 Dioxane and other volatile organic compounds associated with the capped landfill contaminated private drinking wells. The Town prepared and an Immediate Response Action Plan (IRAP) as defined by Massachusetts General Law Chapter 21E and the Massachusetts Contingency Plan (310 CMR 40.0000). The IRAP includes the following activities:

- Collection and testing of water samples from monitoring wells and private wells
- Collection of soil gas samples from the perimeter of the landfill
- Quarterly reporting
- Provide bottled water to any resident where 1,4 Dioxane was detected above one half of the current drinking water standard.
- Implement a municipal water supply and water distribution system

At the May 2014 Annual Town Meeting, the Town appropriated \$45.8 million dollars to establish a municipal water supply and water distribution system as a permanent solution to the landfill problem where the wells of residents have been contaminated by 1,4 Dioxane and other volatile organic compounds. It is expected the system will be in operation for fiscal year ending 2017.

The cost to continue quarterly monitoring of wells and providing bottled water to residences until the municipal water system is in operation is estimated at \$50,000.

**TOWN OF EASTHAM, MASSACHUSETTS  
GENERAL FUND  
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
BUDGET AND ACTUAL  
YEAR ENDED JUNE 30, 2016**

	Prior Year Encumbrances and Continuing Appropriations	Original Budget	Supplemental Appropriations and Transfers
<b>REVENUES</b>			
Real Estate and Personal Property Taxes	\$ -	\$ 20,124,590	\$ -
Motor Vehicle and Other Excise Taxes	-	729,200	-
Hotel/Motel Tax	-	270,000	-
Tax Liens	-	-	-
Payments in Lieu of Taxes	-	7,300	-
Intergovernmental	-	561,318	-
Penalties and Interest on Taxes	-	85,000	-
Licenses and Permits	-	475,000	-
Fines and Forfeitures	-	36,000	-
Departmental and Other	-	1,730,000	-
Investment Income	-	4,500	-
Total Revenues	-	24,022,908	-
<b>EXPENDITURES</b>			
Current:			
General Government	1,282,962	3,539,009	12,303
Public Safety	-	4,274,765	13,000
Education	12,259	8,852,393	-
Public Works	2,430	1,406,543	74,000
Health and Human Services	1,480	585,084	-
Culture and Recreation	303	662,679	(303)
Pension Benefits	-	1,325,677	-
Employee Benefits	-	2,138,500	25,000
Property and Liability Insurance	-	340,000	-
Claims and Judgments	-	-	-
State and County Charges	-	514,257	-
Debt Service:			
Principal	-	1,300,400	-
Interest	-	408,320	390,000
Total Expenditures	1,299,434	25,347,626	514,000
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</b>	<b>(1,299,434)</b>	<b>(1,324,718)</b>	<b>(514,000)</b>
<b>OTHER FINANCING SOURCES (USES)</b>			
Transfers In	-	610,520	-
Premium from Issuance of Bonds and Notes	-	-	-
Transfers Out	-	-	(10,000)
Total Other Financing Sources (Uses)	-	610,520	(10,000)
<b>NET CHANGE IN FUND BALANCE</b>	<b>(1,299,434)</b>	<b>(714,198)</b>	<b>(524,000)</b>
Fund Balance - Beginning of Year	3,698,851	3,698,851	3,698,851
<b>FUND BALANCE - END OF YEAR</b>	<b>\$ 2,399,417</b>	<b>\$ 2,984,653</b>	<b>\$ 3,174,851</b>

See accompanying Note to Required Supplementary Information.

Final Budget	Actual	Current Year Encumbrances and Continuing Appropriations	Actual and Encumbrances and Continuing Appropriations	Variance Positive/ (Negative)
\$ 20,124,590	\$ 20,088,950	\$ -	\$ 20,088,950	\$ (35,640)
729,200	798,262	-	798,262	69,062
270,000	320,842	-	320,842	50,842
-	36,675	-	36,675	36,675
7,300	8,529	-	8,529	1,229
561,318	495,204	-	495,204	(66,114)
85,000	99,453	-	99,453	14,453
475,000	559,752	-	559,752	84,752
36,000	37,267	-	37,267	1,267
1,730,000	2,036,614	-	2,036,614	306,614
4,500	46,460	-	46,460	41,960
24,022,908	24,528,008	-	24,528,008	505,100
4,834,274	3,254,727	1,290,744	4,545,471	288,803
4,287,765	4,224,838	780	4,225,618	62,147
8,864,652	8,806,632	48,898	8,855,530	9,122
1,482,973	1,412,659	1,441	1,414,100	68,873
586,564	556,877	1,800	558,677	27,887
662,679	641,946	-	641,946	20,733
1,325,677	1,323,659	-	1,323,659	2,018
2,163,500	2,103,674	-	2,103,674	59,826
340,000	318,509	-	318,509	21,491
-	400,000	-	400,000	(400,000)
514,257	524,412	-	524,412	(10,155)
1,300,400	1,240,400	-	1,240,400	60,000
798,320	796,820	-	796,820	1,500
27,161,060	25,605,153	1,343,663	26,948,816	212,244
(3,138,152)	(1,077,145)	(1,343,663)	(2,420,808)	717,344
610,520	653,323	-	653,323	42,803
-	62,435	-	62,435	62,435
(10,000)	(10,000)	-	(10,000)	-
600,520	705,758	-	705,758	105,238
(2,537,632)	(371,387)	(1,343,663)	(1,715,050)	822,582
3,698,851	3,698,851	3,698,851	3,698,851	-
\$ 1,161,219	\$ 3,327,464	\$ 2,355,188	\$ 1,983,801	\$ 822,582

**TOWN OF EASTHAM, MASSACHUSETTS  
COMMUNITY PRESERVATION FUND  
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
BUDGET AND ACTUAL  
YEAR ENDED JUNE 30, 2016**

	Prior Year Encumbrances and Continuing Appropriations	Original Budget	Supplemental Appropriations and Transfers	Final Budget
<b>REVENUES</b>				
Community Preservation Surcharges	\$ -	\$ 560,000	\$ -	\$ 560,000
Tax Liens	-	-	-	-
Penalties and Interest on Taxes	-	-	-	-
Intergovernmental	-	200,000	-	200,000
Departmental and Other	-	-	-	-
Investment Income	-	3,000	-	3,000
Total Revenues	-	763,000	-	763,000
<b>EXPENDITURES</b>				
Current:				
Administrative	-	4,802	-	4,802
Acquisitions and Projects	557,940	513,625	(115,000)	956,565
Debt Service:				-
Principal	-	60,000	-	60,000
Interest	-	22,047	-	22,047
Total Expenditures	557,940	-	(115,000)	1,043,414
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</b>	(557,940)	763,000	115,000	(280,414)
<b>OTHER FINANCING SOURCES (USES)</b>				
Transfers Out	-	(827,000)	(115,000)	(942,000)
<b>NET CHANGE IN FUND BALANCES</b>	(557,940)	(64,000)	-	(1,222,414)
Fund Balances - Beginning of Year	2,590,393	2,590,393	2,590,393	2,590,393
<b>FUND BALANCES - END OF YEAR</b>	\$ 2,032,453	\$ 2,526,393	\$ 2,590,393	\$ 1,367,979

See accompanying Note to Required Supplementary Information.

Actual	Current Year Encumbrances and Continuing Appropriations	Actual and Encumbrances and Continuing Appropriations	Variance Positive/ (Negative)
\$ 595,987	\$ -	\$ 595,987	\$ 35,987
	-	-	-
	-	-	-
221,311	-	221,311	21,311
26,036	-	26,036	26,036
4,540	-	4,540	1,540
<u>847,874</u>	<u>-</u>	<u>847,874</u>	<u>84,874</u>
4,802	-	4,802	-
835,656	120,909	956,565	-
60,000	-	60,000	-
22,047	-	22,047	-
<u>922,505</u>	<u>120,909</u>	<u>1,043,414</u>	<u>-</u>
<u>(74,631)</u>	<u>(120,909)</u>	<u>(195,540)</u>	<u>84,874</u>
<u>(942,000)</u>	<u>-</u>	<u>(942,000)</u>	<u>-</u>
(1,016,631)	(120,909)	(1,137,540)	84,874
2,590,393	2,590,393	2,590,393	-
<u>\$ 1,573,762</u>	<u>\$ 2,469,484</u>	<u>\$ 1,452,853</u>	<u>\$ 84,874</u>

**TOWN OF EASTHAM, MASSACHUSETTS  
PENSION PLAN SCHEDULES  
YEAR ENDED JUNE 30, 2016**

**PENSION PLAN SCHEDULES**

The following schedules provide information related to the Association as a whole, for which the Town is one participating employer:

**SCHEDULE OF THE TOWN'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY**

	<u>2015</u>	<u>2016*</u>
Town's proportion of the net pension liability	2.526%	2.451%
Town's proportionate share of the net pension liability	\$ 14,262,018	\$ 15,433,200
Town's covered-employee payroll	\$ 6,626,170	\$ 6,681,146
Town's proportionate share of the net pension liability as a percentage of its covered-employee payroll	215.24%	231.00%
Plan fiduciary net position as a percentage of the total pension liability	60.43%	58.10%

\*The amounts presented were determined as of December 31, 2015.

**SCHEDULE OF TOWN CONTRIBUTIONS**

	<u>2015</u>	<u>2016</u>
Actuarially Required Contribution	\$ 1,317,678	\$ 1,323,659
Contributions in Relation to the Actuarially Required Contribution	<u>(1,317,678)</u>	<u>(1,323,659)</u>
Contribution Deficiency (Excess)	<u>\$ -</u>	<u>\$ -</u>
Town's Covered-Employee Payroll	\$ 6,626,170	\$ 6,681,146
Contributions as a Percentage of Covered Employee Payroll	19.89%	19.81%

**SCHEDULE OF THE TOWN'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY  
MASSACHUSETTS TEACHERS' RETIREMENT SYSTEM**

	<u>2015</u>	<u>2016</u>
Town's Proportion of the Net Pension Liability	0.00%	0.00%
Town's Proportionate Share of the Net Pension Liability	\$ -	\$ -
Commonwealth's Proportionate Share of the Net Pension Liability Associated with the Town	<u>5,337,042</u>	<u>6,930,327</u>
Total	<u>\$ 5,337,042</u>	<u>\$ 6,930,327</u>
Town's Covered-Employee Payroll	\$ 2,058,588	\$ 2,144,065
Town's Proportionate Share of the Net Pension Liability as a Percentage of its Covered-Employee Payroll	N/A	N/A
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	61.64%	55.38%

**TOWN OF EASTHAM, MASSACHUSETTS  
OTHER POSTEMPLOYMENT BENEFITS SCHEDULE  
YEAR ENDED JUNE 30, 2016**

**SCHEDULE OF THE TOWN'S CONTRIBUTIONS  
MASSACHUSETTS TEACHERS' RETIREMENT SYSTEM**

	2015	2016
Contractually Required Contribution	\$ -	\$ -
Contributions in Relation to the Contractually Required Contribution	-	-
Contribution Deficiency (Excess)	\$ -	\$ -
Town's Covered-Employee Payroll	\$ 2,058,588	\$ 2,144,065
Contributions as a Percentage of Covered-Employee Payroll	N/A	N/A

The following schedule provides information related to the Town's other postemployment benefits plan:

**SCHEDULE OF FUNDING PROGRESS**

Actuarial Valuation Date	Actuarial Value of Assets (A)	Actuarial Accrued Liability (AAL) Projected Unit Credit (B)	Unfunded AAL (UAAL) (B-A)	Funded Ratio (A/B)	Covered Payroll (C)	UAAL as a Percentage of Covered Payroll ((B-A)/C)
06/30/10	-	27,281,696	27,281,696	0.0%	8,522,210	320.1%
06/30/12	-	21,572,423	21,572,423	0.0%	9,259,715	233.0%
06/30/14	-	24,352,625	24,352,625	0.0%	8,532,205	285.4%

The significant changes in the methods and assumptions used in the 6/30/14 actuarial valuation that impacted trends in the schedule of funding progress are as follows:

- The healthcare/medical cost trend rate were raised to 10.0% increasing by 2.0% for 1 year and 0.5% for 6 years to an ultimate level of 5% (previously 8.0% decreasing by 0.5% for 6 years.)
- GIC Medical/Prescription drug cost trend rate was added at 6.5% for 1 year, 6.0% for 8 years, 5.5% for 1 year and finally an ultimate level of 5.0% per year.
- Dental rate was reduced to 2.0% for 1 year then 5.0% thereafter (previously 5.0%)

**TOWN OF EASTHAM, MASSACHUSETTS**  
**NOTE TO REQUIRED SUPPLEMENTARY INFORMATION**  
**JUNE 30, 2016**

**NOTE A BUDGETARY – GAAP RECONCILIATION**

For budgetary financial reporting purposes, the Uniform Massachusetts Accounting System basis of accounting (established by the Commonwealth) is followed, which differs from the GAAP basis of accounting. A reconciliation of budgetary-basis to GAAP-basis results for the general fund and community preservation fund (CPA) for the fiscal year ended June 30, 2016 is presented below:

**General Fund**

	<u>Revenues</u>	<u>Expenditures</u>
Budgetary basis as reported on the schedule of revenues, expenditures and changes in fund balance - budget and actual	\$ 24,528,008	\$ 26,948,816
<u>Reclassifications</u>		
Activity of stabilization fund recorded in the general fund for GAAP purposes	223	-
Activity of OPEB fund recorded in the general fund for GAAP purposes		5,004
<u>Adjustments</u>		
Net change in recording 60-day receipts	150,558	-
Net change in recording pollution remediation liability	-	(200,000)
To record encumbrances and continuing appropriations	-	(1,343,663)
	<u>\$ 24,678,789</u>	<u>\$ 25,410,157</u>
GAAP basis as reported on the statement of revenues, expenditures and changes in fund balances		

**CPA Fund**

	<u>Expenditures</u>
Budgetary basis as reported on the schedule of revenues, expenditures and changes in fund balance - budget and actual	\$ 1,043,414
<u>Adjustments</u>	
To record encumbrances and continuing appropriations	(120,909)
	<u>\$ 922,505</u>
GAAP basis as reported on the statement of revenues expenditures and changes in fund balances	



**TOWN OF EASTHAM, MASSACHUSETTS**

**MANAGEMENT LETTER**

**JUNE 30, 2016**



CliftonLarsonAllen LLP  
CLAconnect.com

To Management  
Town of Eastham, Massachusetts

In planning and performing our audit of the financial statements of the Town of Eastham, Massachusetts (Town) as of and for the year ended June 30, 2016, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered the Town's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

However, during our audit we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. The memorandum that accompanies this letter summarizes our comments and recommendations regarding those matters. This letter does not affect our report dated November 4, 2016, on the financial statements of the Town.

The Town's written responses to the matters identified in our audit have not been subjected to the audit procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

This communication is intended solely for the information and use of management of the Town and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads 'CliftonLarsonAllen LLP'.

**CliftonLarsonAllen LLP**

Boston, Massachusetts  
November 4, 2016



An independent member of Nexia International

**TOWN OF EASTHAM, MASSACHUSETTS**

**MANAGEMENT LETTER**

**JUNE 30, 2016**

---

**TABLE OF CONTENTS**

	<b>Page</b>
Comments and Recommendations .....	1
Information Technology Controls (Partially Repeated from Prior Year) .....	1
<i>Informational Comment and Recommendations</i> .....	3
Other Postemployment Benefits Accounting and Financial Reporting .....	3

## **Comments and Recommendations**

### **Information Technology Controls (Partially Repeated from Prior Year)**

#### Comment

During the fiscal year 2016 audit, we performed an Information Technology Financial Audit Support Review. The objective of our review was to evaluate the computer processing environments and general controls that help ensure the reliability of the business and financial systems that support business objectives during the current and future reporting periods.

Our review was performed using a high level risk based approach and is not intended to be a full scope network security review of the Town's information technology structure. The scope was specifically focused to identifying internal controls and security features implemented by management, which protect the integrity of the transaction data, with potential direct impact to financial reporting.

We noted the following that we want to bring to your attention for consideration:

- Repeated from Prior Year - The Town has a documented IT Policy that all employees are required to sign at the time of employment. However, the Policy has been reviewed or updated in approximately four years and does not address acceptable use of personal electronic devices. It is our understanding that an updated Policy is currently in draft format.
- Repeated from Prior Year - While some improvements were made in this area during fiscal year 2016, the Town does not fully implement formal methods of communication for tracking incidents, service requests, maintenance, or significant changes to software and hardware infrastructure.
- New Comment – We identified instances in which terminated employees' access rights to the Munis software program were not disabled in a timely fashion.

#### Recommendation

We recommend the following related to the Town's information technology:

- The Town complete its update to the IT Policy (to include personal electronic devices within the policy) and subsequently review and update the IT Policy on an annual basis
- The Town complete its development of a formal system to track software and hardware infrastructure changes
- The Town strengthen policies and procedures to disable terminated employees' technical access to software programs immediately after their last day of employment

#### Management Response

The Town has a documented IT Policy that all employees are required to sign at the time of employment. However, the Policy has been reviewed and the update to include personal devices will be incorporated into the policy. Currently, personal devices may go on the public network, not on the private network.

The Town does have a formal method of communication for service requests. Each department or employee completes a computerized service request form, which goes to IT and is printed in Administration. Updates of software or hardware are planned and implemented by IT. We are in the process of changing from purchase to leasing IT equipment to assist us in being more flexible with needed changes as the industry changes.

<sup>1</sup> We identified instances in which terminated employees' access rights to the Munis software program were not disabled in a timely fashion." In fact, the employee access is disabled in the Windows environment, which prohibits access to the Tyler package. Where access needed to remain, the password have been changed and randomized to eight plus character passwords, which are generated by a random password generator. The risk of access to the system, by any former employee to the system is virtually eliminated by this change. The cloud based Tyler is a single sign on system with requirement that passwords be changed every 90 days. We are in the process of shifting to the cloud system.

