

TOWN OF EASTHAM

ANNUAL TOWN MEETING WARRANT

AND FINANCE COMMITTEE REPORT AND RECOMMENDATIONS

7:00 P.M.

MAY 5, 2008

NAUSET REGIONAL HIGH SCHOOL GYMNASIUM

ANNUAL TOWN ELECTION

MAY 20, 2008

POLLS OPEN 7:00 A.M. - 8:00 P.M.

**EASTHAM TOWN HALL
2500 STATE HIGHWAY
EASTHAM, MA**

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

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

Please bring this warrant to Town Meeting

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008

TOWN WARRANT

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TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008 TOWN WARRANT

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FINANCE COMMITTEE REPORT

The role of the Finance Committee varies from town to town as determined by each town's charter and tradition. While the Commonwealth of Massachusetts allows for a range of activities and responsibilities, the only statutory requirement of a finance committee is to provide the citizens of the town recommendations on each article presented in the town warrant at the time of the annual town meeting. The Eastham Charter essentially requires the Finance Committee to meet this minimum statutory requirement; however, the Town Administrator and the Board of Selectmen have also looked to this committee for advice on the town budget preparation and other issues that have a financial impact on the town.

The Finance Committee must have sufficient knowledge and understanding of the details behind the budget and other issues having a significant financial impact on the town. This year, at the request of the members, the Town Administrator and the Town Accountant have provided a comprehensive tutorial on all aspects of municipal finance to the committee. In addition, the Town Administrator and the Board of Selectmen have involved the committee in all of the detailed budget discussions, including meetings with the department heads. This effort has made it easier for the Finance Committee to understand the challenges facing the town.

The committee has been less successful in its attempts to acquire a similar understanding of the financial information underlying the Nauset Regional and Eastham Elementary School budgets. Because of the separation between the town administration and the local and regional school committees mandated by the General Laws of the Commonwealth, there is less free flow of information than we would like. The Finance Committee will continue to pursue a dialogue with the school committees in the coming year in the hopes of improving this situation as we enter the next budget cycle.

This limitation in information exchange with the school committees is particularly troubling at a time when Eastham is facing major financial challenges. The Commonwealth continues to reduce funding for many of the responsibilities which they have mandated, while increasing the fees the town is required to pay to the Commonwealth for services rendered. Over the past five years (2003 to 2008) the revenue from the state (the Cherry Sheet) has decreased by 30%. Over this same five year period the total town spending has increased by 23%. Much of this expense growth results from increases in compensation, retirement assessments, health care costs and the increasing cost of meeting state mandates for special needs education. For Fiscal Year 2009 the Elementary School and the Regional Schools expect budgets to grow 5.94% and 4.00% respectively. The Elementary School projects salary expenses to grow by 9.73%, while non-salary expenses would actually decline by 7.47%. The Regional Schools project Special Education related expenses to grow by 9.6% while the Regular Day expenses would grow by only 2.84%. In order to keep expenses below 5% the Region had to use \$573,000 of their available funds.

The FY09 operating expenses for the Town of Eastham will grow by 2.64%. To fund these increased expense levels, the budget in this warrant anticipates using about \$214,005 of Free Cash. This is the first time that the town has used Free Cash to fund operating expenses. The Town Administrator's current forecast estimates that the Town may need an override of between \$500,000 and \$800,000 next year.

Several large capital projects loom on the horizon. These are multi-million dollar projects; e.g., a new library, waste water treatment, municipal water, and beach re-nourishment, which must be phased in as other debt is retired to ensure we stay within our means.

As costs continue to grow there will be increasing pressure to find creative ways to fund growth, or services will be cut. Eastham is a very efficiently run town, and the Town Administrator is continually looking for ways to improve our performance, but this alone will not forestall the need for more revenue. The options for increasing revenue are some combination of the following: proposition 2 ½ overrides, increased fees, or new funding sources.

One of the options that could bring significant future revenue to the Town is wind energy. We live in an area that has a reliable and abundant natural resource of renewable green energy from wind. The federal and state regulatory environment related to wind energy is in flux right now, with more legislative attention focused on issues such as energy independence and global warming improving the potential for these energy sources to provide millions of dollars of direct revenue to the Town. This year there is a petitioned wind energy article (ARTICLE 36) on the warrant which would preclude forever the Town from realizing the benefits of one of our best natural resources, and as such the Finance Committee recommends defeat of this article.

The Community Preservation Act is funded by a 3% surcharge on real estate property tax bills. Annually up to 50% of that money is matched by funds from the state. This money can be used for affordable housing, historic preservation, and open space purchases. These funds provide exciting new opportunities for Eastham. Articles 19 through 28 reflect the work of the CPA Committee over the past year. In the past two years

Eastham has approved expenditures in all three areas. This year the requests are focused on historic preservation and affordable housing. The most significant article calls for committing \$300,000 to the Eastham Housing Authority for use towards the purchase of land or a building to be used for affordable housing. Money is also proposed for repair of windows in existing Housing Authority units. Historic preservation initiatives include restoration projects at Town Hall, Swift-Daley House, the Library, Cove Burying Ground, the Windmill, and Town records in the Town Clerk's office – all in all an impressive dedication to maintaining the essence of Eastham. There are two procedural articles as well to facilitate the work of the CPA. All of this money is already available to us, and will leave a substantial balance for future years.

The Finance Committee will be working diligently during the coming year to explore all of the options at our disposal to meet our funding shortfall and we will continue to work with the Selectmen, the Town Administrator, and hopefully the school committees to help ensure Eastham's financial future.

John Knight, Chair
Russell French, Vice Chair
Brian Eastman, Clerk
Norman Newell
Susan Beyle

Joseph Bayne
John Dowman
William Krum
Judith Cannon

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008

TOWN WARRANT

TOWN OF EASTHAM
ANNUAL TOWN MEETING WARRANT

Commonwealth of Massachusetts
Barnstable, ss. ~

To: Either of the Constables of the Town of Eastham
in the County of Barnstable

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town affairs to meet at the Nauset Regional High School Gymnasium Monday, the fifth day of May, Two Thousand and Eight, at Seven o'clock in the evening, then and there to act on the following articles in this Warrant and to meet in the Eastham Town Hall at 7:00 a.m. Tuesday, the twentieth day of May next, then and there to elect the following Town Officers;

- Moderator (Three Year Term: Vote for One)
- Selectman (Three Year Term: Vote for Two)
- Elem. School Committee (Three Year Term: Vote for Two)
- Public Library Trustee (Three Year Term: Vote for One)
- Housing Authority (Five Year Term: Vote for One)
- Housing Authority (Two Year Unexpired Term: Vote for One)
- Treasurer/Tax Collector (Three Year Term: Vote for One)
- Town Clerk (Three Year Term: Vote for One)
- POLLS OPEN 7:00 A.M. AND CLOSE AT 8:00 P.M.

ARTICLE 1

To see if the Town will vote to raise and appropriate or transfer from available funds **\$1,200** for Greenhead Fly Control as authorized by Section 24, Chapter 252 of the General Laws, and authorize the Town Treasurer to pay said appropriation into the State Treasury; or take any action relative thereto.

By Board of Selectmen

Summary:

This is a standard article to appropriate money to pay the Town's share of the Greenhead Fly Control Program.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 2

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

By Board of Selectmen

Summary:

This is a standard article with which all Massachusetts municipalities indemnify the DEP for work in the local communities.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 3

To see if the Town will vote to accept the provisions of G. L. Chapter 71, Section 16B, which would reallocate the sum of members towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called for fiscal year 2010; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

This annual request would apportion the operating budget of the Nauset Regional School District, on a per pupil basis in Fiscal Year 2010, rather than as determined by the State's Education Reform Formula. The regional agreement allocation has been used since 1994, inception of education reform.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 4

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$12,000** to be given to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth; or take any action relative thereto.

By Board of Selectman/Chamber of Commerce

Summary:

The Chamber of Commerce has operated the Information Booth for the past several years. Significant cosmetic improvements to the building have been made and the seasonal operating hours have been increased. During the first three years of the Chamber operating the booth, the Chamber paid \$6,000 to the Town to defray the cost of employee salary and benefits. For the past three years the Town has voted this same article granting \$12,000 to the Chamber. As a result, the Chamber assumed all salary and benefit costs while the Town continued to provide building support and insurance, outside maintenance of the yard and structure and portable facilities.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 5

To see if the Town will vote to reauthorize the Council On Aging/Lower Cape Adult Day Center Revolving Account, through the Town Accountant's office, in accordance with G. L. Chapter 44, Section 53 E ½ to be expended under the direction of the Council On Aging Director in order to place anticipated revenues collected from program income which shall be used to further the operation of programs under the Council On Aging, and to establish the limit on expenditures from said account for Fiscal Year 2009 at **\$15,000**; or take any action relative thereto.