## ***Informational Comment and Recommendations***

### **Other Postemployment Benefits Accounting and Financial Reporting**

#### Comment

In June of 2015, the Governmental Accounting Standards Board (GASB) issued Statement No. 74, *Financial Reporting for Postemployment Benefit Plans other than Pension Plans*, and Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefit Plans other than Pension Plans*, which establish new financial reporting requirements for governments that provide other postemployment benefits (OPEB) to its employees and retirees.

The implementation of these Statements will represent a significant change in the accounting and reporting of OPEB expense and the related liability. The implementation of these Statements will:

- Require the net OPEB liability to be measured as the total OPEB liability, less the amount of the OPEB plan's fiduciary net position
- Require that projections of benefits payments incorporate the effects of projected salary changes and service credits, as well as projected automatic postemployment benefit changes
- Require the use of the "entry age" actuarial cost allocation method, with each period's service cost determined by a level percentage of pay (referred to as attribution method)
- Expand OPEB related note disclosures
- Expand OPEB related required supplementary information disclosures

Given the significance of the net OPEB liability, the financial reporting impact under the new standard will significantly affect the Town's financial statements.

It should be noted that the implementation of GASB Statement No. 74 and 75 are strictly financial reporting standards and do not constitute a state or federal mandate regarding the funding of the net OPEB obligation.

The Town's required implementation date of GASB Statements No. 74 and 75 are fiscal year 2017 and fiscal year 2018, respectively.

#### Recommendation

We recommend management continue to familiarize itself with GASB Statements No. 74 and 75 to prepare for their implementation.

#### Management Response

Management will work with our auditors and other professionals (including our OPEB actuary) to ensure we are familiar with GASB Statements 74 and 75 so we are prepared to implement these statements in FY2017 and 2018.



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

[www.eastham-ma.gov](http://www.eastham-ma.gov)

**December 19, 2016**

To: Board of Selectmen  
From: Sheila Vanderhoef, Town Administrator  
Re: **Committee Appointments**

---

The following is the information needed to make one committee appointment.

**Deborah Albert**

The Search Committee recommends the appointment of Deborah Albert to the Board of Council on Aging as a regular member.

If the Board appoints her, her first term would commence November 7, 2016 and expire June 30, 2018. She seeks to replace Theresa McApline, whose term ended 6/30/15.

---

# **Charge to the Council on Aging Board of Directors**

---

An eleven member Council on Aging Board of Directors shall be appointed by the Board of Selectmen for three-year overlapping terms.

The duties of said Council on Aging shall be to: (1) identify the total needs of the community's elderly population, (2) educate the community and enlist support and participation of all citizens concerning these needs, (3) design, promote or implement services to fill these needs, or coordinate present existing services in the community, (4) promote and support any other programs which are designed to assist elderly programs in the community. Said Council on Aging shall cooperate with the Commonwealth of Massachusetts Office of Elder Affairs and shall be cognizant of all state and federal legislation concerning funding, information exchange, and program planning which give an annual report to the Board of Selectmen with a copy of that report directed to the Commonwealth of Massachusetts Office of Elder Affairs.

**From Eastham Home Rule Charter-1992**





Office of the Town Administrator

ADMINISTRATION

DEC 14 2016

RECEIVED

Date: December 21, 2016  
To: Jacqui Beebe, Eastham ATA  
From: John Kelly, Orleans TA *JK*  
Cc: Mike Embury, Brewster TA  
Re: Tri-Town Supplemental IMA

---

Attached are 3 original copies of the Supplemental IMA for Health Insurance and Pension Benefits for OBE Groundwater Protection District Retirees for the Eastham BOS to sign at their meeting today. Following their execution, would it be possible to forward to K&P Law so that Michelle Randazzo can sign as Town Counsel for Eastham and Brewster prior to returning a fully executed copy to Orleans and Brewster?

Please let me know if you have any questions.

Thanks.

**SUPPLEMENTAL INTERMUNICIPAL AGREEMENT BETWEEN THE TOWNS  
OF ORLEANS, BREWSTER AND EASTHAM RELATIVE TO HEALTH  
INSURANCE AND PENSION BENEFITS FOR RETIREES OF THE ORLEANS,  
BREWSTER AND EASTHAM GROUNDWATER PROTECTION DISTRICT**

**WHEREAS**, in 1985, the Towns of Orleans, Brewster and Eastham (collectively the “Towns”) entered into an Intermunicipal Agreement Between the Towns for the Construction, Management and Operation of a Septage Treatment Facility, as amended (the “IMA”); and

**WHEREAS**, the Orleans, Brewster and Eastham Groundwater Protection District was created by special act of the Legislature, Chapter 327 of the Acts of 1988, as amended, in recognition and in furtherance of the 1985 IMA; and

**WHEREAS**, as originally adopted, the IMA had a term of twenty (20) years and was due to expire on May 30, 2005; and

**WHEREAS**, the Towns subsequently amended the IMA and extended its term for an additional ten (10) years, until May 30, 2015; and

**WHEREAS**, Orleans by vote of its Board of Selectmen determined that it did not intend to further extend the term of the IMA, and notice of such vote was provided in writing to Eastham and Brewster prior to May 30, 2013, which would have resulted in the IMA terminating on May 30, 2015; and

**WHEREAS**, the parties agreed to extend the IMA until December 31, 2016 and approved and executed a written amendment to the IMA, to that effect; and

**WHEREAS**, the Towns are desirous of memorializing the rights and obligations of the parties in light of the cessation of operations at the Tri-Town Septage Treatment Facility, and the winding down of the District; and

**WHEREAS**, this intermunicipal agreement has been approved by the Boards of Selectmen of each Town, in accordance with G.L. c. 40, §4A;

**NOW THEREFORE**, the Towns, in consideration of the mutual covenants set forth herein, the provisions of this IMA and the authority set forth in G.L. c. 40, §4A, and every other power, hereby agree as follows:

1. Prior Agreements:

This IMA supplements the prior IMAs between the Towns relative to the Orleans, Brewster and Eastham Groundwater Protection District and/or the Construction, Management and Operation of a Septage Treatment Facility.

2. Continuation of District for Administrative Purposes Only:

The Towns recognize that, operations of the Septage Treatment Facility previously constructed pursuant to the authority of the 1985 IMA have ceased as of August 31, 2016, and that the currently-existing IMA between the parties expires as of December 31, 2016.

With the creation of the Orleans, Brewster and Eastham Groundwater Protection District ("District") as a body politic and corporate under Chapter 327 of the Acts of 1988, staff for the Septage Treatment Facility were hired as employees of the District. The provision of certain employee/retiree benefits beyond the cessation of operations of the Septage Treatment Facility and the expiration of the current IMA technically requires the continuation of the District as a legal entity, for purposes of providing those employee/retiree benefits.

The parties acknowledge that the provisions of Chapter 449 of the Acts of 2012 authorize the Towns to provide retirement benefits, including without limitation pension and health benefits, to vested District employees, in equal amounts, upon "dissolution" of the District pursuant to the dissolution provisions of the existing IMA. The current IMA does not contain "dissolution" provisions per se, but "termination" provisions, which the Towns agree have been properly invoked.

Further, it is understood that any formal "dissolution" of the District would limit or impede the provision of certain employee/retiree benefits beyond December 31, 2016, and therefore, the Towns agree that the District will not be formally dissolved and that it will continue in existence, for limited administrative purposes. There shall be no employees of the District after August 31, 2016, and any Board of Managers and/or any Advisory Board to the Board of Managers shall dissolve effective June 30, 2017.

3. Employee/Retiree Benefits:

**Health Insurance**

As set forth in the June 29, 2005 amended IMA, the District has accepted the provisions of G.L. c. 32B, §9A, which provides for retiree health insurance benefits, with the District paying 50% of the premium cost for said benefits.

The Towns agree that the District employees who are retirees for purposes of G.L. c. 32 shall be eligible to receive retiree health insurance coverage with the employee paying 50% of the premium costs. All other applicable provisions of G.L. c. 32B apply to these retirees.

The Towns agree that the employer cost of these retiree health insurance benefits, shall be split equally amongst the Towns, in one third shares.

## **Pension Costs**

The District is assessed, on an annual basis, for pension costs for district employees who are eligible under G.L. c. 32 to participate in the Barnstable County Retirement System. The Towns agree to split the cost of this annual assessment, and any other related assessments from the Barnstable County Retirement System, equally, in one third shares.

### **4. General Administration:**

The parties agree that the Town of Brewster will serve as the designee of the Towns for purposes of receipt of any notifications, notices, or correspondence relative to the District. The Town of Brewster shall, forthwith upon receipt of any such notifications, notices or correspondences, forward copies of same to the Town Administrators of Orleans and Eastham, within \_\_\_\_\_ days of receipt of same.

The Barnstable County Retirement System and Cape Cod Municipal Health Group shall be notified, in writing, of this designation, and provided with a copy of this IMA, if necessary.

The Town of Brewster shall notify the U.S. Postal Service of a change of address for the District, for purpose of mail service, so that the Town of Brewster shall receive District mail.

### **5. Financial Administration:**

The parties agree that the Town of Brewster will also serve as the financial administrator for the costs associated with the benefits identified in Section 3, above. Each Town agrees to request sufficient appropriation from their respective Town Meetings to fund these costs on an annual basis. The Town of Brewster shall forward invoices to the Towns of Orleans and Eastham for their respective 1/3 share of costs upon those costs becoming due, and the Towns of Orleans and Eastham shall forward payment for their respective shares within 14 business days of receipt of said invoices, unless other arrangements are made in writing between the Town of Brewster and the other Town(s).

### **6. Disputes:**

The Towns agree to attempt to resolve any disputes that may arise under the IMA in an informal and cooperative fashion, prior to resorting to judicial remedies.

### **7. Records:**

The Towns of \_\_\_\_\_ and \_\_\_\_\_ have the right to access and review, and upon request receive copies of, any documentation received, made or

maintained by the Town of \_\_\_\_\_ in connection with the implementation of this IMA. Any party to this agreement may cause an audit to be performed of records relative to this agreement. The Town of Brewster agrees to forward to the Towns of Orleans and Eastham periodic financial statements, at least once annually.

8. Maximum Financial Liability of the Parties:

In no event shall any Town's individual financial liability under this agreement exceed 1/3 of the total costs for employee/retiree benefits identified under Section 3, above.

9. Term:

This agreement shall be in effective from December 31, 2016 through December 31, 2021.

10. Amendment:

This agreement may be amended by the parties, in writing. No amendment shall become effective until it is approved by all three Towns in the manner specified in G.L. c. 40, §4A.

11. Filing:

Upon full execution, a copy of this agreement and any amendments thereto shall be filed with the Town Clerk of each member town as a public record.

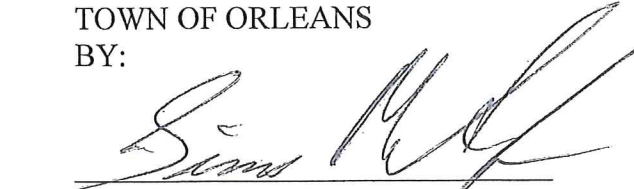


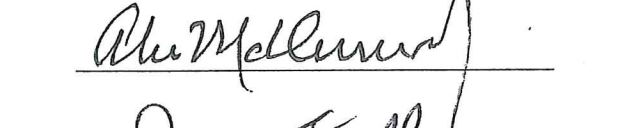
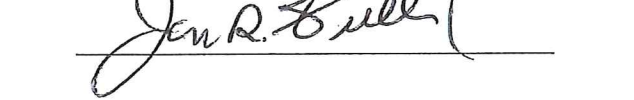
12. Notices:

Any notices, demands or requests required to be given hereunder shall be deemed sufficiently given or served on any of the parties hereto if mailed, postage prepaid, to the Town Administrator(s) of each Town to the appropriate Town Hall address(es), or such other address(es) as shall be designated by the parties, in writing, for that purpose.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals each by its Selectmen, authorized pursuant to votes of each Board of Selectmen in accordance with G.L. c. 40, §4A, who, however, incur no personal liability by reason of the execution hereof or anything herein contained. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

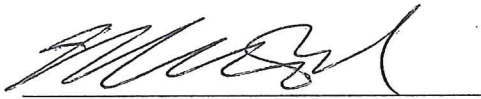
TOWN OF ORLEANS

BY:

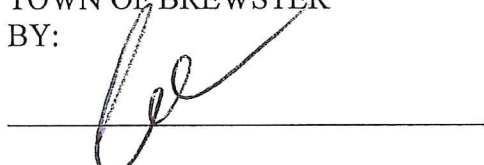
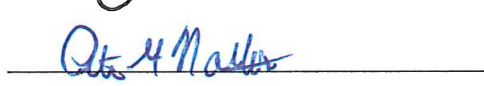



Date: \_\_\_\_\_

Approved as to Form:

  
Orleans Town Counsel

TOWN OF BREWSTER

BY:

TOWN OF EASTHAM

BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Eastham Town Counsel

Date: 11-28-16

Approved as to Form:

Brewster Town Counsel

569372/EAHM/0502



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544  
All departments 508-240-5900 • Fax 508-240-1291  
[www.eastham-ma.gov](http://www.eastham-ma.gov)

# Memorandum

TO: Board of Selectmen

FROM: Planning Department

DATE: December 14, 2016

RE: 2017 Annual BOS License Renewals: Liquor

Please find enclosed licenses due for annual renewal. All applicable inspections are scheduled to be completed prior to January 1, 2017. Review of the renewals by the Fire and Police Chiefs found no incidents to report. Taxes for all businesses except Willy's World are current per the Treasurer's office.

Please note:

- The ABCC has recently moved their licensing process online. The state renewal forms, renewal certification form and seasonal population estimate form no longer require signatures from the Board (although the local licenses still do).
- As of 12/13/16, the Elks, Nauset Market, Red Barn, Karoo, Sandpiper's and Willy's have not submitted renewal applications yet. All renewal paperwork was sent out on 11/4/16 and reminder phone calls to all outstanding applicants were made on 12/13/16. I will provide an update to Laurie on Monday with any remaining applications received.
- Willy's did not pay for or receive their 2016 liquor license (check was returned with insufficient funds). I would suggest that they are not eligible for renewal.

Should you approve these licenses, please sign them where indicated. Thank you.

enc. List of businesses due for license renewals  
Licenses (13) for signature  
Email from Chief Farrenkopf indicating license review  
Memo from Chief Kulhawik indicating license review  
Email from Sandy Johnson, Assistant Tax Collector indicating outstanding taxes (for informational purposes only, as unrelated to the business licenses)



Liquor

License #	Name on License	DBA	Type	Category
36400005	Orleans-Eastham Lodge of Elks #2572	Elks (indoor area)	Club	All alcohol
36400007	South Bay Hotels, LLC	Sheraton	Innholder	All alcohol
36400012	Hole-in-One, Inc.	Fairway Pizzeria	Restaurant	All alcohol
36400015	Town Center Package Store, Inc.	Town Center Package Store	Package Store	All alcohol
36400016	Wilcox Family Market, Inc.	Eastham Superette	Package Store	All alcohol
36400018	Charles F. Dolan	Nauset Market	Package Store	Wine and Malt Regular
36400021	7-Eleven of Massachusetts, Inc.	7-Eleven	Package Store	Wine and Malt Regular
36400025	Fat Mike's, Inc.	Red Barn	Restaurant	Wine and Malt Regular
36400030	Willy's World Wellness & Conference Center	Willy's Gym & Fitness Center	Restaurant	All alcohol
36400038	Bogumila B. Duda	Eastham Shell	Package Store	Wine and Malt Regular
36400041	Chases Dad Inc.	Local Break	Restaurant	All alcohol
36400042	Karoo, Inc.	Karoo	Restaurant	All alcohol
36400045	Sandpipers Sports Pub, Inc.	Sandpiper Sports Pub	Restaurant	All alcohol



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544  
All departments 508-240-5900 • Fax 508-240-1291  
[www.eastham-ma.gov](http://www.eastham-ma.gov)

# Memorandum

TO: Board of Selectmen

FROM: Planning Department

DATE: December 14, 2016

RE: 2017 Annual BOS License Renewals: Non-Liquor

Please find enclosed licenses due for annual renewal. All applicable inspections are scheduled to be completed prior to January 1, 2017. Review of the renewals by the Fire and Police Chiefs found no incidents to report. Taxes for all businesses except Willy's World are current per the Treasurer's office.

Please note:

- Hole in One dba Fairway is not renewing their entertainment license.
- As of 12/13/16, the Box Lunch, Chocolate Cafe, Eastham Elementary School, Red Barn, Inn at the Oaks, Karoo, Nauset Market, Elks, Penny Inn, Royal Thai, Sam's Deli, Sandpiper's, Town Crier Motel, Village Green General Store, Willy's World, Advanced Equipment, Connors Car Care, Eastham Auto Sales and On the Run Auto have not submitted renewal applications yet. All renewal paperwork was sent out on 11/4/16 and reminder phone calls to all outstanding applicants were made on 12/13/16. I will provide an update to Laurie on Monday with any remaining applications received.