By Board of Selectmen

Summary:

This revolving account is required in order to receive and disburse funds generated through programs supported by the revolving fund such as educational and cultural programs and health and fitness programs. The Council on Aging Director will manage this account.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 6

To see if the Town will vote to authorize the Recreation Bottles and Cans Revolving Account, through the Town Accountant's office, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Recreation Department in order to place anticipated revenues from the collection of bottles and cans, and to establish the limit of expenditures from said account for Fiscal Year 2009 at **\$10,000**; or take any action relative thereto

By Board of Selectmen

Summary:

This revolving account is required in order to receive and disburse funds generated from the collection of bottles and cans by the Recreation Department.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 7

To see if the Town will vote to reauthorize the Home Composting/Bin Recycling Revolving Account, through the Town Accountant's office, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Board of Selectmen or their designee, in order to place anticipated revenues collected from the sale of compost bins which shall be used to purchase additional compost bins, advertise the availability of such bins, or undertake recycling related activities and to establish the limit on expenditures from said account for FY2009, at \$9,000; or take any action relative thereto.

By Board of Selectmen

Summary:

This account is necessary to accept receipts from the sale of composting bins obtained by state grants or otherwise, which may be used to purchase additional compost bins or other items to enhance town-wide recycling efforts.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 8

To see if the Town will vote to transfer from the Board of Selectmen for general municipal purposes to the Board of Selectmen for purpose of a long-term lease with Cape Cod Children's Place, Inc. the land and buildings located at 10 Forrest Avenue, Eastham and shown on Assessors Map 12, Parcel 211B and to authorize the Board of Selectmen to enter into such lease with Cape Cod Children's Place, Inc. for a term of 10 years for such monetary or non-monetary consideration and on such terms and conditions as the Board of Selectmen shall determine; or take any action relative thereto.

By Board of Selectmen

Summary:

This will allow the Town to enter into a long-term lease, (10 years) with the Children's Place, which will aid them in securing grant funding. The sketch plan following shows

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008 TOWN WARRANT

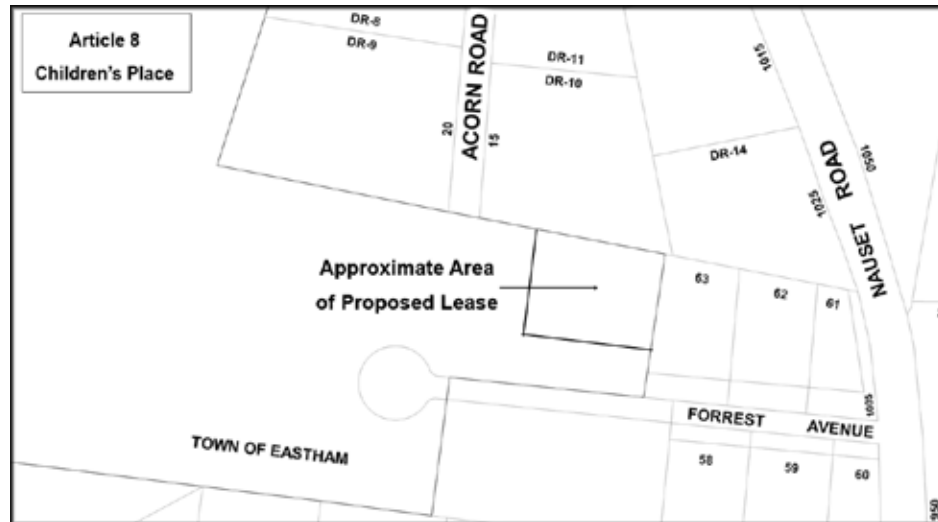
5

the approximate area that will be subject to the lease. The building and land is owned by the town. The operator pays the town “rent” equal to the cost of property insurance. The annual lease arrangement makes it difficult for the operator to compete for multi-year operating grants or capital improvement grants. The use is located on approximately 2 acres of a 23 acre parcel located off Nauset Road on Forrest Avenue.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0

(2/3rds majority vote required)



ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$125,000 to be used to fund consulting activities related to wastewater study and planning,; or take any action relative thereto.

By Board of Selectmen/Water Resources Advisory Board
and Wastewater Management Planning Committee

Summary:

For more than three years, several groups have worked on water and wastewater issues for the Town. Two years ago, the consulting firm selected to help us with the wastewater issues submitted a proposal to initiate a study. Using grants and available funds we have begun work on this large issue. Additional funding is needed to continue this effort. The amount requested for the study represents a reasonable estimate as it reflects the projected cost of a town-wide study submitted by the consulting firm a year ago. That estimate was about \$100,000. This item would have normally been included on the Five Year Capital Plan. It is therefore here as a separate article and will need a 4/5th's vote for consideration and a majority to approve.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

(majority vote required)

ARTICLE 10

To see if the town will vote to transfer the sum of \$10,000 from Fiscal Year 07 Hotel Motel Excise Tax (free cash so called), in accordance with Annual Town Meeting Article 26, May 4, 1998, to the Eastham Promotions Fund to be expended by the Visitor Services Board on the following items: \$7,500 for Monday Concerts including sound system rental and promotional materials, \$1,750 for Beautification projects including donation to EFFI (Island Plantings) and holiday Decorations and \$750 for Lighting Projects; or take any action relative thereto.

By Visitor Services Board

Summary

This is an annual article that if approved by Town Meeting provides funds to the appointed Visitor Services Board for the approved items and programs.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 8-0

(majority vote required)

ARTICLE 11

To see if the Town will vote to raise and appropriate or transfer the sum of \$50,000 to the Stabilization Fund as provided for in G.L. 40, 5B; or take any action relative thereto.

By Board of Selectmen

Summary:

Undesignated fund balances have a positive impact on our bond rating and also provide a “rainy day” fund for many different purposes. Our most recent set asides have been focused on specific funds such as affordable housing and land acquisition. The current balance in the stabilization fund is \$72,520.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 6-0

(2/3rds majority vote required)

ARTICLE 12

To see if the Town will vote to act on the operating budget, including recommendations and reports of the Selectmen, Finance Committee and other Town Officials, and to see if the Town will vote to raise and appropriate or transfer from receipts reserved, and other available funds and accounts, the sum of \$18,886,450, and further to transfer from the dog receipts reserved (free cash so called) the additional sum of \$2,500 to the library; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 12 at \$18,886,450, which is up by 2.64%, is the operating budget for the Elementary School, Nauset Regional School, our share of Cape Cod Technical High School, and municipal operations. This budget includes all costs and salary adjustments for all employees. The operating budget reflects the efforts of the Department managers doing more with less and looking for operational efficiencies. Their success is measured by the modest increase in the budget this year despite the pressures of increased utility and fuel costs.

This annual article is funded from a variety of sources including the tax levy, transfers from reserved receipts such as ambulance, and supplemented by local receipts which include such items as hotel/motel excise, motor vehicle excise, permit fees and fines and interest and investment income. The allowed tax levy increase of 2½% represents about \$325,000 in new money this year. New growth, which is added to this number, is \$100,000. Therefore, the town expects \$425,000 in new funds this year to cover increased costs for fuel, utilities, property insurance, retirement, health insurance and employee salaries. Actual spending for operations and articles funded through the tax levy, (e.g. elected officials salaries), is up \$600,000. The operating budget last year without articles was \$18.38 million, and this year it is \$18.88 million.

The Levy limit for FY09 is \$15,540,420. This is the amount of taxes we are allowed to assess the community. In year's past we had excess levy capacity which was not used. This year we expect to fully use the levy as we did last year. Even so, spending for the operating budget and other articles using the tax levy will total \$15,754,425, a shortfall of \$214,005. We have avoided funding the operating article with free cash in the past, but this year it will be necessary to supplement the operating budget with \$214,005 from cash. This is a unique year and the fiscal conditions are tough due to the general economic slowdown in the country. The general slowdown is further exacerbated by the fact that the Cape economy slows significantly as tourism, which is fostered by disposable income, declines. Many local businesses have concerns about their ability to operate this year, as it is expected that it will be difficult to find sufficient staff due to the decline in the availability of overseas workers. The reduction in H2B visas will have its greatest impact on seasonal resort communities such as Eastham. As state revenues decline and the state continues to reduce spending to bolster the rainy day reserve, municipalities are left to try to balance budgets without eliminating services, employees and programs. We expect local receipts to remain strong, but see little growth and therefore we can not rely on that as a source to support increasing costs.