Should you approve these licenses, please sign them where indicated. Thank you.

enc. List of businesses due for license renewals  
Licenses (43 individual cards) to be signed  
Email from Chief Farrenkopf indicating license review  
Memo from Chief Kulhawik indicating license review  
Email from Sandy Johnson, Assistant Tax Collector indicating outstanding taxes (for informational purposes only, as unrelated to the business licenses)

#### Common Vic

Box Lunch
Chocolate Café
Dunkin Donuts
Eastham Council on Aging
Eastham Elementary School
Eastham Shell
Eastham Superette (Wilcox Family Market)
Fat Mike's Pizza
Fort Hill B&B
Hole-In-One
Hole-In-One
Inn at the Oaks
Karoo
Local Break
Nauset Market
Nauset Regional High School
Orleans Eastham Elks Lodge #2572
Penny Lane Guest House and Retreat
Royal Thai Cuisine
Sam's Deli
Sandpipers Sports Pub
Sheraton Four Points (Bellamy's Restaurant)
7-Eleven 37381H
Town Center Package
Town Crier Motel
Village Green General Store
Wellfleet Harbor Seafood Co. Inc
Willy's World Wellness Conference Center

#### Entertainment

Four Points by Sheraton
Karoo
Orleans Eastham Elks Lodge #2572
Willy's World Wellness Conference Center

#### Coin-Op

Orleans Eastham Elks Lodge #2572
Sandpipers Sports Pub
Sheraton Four Points (Bellamy's)

#### Billiards

Orleans Eastham Elks Lodge #2572
Sandpipers Sports Pub
Town Crier Motel
Willy's World Wellness Conference Center

#### Auto

Advanced Equipment
Connors Car Care, Inc.
Eastham Auto Sales
On the Run Auto, Inc.

## Cohen, Deborah

---

**From:** Kent , Farrenkopf <kfarrenkopf@eastham-ma.gov>  
**Sent:** Wednesday, November 09, 2016 8:31 AM  
**To:** Cohen, Deborah  
**Subject:** RE: Annual license renewals

Hello, The Fire department has no issues at this time.

Thanks,

Kent

Chief Kent Farrenkopf  
**Eastham Fire Department**  
2520 State Highway  
Eastham, Massachusetts 02642  
774 212 2486 [C]  
508 255 2324 [W]  
[kfarrenkopf@eastham-ma.gov](mailto:kfarrenkopf@eastham-ma.gov)

---

**From:** Cohen, Deborah [<mailto:buildingdept@eastham-ma.gov>]  
**Sent:** Wednesday, November 02, 2016 1:23 PM  
**To:** Edward Kulhawik; Kent , Farrenkopf; tax tax; Town Clerk, Assistant  
**Cc:** Chimwaza, Karen; Gillespie-Lee, Laurie  
**Subject:** Annual license renewals

Hi all,

Please find attached the list of annual BOS license renewals for your review. Let me know if there are any outstanding issues or reasons you would recommend against renewal and I will forward your comments to administration. Thank you,

Debbie Cohen  
Building and Planning Assistant  
Town of Eastham, 2500 State Highway, Eastham, MA 02642  
508 240 5900 x3231



## **EASTHAM POLICE DEPARTMENT**

2550 State Highway • Eastham, MA 02642  
508-255-0551 • Fax: 508-255-5412




EDWARD V. KULHAWIK  
*Chief of Police*

KENNETH J. RODERICK  
*Deputy Chief*

### **MEMO:**

To: Debbie Cohen  
Building and Planning Assistant

FROM: Edward V. Kulhawik   
Chief of Police

CC: Sheila Vanderhoef  
Town Administrator

DATE: 2017 Annual BOS License Renewals

As per your request dated December 14, 2016 a check of our records show no incidents, from a public safety point of view, which may preclude the renewal of the licenses for the establishments forwarded to this department.

Although our records do show that there were incidents in the area of some of these business locations, none were directly associated with the establishments, or cause concerns regarding these renewals.

Please feel free to contact me if you have any questions or concerns.

## Cohen, Deborah

---

**From:** Sandra M. Johnson <tax@eastham-ma.gov>  
**Sent:** Tuesday, December 13, 2016 12:28 PM  
**To:** Cohen, Deborah  
**Subject:** Barbara Niggel

Dear Deborah,

Barbara Niggel paid the Personal Property Taxes for Willy's Gym that were outstanding for FY2016 (originally due on 11/1/2015) on 12/5/16.

She also paid the first half FY2017 Personal Property taxes on 11/15/2016, but the check was returned by our bank with insufficient funds, so that payment was reversed.

Lastly she has an overdue Personal Property tax bill from FY2014 assessed to her property at 140 Harvest Rd. Repeated letters sent to her regarding this bill and numerous phone conversations have gone unanswered.

Regards,  
Sandy

Sandra M. Johnson  
Assistant Treasurer/Collector  
Town of Eastham, Massachusetts  
2500 State Highway  
Eastham MA 02642  
508-240-5919 Fax: 508-240-1291  
Direct line 774-801-3219  
hours: M-F 8 am to 4 pm



ORIGINAL

ADMINISTRATION

OCT 06 2016

RECEIVED

14

October 3, 2016

Sheila Vanderhoef  
Town Administrator  
2500 State Highway  
Eastham, MA 02642

Dear Ms. Vanderhoef,

I write in application to the position of Town Administrator for the Town of Eastham. I hope this letter further explaining my qualifications and the accompanying resume will merit further consideration.

I am currently the Town Administrator for the Town of Westport, a position I have held since 2014. I have enjoyed working for the Town of Westport but I am ready and eager for the next challenge.

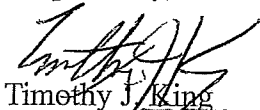
I have over 20 years of experience as a municipal manager, in addition to my work in Westport, prior service in Wellfleet, MA and Auburn, MA, Ellsworth, ME and Westerly, RI. Working in these communities has given me the opportunity to develop a detailed and extensive knowledge of municipal services and operations. My experiences have also required me to develop specific expertise in municipal finance, human resources, collective bargaining, planning, municipal law and regulation, and general management. All of these skills would be useful to the Town of Eastham.

Equally important to my municipal management experience are my personal attributes. I have strong critical thinking skills, excellent interpersonal skills and a participative management style that most citizens and employees find useful. I am positive, approachable, available, and a hard worker. A seasoned municipal manager with these types of assets would be of great benefit to the Town of Eastham.

As a Cape resident for the past five years I have come to understand many of the attributes as well as the challenges of living and working in the unique area.

I would welcome the opportunity to meet and further discuss my qualifications for the Eastham Town Administrator position.

Respectfully,

  
Timothy J. King



Timothy J. King

#### PROFESSIONAL PROFILE:

Effective executive level manager with over 20 years of experience in municipal government and non-profit corporations with overall responsibility for financial administration, personnel management, planning and policy making, and efficient public service delivery.

#### PROFESSIONAL EXPERIENCE:

##### Town Administrator

Westport, MA

Since 2014 I have served as the Town Administrator of this 15,000 population year round community that approximately doubles in the summer. Westport has a \$36 million budget, 125 full time and numerous part time employees.

- Prepared a more comprehensive Capital Improvement Plan and a plan for funding it.
- Developed a plan for addressing the OPEB Unfunded Liability
- Negotiated several collective bargaining agreements with four unions
- Effectively handled numerous serious personnel issues.

##### Asst. Town Administrator

Wellfleet, MA

I worked for a couple of years as the Asst. CAO of a town with a \$15 million budget that provides a variety of services to residents. Wellfleet has approximately 75 fulltime and 100 part time and seasonal employees.

##### Significant Accomplishments

- Served as Interim Town Administrator
- Prepared and submitted the FY 2014 Municipal, Capital, and Enterprise Fund Budgets
- Prepared 9 RFP's and 4 Bids in accordance with MGL.
- Assisted in the rewrite of 3 Town Bylaws
- Assisted in the preparation of the Annual Town Meeting Warrants
- Participated in all collective bargaining sessions with 7 local unions
- Successfully and expeditiously assisted the Town Administrator with a large number of municipals problems, challenges, and tasks with a minimum of oversight and excellent results.
- Implemented several cost-saving measures that saved the Town over one hundred thousand dollars

##### Executive Director

WHCA Milbridge, ME

For about 7 years I was the CEO of a \$10 million non-profit corporation providing 140 programs to residents of Hancock and Washington Counties. The Executive Director is responsible for overall management and supervision of 90 full time and part time employees.

##### Significant Accomplishments:

- Started a new adult day program by raising \$1.2 million.
- Started a successful program to make reliable affordable used vehicles available to working families and finance them at reasonable interest rates.
- Obtained a \$1.1 million donation for the agency to start an endowment.
- Significantly increased the positive awareness of and support for WHCA.



**City Manager**

Ellsworth, Maine

With over 10 years of service I was the longest serving City Manager of this community of approximately 8,000 year round residents that doubles in the summer. The City Manager is responsible for the overall management of all municipal services (including water and wastewater) and supervision of 64 fulltime and 67 part time employees.

**Significant Accomplishments:**

- Established an effective 10-year capital improvement plan and million dollar annual capital program.
- Developed municipal budgets that resulted in zero property tax rate increase for 4 years.
- Designed, planned, and implemented a PAYT solid waste program with impressive results.
- Initiated the process for the replacement of the wastewater treatment facility.
- Fully participated in the Comprehensive Plan process as a member.
- Negotiated all collective bargaining agreements and managed all labor relations for 4 unions.
- Managed the municipal budget so effectively that the unrestricted fund balance was significantly increased over several years.
- Developed the first TIF and a business park in Ellsworth to spur economic development.
- Helped form a regional tourism-based entity called Downeast Area Regional Tourism (DART).
- Obtained approval and funding for and managed the Ellsworth Harbor Dredge and related waterfront improvements.

**Town Manager**

Westerly, Rhode Island

I was the Town Manager in Westerly for a couple of years. The Town Manager is responsible for the overall management of municipal services for a coastal community of approximately 23,000 residents and supervised 150 full time employees.

**Significant Accomplishments**

- Annually prepared and administered a \$24,000,000 general fund and \$1,000,000 enterprise fund budget.
- Redesigned the community's personnel functions including new position descriptions, a merit-based compensation plan, and a supervisory training program.
- Negotiated all collective bargaining agreements with 3 unions.
- Supervised major construction projects for a Senior Center, Police Station Addition, Solid Waste Transfer Station, and Town Hall Addition. Each of these projects was completed on time and under budget.
- Initiated and organized a major project to update the Town's Comprehensive Plan and revise local land-use regulations.

**Town Administrator**

Auburn, Massachusetts

For five years I directed and coordinated the work of up to 100 full time and numerous part time municipal employees and a \$17 million municipal operating budget for this community of approximately 16,000 residents. The Town Administrator is responsible for preparing and administering the annual operating and capital budgets, negotiating all municipal collective bargaining agreements, and overseeing the implementation of general administrative policies.

**Significant Accomplishments**

- Initiated the first Capital Improvement Plan covering all departments.
- Started a program to set aside money for the Town's unfunded retirement liability.
- Negotiated numerous collective bargaining agreements.

**EDUCATION:**

Master of Public Administration Penn State University

Bachelor of Arts in Public Management University of Maine, Orono Graduated Cum Laude

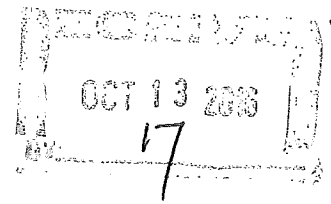
**Professional Accreditation:**

MCPPO Certification

**REFERENCES:**

A list of personal and professional references is available upon request.

October 7, 2016



Town of Eastham  
2500 State Highway  
Eastham, MA 02642

Dear Ms. Vanderhoef, Search Committee Members, and Board of Selectmen,

I am writing to apply for the position of Town Administrator for the Town of Eastham. I have a Master's Degree in Public Administration from Suffolk University, and eighteen years experience in progressively responsible municipal management positions in Massachusetts, all on Cape Cod. I have worked successfully for three Cape towns and received praise as a leader and innovator in all of my management roles. In my position as Assistant Town Administrator in Eastham, I have from the first day, felt that it was a perfect fit between the needs of the town and my abilities. I am ready to bring my education, experience, knowledge of the local community, and drive, to work in partnership with the Board of Selectmen and take the organization to the next level of development.

I have arranged my letter in a manner that I hope contextualizes my experience and specifically addresses the qualities that the Board of Selectmen identified in the job description as essential for the next Town Administrator. These items are italicized as headings throughout the letter.

*Consensus Building/Community Relations:*

My public service career was an intentional choice. I greatly respect the public process and have demonstrated this in every position I have had in municipal government. I enjoy working with staff, elected officials, and members of boards and committees to negotiate through tough community problems and decisions. My experience has shown me that the strongest way forward is by building consensus so that we arrive at solutions that the majority of citizens can truly support, and even those opposed can respect. I believe that in all perspectives, there is some piece of truth that must be listened to and incorporated into the discussion; and that every citizen needs to be heard. I have learned to listen, observe, understand, and guide, rather than control, the process through to a sound solution that is the best fit for the community.

*Management & Administrative ability:*

I have great depth as a general manager, having had responsibility for individuals, teams, departments and organizations for over 20 years. I have overseen staff, programs, facilities,

grants, special projects, and capital projects in diverse settings and in three municipalities. My style of management is highly collaborative. I am organized and use my time efficiently. I am adept at creating and maintaining functional teams so that communication is clear and energies are focused on the goal. These teams use the strengths of each member while minimizing the weaknesses, thus creating a stronger base from which the organization can achieve its mission. In this way, the product or solution is a true joint venture that all staff can celebrate, accept responsibility for, and claim ownership of, and the organization has more than one informed person in all critical areas. I believe that the "we" is always more powerful and effective than the "I" and strive to leave every organization stronger and richer than I found it. I am well respected by former employers, colleagues, and the many individuals I have supervised, and am known as a fair, yet firm and steady manager.

#### *Human Resource Management:*

As Assistant Town Administrator, I have been responsible for all human resource functions and have had positive results. I have had human resource management responsibility in all of my municipal management positions, and have a positive track record in both hiring and discipline of employees. My administrative gift is being able to assess and cultivate staff, both in hiring and on-going supervision, to bring out their best for the organization. As staff is the most expensive investment for any town, the Town Administrator must maximize the talent and productivity of these vital human resources. I will bring this skill and experience to the position. I am positively regarded and respected by current town staff and feel confident that I can bring out the best in this team, and work to create strength in any areas of weakness.

#### *Communication:*

I communicate well both orally and in writing, and stay mindful of the need to keep all stakeholders up to date on current issues and projects. I rely on providing regular written updates as well as frequent team meetings to organize and keep everyone in the loop of necessary information.

I have a great deal of experience discussing difficult issues/problems in the public setting by framing them in a way that is reassuring rather than increasing tension and anxiety around particular issues. I am proud of my ability to sail difficult waters in my many public roles, in a positive and drama free manner.

#### *Board Relations:*

Throughout my career, I have had excellent relationships with colleagues, supervisors, and elected boards. I respect the position of the Board of Selectmen and know how difficult it is, with its many opposing pressures. I am confident that I can assist the Board, providing information and guidance, and then effectively operationalize their goals for the town.

### *Budget and finance:*

I am currently being certified as a Chief Procurement Officer in MA. I have completed all three courses and am awaiting certification by the Inspector General's Office. I have been responsible for all procurement in Eastham for the past two years, and have also procured supplies, services, and capital in all of my other positions. Most importantly, I have worked with the current Town Administrator to learn and craft the town's budget for the past three budget cycles. I understand the successful philosophy and formula that is in place in Eastham and have learned from the best budget guru in the business.

In addition, I have created and crafted municipal budgets from several different perspectives; as a department head, selectman, and administrator. I have had a great deal of experience with special revenue accounts, including revolving and enterprise funds. I excel at making the most of these types of tools to increase transparency and segregate expenses and revenue from one service, and to increase accountability and transparency for the public. In all of my positions, I have had to take a budget from zero to completion and then, most importantly, operationalize services for the public in the confines of that budget.

I am an experienced grant writer and grants manager, and have written and won awards for both state and federal grants. I am familiar with the SRF funding program (water project/wastewater funding) and have positive working relationships with the current program staff.

I have been accepted into the Penn State University post-graduate program for Public Budgeting and Financial Management, and will be enrolled in this online cohort beginning in September, 2017. This is a program designed for working professional managers and would entail independent coursework with a local study group. Although I am proficient and very comfortable with my current knowledge base, I firmly believe in ongoing education to update skill sets and I look forward to joining other municipal and government managers in the study of budget policy and best practices.

### *Collective bargaining:*

I began my career in the field of dispute resolution, with a specialty in mediation. I have worked as a consultant teaching mediation to court officials and used mediation in my various public and private professional roles. I have experience serving on various negotiation teams from both the employee and management sides, and am a professional and able negotiator. I was responsible for negotiating contracts with the unions in Wellfleet. I am currently participating in negotiations with the Eastham unions, and am confident and comfortable representing the town in future union negotiations.

*Community relations/business:*

I am sensitive to the pressures and seasonal nature of our local businesses. Having grown up on Cape Cod, working in our family's restaurant, I understand how the regulatory environment can either support or impede small business. Regulatory policy can support and facilitate the accomplishment of town goals by assisting the business community through support and education to make it easier for them to comply. I believe that encouraging the inclusion of business leaders on town boards and committees, seeking their input into issues, and attending Chamber meetings will focus more attention to the specific needs of small business in the town. Hopefully, this will reduce tensions between the business community and government. I would like to work with the business community, staff, and the Board of Selectmen to understand the issues better, and together, work to craft a more business-friendly approach for the town.

*Intergovernmental relations:*

My entire professional career has been on Cape Cod, and I have positive relationships with professionals on the local, state and national (National Seashore) level.

As Town Administrator, I will continue to bring my education, experience, knowledge of the local community, and great energy, to work with the Board of Selectmen, town boards and committees, staff, and the public to lead the organization into the future. I look forward to meeting with the Search Committee to explore the next step in this important process.