No discussion of this budget and the future would be complete without a comment on the housing market. The total value of all real estate in Eastham declined a small amount in the prior year. Water front properties held steady and experienced gains in many areas of town. The big increases of the past five years are not happening now, but values are mostly holding. Unlike the 80's, speculators are not holding large tracts of land. Much of the value is in single family housing that has been expanded or bought with short equity. These should be able to maintain real value and sustain a modest decline. We may see an increase in rate for the short term but Eastham enjoys a tax rate and an average tax bill that is one of the lowest on the Cape and in the lower third of bills in the state.

We anticipate that by FY10 the state will have put in place the renewed partnership with municipalities which it agrees is “essential to the future of our economy.” We are however planning and positioning ourselves to go it alone if necessary. A budget increase of less than 3% will be the goal again next year, but even if achieved, an override may still be necessary. In order to prepare the FY09 budget, expenses and revenues for FY10 and FY11 are projected. Those projections currently show the need to add \$500,000 - \$800,000 in revenue to balance the budget. Unless there are significant increases in school and municipal aid, the town will need to consider an override to continue current service levels. If such action is not needed in FY10 then quite possibly it will be needed in FY11. Other municipalities on and off Cape have already started a cycle of regular overrides to support the operating budget. We cannot sustain expenses that grow at greater than 2½% with increases of less than that amount. Since much of the increase in spending is in non-discretionary items and state charges, we have limited choices. The Board of Selectmen and the Finance committee have made a commitment to work with department heads to identify and tap new revenue sources and adjust fees to ensure that they are fair while providing a reasonable level of cost recovery.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: See Line Votes

(majority vote required)

| FY09 ARTICLE 12 - SELECTMEN’S OPERATING BUDGET | | | | |
|--|--|----------------|----------------|----------|
| LINE | | APPROVED | SELECTMEN’S | FIN COMM |
| # | | FY08 BUDGET | FY09 BUDGET | RECOM |
| | <i>GENERAL GOVERNMENT</i> | | | |
| 1 | SELECTMEN/TN ADMINISTRATOR OFFICE SALARY | \$306,638.40 | \$322,366.25 | 6-0 |
| 2 | SELECTMEN/TOWN ADMINISTRATOR EXPENSE | \$19,045.00 | \$18,030.00 | 6-0 |
| 3 | RESERVE FUND | \$65,000.00 | \$65,000.00 | 6-0 |
| 4 | TOWN ACCOUNTANT OFFICE SALARY | \$110,874.00 | \$113,276.80 | 6-0 |
| 5 | TOWN ACCOUNTANT EXPENSE | \$29,650.00 | \$29,650.00 | 6-0 |
| 6 | ASSESSOR OFFICE SALARY | \$157,145.30 | \$165,846.20 | 6-0 |
| 7 | ASSESSOR EXPENSE | \$23,045.00 | \$26,045.00 | 6-0 |
| 8 | TREASURER/COLLECTOR OFFICE SALARY | \$92,155.70 | \$97,315.40 | 6-0 |
| 9 | TREASURER/COLLECTOR EXPENSE | \$10,490.00 | \$10,034.88 | 6-0 |
| 10 | CERTIFICATION OF NOTES | \$200.00 | \$200.00 | 6-0 |
| 11 | LEGAL SERVICES EXPENSE | \$65,000.00 | \$65,000.00 | 6-0 |
| 12 | DATA PROCESSING SALARY | \$75,948.60 | \$80,516.80 | 6-0 |
| 13 | DATA PROCESSING EXPENSE | \$100,089.00 | \$108,234.00 | 6-0 |
| 14 | TAX TITLE EXPENSE | \$5,000.00 | \$5,000.00 | 6-0 |
| 15 | TOWN CLERK/ELECTIONS OFFICE SALARY | \$71,063.00 | \$74,766.70 | 6-0 |
| 16 | TOWN CLERK /ELECTIONS EXPENSE | \$10,120.00 | \$10,170.00 | 6-0 |
| 17 | CENTRAL PURCHASING SUPPLY & SERVICE | \$49,817.50 | \$51,212.40 | 6-0 |
| 18 | CONSERVATION COMMISSION SALARY | \$21,560.40 | \$22,709.89 | 6-0 |
| 19 | CONSERVATION COMMISSION EXPENSE | \$1,690.00 | \$1,690.00 | 6-0 |
| 20 | NATURAL RESOURCES SALARY | \$234,505.63 | \$279,520.84 | 8-0 |
| 21 | NATURAL RESOURCES EXPENSE | \$33,811.00 | \$33,813.22 | 8-0 |
| 22 | NATURAL RESOURCES CAPITAL EXPENSE | \$8,480.00 | \$11,770.00 | 5-0 |
| 23 | PLANNING/ZONING SALARY | \$67,355.60 | \$66,759.42 | 5-0 |
| 24 | PLANNING /ZONING EXPENSE | \$2,181.00 | \$2,181.00 | 5-0 |
| 25 | MUNICIPAL BUILDINGS SALARY | \$118,951.07 | \$125,401.20 | 5-0 |
| 26 | MUNICIPAL BUILDINGS EXPENSE | \$81,595.00 | \$81,295.00 | 5-0 |
| 27 | BULK FUEL OIL EXPENSE | \$130,000.00 | \$139,600.00 | 5-0 |
| 28 | TOWN REPORT EXPENSE | \$10,000.00 | \$15,000.00 | 5-0 |
| 29 | ENGINEERING & SUPPORT SERVICES EXPENSE | \$4,000.00 | \$4,000.00 | 5-0 |
| | | | | |
| | | \$1,905,411.20 | \$2,026,405.00 | |
| | | | | |
| | <i>PUBLIC SAFETY & INSPECTIONAL SERVICES</i> | | | |
| 30 | POLICE SALARY | \$1,104,018.81 | \$1,220,875.26 | 5-0 |
| 31 | POLICE EXPENSE | \$164,278.46 | \$139,947.80 | 5-0 |
| 32 | FIRE SALARY | \$1,405,541.95 | \$1,520,370.98 | 5-0 |
| 33 | FIRE EXPENSE | \$99,800.00 | \$99,880.75 | 5-0 |
| 34 | FIRE CAPITAL EXPENSE | \$80,633.00 | \$80,632.95 | 5-0 |
| 35 | DISPATCHING SALARY | \$245,608.64 | \$266,074.59 | 5-0 |
| 36 | DISPATCHING EXPENSE | \$8,320.00 | \$7,420.00 | 5-0 |
| 37 | BUILDING INSPECTION SALARY | \$91,677.72 | \$96,785.84 | 5-0 |
| 38 | BUILDING INSPECTION EXPENSE | \$7,500.00 | \$7,500.00 | 5-0 |
| 39 | GAS/PLUMBING INSPECTION EXPENSE | \$27,750.00 | \$29,500.00 | 5-0 |
| 40 | WIRE INSPECTION EXPENSE | \$36,400.00 | \$37,856.00 | 5-0 |
| 41 | EMERGENCY MANAGEMENT EXPENSE (CIVIL DEFENSE) | \$100.00 | \$100.00 | 5-0 |
| 42 | TREE WARDEN EXPENSE | \$800.00 | \$400.00 | 5-0 |
| 43 | DUTCH ELM DISEASE EXPENSE | \$10.00 | \$10.00 | 5-0 |
| 44 | INSECT/PEST/POISON IVY CONTROL | \$10.00 | \$10.00 | 5-0 |
| 45 | HARBORS & LANDINGS SALARY | \$6,240.00 | \$6,720.00 | 5-0 |
| 46 | HARBORS & LANDINGS EXPENSE | \$1,342.00 | \$1,357.00 | 5-0 |
| | | | | |
| | | \$3,280,030.58 | \$3,515,441.17 | |
| | | | | |
| | <i>EDUCATIONAL SERVICES</i> | | | |
| 47 | ELEMENTARY SCHOOL OPERATIONS | \$2,981,391.00 | \$3,158,665.00 | 8-0 |
| 48 | NAUSET REGION CAPITAL ASSESSMENT | \$82,591.00 | \$62,174.00 | 8-0 |
| 49 | NAUSET REGION OPERATING ASSESSMENT | \$3,462,813.00 | \$3,395,643.00 | 8-0 |
| 50 | CAPE COD REGIONAL TECHNICAL SCHOOL | \$298,052.00 | \$271,835.00 | 8-0 |
| | | | | |
| | | \$6,824,847.00 | \$6,888,317.00 | |