Sincerely,



Jacqueline W. Beebe, MPA

# Jacqueline Wildes Beebe, MPA

---

## PROFESSIONAL SUMMARY

Accomplished and respected municipal manager with experience in inspiring a specialized workforce with vision and confidence. I build consensus to achieve the Board of Selectmen's goals by leading the public process in a way that values new ideas while respecting our special rural community. I am experienced managing both the budget and daily operations in a steady, consistent manner that embraces innovation and maintains excellence in customer service for the community.

## SKILLS

- Successful and innovative manager
- Extensive experience and skill in building and leading successful teams
- Experience in all levels of municipal finance
- Excellent community collaborator and problem solver
- Capital project management expertise
- Experienced procurement official

## WORK HISTORY

**Assistant Town Administrator, Town of Eastham, 2014 to the present**

- Coordinate all Human Resource Management: including hiring, firing, discipline, departmental re-organization, and legal and benefit compliance.
- Supervise and coach staff and projects throughout the organization to achieve town goals.
- Responsible for all procurement including RFP preparation, advertising, specifications, and all other technical and legal aspects of contracting for supplies and services.
- Completion of three budget cycles with Sheila Vanderhoef in building and crafting the Town of Eastham budget. I understand, appreciate, and desire to continue the goals, method, and formula that have delivered a balanced budget to the BOS and town for the past 25 years.
- Managed special projects, especially where both skills with staff and negotiations with contractors are critical, such as the:
  - *Rock Harbor Dredge*. When the contractor demobilized and left the project unfinished, I managed the negotiation with the contractor and got the project back on track. This included permitting, contract management and co-ordination with the town of Orleans, all accomplished without legal action;
  - *Hay Road*: I managed the process of public meetings, presentations, meetings with all stakeholders, the legal process, and administrative completion;
  - *Water Project*: I am involved with all current planning, contracting, budgeting, and management details of the construction of the system. I have been charged with operationalizing the system to deliver water to customers, including co-developing the fee structure, managing the budget, and working with consultants and staff to develop processes for application for service and billing.
- Collaborated and lead members of the town staff, boards and committees, and contractors to take Board of Selectmen goals from planning to completion.

## **Jacqueline Wildes Beebe, MPA**

---

### **Director, Council on Aging, Town of Dennis, 2008 to 2014**

- Designed, built and funded an Adult Day Center for frail elders without municipal funding writing a grant for start-up and using special revenue accounts for on-going expenses. I managed a complex special revenue budget structure for six years. The program is self-supporting financially and still on-going.
- Created a regional (Cape-wide) training and consultation program focusing on the assessment and treatment of depression in the elderly, as a partnership between the towns, community health centers, and McLean Hospital.
- Assigned to lead the Senior Management Team for the highly successful motel conversions project, including both Police and Fire Chiefs in a significant town regulatory action. Represented the town both as spokesperson and community liaison as well as managed the operations of obtaining regulatory compliance with the law, and placement of 30 families in safe, sustainable housing. In the process, we created a new and highly collaborative model of managing this type of problem that is now used by other towns.

### **Director, Council on Aging & Human Services, Town of Wellfleet, 1997 to 2006**

- Procured, managed, & evaluated all contracted health and human service programs for the town.
- Developed and coordinated funding for on-going community programs for all residents.
- Managed Senior Center facility including supervision of staff, payroll, procurement, preparation of budgets and grant proposals.
- Secured \$600,000 in grant funding for capital building project and coordinated capital project from pre-design phase through construction. The project was completed on-time and under budget.
- Developed a consortium of public and private partners to bring a system of all inclusive care for the elderly (PACE) to the Cape. Secured \$750,000 in grant funding and reached final round for national rural start-up, competing with the State of Alaska, the Cherokee Nation, and the State of Louisiana.
- Valued part of Senior Management Team was delegated leadership of special management projects, confidential investigations, union negotiations and grievances; and represented the town on the Regional Transit Authority Board, Barnstable County Human Services Board, and Cape & Islands Partnership for Older Americans.

### **Assistant Director/Program Services Manager, Cape Cod Regional Technical School, Community Education & Training Programs, 1986-1992**

- Managed 21 grant-funded technical training programs for both adults and children, including all training and certification programs for plumbers, electricians, and HVAC technicians.
- Researched and wrote grants for 100% of state and federal funding of \$2 million per year. Completed all quarterly and final reports to the State and funding sources.
- Designed and developed programs to integrate special populations into technical education, including creating an educational training program for incarcerated youth which was replicated in 40 technical schools across the state and presented to Congress as a model for other states.
- Provided technical assistance to other programs and organizations.

# **Jacqueline Wildes Beebe, MPA**

---

## **Coordinator, Family Mediation Program, Cape Cod Human Services, 1984-1986**

- Assisted in the design and development of new conflict resolution program for Cape Cod & Islands.
- Trained and supervised over 60 mediators.
- Extensive direct mediation experience, including civil and criminal case.
- Provided consulting and training services to other agencies and court systems nationwide via the American Arbitration Association.

## **EDUCATION**

Masters of Public Administration, Suffolk University, 2003

Bachelor of Social Work, Bridgewater State College, 1984

Political Science/International Politics, University of Washington, 1982

## **CERTIFICATIONS**

MCPPO, Chief Procurement Officer, Office of the Inspector General, 2016, All credits are completed and I am awaiting designation.

## **PROFESSIONAL AFFILIATIONS**

Member International City Manager's Association (ICMA) and Massachusetts Municipal Association (MMA).

Selectman, Town of Wellfleet, 2006-2011. Elected Chairman for four years.

Town of Wellfleet Representative to the Cape Cod Regional Transit Authority Board of Directors, 1998-2005. I lead the sub-committee that developed the Outer Cape Flex Bus Route.

Chair, Cape and Islands Partnership for Older Americans, 2000-2004. This was a Cape-wide consortium of providers seeking to coordinate and improve services to elders and their caregivers.

Co-Chair, PACE Development Team, 2002-2006. This was a consortium of Outer-Cape Cod providers developing a program for all-inclusive medical and home-care for the frail elderly. Partners included Seashore Point, Outer Cape Health Services, the Councils on Aging from Provincetown, Truro, Wellfleet, Orleans, Harwich and Brewster, and several non-profit agencies.

Representative for the Outer-Cape, Barnstable County Human Services Advisory Board, 2003-2006.

References available on request.



# Town Administrator's Report

## 2017 Calendar

### Town Warrant

**Opens**  
**Closes**

Tuesday, January 3, 2017  
Monday, February 6, 2017

### Nomination Papers

**Available**

January 3, 2017

**Last day to obtain**  
**Last day to return**

March 27, 2017  
March 28, 2017

### Town Meeting Town Election

Monday, May 1, 2017  
Tuesday, May 16, 2017

**Last day to register for**  
Town Meeting and  
Town Election

April 11, 2017

### Positions Open:

### Term

### Incumbent

Moderator  
Selectmen  
Town Clerk  
Library Trustee  
Housing Authority  
Elementary School Committee

One three-year term  
Two three-year terms  
One three-year term  
Two three-year terms  
One five-year term  
Two three-year terms

Steven Cole  
Linda Burt, Elizabeth Gawron  
Susanne Fischer  
Edmond Harnett; Mary Shaw  
Marybeth O'Shea  
Joanne Irish; Judy Lindahl

*Announce  
12/19*

# INFORMATION

12/4/2016

BOB 12/19  
agdn  
ADMINISTRATION

DEC 09 2016

RECEIVED

To: Eastham Board of Selectmen

From: Eastham Open Space Committee

Subject: Concerns Regarding Scenic Impacts from Water Main at Boat Meadows

The Open Space Committee would like the Board of Selectmen to know that it shares concerns about negative impacts to the scenic view from Boat Meadow Creek Bridge detailed in a recent Cape Codder newspaper article (<http://brewster.wickedlocal.com/news/20161125/redone-creek-bridge-prompts-outcry>).

The Boat Meadow and Bridge Road areas have been identified as high priority scenic landscapes in Eastham's Heritage Landscape Inventory Report (<http://www.mass.gov/eea/agencies/dcr/conservation/cultural-resources/heritage-landscape-inventory-reconnaissance-reports.html>), and the Boat Meadow landscape as seen from Bridge Road is also identified as a scenic landscape in Eastham's Local Comprehensive Plan.

Given the extent to which the scenic values of the Bridge Road/Boat Meadow Creek Area have been identified by Eastham citizens and documented in these reports, and the important role that scenic quality and scenic views play in Eastham's economy and maintenance of property values, the current "industrial zone" look is unacceptable. Although some may say that aesthetics and scenic appreciation are intangible values, the fact that the term "Million Dollar View" is part of our language suggests otherwise: People value scenic quality and are willing to pay for it. As a town that markets itself as a coastal resort community emphasizing its natural features and scenic qualities, it is critical that we guard against the incremental loss of the town's scenic values. Eastham's attraction as a tourist destination depends on preservation of Eastham's Heritage and Community Character, which includes its scenic views and natural areas/open space. With this in mind we would like to make the following recommendations.

1. Reconsider lowering the elevation of the water main as it crosses the bridge. In studying the designs provided us by project engineer Mr. Ryan Trahan, we note that plans (Sheet C-23, upper right corner) call for minimum of 5 inches between the top of the upper support struts of the existing Verizon conduit and the bottom of the water main support bars. Yet, in his presentation to the Board of Selectmen on November 21, 2016, Mr. Trahan mentions that there is 11 inches of clearance, which jibes with our measurements. Although Mr. Trahan points out that the water pipe extends 11 inches above the existing railing on the bridge, and that there is no way to lower the pipe enough to be completely below the rail, even partially lowering the pipe will reduce its

visual impacts. Viewing the upper 5 or 6 inches of the pipe, which has a more horizontal aspect to it, is not the same as viewing it all broadside, as it currently has been installed.

2. Raising the height of the railing has been suggested. There is merit to this approach, although raising it an additional 11 inches will have its own visual impacts. We believe that this approach would work best when done in conjunction with lowering the pipe, discussed above. Sometimes, a solution needs to integrate more than one design idea, and this may be the case here.

3. Painting to match existing railing. We agree that this should be, and needs to be part of the solution, now and into the future. But, we also believe that this should be the final step, after steps 1 and 2 above. The suggestion that this could not be maintained into the future is puzzling and troubling as it would seem that this would and should become part of the routine maintenance of that bridge's railing paint. Regardless, given the importance of maintaining Eastham's scenic values, and their value to this town, it is an expense we believe would be supported by Eastham's citizens.

4. We need to prevent events such as this, or at least to identify them in advance and craft the best solutions in advance, not after the fact or under duress. Given the extent that the current situation has troubled town residents, it would better serve the town and its residents to identify the impacts of construction projects occurring in and through areas of town with identified scenic and natural values and work through town committees to review them in advance.

We hope you will give these recommendations serious consideration and correct and undo the damage that has been done to the scenic views of Boat Meadow Creek from Bridge Road. The Open Space Committee stands ready to help in whatever capacity it can, to help maintain Eastham's scenic and natural values.

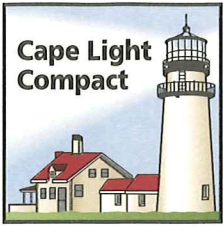
Sincerely,



Robert Gurney, Chairman, Eastham Open Space Committee

CC. Community Preservation Committee, Planning Board, Conservation Committee





## Cape Light Compact

P.O. Box 427, Barnstable, MA 02630

1.800.797.6699 | Fax: 508.362.4136 | [capelightcompact.org](http://capelightcompact.org)

**ADMINISTRATION**

**DEC 08 2016**

**RECEIVED**

November 14, 2016

Ms. Sheila Vanderhoef  
Town Administrator  
2500 State Highway  
Eastham, MA 02642

Dear Ms. Vanderhoef,

Attached for your information and dissemination to your Board of Selectmen/Town Council is the Cape Light Compact's monthly Energy Efficiency Report. The Report reflects the program activity for all of Cape Cod & Martha's Vineyard and breaks out the detail on a town-by-town basis.

Below is a summary of the activity in your town for the month of September 2016. To view each of your monthly reports, please visit our website at [www.capelightcompact.org](http://www.capelightcompact.org) and click on Reports.

- 407 residents and/or businesses in Eastham participated in the program.
- \$55,455.88 in incentive dollars were distributed to the 98 participants.
- 160,973 kWh were saved through implementation of these energy efficiency measures.

If you have any questions on the attached report, please contact me at (508) 375-6636.

Sincerely,

Margaret T. Downey  
Administrator

Enclosure

cc: Fred Fenlon

*Working Together Toward A Smarter Energy Future*

Aquinnah | Barnstable | Barnstable County | Bourne | Brewster | Chatham | Chilmark | Dennis | Dukes County | Eastham | Edgartown | Falmouth  
Harwich | Mashpee | Oak Bluffs | Orleans | Provincetown | Sandwich | Tisbury | Truro | Wellfleet | West Tisbury | Yarmouth

# Energy Efficiency Program Activity by Town

11/10/16 3:18  
Page 1 of 1

Town Name: EASTHAM  
Program Period: 2016  
Current Dates: 9/1/2016 - 9/30/2016  
Cumulative Dates: 1/1/2016 - 9/30/2016

Program Initiative	Current Period			Cumulative Period				
	Annual kWh Savings	Actual Expenditures	Participants	Annual kWh Savings	Actual Expenditures	Participants	Budget	Cumulative Actual % of Budget
Residential New Construction	0.00	\$0.00	0	12,414.45	\$3,704.92	2	\$0.00	0.00%
Residential New Construction (Low-Income)	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
Residential Multi-Family Retrofit	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
Residential Home Energy Services - Measures	45,072.80	\$28,155.83	30	291,363.20	\$302,799.79	183	\$271,644.18	111.47%
Residential Home Energy Services - RCS	0.00	\$3,590.00	18	0.00	\$35,470.00	134	\$35,800.22	99.08%
Residential Behavior/Feedback Program	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
Residential Heating & Cooling Equipment	2,762.00	\$2,051.00	5	36,593.80	\$24,599.50	49	\$0.00	0.00%
Residential Consumer Products	2,550.00	\$377.50	11	12,030.00	\$1,667.50	47	\$0.00	0.00%
Residential Lighting	107,253.60	\$13,981.20	333	108,138.00	\$14,119.10	336	\$0.00	0.00%
Residential HEAT Loan	0.00	\$105.00	3	0.00	\$13,521.00	14	\$0.00	0.00%
Res Subtotal	157,638.40	\$48,260.53	400.00	460,539.45	\$395,881.81	765	\$307,444.40	
Res % of Total	97.93%	87.03%	98.28%	79.04%	83.60%	94.91%	63.78%	
Low-Income Single Family Retrofit	3,335.26	\$5,555.35	5	31,225.64	\$66,190.45	24	\$58,171.07	113.79%
Low-Income Multi-Family Retrofit	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
LI Subtotal	3,335.26	\$5,555.35	5.00	31,225.64	\$66,190.45	24	\$58,171.07	
LI % of Total	2.07%	10.02%	1.23%	5.36%	13.98%	2.98%	12.07%	
C&I New Buildings & Major Renovations	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
C&I New Buildings & Major Renovations - Municipal	0.00	\$0.00	0	0.00	\$3,062.42	2	\$0.00	0.00%
C&I Initial Purchase & End of Useful Life	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
C&I Existing Building Retrofit - LARGE	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
C&I Existing Building Retrofit - MEDIUM	0.00	\$1,640.00	2	0.00	\$1,640.00	2	\$73,111.69	2.24%
C&I Existing Building Retrofit - Municipal	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
C&I Small Business	0.00	\$0.00	0	1,951.00	\$1,035.25	2	\$43,288.95	2.39%
C&I Multifamily Retrofit	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
C&I Multifamily - Municipal	0.00	\$0.00	0	0.00	\$0.00	0	\$0.00	0.00%
C&I Upstream Lighting	0.00	\$0.00	0	88,939.18	\$5,710.00	11	\$0.00	0.00%
C&I Subtotal	0.00	\$1,640.00	2.00	90,890.18	\$11,447.67	17	\$116,400.64	
C&I % of Total	0.00%	2.96%	0.49%	15.60%	2.42%	2.11%	24.15%	
Total	160,973.66	\$55,455.88	407	582,655.27	\$473,519.93	806	\$482,016.12	

\*Costs include those costs that has been recorded through this period and are not necessarily representative of all activity through this month

\*\*All information presented is preliminary and subject to change.

Info



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642  
All Departments 508-240-5900  
[www.eastham-ma.gov](http://www.eastham-ma.gov)

### MEMORANDUM

DATE: December 15, 2016

TO: Sheila Vanderhoef, Town Administrator

FROM: Paul Lagg, Town Planner

RE: 30 Lawton Road Historical Commission Decision

The Historical Commission met on 12/1/16 to discuss the proposed demolition of 30 Lawton Road. The Commission voted unanimously to issue a one year demolition delay so that further analysis can be done to see if the structure or portions of the structure can still be salvaged.  
(decision letter attached)

The applicant supplied the Commission with a structural report prepared by Coastal Engineering that concluded that portions of the house are not habitable by today's building code requirements and that the dwelling would need to be demolished almost entirely before any rehabilitation could take place. The garage is still structural viable as a storage building. The report noted that some items such as vintage floorboards and older bricks could be salvageable.

Please let me know if you have any questions or would like further information.

Attachments:  
Eastham Historical Commission Decision Letter 12/7/16





## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544  
All departments 508-240-5900 • Fax 508-240-1291  
[www.eastham-ma.gov](http://www.eastham-ma.gov)

December 7, 2016

Mr. Paul Higgins  
50 Lawton Road  
Eastham, MA 02642

Dear Mr. Higgins:

At the Eastham Historical Commission's public hearing held on December 1, 2016 at 4:00 pm at the Eastham Town Hall, Case No. HC2016-1 – 30 Lawton Road, Map 14, Parcel 41 Lawton properties LLC (Owner) and Paul Higgins (Applicant) sought to demolish a Significant Building pursuant to Eastham Zoning By-law Section XVII. The Eastham Historical Commission voted unanimously to issue a one year demolition delay.

The demolition delay will commence on December 1, 2016 and will end on November 30, 2017. With the assistance of the Eastham Historical Commission members, the present and future owners of 30 Lawton Road will try to find someone willing to buy and relocate the buildings preferably to a different Eastham location.

This home, which has been listed in the State Register of Historic Places since of 2013, consists of the original home, built before 1776 in the Cape Cod style, and an addition built in the Greek Revival style around 1858. Other additions were added before 1920. If it is not possible to move the house, the Eastham Historical Commission recommends that the house be taken down in such a way that post-beam timbers, floor boards, fireplace mantels, old windows, lumber, and other parts of historical value can be salvaged.

The Commission intends to work with the owners to maximize all possibilities to preserve this part of the Town's history.

Sincerely,

J. Holden Camp, Jr.  
Chairman, Eastham Historical Commission

cc. Lawton Properties, LLC c/o Valerie Stoker  
Thomas Wingard, Eastham Building Commissioner



**The Commonwealth of Massachusetts**  
**Executive Office of Public Safety and Security**  
**One Ashburton Place, Room 2133**  
**Boston, Massachusetts 02108**

Tel: (617) 727-7775  
TTY Tel: (617) 727-6618  
Fax: (617) 727-4764  
[www.mass.gov/eopss](http://www.mass.gov/eopss)

**CHARLES D. BAKER**  
Governor

**KARYN E. POLITO**  
Lt. Governor

**DANIEL BENNETT**  
Secretary

Info

December 14, 2016

Colonel Richard D. McKeon  
Massachusetts State Police  
470 Worcester Road  
Framingham, MA 01702

**Re: Passage of Question 4, "Legalization, Regulation, and Taxation of Marijuana"**

Dear Colonel:

I am writing to offer some guidance about the way that the recent passage of Question 4 will affect the way you and your officers enforce state laws regarding marijuana. Effective December 15, 2016, aspects of the new law will take effect, permitting some acts of personal possession and home-growing of marijuana that had previously been illegal. Over the course of the coming year, the phasing in of other aspects of the law will create a complex web of different rules for licensed and unlicensed sellers; for juveniles, young adults, and older adults; for those who sell drugs for profit, and for those who give drugs away. Within certain limits, the new law authorizes some conduct that had previously been prohibited. Beyond those limits, however, possession, cultivation and distribution of marijuana remain illegal under state law. These changes in the law will require your officers to reassess how they evaluate the presence of reasonable suspicion and probable cause, and, as a result, how they proceed in evaluating potentially criminal conduct where marijuana is at issue.

Below are some of the situations you and your departments will encounter, and an explanation of how the new law will apply.<sup>1</sup> Please note that this letter is not intended to direct how your department elects to prioritize its enforcement efforts, but merely to provide guidance about what conduct is now legal, and what is illegal under state law.

**SIMPLE POSSESSION OF MARIJUANA OUTSIDE PRIMARY RESIDENCE: UNDER ONE OUNCE**

Under the new law, a person 21 years or older may legally possess up to one ounce of marijuana outside his or her primary residence. Marijuana concentrate (such as cannabis oil) will be similarly legal, but only in quantities of 5 grams or less. See G.L. c. 94G, § 7(a)(1). This change means that possession of marijuana in

<sup>1</sup> Because Question 4 has no effect upon existing state law regarding medical marijuana, as set out in Chapter 369 of the Acts of 2012, the scenarios below do not address marijuana cultivated, possessed, or sold under the laws governing medical marijuana. See G.L. c. 94G, § 2(a).

these quantities is not merely decriminalized, but *fully legalized*. Accordingly, it will no longer be lawful or appropriate for police to issue a civil citation to a person 21 years or older for possessing quantities of marijuana within these limits, as has been the lawful procedure since the passage of Question 2 in 2008. It will also no longer be lawful for police to seize small quantities of marijuana for forfeiture, as has been past practice, as these small quantities will no longer be considered contraband. Likewise, it will no longer be appropriate for police to initiate a threshold inquiry based merely on a reasonable belief that a person possesses a small quantity of marijuana, if the subject is not consuming the marijuana in a public or a prohibited area, does not appear to be under the age of 21, and does not appear to be engaged in illegal distribution activity.

For persons between the ages of 18 and 21, possession of less than one ounce of marijuana is not fully legalized by Question 4, but it will remain *decriminalized*, as it has been since the passage of Question 2 in 2008. In these cases, a civil citation will remain available, with a penalty of \$100. For juveniles (those under the age of 18), possession of one ounce or less of marijuana likewise remains subject to a civil citation with a penalty of \$100, but with the additional requirement that the juvenile complete a drug awareness program. If the juvenile does not complete the program, the civil fine can be enhanced to \$1000, for which the juvenile's parents may be held liable. See G.L. c. 94C, § 32L.

## **SCHOOLS AND GOVERNMENT BUILDINGS**

The scope of the legal possession provision described above (one ounce or less) does not permit any person to possess any quantity of marijuana on the grounds of a public or private preschool or K-12 school, or on the grounds of (or within) any correctional facility. See G.L. c. 94G, § 2(d)(3). For individuals over 21 who possess less than one ounce of marijuana on school grounds or on the grounds of a correctional facility, a civil penalty will remain available pursuant to G.L. c. 94C, § 32L. For persons under 21, the penalties outlined in the section above will apply. Distribution of (or possession with intent to distribute) marijuana to a prisoner, or concealing marijuana in or about a penal institution with the intent that an inmate should obtain it, remain felony offenses for all persons pursuant to G.L. c. 268, § 28 and G.L. c. 268, § 31, respectively.

State and local governments retain the authority to prohibit possession of marijuana within their buildings, including city halls, police stations, and public housing facilities. See G.L. c. 94G, § 2(d)(2).

## **SIMPLE POSSESSION OF MARIJUANA OUTSIDE PRIMARY RESIDENCE: 1-2 OUNCES**

For an individual 21 years of age or older, possession of a quantity of marijuana greater than one ounce, but less than two ounces, outside his or her primary residence, will be a civil violation subject to a penalty of not more than \$100, and by forfeiture of the *excess* amount of marijuana possessed. See G.L. c. 94G, § 13(e). If such an individual were discovered to possess 1 ½ ounces of marijuana, a police officer could therefore issue a citation and seize ½ ounce of the subject's marijuana, but not the entire quantity.

For an adult under 21 years of age, possession of any quantity over one ounce in a place remains a criminal offense. Likewise, juveniles in possession of more than one ounce remain subject to delinquency proceedings. See G.L. c. 94C, § 34.

## **POSSESSION OFFENSES OUTSIDE PRIMARY RESIDENCE: OVER TWO OUNCES**

A person of any age who possesses more than two ounces of marijuana outside of his or her primary residence will remain subject to existing criminal penalties. See G.L. c. 94C, § 34. The only exception to this rule will be for a person engaged in the lawful operation of a recreational or medical establishment properly licensed by the newly-created Cannabis Control Commission or the Department of Public Health.

### POSSESSION OF MARIJUANA OUTSIDE PRIMARY RESIDENCE

	Under 1 Oz.	1-2 Oz.	Over 2 Oz.
<b>21+ with proper Cannabis Control Commission License</b>	Legalized.	Legalized.	Legalized.
<b>21 + w/o License</b>	Legalized.	Civil fine of \$100.	Criminal penalties available. G.L. c. 94C, § 34.
<b>18-21</b>	Civil fine of \$100.	Criminal penalties available. G.L. c. 94C, § 34.	Criminal penalties available. G.L. c. 94C, § 34.
<b>Juvenile (under 18)</b>	Civil fine of \$100, and mandatory drug education program.	Delinquency proceedings available. G.L. c. 94C, § 34.	Delinquency proceedings available. G.L. c. 94C, § 34.

### POSSESSION OF MARIJUANA INSIDE PRIMARY RESIDENCE

Question 4 permits a person over the age of 21 to possess up to 10 ounces of marijuana inside his or her own primary residence, and, as drafted, permits the lawful possession of additional quantities that have been lawfully cultivated (grown) on the premises. See G.L. c. 94G, § 7(a)(2). Note that a person may only have one “primary residence” at a time, and the question of whether a given location is a person’s primary residence is one that is subject to circumstantial proof.

Whether a given quantity of marijuana was lawfully cultivated on the premises is also a question subject to circumstantial proof. If the subject has no apparent grow operation on the premises, or has quantities of fresh marijuana that appear wholly inconsistent with the quantity that could have been produced by the plants on the premises, or if the fresh marijuana is a different strain than the marijuana plants on the premises, the facts might well be sufficient for police to conclude that the subject has not abided by the safe harbor requirements of the law.

The safe harbor for possessing marijuana in the home applies only to marijuana possessed for lawful purposes, such as personal use. Possession of *any quantity* of marijuana with intent to sell remains a crime in the absence of a license issued by the Cannabis Control Commission. If a person possessing marijuana does not hold such a license, and there is sufficient evidence to prove that the marijuana is intended for 1) sale of any quantity to another party (distribution “for remuneration”); or 2) gifting (distribution “without remuneration”) of more than one ounce to another party; or 3) transfer of any quantity to a person under 21; then the person would be guilty of Possession of a Class D Substance with Intent to Distribute, pursuant to G.L. c. 94C, § 32C, or of Trafficking in Marijuana, pursuant to G.L. c. 94C, § 32E(a)(1), if the quantity in his possession exceeds fifty pounds.

The new law requires that any quantity of marijuana exceeding one ounce be kept under lock and key. A violation of this requirement, however, is subject only to a civil fine of \$100, and forfeiture of the marijuana, and does not make the possession subject to criminal prosecution. G.L. c. 94G, § 13(b).

### CULTIVATION OFFENSES

Where previously the “cultivation” of any quantity of marijuana constituted a violation of G.L. c. 94C, § 32C, the new law legalizes the cultivation of up to 6 marijuana plants by any single person in his or her primary residence, up to a maximum of 12 marijuana plants in a single residence (if there are two or more persons engaged in growing activity there).

A person who grows more than the allowed individual maximum of six plants, but less than the *household* maximum of twelve plants, is subject only to a civil penalty of \$100, see G.L. c. 94G, § 13(e), and not to criminal prosecution. A person who cultivates more than the household limit of twelve plants, however, has violated G.L. c. 94C, § 32C and is subject to criminal prosecution if he is not operating under a cultivator license from the Cannabis Control Commission.

In the absence of a license granted by the Cannabis Control Commission, no place other than a primary residence may be used for the cultivation of marijuana. Accordingly, a person who grows marijuana, even a small quantity, in a rented storage area, at his workplace, or at any location other than his or her primary residence is subject to criminal prosecution pursuant to G.L. c. 94C, § 32C.

In addition, unless a person holds a state license granting him status as a lawful “marijuana retailer” or “marijuana cultivator,” this marijuana may be grown and kept only for limited purposes: personal use, or small scale (under one ounce), non-remunerated “gifting.” If there is sufficient evidence that any quantity of marijuana is being grown for unlawful sale, even if it is within the grower’s primary residence, the grow operation would remain criminal pursuant to G.L. c. 94C, § 32C.

The new law requires that home-grow cultivation be conducted in a manner that is not visible from a public place without the use of aircraft, binoculars, or other optical aids, and that marijuana plants be secured under lock and key or other appropriate security device. Violation of these requirements is subject only to a civil fine of \$300 and forfeiture of the marijuana, and does not make the grower subject to criminal prosecution. See G.L. c. 94G, § 13(a).

## **DISTRIBUTION OFFENSES**

As noted above, the new regime allows persons not licensed to operate a marijuana establishment to “gift” marijuana in quantities under one ounce, but not to sell marijuana in any quantity. Attempts to evade this safe harbor with delayed or disguised payments, contemporaneous reciprocal “gifts” of money or items of value, or other sham transactions, will remain a criminal act. See G.L. c. 94C, § 32C. Simply put, where a person is not operating under the required license, any of the following forms of marijuana distribution remain criminal offenses:

- Giving or selling any amount of marijuana to a person under 21 in any circumstance, even if possession by the purchaser is non-criminal.
- Selling marijuana in any amount, to any person, of any age.
- “Gifting” more than one ounce to any person, of any age.

## CULTIVATION AND DISTRIBUTION OF MARIJUANA

	Gift or Possession with Intent to Gift, Under 1 Oz.	Gift or Possession with Intent to Gift, 1 Oz. or more	Sale or Possession with Intent to Sell, any quantity	Cultivation of 6 or fewer plants, at primary residence	Cultivation of 7-12 plants, at primary residence	Cultivation of 12+ plants, at primary residence	Cultivation at location other than primary residence
<b>21+ with proper Cannabis Control Commission License</b>	Legalized.	Legalized.	Legalized.	Legalized.	Legalized.	Legalized.	Legalized.
<b>21 + w/o License</b>	Legalized.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.	Legalized.	Civil fine of \$100, and forfeiture of excess marijuana.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.
<b>18-21</b>	Civil fine of \$100.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.	Criminal penalties available. G.L. c. 94C, § 32C.
<b>Juvenile (under 18)</b>	Civil fine of \$100, and mandatory drug education program.	Delinquency proceedings available. G.L. c. 94C, § 32C.	Delinquency proceedings available. G.L. c. 94C, § 32C.	Delinquency proceedings available. G.L. c. 94C, § 32C.	Delinquency proceedings available. G.L. c. 94C, § 32C.	Delinquency proceedings available. G.L. c. 94C, § 32C.	Delinquency proceedings available. G.L. c. 94C, § 32C.

## TRAFFICKING, MONEY LAUNDERING, AND FORFEITURE

Question 4 repeals the prohibition against marijuana Trafficking only to the degree that it protects properly licensed cultivators, manufacturers, and retailers operating within the limits set by the new law and the regulations issued by the Cannabis Control Commission. Unlicensed persons who possess fifty pounds or more with intent to sell remain guilty of a felony offense pursuant to G.L. c. 94C, § 32E(a)(1). Financial transactions involving the proceeds of felony Trafficking activity remain criminal Money Laundering in violation of G.L. c. 267A, § 2, and the funds associated with such transactions remain subject to seizure and forfeiture. Transactions involving the proceeds of misdemeanor offenses (which include most smaller marijuana sales) do not constitute Money Laundering, but the proceeds of such illegal sales are subject to forfeiture pursuant to G.L. c. 94C, § 47.

## SCHOOL ZONES

Question 4 did not repeal or modify the School Zone statute. Accordingly, any individual who is convicted of a Distribution, Possession with Intent, or Trafficking offense while within a School Zone or Park Zone may face the enhanced penalties of G.L. c. 94C, § 32J.

## USE OF JUVENILES TO DISTRIBUTE MARIJUANA

Marijuana remains a Class D controlled substance under Massachusetts law, and Question 4 does not legalize marijuana for minors. Pursuant to G.L. c. 94C, § 32K, any party, licensed or unlicensed, who causes, induces or abets a person under the age of 18 to distribute marijuana, or to possess with intent to distribute marijuana (e.g., by employing a juvenile as a drug runner for their organization, or by supplying a juvenile drug dealer with marijuana for resale), is subject to criminal prosecution.

## **ATTEMPTS TO PROCURE BY UNDERAGE PARTIES**

Persons under the age of 21, whether they are adults or juveniles, who attempt to purchase or procure any quantity of marijuana are subject to a civil fine of \$100. See G.L. c. 94G, § 13F.

## **SALE OF MARIJUANA-RELATED DRUG PARAPHERNALIA**

The implementation of Question 4 will effectively nullify the application of the existing law prohibiting sale of marijuana-related drug paraphernalia, G.L. c. 94C, § 32I(a), to persons over the age of 21. Thus, it will no longer be illegal to sell bongs, or pipes, or hydroponic equipment intended to facilitate marijuana cultivation, to persons over the age of 21. See G.L. c. 94G, § 8.

Sale of (or possession with intent to sell) such paraphernalia to persons over 18, but under 21 will remain a misdemeanor under G.L. c. 94C, § 32I(a), while sale to persons under the age of 18 will remain a felony. See G.L. c. 94C, § 32I(b). A person under the age of 21 who purchases or attempts to purchase marijuana-related drug paraphernalia may be subject to a civil fine of \$100 and may be required to complete a drug awareness program, but may not be criminally charged. See G.L. c. 94G, § 13(f).

Mere possession of drug paraphernalia remains non-criminal in Massachusetts, though it may be compelling circumstantial evidence either of intent to consume marijuana, or of intent to cultivate or distribute, depending on the nature of the paraphernalia.

## **OPERATING UNDER THE INFLUENCE**

The passage of Question 4 does not have any effect on the longstanding prohibition against operating a motor vehicle under the influence of marijuana. This remains illegal under the terms of G.L. c. 90, § 24(1)(a)(1). See G.L. c. 94G, § 2(a). Though the new law makes the consumption of marijuana broadly legal for individuals over 21, evidence of recent marijuana consumption will remain admissible in OUI prosecutions, much as evidence that a defendant was seen drinking alcohol in a bar shortly before his motor vehicle stop is admissible in an OUI-Liquor prosecution. Accordingly, in OUI-Drugs investigations, police officers may continue to seize evidence of a suspect's marijuana consumption (such as a partially-burned "roach" in a vehicle ashtray) as evidence, just as they may appropriately seize an empty beer can from the floorboards of an OUI-Liquor suspect's vehicle as evidence of recent alcohol consumption.