| LINE | | APPROVED | SELECTMEN'S | FIN COMM |
|------|---|------------------------|------------------------|--------------|
| # | | FY08 BUDGET | FY09 BUDGET | RECOM |
| | <i>PUBLIC WORKS & SANITATION</i> | | | |
| 51 | GENERAL MAINTENANCE SALARY | \$379,351.06 | \$425,479.36 | 8-0 |
| 52 | GENERAL MAINTENANCE EXPENSE | \$113,860.00 | \$115,860.00 | 5-0 |
| 53 | GENERAL MAINTENANCE CAPITAL | \$73,104.00 | \$69,020.88 | 5-0 |
| 54 | SNOW & SANDING SALARY | \$26,136.00 | \$30,912.00 | 5-0 |
| 55 | SNOW & SANDING EXPENSE | \$16,500.00 | \$16,500.00 | 5-0 |
| 56 | STREET LIGHTING EXPENSE | \$6,800.00 | \$7,100.00 | 5-0 |
| 57 | WASTE COLLECTION & DISPOSAL SALARY | \$130,766.25 | \$155,524.77 | 8-0 |
| 58 | WASTE COLLECTION & DISPOSAL EXPENSE | \$445,187.64 | \$351,738.00 | 5-0 |
| 59 | WASTE COLLECTION & DISPOSAL CAPITAL EXPENSE | | \$28,909.64 | |
| | | | | |
| | | \$1,191,704.95 | \$1,201,044.65 | |
| | | | | |
| | <i>HEALTH & HUMAN SERVICES</i> | | | |
| 60 | VETERANS' GRAVE OFFICER | \$75.00 | \$75.00 | 5-0 |
| 61 | OLD CEMETERIES EXPENSE | \$600.00 | \$600.00 | 5-0 |
| 62 | TOWN NURSE SERVICES | \$9,500.00 | \$10,500.00 | 5-0 |
| 63 | PUBLIC HEALTH SALARY | \$153,586.68 | \$163,233.51 | 5-0 |
| 64 | PUBLIC HEALTH EXPENSE | \$17,307.00 | \$17,350.00 | 5-0 |
| 65 | INSPECTION OF ANIMALS EXPENSE | \$500.00 | \$500.00 | 5-0 |
| 66 | COUNCIL ON AGING SALARY | \$116,795.24 | \$123,283.60 | 5-0 |
| 67 | COUNCIL ON AGING EXPENSE | \$20,088.00 | \$20,662.52 | 5-0 |
| 68 | LOWER CAPE ADULT DAY PROGRAM SALARY | \$126,028.40 | \$137,205.42 | 5-0 |
| 69 | LOWER CAPE ADULT DAY PROGRAM EXPENSE | \$15,528.00 | \$11,268.00 | 5-0 |
| 70 | VETERANS' SERVICES - EXPENSE | \$14,899.00 | \$15,839.23 | 5-0 |
| 71 | VETERANS' SERVICES - BENEFITS | \$9,000.00 | \$9,000.00 | 5-0 |
| 72 | HUMAN SERVICES AGENCIES | \$50,750.00 | \$53,500.00 | 5-0 |
| | | | | |
| | | \$534,657.32 | \$563,017.28 | |
| | | | | |
| | <i>CULTURE & RECREATION</i> | | | |
| 73 | LIBRARY SALARY | \$181,780.88 | \$191,426.66 | 5-0 |
| 74 | LIBRARY EXPENSE | \$64,000.00 | \$67,444.00 | 5-0 |
| 75 | BEACH & RECREATION SALARY | \$228,472.10 | \$237,713.80 | 5-0 |
| 76 | BEACH & RECREATION EXPENSE | \$61,134.50 | \$70,156.50 | 5-0 |
| | | | | |
| | | \$535,387.48 | \$566,740.96 | |
| | | | | |
| | <i>DEBT AND BANKING SERVICES</i> | | | |
| 77 | FIRE STATION | \$150,000.00 | \$150,000.00 | 5-0 |
| 78 | LANDFILL CAPPING | \$64,754.35 | \$65,269.12 | 5-0 |
| 79 | ROACH PROPERTY ACQUISITION | \$80,000.00 | \$80,000.00 | 5-0 |
| 80 | TRANSFER STATION | \$125,000.00 | \$125,000.00 | 5-0 |
| 81 | INTEREST EXPENSE (LONG/SHORT TERM) | \$694,573.00 | \$449,105.19 | 5-0 |
| 82 | TAX ANTICIPATION NOTES | \$10,000.00 | \$10,000.00 | 5-0 |
| 83 | SEPTIC BETTERMENT LOANS | \$20,400.36 | \$20,401.00 | 5-0 |
| 84 | PURCELL LAND PURCHASE | \$30,000.00 | \$30,000.00 | 5-0 |
| 85 | EASTHAM ELEMENTARY SCHOOL RENOVATION | \$414,000.00 | \$410,000.00 | 5-0 |
| 86 | BANK FINANCING CHARGES | \$2,777.88 | \$2,486.26 | 5-0 |
| | | | | |
| | | \$1,591,505.59 | \$1,342,261.57 | |
| | | | | |
| | <i>OTHER EXPENSES (GENERAL GOVERNMENT)</i> | | | |
| 87 | EMPLOYEE BENEFITS | \$19,500.00 | \$19,500.00 | 6-0 |
| 88 | BARN. COUNTY RETIREMENT ASSESSMENT | \$737,832.00 | \$830,623.00 | 6-0 |
| 89 | TOWN INSURANCE - UNEMPLOYMENT EXPENSE | \$20,700.00 | \$10,000.00 | 6-0 |
| 90 | TOWN INSURANCE - EMPLOYEE EXPENSE HEALTH | \$1,388,841.00 | \$1,573,090.00 | 6-0 |
| 91 | TOWN INSURANCE - TOWN PROTECTION (PROP & LIAB) | \$358,165.50 | \$350,009.00 | 6-0 |
| | | | | |
| | | \$2,525,038.50 | \$2,783,222.00 | |
| | | | | |
| | TOTAL | \$18,388,582.62 | \$18,886,449.63 | 2.64% |

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$399,300** to purchase the following capital items, make improvements to capital facilities as follows; or take any action relative thereto.

By Board of Selectmen

Summary:

This is the annual article to fund capital purchases. All items on the list have previously been shown on the five year plan so the article requires a majority vote. Funds will be

used to purchase computer hardware and software as needed, undertake building repairs, acquire equipment for the fire department, upgrade the Field of Dreams baseball area, and replace the stairs at Thumpertown Beach as part of an ongoing capital investment in beach and recreation facilities.
BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 6-0
(majority vote required)

| FY09 CAPITAL ACQUISITION | | | | | | | | | | |
|--------------------------|----------------------------------|--------|----------------------|--|--|--|--------------|--|---|--|
| ITEM | DEPARTMENT | | | ITEM | | | FY09 | | | |
| | DATA PROCESSING | | | | | | | | | |
| 1 | | | | COMPUTER HARDWARE/SPECIALIZED SOFTWARE (PAMET) | | | \$35,000.00 | | F | |
| | | | | | | | | | | |
| | NATURAL RESOURCES | | | | | | | | | |
| 2 | | | | HEMENWAY HATCHERY/GROWOUT GREENHOUSE | | | \$6,000.00 | | F | |
| | | | | | | | | | | |
| | MUNICIPAL BUILDINGS EQUIPMENT | | | | | | | | | |
| 3 | | | | COPIERS/POSTAGE METERS | | | \$5,000.00 | | F | |
| | | | | | | | | | | |
| | MUNICIPAL BUILDINGS IMPROVEMENTS | | | | | | | | | |
| 4 | | | | PROJECT CONTINGENCY:MAJOR REPAIRS ,PAINTING ETC. | | | \$10,000.00 | | F | |
| 5 | | COA | | ROOF REPAIRS | | | \$20,000.00 | | F | |
| 6 | | DPW/NR | | NEW BUILDING COMPLETION | | | \$10,000.00 | | F | |
| | | | | | | | | | | |
| | BEACHES/RECREATION | | | | | | | | | |
| 7 | | | | THUMPERTOWN STAIRS (BEACH IMPROVEMENTS) | | | \$55,000.00 | | F | |
| 8 | | | | BACKSTOP (BASEBALL) REPLACEMENT/FENCING | | | \$15,000.00 | | F | |
| 9 | | | | SALES COMPUTERS HARD/SOFTWARE | | | \$7,000.00 | | F | |
| | DPW | | | | | | | | | |
| 10 | | | | ORDINARY ROAD M & R (NOT CHAP 90) | | | \$60,000.00 | | T | |
| 11 | | | | TRASH COMPACTOR REPLACEMENT | | | \$55,000.00 | | F | |
| 12 | | | | ONE (1) 40 YARD CLOSED TOP ROLL OFF CONTAINER | | | \$6,300.00 | | F | |
| | FIRE (EQUIP) | | | | | | | | | |
| 13 | | | | UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED) | | | \$30,000.00 | | A | |
| 14 | | | | COMPUTER SOFTWARE ENHANCEMENTS | | | \$2,000.00 | | A | |
| 15 | | | | COMPUTER HARDWARE ENHANCEMENT/ADDITIONS | | | \$5,000.00 | | A | |
| 16 | | | | FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM | | | \$5,000.00 | | A | |
| 17 | | | | PORTABLE WATER TANK | | | \$3,000.00 | | A | |
| | | | | | | | | | | |
| 18 | AFFORDABLE HOUSING FUND | | | | | | \$70,000.00 | | F | |
| | | | | | | | | | | |
| | TOTAL | | | | | | \$399,300.00 | | | |
| | | | | | | | | | | |
| CAPITAL FUND SOURCES | | | F=FREE CASH | | | | \$294,300.00 | | | |
| | | | A=AMBULANCE RECEIPTS | | | | \$45,000.00 | | | |
| | | | T=TAX LEVY | | | | \$60,000.00 | | | |
| | | | | | | | \$399,300.00 | | | |

ARTICLE 14

To see if the Town will in accordance with Chapter 6-6A of the Eastham Home Rule Charter, vote to accept the Capital Improvement Plan for FY10-FY14 as follows; or take any action relative thereto.

By Board of Selectmen

Summary:

Following is the five year capital improvement plan. The funding source for many of the items in this plan is free cash. Ambulance receipts cover many of the items for the rescue/ fire department. Police vehicles which are purchased each year are funded within the tax levy. We also identify grants, boat excise, and the land acquisition and maintenance fund as potential funding sources for some items.

This plan shows items and programs for funding consideration within the next five years. The amount shown for each item is an estimate and will be further refined as the time for acquisition draws near. Each year items are moved from this plan to the Capital Acquisition Article and a new year is added to this plan. Some of the items added to the

FY14 year are recurring replacements and funds such as the sand drift fence program in line 11, or vehicle replacement in lines 69 beach, line 93, 94 and 95 for police vehicles, or line 100 for ambulance replacements. Additionally, in FY14 is included money for road repairs, a mechanical beach cleaner, Long Range planning assistance, \$500,000 for expansion of the DPW garage and \$3 million for implementation assistance for the North Eastham Center Improvements. The DPW garage expansion and the North Eastham Village Center items will require separate debt exclusion votes as that is the identified source of funding in both cases. Other items in the FY14 year are proposed to be funded by taxes, free cash, and ambulance receipts.

Municipal Water/Wastewater is shown as needing significant funding in FY11. The amount shown is \$5 million dollars, however, this amount may change based on the results of ongoing waste water work.
BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0
(majority vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008

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| | DEPARTMENT | | | ITEM | | | | | FY10 | | FY11 | | FY12 | | FY13 | | FY14 | | |
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| 41 | | | | APPLIANCE REPLACEMENTS | | | | | | | | | | | \$6,000.00 | F | | | |
| 42 | | | | GENERATOR REPLACEMENT/MAJOR OVERHAUL | | | | | | | | | | | \$30,000.00 | F | | | |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$32,000.00 | | \$58,500.00 | | \$3,015,000.00 | | \$36,000.00 | | \$0.00 | | |
| 43 | | DPW/NR | | COPIER REPLACEMENT | | | | | \$5,000.00 | F | | | | | | | | | |
| 44 | | | | AIR/HEATING SYSTEM OVERHAUL/REPLACE | | | | | | | | | | | \$20,000.00 | F | | | |
| 45 | | | | EXTERIOR MAINTENANCE - STUCCO | | | | | | | | | \$10,000.00 | F | | | | | |
| 46 | | | | EXPANSION DPW GARAGE SPACE | | | | | | | | | | | | | \$500,000.00 | D | |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$5,000.00 | | \$0.00 | | \$10,000.00 | | \$20,000.00 | | \$500,000.00 | | |
| 47 | | INFO/WMILL | | GEN BLDG MAIN & REPAIR | | | | | \$10,000.00 | F | | | | | \$5,000.00 | F | | | |
| | | | | | WINDMILL/INFO/ANCIENT CEMETERIES R&M/BANDSTAND | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| 48 | | POLICE | | REPLACE OVERHAUL AIR/HEAT CIRCULATOR PUMPS | | | | | | | | | | | \$30,000.00 | F | | | |
| 49 | | | | REPLACE DIESEL GENERATOR W/GAS | | | | | \$40,000.00 | F | | | | | | | | | |
| 50 | | | | REPLACE ALL CARPET UPSTAIRS | | | | | | | | | | | | | \$10,800.00 | F | |
| 51 | | | | REPLACE ALL CARPET DOWNSTAIRS | | | | | | | | | \$6,800.00 | F | | | | | |
| 52 | | | | REFURNISH/REFURBISH | | | | | | | \$80,000.00 | D | | | | | | | |
| 53 | | | | REPLACE HOT WATER TANK | | | | | | | | | | | \$3,000.00 | F | | | |
| 54 | | | | REPLACE FRONT/REAR DOOR | | | | | | | | | \$4,000.00 | F | | | | | |
| 55 | | | | REPLACE SHINGLES, ROOF & SIDEWALL | | | | | | | \$27,000.00 | F | | | | | | | |
| 56 | | | | REPLACE 2 OF 4 AIR HANDLING UNITS | | | | | | | | | \$9,000.00 | F | | | | | |
| 57 | | | | SURVEILLANCE EQUIPMENT (HERRING RUNS ELSEWHERE) | | | | | | | \$2,000.00 | F | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$50,000.00 | | \$109,000.00 | | \$19,800.00 | | \$38,000.00 | | \$10,800.00 | | |
| | | FIRE | | | | | | | | | | | | | | | | | |
| 58 | | | | BUILDING MAINTENANCE (VARIOUS ITEMS BLDG 5+ YRS OLD.) | | | | | | | | | \$20,000.00 | A | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$0.00 | | \$0.00 | | \$20,000.00 | | \$0.00 | | \$0.00 | | |
| | | LIBRARY | | | | | | | | | | | | | | | | | |
| 59 | | | | RENOVATION/EXPANSION | | | | | \$8,400,000.00 | D | | | | | | | | | |
| | | | | | HEATING SYSTEM OVERHAUL | | | | | | | | | | | | | | |
| | | | | | OUTSIDE LIGHTING UPGRADES | | | | | | | | | | | | | | |
| | | | | | AIR CONDITIONING UPGRADE | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$8,400,000.00 | | \$0.00 | | \$0.00 | | \$0.00 | | \$0.00 | | |
| | | SCHOOL | | | | | | | | | | | | | | | | | |
| 60 | | | | ROUTINE PAINTING ROTATION | | | | | \$10,000.00 | F | \$10,000.00 | F | \$10,000.00 | F | \$10,000.00 | F | \$15,000.00 | F | |
| 61 | | | | BASKETBALL COURT REPAIRS/REBUILD | | | | | | | \$25,000.00 | F | | | | | | | |
| 62 | | | | REPLACE PLAYGROUND EQUIP | | | | | | | | | | | | | \$25,000.00 | F | |
| 63 | | | | GYM FLOOR REFINISHING | | | | | \$18,000.00 | F | | | | | | | | | |
| 64 | | | | COMPUTER HARDWARE/REPLACEMNTS/UPGRADES | | | | | \$20,000.00 | F | \$20,000.00 | F | \$20,000.00 | F | \$20,000.00 | F | \$20,000.00 | F | |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$48,000.00 | | \$55,000.00 | | \$30,000.00 | | \$30,000.00 | | \$60,000.00 | | |
| | BEACHES/RECREATION | | | | | | | | | | | | | | | | | | |
| 65 | | | | UPGRADE/ADA BATH HOUSES | | | | | | | \$40,000.00 | F | | | | | | | |
| 66 | | | | PARKING LOT REPAIRS (VARIOUS LOCATIONS) | | | | | | | | | | | \$10,000.00 | F | | | |
| 67 | | | | ADA BEACH CHAIR | | | | | | | | | \$3,000.00 | F | | | | | |
| 68 | | | | 4 X 4 TRUCK | | LEASE | | | | | | | \$25,000.00 | F | | | | | |
| 69 | | | | 4 X 4 TRUCK | | LEASE | | | | \$30,000.00 | F | | | | | | \$35,000.00 | F | |
| 70 | | | | BACKSTOP REPLACEMENT/FENCING | | | | | \$15,000.00 | F | | | | | | | | | |
| 71 | | | | BEACH GATE SHACKS | | | | | | | | | \$3,000.00 | F | | | | | |
| 72 | | | | WALKWAYS/DUNE MAINTENANCE FENCING | | | | | | | \$6,000.00 | F | | | | | | | |
| 73 | | | | BEACH CLEANER | | | | | | | | | | | | | | \$80,000.00 | F |
| | | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | | \$15,000.00 | | \$76,000.00 | | \$31,000.00 | | \$10,000.00 | | \$115,000.00 | | |
| | DPW | | | | | | | | | | | | | | | | | | |
| 74 | | | | REPLACE/REFURBISH HYDRAULIC TRUCK LIFT | | | | | | | | | | | \$45,000.00 | F | | | |
| 75 | | | | REPLACE CATCH BASIN CLEANER | | | | | | | | | | | | | \$110,000.00 | F | |
| 76 | | | | REPLACE ROLL OFF TRUCK | | | | | | | | | | | \$40,000.00 | F | | | |
| 77 | | | | ONE TON DUMP | | | | | \$40,000.00 | F | | | | | \$38,000.00 | F | | | |
| 78 | | | | 3/4 TON PICK UP | | | | | | | \$35,000.00 | F | | | | | | | |
| 79 | | | | SANDER | | | | | | | | | | | | | \$15,000.00 | F | |
| 80 | | | | INTERNATIONAL DUMP (LEASE PURCHASE 2) | | | | | \$42,000.00 | F | | | | | | | \$10,000.00 | F | |
| 81 | | | | ORDINARY ROAD M & R (NOT CHAP 90) | | | | | \$90,000.00 | T | \$100,000.00 | T | \$110,000.00 | T | \$120,000.00 | T | \$130,000.00 | F | |
| 82 | | | | NEW TRASH TRAILERS | | | | | | | | | \$60,000.00 | F | | | | | |
| 83 | | | | TRACTOR TRAILER HORSE (FOR YARD USE ONLY) | | | | | | | | | \$40,000.00 | F | | | | | |
| 84 | | | | SNOW PLOW REPLACEMENT FOR 1 TON TRUCK | | | | | \$4,500.00 | F | | | | | \$4,500.00 | F | | | |
| 85 | | | | REPLACE/ADD RECYCLING COMPACTOR | | | | | | | \$25,000.00 | F | | | | | | | |
| 86 | | | | ROADSIDE MOWER REPLACEMENT (5400) | | | | | \$50,000.00 | F | | | | | | | | | |
| 87 | | | | 963 TRACK CRAWLER REPLACEMENT W/TRAILER | | | | | \$175,000.00 | D | | | | | | | | | |
| 88 | | | | LOADER REPLACEMENT (444) | | | | | | | \$140,000.00 | D | \$140,000.00 | D | \$140,000.00 | D | \$140,000.00 | D | |
| 89 | | | | TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS | | | | | | | | | \$11,000.00 | F | | | | | |
| 90 | | | | NEW EQUIPMENT STORAGE BLDG AT TRANSFER STATION | | | | | | | | | \$200,000.00 | F | | | | | |
| 91 | | | | ONE (1) 40 YARD CLOSED TOP ROLL OFF CONTAINER | | | | | | | | | \$6,300.00 | F | | | | | |
| 92 | | | | STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENTS | | | | | | | | | | | | | \$50,000.00 | F | |