## **PUBLIC CONSUMPTION OF MARIJUANA**

Prior to the passage of Question 4, municipalities had the authority, but not the obligation, to prohibit public consumption of marijuana. Under the new law, all public consumption of marijuana (other than medical marijuana) is prohibited. Non-public smoking of marijuana is also prohibited in any place where tobacco smoking is prohibited (such as private offices, bars and restaurants, see G.L. c. 270, § 22). Either one of these may result in a civil penalty of not more than \$100. See G.L. c. 94G, § 13(c). For cities and towns that already have a bylaw or municipal ordinance prohibiting public marijuana consumption, these provisions should remain in force and effect, as they do not appear to be preempted by the passage of Question 4. See G.L. c. 94G, § 3(a)(5).

## **MARIJUANA IN VEHICLES**

The new law prohibits possession of an "open container" of marijuana in the passenger area of a motor vehicle while that vehicle is on a public way, whether the car is or is not moving at the time. Violations may be



subject to a civil penalty of not more than \$500. See G.L. c. 94G, § 13(d). Accordingly, any police officer who observes a driver or passenger smoking marijuana in a motor vehicle may lawfully effectuate a motor vehicle stop or initiate a threshold inquiry in order to identify the party and issue a citation. Marijuana that is in a sealed container, or which is secured in a vehicle's trunk or locked glove compartment, is not subject to such a civil penalty.

## **FIREARMS LICENSING**

General language in the new law provides that “a person 21 years or older shall not be . . . disqualified under the laws of the Commonwealth in any manner, or denied any right or privilege . . .” for lawfully possessing, cultivating, or giving away marijuana. See G.L. c. 94G, § 7(a)(1)-(4). Consequently, marijuana-related activity that is now legal cannot constitute a firearms licensing *disqualification* under Massachusetts law, nor can marijuana-related activity that is illegal, but non-criminal (e.g., possession of 1 ½ ounces of marijuana by a person over 21 years old, punishable as a civil offense only). As I noted in my directive to the Firearms Records Bureau on October 8, 2015, past criminal convictions involving the possession of one ounce or less of marijuana should no longer be viewed as a disqualification in a firearms license application.

However, in addition to reviewing an applicant's record for possible disqualifying offenses, a licensing authority is required to assess the *current suitability* of an applicant for a License to Carry or a Firearms Identification Card. In making this evaluation, a licensing authority can and should consider any evidence of an applicant's habitual, excessive consumption of intoxicating substances, which may make an applicant unsuitable in some cases even when the use of those substances (like alcohol and marijuana) has been broadly legalized under state law. See Ceeley v. Firearms Licensing Review Board, 78 Mass.App.Ct. 1125 (2011), 2011 WL 445841 (upholding board's determination that applicant was “unsuitable” for restoration of his firearms rights, based in part on his “long history of alcohol abuse”). Cf. 27 C.F.R. 478.11 (federal regulation defining the phrase “Unlawful user of and addicted to any controlled substance” as including “[a] person who uses a controlled substance and has lost the power of self-control with reference to the use of controlled substance”).

## **51A OBLIGATIONS: ABUSE AND NEGLECT OF CHILDREN**

Question Four contains a provision that requires “clear, convincing and articulable evidence” that a person's actions related to marijuana have created “an unreasonable danger to the safety of a minor child” before such actions may form “the sole or primary basis for substantiation, service plans, removal or termination or for denial of custody, visitation or any other parental right or responsibility.” See G.L. c. 94G, § 7(d).

This provision qualifies the manner in which a parent or caregiver's involvement with marijuana may be considered in making decisions about child protection and welfare. The provision does not change a police officer's duties as a mandated reporter pursuant to G.L. c. 119, § 51A. Accordingly, nothing in the new marijuana laws should be viewed as preventing a police officer, in his or her capacity as a mandated reporter, from making a 51A report, as required by the statute, where there is reasonable cause to suspect that a child has been abused or neglected.

## **PROTECTIVE CUSTODY**

The protective custody law, G.L. c. 111E, § 9A, which Governor Baker signed into law in July, is not affected in any way by the passage of Question 4. Police officers retain the authority to take into protective custody any person who is incapacitated by the consumption of *any* drug, regardless of the age of the drug user, and regardless of whether the possession or consumption of the drug was itself illegal. Protective custody is not



an arrest for a criminal act, but an emergency caretaking power designed to protect the immediate safety of the incapacitated party and the public.

## **FEDERAL LAW**

Marijuana remains broadly prohibited under federal law. Since the issuance of its memorandum of August 29, 2013 providing "Guidance Regarding Marijuana Enforcement" (the "Cole Memorandum"), however, the Department of Justice has taken the position that marijuana distribution conducted in compliance with a "strong and effective state regulatory system" should be a relatively lower priority for federal enforcement efforts. At this time, it is not yet clear whether the incoming administration will maintain that position, or whether federal enforcement agencies will take a more aggressive stance toward state legalization initiatives.

State and local law enforcement officers should keep in mind that their primary obligation is to enforce the laws of the Commonwealth, and to protect the citizens of the Commonwealth. But we also have an obligation to be good neighbors. To the extent that actors within Massachusetts are engaged in efforts to illegally traffic controlled substances outside our borders and into neighboring states, we should remain vigilant in helping our federal partners, and our brother and sister agencies in other states, to carry out their duties as well. This is no doubt an area that will require new policies as warranted by developments on the ground.

Thank you, as always, for your commitment to our shared mission.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Bennett", with a stylized flourish at the end.

Daniel Bennett, Secretary  
Executive Office of Public Safety and Security

# Eastham Conservation Commission

555 Old Orchard Road  
Eastham, MA 02642



508-240-5971

December 12, 2016

Kevin T. and Eileen Peters  
6 Stone Post Road  
Andover, MA 01810

Re: DEP SE 19-1654, denial Order of Conditions for the proposed construction of a boardwalk, stairway, parking area, platform and utilities at property located at 265 Harmes Way, Map 01, Parcel 107.

Dear Mr. and Mrs. Peters,

Enclosed please find a copy of the Order of Conditions for DEP SE 19-1654, for the Notice of Intent submitted for 265 Harmes Way, Eastham, MA that was unanimously denied by the Conservation Commission at a public hearing on Tuesday, November 22, 2016. In addition, enclosed are "Findings of Fact" that were part of the basis of the commission's decision.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Shana Brogan  
Conservation Agent

Cc: Department of Environmental Protection (DEP SE 19-1654)  
Sheila Vanderhoef, Town Administrator  
Timothy Brady, East Cape Engineering  
LEC Environmental  
Joanne Wise  
File

Eastham Conservation Commission  
December 12, 2016

MA DEP SE 19-1654  
265 Harmes Way, Map 07, Parcel 107.

**Findings Pursuant to the Massachusetts Wetlands Protection Act, MGL Chapter 131  
§40 and 310 CMR 10.00.**

1. The proposed Project consists of the construction of a 66 linear foot permanent wooden boardwalk, elevated 2' from current existing dunes, a 144 sq. ft. permanent platform, a seasonal beach access stairway, and an approximately 790 sq. ft. parking area.
2. The Project is proposed in the following resource areas: Barrier Beach, Coastal Dunes (primary), Coastal Beach and Land Subject to Coastal Storm Flowage.
3. The Project is also located adjacent to a Salt Marsh and entirely within the Wellfleet Bay Area of Critical Environmental Concern and within MA Natural Heritage and Endangered Species Program (NHESP) mapped Priority and Estimated Habitat for rare species: piping plover and diamond backed terrapin.
4. The total permanent alteration proposed within resource areas is approximately 1,071 sq. ft.
5. The erosion rate for the subject Coastal Dunes is 3.74' per year as indicated on MA Office of Coastal Zone Management shoreline change transects.
6. Per 310 CMR 10.28, and 310 CMR 10.29, the subject Barrier Beach and Coastal Dunes are significant to storm damage prevention and flood control and the protection of wildlife habitat. The Barrier Beach is also significant to Marine Fisheries.
7. *WHEN A COASTAL BEACH IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION, FLOOD CONTROL, OR PROTECTION OF WILDLIFE HABITAT, 310 CMR 10.27(3) THROUGH (7) SHALL APPLY: (3) Any project on a coastal beach, except any project permitted under 310 CMR 10.30(3)(a), shall not have an adverse effect by increasing erosion, decreasing the volume or changing the form of any such coastal beach or an adjacent or downdrift coastal beach.*
8. The subject parcel is a vacant section of barrier beach with no buildings, structures or pathways on it and is listed as unbuildable in the Eastham Assessing records. The barrier beach protects many acres of Salt Marsh and upland properties and neighborhoods along North and South Sunken Meadow Road, Eldredge Drive and others.
9. 310 CMR 10.28(3) States: *WHEN A COASTAL DUNE IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION, FLOOD CONTROL OR THE PROTECTION OF WILDLIFE HABITAT, 310 10.28(3) THROUGH (6) SHALL APPLY:*

*(3) Any alteration of, or structure on, a coastal dune or within 100 feet of a coastal dune shall not have an adverse effect on the coastal dune by:*

- (a) affecting the ability of waves to remove sand from the dune;*
- (b) disturbing the vegetative cover so as to destabilize the dune;*
- (c) causing any modification of the dune form that would increase the potential for storm or flood damage;*
- (d) interfering with the landward or lateral movement of the dune; (e) causing removal of sand from the dune artificially; or*
- (f) interfering with mapped or otherwise identified bird nesting habitat.*

10. The proposed Project does not meet the performance standards for 310 CMR 10.28(3)(a-e), Coastal Dunes as concluded by the following:

- a. The proposed Project will affect the ability of waves to remove sand from the dune. The structures proposed, their elevation and the erosion rate as noted in State CZM mapping indicate that the structures and their location in the velocity zone will be in the direct location of wave action and will cause wave refraction and increase erosion to the dune elsewhere.
- b. Per 310 CMR 28 (3)(b): The Project does not meet this performance standard will disturb the vegetative cover so as to destabilize the dune. The Project will permanently alter 1,071 sq. ft. of existing dune vegetative cover. The project's proposed structures will cause shading where vegetation will be unable to grow or establish. Moreover, the structures will cause wind scour resulting in erosion and subsequent destabilization of the dune. Elevating the proposed structures 2' would not allow for sufficient clearance for the growth of American beach grass and other dune vegetation such as beach plum or bayberry and other coastal grasses which grow taller than 2'. The limit of work is larger than the proposed permanent alteration and will disturb the vegetative cover by the presence of foot traffic, machinery, proposed grading, storage of construction materials and construction debris. The vegetative cover will be permanently disturbed for the creation of a parking area. The removal of the vegetation will destabilize the dune vegetation and the dune by removing the dune and vegetation for the placement of vehicles.
- c. The dune will be adversely affected as the Project causes modification to the dune form by removing and grading it to a lower elevation it for the creation of a parking area. Directly changing and reducing the elevation of the dune to make it level with the adjacent roadway will eliminate its ability to serve as a buffer to storm waters and increase erosion of the dune by the loss of the vegetative cover. Moreover, the proposed platform, boardwalk, stairway and parking area will create wind scour and lowering its elevation, thereby increasing the potential for storm damage.
- d. The Project interferes with the landward and lateral movement of the dune. The installation of structures elevated only 2' above existing contours will not allow the dune to increase in elevation by winds and physically interfere with the movement of the dune by acting as a barrier.

The parking area proposes removal of the eastern back side of the dune where it has moved landward. This is direct interference with the movement of the dune as well as subsequent removal of the dune for maintenance of the parking area will directly remove any future landward movement of the dune. The dune at this parking area on the backside is high in elevation in some locations. The proposed stairway will directly interfere with the primary frontal dune by acting as a physical barrier to landward and lateral movement as well as by creating wind scour.

- e. The Project causes direct removal of the dune artificially by the installation of a parking area which will result in the removal of many cubic yards of resource area. Wind scour will also cause removal of the dune as well as the eighteen (18) holes proposed to be excavated for the installation of support posts for the elevated walkway and platform. The supports amount to 24 square feet of total removal of the dune for purposes of excavation for installation of each post.

Therefore, the Conservation Commission finds the project does not meet the performance standards for Coastal Dunes 310 CMR 10.28(3)(a-e) and Barrier Beaches given the direct disturbance of vegetative cover and shading effects, permanent disturbance to vegetative cover of the dune, direct interference with the landward and lateral movement of the dune by the installation of physical structures as barriers and removal of the most landward portion of the dune for a parking area. Lastly, the Project directly interferes with the landward and lateral movement of the dune by the structures acting as physical barriers and making the dune more susceptible to storm damage and erosion by removing the dune artificially, causing wind scour and destabilization of the dune and affecting its ability to serve as a buffer to storm water and flood absorption.

- 11. 310 CMR 10.28(4) states: *(4) Notwithstanding the provisions of 310 CMR 10.28(3), when a building already exists upon a coastal dune, a project accessory to the existing building may be permitted, provided that such work, using the best commercially available measures, minimizes the adverse effect on the coastal dune caused by the impacts listed in 310 CMR 10.28(3)(b) through (e). Such an accessory project may include, but is not limited to, a small shed or a small parking area for residences. It shall not include coastal engineering structures.*
- 12. The Project does not meet the performance standards for 310 CMR 10.28(4) as concluded by the following:
  - a. A building does not already exist upon the subject coastal dune, therefore the commission may not permit an accessory project such as the proposed parking area, platform, and board walk or storage structure. Moreover the performance standard specifies the parking area is for residences. There is no residence upon the dune. The purpose of the parking is for access to and use of a boardwalk, platform, and beach.

Therefore, the proposed Project does not meet the performance standards for 310 CMR 10.28(4).

13. 310 CMR 10.28(5) states: *The following projects may be permitted, provided that they adhere to the provisions of 310 CMR 10.28(3): (a) pedestrian walkways, designed to minimize the disturbance to the vegetative cover and traditional bird nesting habitat; (b) fencing and other devices designed to increase dune development; and (c) plantings compatible with the natural vegetative cover.*
14. The Project does not meet the performance standards for 310 CMR 10.28(5). This performance standard allows the Conservation Commission the ability to permit a walkway over a Coastal Dune for pedestrians. A platform, parking area, vegetation management and utilities, and a storage box are not a walkway and the proposed boardwalk does not meet the performance standards for 310 CMR 10.28(3).
15. The Eastham Conservation Commission finds that the proposed parking area, boardwalk, platform, seasonal stairway, utilities does not meet the performance standards for Barrier Beaches, Coastal Dunes or Coastal Beaches as described in 310 CMR 10.28, Barrier Beaches 310 CMR 10.29. Alteration of these resource areas will subsequently adversely affect the adjacent Coastal Beach and Salt Marsh resource areas. The Project diminishes and alters the critical characteristics and function of the dune to serve as rare species habitat and bird nesting habitat by proposing activities that would coincide with the use during bird nesting season and rare species nesting seasons. The Project alters the Resource Areas its ability to function for storm damage prevention and flood control and alters its ability to serve as a buffer to storm waters. Given the erosion rate as listed in state mapping, close proximity of the proposed structures to the seaward crest of the dune, and the large salt marsh and low-lying properties around the salt marsh, protection of the elevation, form, function and critical characteristics of the Coastal Dunes on this barrier beach are crucial. Therefore the Project is denied.

# Eastham Conservation Commission

555 Old Orchard Road  
Eastham, MA 02642



508-240-5971

December 12, 2016

Kevin T. and Eileen Peters  
6 Stone Post Road  
Andover, MA 01810

Re: File No. SE 19-1654, denial Order of Conditions for the proposed construction of a boardwalk, stairway, parking area, platform and utilities at property located at 265 Harmes Way, Map 01, Parcel 107.

Dear Mr. and Mrs. Peters,

Enclosed please find a copy of the Order of Conditions for File No. SE 19-1654, for the Notice of Intent submitted for 265 Harmes Way, Eastham, MA that was unanimously denied by the Conservation Commission at a public hearing on Tuesday, November 22, 2016. In addition, enclosed are "Findings of Fact" that were part of the basis of the Commission's decision.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Shana Brogan  
Conservation Agent

Cc: Department of Environmental Protection (DEP SE 19-1654)  
Sheila Vanderhoef, Town Administrator  
Timothy Brady, East Cape Engineering  
LEC Environmental  
Joanne Wise  
File

File No. SE 19-1654  
265 Harnes Way, Map 07, Parcel 107.

**Findings Pursuant to Eastham Wetlands Bylaw, adopted 1980.**

1. The proposed Project consists of the construction of a 66 linear foot permanent wooden boardwalk, a 12' by 12' permanent platform, a seasonal beach access stairway, and a 105' long by 10' deep parking area, a 3' by 5' storage container and electric meter and outlet.
2. The Project is located in the following resource areas: Coastal Beach, Coastal Dunes, Coastal Marsh and Land Subject to Coastal Storm Flowage and the Wellfleet Bay Area of Critical Environmental Concern (ACEC).
3. The State of Massachusetts recognized the natural value of the area and designated it as an Area of Critical Environmental Concern because: *Important habitats within the ACEC boundary include largely unaltered barrier beaches, islands, marsh systems, salt and fresh water ponds, rivers, bays, and tidal flats. These areas provide flood control, storm damage prevention, improved water quality, wildlife habitat, and recreation opportunities to surrounding communities.*
4. Per Section 1 of the Eastham Wetlands Bylaw and the ACEC Regulations, the resource areas where the Project is proposed are significant to the following wetland values: flood control, erosion control, storm damage, water pollution, fisheries, shellfish and wildlife.
5. Area of Critical Environmental Concern Regulations were adopted by the Eastham Conservation Commission on June 7, 1988 for the purposes to "*strengthen the intent of state legislation establishing Areas of Critical Environmental Concern, MGL Ch. 21A, Sec. 2(7), namely to protect environmental values significant to flood control, the prevention of storm damage, the protection of waters containing shellfish and fisheries, and other public interests protected by the Wetlands Protection Act (MGL Ch 131, sec. 40 and sec. 40A) and the Town's Wetlands Protection By-law*"
6. The square area of proposed alteration to resource areas are: 144 sq. ft. platform, 132 sq. ft. boardwalk, 780 sq. ft. parking area, 15' sq. ft. storage box. The total permanent alteration proposed within resource areas is approximately 1,071 square feet.
7. The erosion rate for the subject Coastal Dunes is 3.74' per year as indicated on MA Office of Coastal Zone Management shoreline change transects.
8. The subject parcel is a vacant section of barrier beach comprised entirely of coastal dunes and coastal beach and covered with coastal grasses and vegetation. It is directly adjacent to a salt marsh. It has no buildings, structures or pathways existing on it. It is listed as unbuildable in the Eastham Assessing records.