| ITEM | DEPARTMENT | | | ITEM | | | | FY10 | | FY11 | | FY12 | | | FY13 | | FY14 | |
|--------------------------------------|---|---------------------------------|--|---|--|--|-------|----------------|---|----------------|---|----------------|---|----------------|------|----------------|------|--|
| | SUB-TOTAL | | | | | | | \$401,500.00 | | \$300,000.00 | | \$567,300.00 | | \$387,500.00 | | \$455,000.00 | | |
| | POLICE | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| 93 | | | | UNMARKED ADMINISTRATIVE VEHICLE 4X4(3 YR LEASE) | | | | | | | | \$12,000.00 | T | \$12,000.00 | T | \$12,000.00 | T | |
| 94 | | | | CRUISER/w video | | | | \$31,000.00 | T | \$31,500.00 | T | \$33,000.00 | T | \$35,500.00 | T | \$35,500.00 | T | |
| 95 | | | | CRUISER | | | | \$33,500.00 | T | \$34,000.00 | T | \$34,500.00 | T | \$35,500.00 | T | \$35,500.00 | T | |
| 96 | | | | 4 X4 VEHICLE (REPLACE 2001) | | | | | | \$36,000.00 | F | | | | | | | |
| 97 | | | | PORTABLE RADIOS (2) | | | | | | \$6,000.00 | F | | | | | | | |
| 98 | | | | LAP TOP COMPUTER IN CAR REPLACEMENT | | | | | | \$25,000.00 | T | | | | | | | |
| 99 | | | | BULLET PROOF VEST REPLACEMENT (ALL) | | | | \$20,000.00 | F | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | \$84,500.00 | | \$132,500.00 | | \$79,500.00 | | \$83,000.00 | | \$83,000.00 | | |
| | FIRE (EQUIP) | | | | | | | | | | | | | | | | | |
| 100 | | | | REPLACE AMBULANCE (CHG BUY TWO SAME TIME) | | | | \$375,000.00 | A | | | | | | | \$375,000.00 | A | |
| 101 | | | | REPLACE 1986 ENGINE (5 YR LEASE PURCHASE) | | | | \$70,487.00 | A | | | | | | | | | |
| 102 | | | | ENGINE REPLACEMENT (1992) (5 YR LEASE PUR, \$425,000) | | | | | | | | \$75,000.00 | A | \$75,000.00 | A | \$75,000.00 | A | |
| 103 | | | | SQUAD 1 REPLACEMENT (TRUCK 160) | | | | | | | | | | \$15,000.00 | A | | | |
| 104 | | | | ADMINISTRATIVE VEHICLE REPLACEMENT | | | | | | \$13,000.00 | A | \$13,000.00 | A | \$13,000.00 | A | | | |
| 105 | | | | TANKER REPLACEMENT (98) 5 YR LEASE | | | | | | | | \$40,000.00 | A | | | | | |
| 106 | | | | REPLACE SPECIAL HAZARDS TRUCK (91) 5 YR LEASE | | | | | | \$40,000.00 | A | | | | | | | |
| 107 | | | | REPLACE COPIER | | | | | | \$8,000.00 | A | | | | | | | |
| 108 | | | | UPGRADE AIR PACKS - 4.5L | | | | \$28,000.00 | A | | | \$28,000.00 | A | | | | | |
| 109 | | | | THERMAL IMAGER | | | | | | \$25,000.00 | A | | | | | | | |
| 110 | | | | UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED) | | | | | | | | \$5,000.00 | A | | | | | |
| 111 | | | | HYDRANT STANDPIPE SYS -ON SITE WELLS/BURIED TANKS | | | | | | \$12,000.00 | A | \$12,000.00 | A | | | | | |
| 112 | | | | REPLACE GAS METER | | | | | | | | | | \$2,000.00 | A | | | |
| 113 | | | | COMPUTER SOFTWARE ENHANCEMENTS | | | | | | \$10,000.00 | A | | | | | | | |
| 114 | | | | COMPUTER HARDWARE ENHANCEMENT/ADDITIONS | | | | | | \$5,000.00 | A | | | | | | | |
| 115 | | | | FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM | | | | | | \$7,000.00 | A | \$5,000.00 | A | | | | | |
| | | | | RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT | | | | | | | | | | | | | | |
| 116 | | | | CARDIAC MONITORS (2) | | | | | | \$60,000.00 | A | | | \$30,000.00 | A | | | |
| 117 | | | | JAWS | | | | | | \$35,000.00 | A | | | | | | | |
| 118 | | | | AIR BAGS (LIFTING CARS) | | | | \$4,000.00 | A | | | | | | | | | |
| 119 | | | | SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SUITS | | | | | | | | \$5,000.00 | A | | | | | |
| 120 | | | | BOAT REPLACEMENT (rigid hull inflatable) | | | | | | \$30,000.00 | A | | | | | | | |
| 121 | | | | RADIO REPLACEMENT/UPGRADES | | | | \$6,000.00 | A | | | \$8,000.00 | A | | | | | |
| 122 | | | | FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL. | | | | | | \$7,000.00 | A | \$8,000.00 | A | | | | | |
| 123 | | | | PORTABLE GENERATOR (REPLACEMENT) | | | | | | | | | | \$2,500.00 | A | | | |
| 124 | | | | PORTABLE WATER TANK | | | | | | | | \$4,000.00 | A | | | | | |
| | | | | | | | | | | | | | | | | | | |
| | SUB-TOTAL | | | | | | | \$483,487.00 | | \$252,000.00 | | \$203,000.00 | | \$137,500.00 | | \$450,000.00 | | |
| | | | | | | | | | | | | | | | | | | |
| 125 | RESOURCE LAND MANAGEMENT PLANS | | | | | | | \$35,000.00 | F | | | | | | | | | |
| 126 | LONG RANGE PLAN IMPLEMENTATION ASSISTANCE | | | | | | | \$40,000.00 | F | | | \$50,000.00 | F | | | \$25,000.00 | F | |
| 127 | LAND ACQUISITION(OPEN SPACE. RECREATION, MAINTENANCE) | | | | | | | \$75,000.00 | F | | | | | \$75,000.00 | F | | | |
| 128 | LAND ACQUISITION HOUSING/AFFORDABLE HOUSING PURCHASES | | | | | | | | | | | | | \$75,000.00 | F | \$75,000.00 | F | |
| 129 | COASTAL EROSION PLANNING/MITIGATION | | | | | | | | | \$100,000.00 | C | | | | | | | |
| 130 | MUNICIPAL WASTE WATER/ WATER/PLANNING/IMPLEMENTATION | | | | | | | | | \$5,000,000.00 | D | | | | | | | |
| 131 | NORTH EASTHAM VILLAGE CTR IMPLEMENTATION/municipal bldgs, housing, infrastructure | | | | | | | | | | | | | | | \$3,000,000.00 | D | |
| | | | | | | | | | | | | | | | | | | |
| | TOTAL | | | | | | | \$9,844,487.00 | | \$6,433,800.00 | | \$4,443,500.00 | | \$1,143,000.00 | | \$4,862,800.00 | | |
| TOTAL CAPITAL FUNDS NEEDED BY SOURCE | | | | | | | (KEY) | | | | | | | | | | | |
| | | F = FREE CASH | | | | | | \$585,500.00 | | \$651,300.00 | | \$601,000.00 | | \$566,500.00 | | \$689,800.00 | | |
| | | C = COMMUNITY PRESERVATION FUND | | | | | | | | \$100,000.00 | | | | | | | | |
| | | HST + HUMAN SERVICES GIFT FUND | | | | | | \$26,000.00 | | \$0.00 | | \$15,000.00 | | \$26,000.00 | | | | |
| | | A = AMBULANCE RECEIPTS | | | | | | \$483,487.00 | | \$252,000.00 | | \$223,000.00 | | \$137,500.00 | | \$450,000.00 | | |
| | | EX = BOAT EXCISE | | | | | | \$5,000.00 | | \$20,000.00 | | \$25,000.00 | | \$50,000.00 | | | | |
| | | T = TAX LEVY | | | | | | \$154,500.00 | | \$190,500.00 | | \$189,500.00 | | \$203,000.00 | | \$83,000.00 | | |
| | | D = CAPITAL DEBT EXCLUSION | | | | | | \$8,575,000.00 | | \$5,220,000.00 | | \$3,390,000.00 | | \$140,000.00 | | \$3,640,000.00 | | |
| | | L=LAND ACQUISITION FUND | | | | | | \$15,000.00 | | \$0.00 | | \$0.00 | | \$20,000.00 | | | | |
| | | G = GRANT/OTHER | | | | | | \$0.00 | | \$0.00 | | \$0.00 | | \$0.00 | | | | |
| | TOTAL | | | | | | | \$9,844,487.00 | | \$6,433,800.00 | | \$4,443,500.00 | | \$1,143,000.00 | | \$4,862,800.00 | | |