9. The parcel is significant wildlife habitat. The parcel has been identified by the MA Division of Fisheries and Wildlife to be actual habitat for the Piping Plover (*Charadrius melodus*) and Diamond-backed terrapin turtle (*Malaclemys terrapin*) both species are listed as threatened and the piping plover is a federally listed threatened wildlife. Both species lay their eggs in the dunes. Moreover the parcel also serves as habitat for various other birds, foxes and other mammals and insects.
10. Eastham Wetlands Bylaw Area of Critical Environmental Concern (ACEC) Regulations Section A. 1. States: *The Eastham Conservation Commission may authorize foot paths two feet wide for the private use of a single-family dwelling and five feet wide for common uses. The slope shall be less than one in three, or steps shall be installed. The area shall be stabilized with indigenous grasses or wood chips.*
11. Section A. (1) allows the Commission to authorize footpaths however the barrier beach parcel has no single family dwelling and is listed in Eastham assessing records as 'unbuildable'. The project proposal exceeds by proposing a permanent boardwalk, not a footpath, as well as removing the dune to create a parking area and installing a platform as well as utilities and a storage box. The Project far exceeds this performance standard and therefore does not meet it.
12. Section 2 States: *No pesticides, herbicides, or insecticides shall be allowed.*
13. The proposed project does not meet Section 2 performance standard. The Project includes the use of herbicides to treat poison ivy as indicated on the proposed plan note number four.
14. Section 3 for the Eastham Wetlands Bylaw ACEC Regulations States. *Selective pruning and clearing of foot paths may be permitted by the Eastham Conservation Commission provided that no more that 30% of crown cover is lost and provided that the viability of the pruned vegetation is not impaired.*
15. The Project includes the clearing and removal of vegetation for construction of a permanent boardwalk, as well as removal of a dune and vegetation on the dune for installation of a parking area, construction of a platform and installation of utilities and a storage box. The project scope far exceeds Section 3 performance standards and therefore does not meet this standard.
16. Section B of the Eastham ACEC regulations state: B. *No dumping, filing, paving, removing of material, dredging or altering may be done, except that projects involving salt marsh creation, beach nourishment, dune stabilization, maintenance of anadromous fish runs, or aquaculture may be authorized by the Eastham Conservation Commission after the filing of a Notice of Intent.*
17. Section C 2. States: *There shall be no increase in the volume of storm water runoff and no runoff from such road, bikeway, or trail projects shall be allowed to flow to wetland areas. No degradation to water quality or wildlife habitats shall be permitted.*

The project does not meet the performance standard B. and B.2 because it is proposing 1,071 square feet of permanent coverage over a coastal dune that

includes the placement of 3-4" of hardening fill. The proposed structures and fill in the ACEC will increase storm water runoff leading to increased erosion to the dunes and leading into the adjacent salt marsh. Moreover, the site serves as bird and turtle nesting habitat and the proposed structures and grading and filling of the dune will destroy nesting sites and the additional habitat values of forage and cover. Therefore, the Project does not meet the Eastham Wetlands Bylaw ACEC performance standard B.2. and regulations.

18. The Project does not contribute to the projection of the public interests as identified as significant to: flood control, erosion control, storm damage, water pollution, fisheries, shellfish and wildlife as concluded by the following:
  - a. The Project will disturb 1,137 square feet of existing dune vegetative cover permanently and the elevated boardwalk will create shade where vegetation will be unable to grow. Moreover, the structure will cause wind erosion resulting in subsequent destabilization of the dune – reducing its ability to serve as flood control. Lastly, elevating the proposed structures 2' would not allow for sufficient clearance for the growth of American beach grass and other dune vegetation.
  - b. The dune will be adversely affected as the project causes modification to the dune form by removing it for the creation of a parking area. Moreover, the proposed platform will cause wind erosion and interfere with the movement and elevation increasing abilities of the dune, thereby impacting the dune stability and erosion and increasing the potential for storm damage.
  - c. The Project minimizes and alters the dunes ability to serve as flood control, erosion control, storm damage. The installation of structures elevated only 2' above existing dune elevation contours will not allow the dune to increase in height and physically interfere with the movement of the dune and its ability to buffer storm waters. The parking area proposes direct removal of the western back side of the dune. This is direct removal of the dune's ability to serve these wetland values as well as subsequent maintenance of the parking area will remove any future sand build-up growth of the dune. The dune at this parking area on the backside is approximately 4' in height in some locations and 3' in others, which the Project proposed to remove.
19. The Project does not meet the performance standards for the Wellfleet Bay Area of Critical Environmental Concern. The Project proposes to alter the ACEC and conduct construction and activities which the regulations and performance standards expressly prohibit. The addition of a footpath is not permitted unless there is a single family house. There does not exist a house on the subject parcel. Fill is proposed to be added to the Dune for a parking area and the addition of fill is prohibited in Section B of the ACEC regulations. The use of herbicides are prohibited in the ACEC and they are proposed to be used. Section C. of the ACEC regulations prohibits significant construction and 1,137 sq. ft. of construction is proposed. The Project also does not protect the wetland values Per Section 1 of the Eastham Wetlands Bylaw the Project is deemed to have a significant effect and not contribute to the essential wetland values of the resource areas.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. From: Eastham  
Conservation Commission

2. This issuance is for (check one):  
a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Kevin T. and Aileen L.

a. First Name

Peters

b. Last Name

c. Organization

6 Stone Post Road

d. Mailing Address

Andover

e. City/Town

MA

f. State

01810

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

265 Harmes Way

a. Street Address

Eastham

b. City/Town

01

107

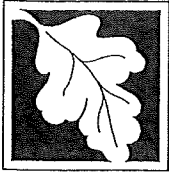
c. Assessors Map/Plat Number

d. Parcel/Lot Number

Latitude and Longitude, if known:

d. Latitude

e. Longitude



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Barnstable

a. County

204327

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: July 22, 2016 November 22, 2016 December 12, 2016  
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

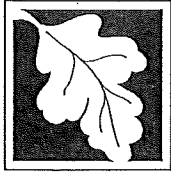
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☒ Land Containing Shellfish c. ☒ Prevention of Pollution  
d. ☐ Private Water Supply e. ☒ Fisheries f. ☒ Protection of Wildlife Habitat  
g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☐ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1654  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

**B. Findings (cont.)**

Denied because:

- b. ☒ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☒ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 0'  
a. linear feet

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet e. c/y dredged	b. square feet f. c/y dredged	c. square feet	d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

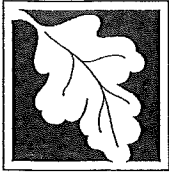
Eastham

City/Town

**B. Findings (cont.)**

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
	<u>                    </u> c. c/y dredged	<u>                    </u> d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. nourishment cu yd	<u>                    </u> d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. nourishment cu yd	<u>                    </u> d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	<u>                    </u> a. linear feet	<u>                    </u> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
	<u>                    </u> c. c/y dredged	<u>                    </u> d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u>                    </u> a. c/y dredged	<u>                    </u> b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<u>                    </u> a. square feet	<u>                    </u> b. square feet		



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**B. Findings (cont.)**

\* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement \*:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

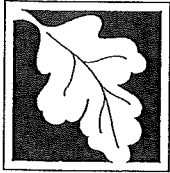
a. number of new stream crossings

b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. the work is a maintenance dredging project as provided for in the Act; or
  - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on **12/12/2019** unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

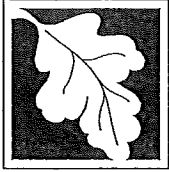
City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,  

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number                SE 19-1654 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1654  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

**NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**

19. The work associated with this Order (the "Project") is (1) ☐ is not (2) ☒ subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

City/Town

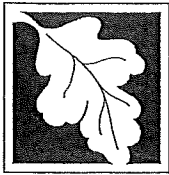
**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

**SEE ATTACHED SPECIAL CONDITIONS**



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

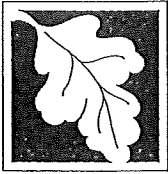
eDEP Transaction #

Eastham

City/Town

**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Eastham hereby finds (check one that applies):  
Conservation Commission
  - a. ☒ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:  
Eastham Wetlands Protection Bylaw Article 34, 1980 as amended
    1. Municipal Ordinance or Bylaw
    2. Citation
  - b. ☐ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:  
Eastham Wetlands Protection Bylaw Article 34, 1980 as amended
    1. Municipal Ordinance or Bylaw
    2. Citation
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.  
The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):  
SEE ATTACHED SPECIAL CONDITIONS



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1654  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

## E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

12-12-2016

1. Date of Issuance

Please indicate the number of members who will sign this form.

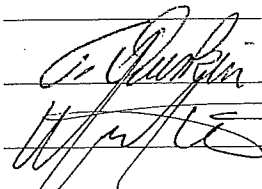
Four

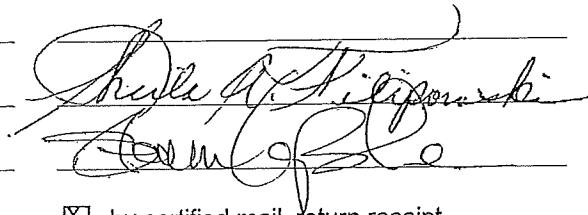
This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:





☐ by hand delivery on

☒ by certified mail, return receipt requested, on

12-12-2016

Date

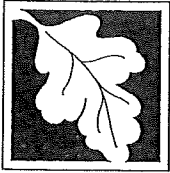
Date

## F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1654

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**G. Recording Information**

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Eastham

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Eastham

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

265 Harmes Way

Project Location

SE 19-1654

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Barnstable

County

Book

Page

for: Kevin T. and Eileen L. Peters

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

**SPECIAL CONDITIONS FOR ORDER OF CONDITIONS SE 19-1654:**

**NO WORK IS PERMITTED UNDER THIS ORDER.**

# Eastham Conservation Commission

555 Old Orchard Road  
Eastham, MA 02642



508-240-5971

December 12, 2016

Robert Dobinski  
10 Highland Street  
Hopkinton, MA 01748

Re: DEP SE 19-1637, denial Order of Conditions for the proposed construction of a boardwalk, stairway, parking area, platform and utilities at property located at 225 Harmes Way, Map 01, Parcel 105.

Dear Mr. Dobinski,

Enclosed please find a copy of the Order of Conditions for DEP SE 19-1637, for the Notice of Intent submitted for 225 Harmes Way, Eastham, MA that was unanimously denied by the Conservation Commission at a public hearing on Tuesday, November 22, 2016. In addition, enclosed are "Findings of Fact" that were part of the basis of the commission's decision.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Shana Brogan  
Conservation Agent

Cc: Department of Environmental Protection (DEP SE 19-1637)  
Sheila Vanderhoef, Town Administrator  
Timothy Brady, East Cape Engineering  
LEC Environmental  
Joanne Wise  
File

MA DEP SE 19-1637, 225 Harmes Way, Eastham.



Eastham Conservation Commission  
December 12, 2016

MA DEP SE 19-1637  
225 Harmes Way, Map 01, Parcel 105.

**Findings Pursuant to the Massachusetts Wetlands Protection Act, MGL Chapter 131  
§40 and 310 CMR 10.00.**

1. The proposed Project consists of the construction of a 105 linear foot permanent wooden boardwalk, elevated 2' from current existing dunes, a 144 sq. ft. permanent platform, a seasonal beach access stairway, and an approximately 790 sq. ft. parking area.
2. The Project is proposed in the following resource areas: Barrier Beach, Coastal Dunes (primary), Coastal Beach and Land Subject to Coastal Storm Flowage.
3. The Project is also located adjacent to a Salt Marsh and entirely within the Wellfleet Bay Area of Critical Environmental Concern and within MA Natural Heritage and Endangered Species Program (NHESP) mapped Priority and Estimated Habitat for rare species: piping plover and diamond backed terrapin.
4. The total permanent alteration proposed within resource areas is approximately 1,137 sq. ft.
5. The erosion rate for the subject Coastal Dunes is 2.89' per year as indicated on MA Office of Coastal Zone Management shoreline change transects.
6. Per 310 CMR 10.28, and 310 CMR 10.29, the subject Barrier Beach and Coastal Dunes are significant to storm damage prevention and flood control and the protection of wildlife habitat. The Barrier Beach is also significant to Marine Fisheries.
7. *WHEN A COASTAL BEACH IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION, FLOOD CONTROL, OR PROTECTION OF WILDLIFE HABITAT, 310 CMR 10.27(3) THROUGH (7) SHALL APPLY: (3) Any project on a coastal beach, except any project permitted under 310 CMR 10.30(3)(a), shall not have an adverse effect by increasing erosion, decreasing the volume or changing the form of any such coastal beach or an adjacent or downdrift coastal beach.*
8. The subject parcel is a vacant section of barrier beach with no buildings, structures or pathways on it and is listed as unbuildable in the Eastham Assessing records. The barrier beach protects many acres of Salt Marsh and upland properties and neighborhoods along North and South Sunken Meadow Road, Eldredge Drive and others.

9. 310 CMR 10.28(3) States: *WHEN A COASTAL DUNE IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION, FLOOD CONTROL OR THE PROTECTION OF WILDLIFE HABITAT, 310 10.28(3) THROUGH (6) SHALL APPLY:*

*(3) Any alteration of, or structure on, a coastal dune or within 100 feet of a coastal dune shall not have an adverse effect on the coastal dune by:*

- (a) affecting the ability of waves to remove sand from the dune;*
- (b) disturbing the vegetative cover so as to destabilize the dune;*
- (c) causing any modification of the dune form that would increase the potential for storm or flood damage;*
- (d) interfering with the landward or lateral movement of the dune;*
- (e) causing removal of sand from the dune artificially; or*
- (f) interfering with mapped or otherwise identified bird nesting habitat.*

10. The proposed Project does not meet the performance standards for 310 CMR 10.28(3)(a-e), Coastal Dunes as concluded by the following:

- a. The proposed project will affect the ability of waves to remove sand from the dune. The structures proposed, their elevation and the erosion rate as noted in State CZM mapping indicate that the structures and their location in the velocity zone will be in the direct location of wave action and will cause wave refraction and increase erosion to the dune elsewhere.
- b. Per 310 CMR 28 (3)(b): The project does not meet this performance standard will disturb the vegetative cover so as to destabilize the dune. The Project will permanently alter 1,137 sq. ft. of existing dune vegetative cover. The project's proposed structures will cause shading where vegetation will be unable to grow or establish. Moreover, the structures will cause wind scour resulting in erosion and subsequent destabilization of the dune. Elevating the proposed structures 2' would not allow for sufficient clearance for the growth of American beach grass and other dune vegetation such as beach plum or bayberry and other coastal grasses which grow taller than 2'. The limit of work is larger than the proposed permanent alteration and will disturb the vegetative cover by the presence of foot traffic, machinery, proposed grading, storage of construction materials and construction debris. The vegetative cover will be permanently disturbed for the creation of a parking area. The removal of the vegetation will destabilize the dune vegetation and the dune by removing the dune and vegetation for the placement of vehicles.
- c. The dune will be adversely affected as the project causes modification to the dune form by removing and grading it to a lower elevation it for the creation of a parking area. Directly changing and reducing the elevation of the dune to make it level with the adjacent roadway will eliminate its ability to serve as a buffer to storm waters and increase erosion of the dune by the loss of the vegetative cover. Moreover, the proposed platform, boardwalk, stairway and parking area will create wind scour

and lowering its elevation, thereby increasing the potential for storm damage.

- d. The Project interferes with the landward and lateral movement of the dune. The installation of structures elevated only 2' above existing contours will not allow the dune to increase in elevation by winds and physically interfere with the movement of the dune by acting as a barrier. The parking area proposes removal of the eastern back side of the dune where it has moved landward. This is direct interference with the movement of the dune as well as subsequent removal of the dune for maintenance of the parking area will directly remove any future landward movement of the dune. The dune at this parking area on the backside is high in elevation in some locations. The proposed stairway will directly interfere with the primary frontal dune by acting as a physical barrier to landward and lateral movement as well as by creating wind scour.
- e. The project causes direct removal of the dune artificially by the installation of a parking area which will result in the removal of many cubic yards of resource area. Wind scour will also cause removal of the dune as well as the twenty-four (24) holes proposed to be excavated for the installation of support posts for the elevated walkway and platform. The supports amount to 30 square feet of total removal of the dune for purposes of excavation for installation of each post.

Therefore, the Conservation Commission finds the project does not meet the performance standards for Coastal Dunes 310 CMR 10.28(3)(a-e) and Barrier Beaches given the direct disturbance of vegetative cover and shading effects, permanent disturbance to vegetative cover of the dune, direct interference with the landward and lateral movement of the dune by the installation of physical structures as barriers and removal of the most landward portion of the dune for a parking area. Lastly the Project directly interferes with the landward and lateral movement of the dune by the structures acting as physical barriers and making the dune more susceptible to storm damage and erosion by removing the dune artificially, causing wind scour and destabilization of the dune and affecting its ability to serve as a buffer to storm water and flood absorption.