ARTICLE 15

To see if the Town will vote to transfer and appropriate a sum of money to various accounts for the purpose of meeting the remaining expenses for Fiscal Year 2008; or take any action relative thereto.

By Board of Selectmen

Summary
This is an annual article which is included in the Eastham warrant to make additions to current fiscal year budgets if necessary. The final list of necessary transfers will not be ready until town meeting.
BOARD OF SELECTMEN: At Town Meeting
FINANCE COMMITTEE: At Town Meeting
(Majority vote required)

ARTICLE 16

To see if the Town will vote to fix the salary and compensation of all elected officials of the Town as provided by Section 108, Chapter 41, General Laws, as amended, and to raise and appropriate or transfer from available funds the following sums of money for salaries;

| | |
|----------------------------|--------------|
| Moderator | \$ 150.00 |
| Town Clerk | \$ 61,000.00 |
| Treasurer/Tax Collector | \$ 73,000.00 |
| Selectmen (5) \$1,500 each | \$ 7,500.00 |
| Total | \$141,650.00 |

or take any action relative thereto.

By Elected Officials

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008

TOWN WARRANT

Summary:
This article appears each year to set the salaries of the elected officials. The Town Clerk’s and Treasurer/Tax Collector’s salaries are increased to remain competitive with other towns and other staff serving the town in similar positions of responsibility. All other elected official salaries are unchanged.
BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0
(majority vote required)

ARTICLE 17

To see if the Town will vote to accept the provisions of G.L. Chapter 60, Section 2, regarding the abatement of property taxes under the amount of \$10; or take any action relative thereto.

By Board of Selectmen/Tax Collector

Summary:
This local legislation provides that town collectors need not pursue the collection of tax bills on which the outstanding balance of the tax due is less than ten dollars. The purpose of the law is to relieve collectors of the obligation to pursue the collection of small balances on property tax bills in the interest of administrative efficiency. It is not to give taxpayers relief from small bills as a matter of right. This law authorizes the abatement of property taxes only. Abatements of motor vehicle excise bills and bills for other town charges are not authorized by this law.
BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0
(majority vote required)

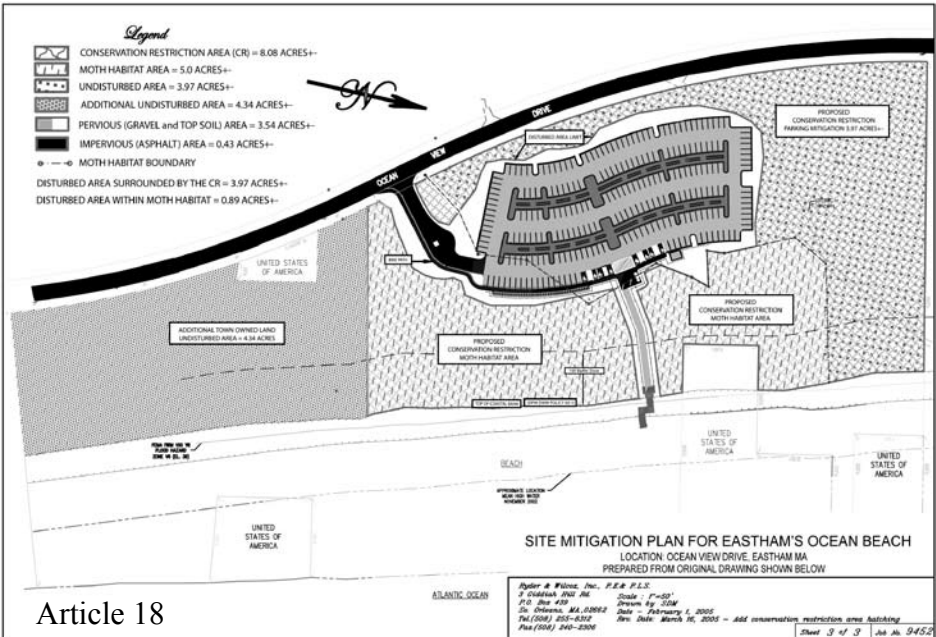
ARTICLE 18

To see if the Town will vote to change the purpose for which the below described land is held, from being held for general municipal purposes to being held for general municipal and conservation purposes, and further to authorize the Board of Selectmen to grant a perpetual conservation restriction in accordance with the provisions of G.L. Chapter 184 Section 31-34, to any eligible agency as deemed appropriate by the Conservation Commission, on a portion of land of 8.08 acres +/- being a portion of the 27 acre parcel of land owned by the Town of Eastham held for general municipal purposes, and bounded on the west side by Oceanview Drive and within the Cape Cod National Seashore generally between seashore owned Nauset Light Beach and Coast Guard Beach, and shown on the plan below; or take any action relative thereto.