- 11. 310 CMR 10.28(4) states: *(4) Notwithstanding the provisions of 310 CMR 10.28(3), when a building already exists upon a coastal dune, a project accessory to the existing building may be permitted, provided that such work, using the best commercially available measures, minimizes the adverse effect on the coastal dune caused by the impacts listed in 310 CMR 10.28(3)(b) through (e). Such an accessory project may include, but is not limited to, a small shed or a small parking area for residences. It shall not include coastal engineering structures.*
- 12. The Project does not meet the performance standards for 310 CMR 10.28(4) as concluded by the following:
  - a. A building does not already exist upon the subject coastal dune, therefore the commission may not permit an accessory project such as the proposed parking area, platform, and board walk or storage structure.

Moreover the performance standard specifies the parking area is for residences. There is no residence upon the dune. The purpose of the parking is for access to and use of a boardwalk, platform, and beach.

Therefore, the proposed project does not meet the performance standards for 310 CMR 10.28(4).

13. 310 CMR 10.28(5) states: *The following projects may be permitted, provided that they adhere to the provisions of 310 CMR 10.28(3): (a) pedestrian walkways, designed to minimize the disturbance to the vegetative cover and traditional bird nesting habitat; (b) fencing and other devices designed to increase dune development; and (c) plantings compatible with the natural vegetative cover.*
14. The Project does not meet the performance standards for 310 CMR 10.28(5). This performance standard allows the Conservation Commission the ability to permit a walkway over a Coastal Dune for pedestrians. A platform, parking area, vegetation management and utilities, and a storage box are not a walkway and the proposed boardwalk does not meet the performance standards for 310 CMR 10.28(3).
15. The Eastham Conservation Commission finds that the proposed parking area, boardwalk, platform, seasonal stairway, utilities does not meet the performance standards for Barrier Beaches, Coastal Dunes or Coastal Beaches as described in 310 CMR 10.28, Barrier Beaches 310 CMR 10.29. Alteration of these resource areas will subsequently adversely affect the adjacent Coastal Beach and Salt Marsh resource areas. The Project diminishes and alters the critical characteristics and function of the dune to serve as rare species habitat and bird nesting habitat by proposing activities that would coincide with the use during bird nesting season and rare species nesting seasons. The Project alters the Resource Areas its ability to function for storm damage prevention and flood control and alters its ability to serve as a buffer to storm waters. Given the erosion rate as listed in state mapping, close proximity of the proposed structures to the seaward crest of the dune, and the large salt marsh and low-lying properties around the salt marsh, protection of the elevation, form, function and critical characteristics of the Coastal Dunes on this barrier beach are crucial. Therefore the Project is denied.

# Eastham Conservation Commission

555 Old Orchard Road  
Eastham, MA 02642



508-240-5971

December 12, 2016

Robert Dobinski  
11 Highland Street  
Hopkinton, MA 01748

Re: File No. SE 19-1637, denial Order of Conditions for the proposed construction of a boardwalk, stairway, parking area, platform and utilities at property located at 225 Harnes Way, Map 01, Parcel 105.

Dear Mr. Dobinski,

Enclosed please find a copy of the Order of Conditions for File No. SE 19-1637, for the Notice of Intent submitted for 225 Harnes Way, Eastham, MA that was unanimously denied by the Conservation Commission at a public hearing on Tuesday, November 22, 2016. In addition, enclosed are "Findings of Fact" that were part of the basis of the Commission's decision.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Shana Brogan  
Conservation Agent

Cc: Department of Environmental Protection (DEP SE 19-1637)  
Sheila Vanderhoef, Town Administrator  
Timothy Brady, East Cape Engineering  
LEC Environmental  
Joanne Wise  
File

File No. SE 19-1637  
225 Harmes Way, Map 01, Parcel 105.

**Findings Pursuant to Eastham Wetlands Bylaw, adopted 1980.**

1. The proposed Project consists of the construction of a 105 linear foot permanent wooden boardwalk, a 12' by 12' permanent platform, a seasonal beach access stairway, and a 105' long by 10' deep parking area, a 3' by 5' storage container and electric meter and outlet.
2. The Project is located in the following resource areas: Coastal Beach, Coastal Dunes, Coastal Marsh and Land Subject to Coastal Storm Flowage and the Wellfleet Bay Area of Critical Environmental Concern (ACEC).
3. The State of Massachusetts recognized the natural value of the area and designated it as an Area of Critical Environmental Concern because: *Important habitats within the ACEC boundary include largely unaltered barrier beaches, islands, marsh systems, salt and fresh water ponds, rivers, bays, and tidal flats. These areas provide flood control, storm damage prevention, improved water quality, wildlife habitat, and recreation opportunities to surrounding communities.*
4. Per Section 1 of the Eastham Wetlands Bylaw and the ACEC Regulations, the resource areas where the Project is proposed are significant to the following wetland values: flood control, erosion control, storm damage, water pollution, fisheries, shellfish and wildlife.
5. Area of Critical Environmental Concern Regulations were adopted by the Eastham Conservation Commission on June 7, 1988 for the purposes to "*strengthen the intent of state legislation establishing Areas of Critical Environmental Concern, MGL Ch. 21A, Sec. 2(7), namely to protect environmental values significant to flood control, the prevention of storm damage, the protection of waters containing shellfish and fisheries, and other public interests protected by the Wetlands Protection Act (MGL Ch 131, sec. 40 and sec. 40A) and the Town's Wetlands Protection By-law*"
6. The square area of proposed alteration to resource areas are: 210 sq. ft. platform, 132 sq. ft. boardwalk, 780 sq. ft. parking area, 15' sq. ft. storage box. The total permanent alteration proposed within resource areas is approximately 1,137 square feet.
7. The erosion rate for the subject Coastal Dunes is 2.89' per year as indicated on MA Office of Coastal Zone Management (CZM) shoreline change transects.
8. The subject parcel is a vacant section of barrier beach comprised entirely of coastal dunes and coastal beach and covered with coastal grasses and vegetation. It is directly adjacent to a salt marsh. It has no buildings, structures or pathways existing on it. It is listed as unbuildable in the Eastham Assessing records.

9. The parcel is significant wildlife habitat. The parcel has been identified by the MA Division of Fisheries and Wildlife to be actual habitat for the Piping Plover (*Charadrius melodus*) and Diamond-backed terrapin turtle (*Malaclemys terrapin*) both species are listed as threatened and the piping plover is a federally listed threatened wildlife. Both species lay their eggs in the dunes. Moreover the parcel also serves as habitat for various other birds, foxes and other mammals and insects.
10. Eastham Wetlands Bylaw Area of Critical Environmental Concern (ACEC) Regulations Section A. 1. States: *The Eastham Conservation Commission may authorize foot paths two feet wide for the private use of a single-family dwelling and five feet wide for common uses. The slope shall be less than one in three, or steps shall be installed. The area shall be stabilized with indigenous grasses or wood chips.*
11. Section A. (1) allows the Commission to authorize footpaths however the barrier beach parcel has no single family dwelling and is listed in Eastham assessing records as 'unbuildable'. The project proposal exceeds by proposing a permanent boardwalk, not a footpath, as well as removing the dune to create a parking area and installing a platform as well as utilities and a storage box. The Project far exceeds this performance standard and therefore does not meet it.
12. Section 2 States: *No pesticides, herbicides, or insecticides shall be allowed.*
13. The proposed project does not meet Section 2 performance standard. The Project includes the use of herbicides to treat poison ivy as indicated on the proposed plan note number four.
14. Section 3 for the Eastham Wetlands Bylaw ACEC Regulations States. *Selective pruning and clearing of foot paths may be permitted by the Eastham Conservation Commission provided that no more that 30% of crown cover is lost and provided that the viability of the pruned vegetation is not impaired.*
15. The Project includes the clearing and removal of vegetation for construction of a permanent boardwalk, as well as removal of a dune and vegetation on the dune for installation of a parking area, construction of a platform and installation of utilities and a storage box. The project scope far exceeds Section 3 performance standards and therefore does not meet this standard.
16. Section B of the Eastham ACEC regulations state: B. *No dumping, filing, paving, removing of material, dredging or altering may be done, except that projects involving salt marsh creation, beach nourishment, dune stabilization, maintenance of anadromous fish runs, or aquaculture may be authorized by the Eastham Conservation Commission after the filing of a Notice of Intent.*
17. Section C 2. States: *There shall be no increase in the volume of storm water runoff and no runoff from such road, bikeway, or trail projects shall be allowed to flow to wetland areas. No degradation to water quality or wildlife habitats shall be permitted.*

The project does not meet the performance standard B. and B.2 because it is proposing 1,137 square feet of permanent coverage over a coastal dune that

includes the placement of 3-4" of hardening fill. The proposed structures and fill in the ACEC will increase storm water runoff leading to increased erosion to the dunes and leading into the adjacent salt marsh. Moreover, the site serves as bird and turtle nesting habitat and the proposed structures and grading and filling of the dune will destroy nesting sites and the additional habitat values of forage and cover. Therefore, the Project does not meet the Eastham Wetlands Bylaw ACEC performance standard B.2. and regulations.

18. The Project does not contribute to the projection of the public interests as identified as significant to: flood control, erosion control, storm damage, water pollution, fisheries, shellfish and wildlife as concluded by the following:

- a. The Project will disturb 1,137 square feet of existing dune vegetative cover permanently and the elevated boardwalk will create shade where vegetation will be unable to grow. Moreover, the structure will cause wind erosion resulting in subsequent destabilization of the dune – reducing its ability to serve as flood control. Lastly, elevating the proposed structures 2' would not allow for sufficient clearance for the growth of American beach grass and other dune vegetation.
- b. The dune will be adversely affected as the project causes modification to the dune form by removing it for the creation of a parking area. Moreover, the proposed platform will cause wind erosion and interfere with the movement and elevation increasing abilities of the dune, thereby impacting the dune stability and erosion and increasing the potential for storm damage.
- c. The Project minimizes and alters the dunes ability to serve as flood control, erosion control, storm damage. The installation of structures elevated only 2' above existing dune elevation contours will not allow the dune to increase in height and physically interfere with the movement of the dune and its ability to buffer storm waters. The parking area proposes direct removal of the western back side of the dune. This is direct removal of the dune's ability to serve these wetland values as well as subsequent maintenance of the parking area will remove any future sand build-up growth of the dune. The dune at this parking area on the backside is approximately 4' in height in some locations and 3' in others, which the Project proposed to remove.

19. The Project does not meet the performance standards for the Wellfleet Bay Area of Critical Environmental Concern. The Project proposes to alter the ACEC and conduct construction and activities which the regulations and performance standards expressly prohibit. The addition of a footpath is not permitted unless there is a single family house. There does not exist a house on the subject parcel. Fill is proposed to be added to the Dune for a parking area and the addition of fill is prohibited in Section B of the ACEC regulations. The use of herbicides are prohibited in the ACEC and they are proposed to be used. Section C. of the ACEC regulations prohibits significant construction and 1,137 sq. ft. of construction is proposed. The Project also does not protect the wetland values Per Section 1 of the Eastham Wetlands Bylaw the Project is deemed to have a significant effect and not contribute to the essential wetland values of the resource areas.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. From: Eastham  
Conservation Commission

2. This issuance is for (check one):  
a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Robert

a. First Name

Dobinski

b. Last Name

c. Organization

10 Highland Street

d. Mailing Address

Hopkinton

e. City/Town

MA

f. State

01748

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

225 Harmes Way

a. Street Address

Eastham

b. City/Town

01

c. Assessors Map/Plat Number

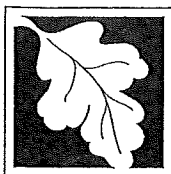
105

d. Parcel/Lot Number

Latitude and Longitude, if known:

d. Latitude

e. Longitude



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Barnstable

206636

a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: March 23, 2016 November 22, 2016 December 12, 2016  
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

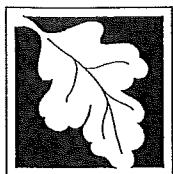
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☒ Land Containing Shellfish c. ☒ Prevention of Pollution  
d. ☐ Private Water Supply e. ☒ Fisheries f. ☒ Protection of Wildlife Habitat  
g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved** subject to:

- a. ☐ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

Eastham

City/Town

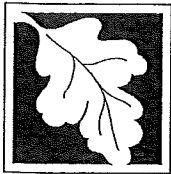
**B. Findings (cont.)**

Denied because:

- b. ☒ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☒ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 0'  
a. linear feet

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u>                    </u> a. linear feet	<u>                    </u> b. linear feet	<u>                    </u> c. linear feet	<u>                    </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
	<u>                    </u> e. c/y dredged	<u>                    </u> f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u>                    </u> a. square feet	<u>                    </u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
Cubic Feet Flood Storage	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet	<u>                    </u> g. cubic feet	<u>                    </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
Cubic Feet Flood Storage	<u>                    </u> c. cubic feet	<u>                    </u> d. cubic feet	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u>                    </u> a. total sq. feet	<u>                    </u> b. total sq. feet		
Sq ft within 100 ft	<u>                    </u> c. square feet	<u>                    </u> d. square feet	<u>                    </u> e. square feet	<u>                    </u> f. square feet
Sq ft between 100-200 ft	<u>                    </u> g. square feet	<u>                    </u> h. square feet	<u>                    </u> i. square feet	<u>                    </u> j. square feet



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

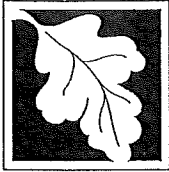
Eastham

City/Town

**B. Findings (cont.)**

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input checked="" type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input checked="" type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. <sup>cu yd</sup> nourishment	d. <sup>cu yd</sup> nourishment
14. <input checked="" type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. <sup>cu yd</sup> nourishment	d. <sup>cu yd</sup> nourishment
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1637  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

**B. Findings (cont.)**

\* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement \*:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. the work is a maintenance dredging project as provided for in the Act; or
  - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on **12/12/2019** unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

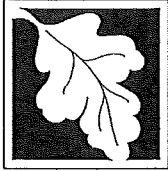
Eastham

City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,  

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number                      SE 19-1637 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1637  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

**NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**

19. The work associated with this Order (the "Project") is (1) ☐ is not (2) ☒ subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

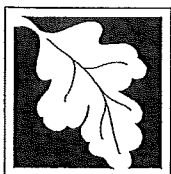
c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1637  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

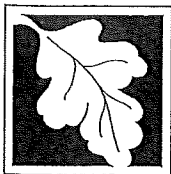
Special Conditions (if you need more space for additional conditions, please attach a text document):

**SEE ATTACHED SPECIAL CONDITIONS**

---

---

---



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 19-1637

MassDEP File #

eDEP Transaction #

Eastham

City/Town

**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Eastham hereby finds (check one that applies):  
Conservation Commission

- a. ☒ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

Eastham Wetlands Protection Bylaw Article 34, 1980 as amended

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Eastham Wetlands Protection Bylaw Article 34, 1980 as amended

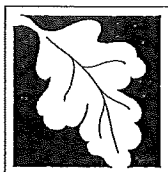
1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

SEE ATTACHED SPECIAL CONDITIONS



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1637  
MassDEP File #  
  
eDEP Transaction #  
Eastham  
City/Town

## E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

12-12-2016

1. Date of Issuance

Please indicate the number of members who will sign this form.

Five

This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

12-12-2016

Date

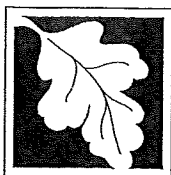
Date

## F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
SE 19-1637  
MassDEP File #

eDEP Transaction #  
Eastham  
City/Town

**G. Recording Information**

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Eastham

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Eastham

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

225 Harmes Way

Project Location

SE 19-1637

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Barnstable

County

Book

Page

for:

Robert Dobinski

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

**SPECIAL CONDITIONS FOR ORDER OF CONDITIONS SE 19-1637:**

**NO WORK IS PERMITTED UNDER THIS ORDER.**

## Vicki Reis

---

**From:** William Burke <wburke47@gmail.com>  
**Sent:** Wednesday, December 14, 2016 9:56 AM  
**To:** Vicki Reis  
**Subject:** Selection of Town Administrator

Please forward my email to the Board of Selectmen. I support Jacqui as the next Town Administrator. She is very supportive of residents, returns call/emails and provides clear and concise information on issues. She has the right personal and technical qualities to be an excellent administrator.

Please select Jacqui as yours and OUR next Town Administrator

Thanks

Bill

10 Lucinda Court

## Vicki Reis

---

**From:** EDWIN HANSON <catbirdcorner@comcast.net>  
**Sent:** Tuesday, December 13, 2016 8:36 PM  
**To:** Vicki Reis  
**Cc:** Bill Burke  
**Subject:** next town administrator

Board of selectmen--

We strongly support Jacqui Beebe for our next town administrator, she has been doing a great job for us as assistant, and we hope she will be chosen as *the* new town administrator.

Ed and Peggy Hanson, 47 Lombard Lane 240-3011

## Vicki Reis

---

**From:** Bette Malatesta's <malatesta@comcast.net>  
**Sent:** Tuesday, December 13, 2016 10:49 AM  
**To:** Vicki Reis  
**Subject:** Town administrator

Making our voice heard in the selection of the new town administrator..  
Jacqui Beebe has been an ear for our issues here near and around Hay Road.  
She has been responsive to our issues and questions.  
Please consider her in your choice for the new town administrator.  
Thank you,  
Alan and Bette Malatesta  
Sent from my iPad



## **Vicki Reis**

---

**From:** me.what@comcast.net  
**Sent:** Monday, December 12, 2016 11:45 PM  
**To:** Vicki Reis  
**Subject:** Town Administrator selection

To the Board of Selectmen,

I'd like to add my name to those who are supporting Jacqui Beebe for Town Administrator.

Thank you,

Martha Whatley  
70 Joshua's Way

Sent from XFINITY Connect Mobile App