By Board of Selectmen

Summary:
~~The Eastham Ocean Beach development review by the Cape Cod Commission has been completed. A permit with conditions has been issued. The Cape Cod Commission involvement was initiated by the referral of the project by the Conservation Commission as a project of regional impact, “creating a new vehicular access” and therefore requiring mandatory review by the Cape Cod Commission. As part of its permit, the Cape Cod Commission requires the town to place a conservation restriction on 8.08 +/- acres of land to mitigate impacts of this development on species habitat, and traffic. The Conservation Commission has issued an order of conditions, and DEP has issued a superceding order of conditions permitting the project. Appeals of these permits were filed and an agreement was reached whereby Town Meeting consideration of this CR will determine whether the project goes forward. There are no more regulatory approvals needed for this project.~~

Summary:
The Eastham Ocean Beach development review by the Cape Cod Commission has been completed. A permit with conditions has been issued. The Cape Cod Commission involvement was initiated by the referral of the project by the Conservation Commission determining that it was subject to mandatory development for review, as a development of regional impact “creating a new vehicular access” to a beach. As part of its permit, the Cape Cod Commission requires the town to place in a conservation restriction to mitigate impacts, on land that has been identified as threatened species habitat (4.11 acres). Additionally, to mitigate the potential traffic impact, the Commission requires a CR on and land sufficient to offset the 250 car parking lot and access road (3.97 acres). The development disturbed .89 acre of species habitat and 3.97 acres of non specialized land. The species protection is at a ratio of 4.11 acres protected to .89 acres impacted, and the parking lot is at a ratio of 1 acre protected to 1 acre impacted. Thus, the 8.08 +/- acres conservation restriction. The Conservation Commission has issued an order of conditions, and DEP has issued a superceding order of conditions permitting the project. Appeals of these permits were filed and an agreement was reached whereby Town Meeting consideration of this CR will determine whether the project goes forward. There are no more regulatory approvals needed of this project.
BOARD OF SELECTMEN: 3-2
FINANCE COMMITTEE: 5-2-1
(2/3 vote required)



Article 18

ARTICLE 19

To see if the Town will vote to transfer and appropriate, pursuant to the provisions of G.L. Chapter 44B(6) to reserve from the FY2008 estimated community preservation revenues the following amounts: **\$84,500** for open space purposes, **\$84,500** for historic preservation purposes, **\$84,500** for affordable housing purposes, **\$591,500** to the FY2009 community preservation fund budgeted reserve as recommended by the community preservation act committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:
This Article will transfer and appropriate estimated community preservation revenues that are not expended this year to the FY2008 community preservation fund budgeted reserve as required by G.L Chapter 44B (6). This statute requires a minimum reserve of the funds of 10% in each category.
BOARD OF SELECTMEN: 4-0
FINANCE COMMITTEE: 7-0
COMMUNITY PRESERVATION COMMITTEE: 5-0
(majority vote required)

ARTICLE 20

To see if the Town will vote to appropriate and transfer the sum of **(\$34,500)** from the Community Preservation Fund Community Housing Reserve Fund to the Eastham Housing Authority for the replacement of windows on Housing Authority units; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:
This article grants \$34,500 in Community Preservation Funds to the Eastham Housing Authority to replace up to 90 windows on 12 Housing Authority affordable housing units. The windows will meet current codes and reduce heating costs in these units.
BOARD OF SELECTMEN: 4-0
FINANCE COMMITTEE: 7-0
COMMUNITY PRESERVATION COMMITTEE: 7-0
(majority vote required)

ARTICLE 21

To see if the Town will vote to transfer and appropriate the sum of **\$88,100.00** from the Community Preservation Fund Historical Preservation Reserve Fund for the purpose of replacing existing windows with historically appropriate wood frame windows with thermo glass on the Eastham Town Hall; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:
This article grants \$88,100 from Community Preservation Funds to replace 15 windows in the old part of Town Hall. The windows, 13 bow top windows and 2 smaller windows, will be replaced with wooden windows with the same configuration as the original windows. The new windows will meet all codes and conform to the Secretary of Interior’s standards for properties on the National Register of Historic Buildings.
BOARD OF SELECTMEN: 4-0
FINANCE COMMITTEE: 7-0
COMMUNITY PRESERVATION COMMITTEE: 7-0
(majority vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2008 TOWN WARRANT

13

ARTICLE 22

To see if the Town will vote to appropriate and transfer a sum of **\$29,172.00** from the Community Preservation Fund Historical Preservation Reserve Fund for the restoration of the Olde Windmill, including but not limited to, replacement of the shaft, redoing the brake on the windmill, reconditioning all iron wheels used to turn the roof and treating the wood to prevent termites and beetles; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article grants \$29,172 from Community Preservation Funds, for the restoration of the Olde Windmill, including replacement of the shaft, reconditioning the wheels of the roof turning system, redoing the brake and treating the wood to prevent termites and beetles.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(majority vote required)

ARTICLE 23

To see if the Town will vote to appropriate and transfer the sum of **\$17,000** from the Community Preservation Fund Historic Preservation Reserve Fund for the preservation, restoration and rehabilitation of the Cove Burying Ground and Bridge Road Cemetery including restoration of gravestones and the conservation of plaques, with a copy of the final preservation study prepared by the Board of Cemetery Commissioners or consultant hired by them, to be submitted to the Community Preservation Act Committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article grants \$17,000 from Community Preservation Funds, to continue the work at the Cove Burying Ground and Bridge Road Cemetery. The work is intended to restore an additional 40 gravestones.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 7-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(majority vote required)

ARTICLE 24

To see if the Town will vote to transfer and appropriate the sum of **\$13,352.00** from the Community Preservation Fund Historic Preservation Fund for the purpose of the Eastham Town Clerk's preservation of volumes and artifacts in the Eastham Town Hall; or take any action relative thereto.

By Town Clerk

Summary:

This article grants \$13,352, from Community Preservation Funds, for preservation of old vital records in the Eastham Town Clerk's Office.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 6-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(majority vote required)

ARTICLE 25

To see if the Town will vote to transfer and appropriate the sum of **\$10,000.00** from the Community Preservation Fund Historic Preservation Fund for the restoration of the historic front porch of the Eastham Library; or take any action relative thereto.

By Board of Library Trustees

Summary:

This article grants \$10,000 from Community Preservation Funds, for restoration of the historic front porch of the Eastham Library. The work will meet all codes and conform to the Secretary of Interior's standards for properties on the National Register.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 6-0

COMMUNITY PRESERVATION COMMITTEE: 5-0

(majority vote required)

ARTICLE 26

To see if the Town will vote to transfer and appropriate the sum of **\$11,300.00** from the Community Preservation Historic Preservation Fund for the purpose of adding funds to those already approved in the May 2007 ATM, to complete the program of renovation and restoration including heating system improvements and roof and wood frame repairs to the 1741 Swift-Daley House Museum, and further, to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a grant agreement with the Eastham Historical Society, Inc., which agreement shall provide that the funds are used for such purposes; or take any other action relative thereto.

By Eastham Historical Society

Summary:

This article grants \$11,300 from Community Preservation Funds to be added to the earlier grant to Eastham Historical Society for restoration of the Swift-Daley House. Because the work had to be delayed by concerns of the town's auditor, costs increased during the delay. Also, the structural work on the front wall may entail additional work unable to be discerned until the initial de-construction again requiring a contingency increase in funding. All unused funds will be refunded to the Community Preservation Fund.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 5-2-1

(majority vote required)

ARTICLE 27

To see if the Town will vote to transfer and appropriate **\$20,000** from the Community Preservation Fund Balance for the purpose of administrative expenses; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article permits use of \$20,000 of the Community Preservation Committee for administrative purposes. The State Legislation permits up to 5% of all funds for that purpose. The Committee has never requested that much and has used very little each year. The remainder each year reverts to the Community Preservation Fund.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 7-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(majority vote required)

ARTICLE 28

To see if the Town will vote to appropriate and transfer the sum of **(\$300,000)** from the Community Preservation Fund Community Housing Reserve Fund to the Eastham Housing Authority so that said Authority may utilize the funds to acquire a property as a single or two family affordable rental with the funds to be released upon the approval of the Community Preservation Committee and the Board of Selectmen and further after the Eastham Housing Authority has:

- 1) negotiated a Purchase and Sale Agreement on an identified property contingent upon all funding including CPA funds, bank financing, Barnstable Home Consortium funds, state/county affordable housing trust funds, or other available resources; and
- 2) proposed for execution an Affordable Housing Deed Restriction in the form approved by the Department of Housing and Community Development to run in perpetuity; and
- 3) entered into a grant agreement with the Town through the Community Preservation Committee; and

4) agreed to return all unexpended funds to the Community Preservation Fund if an anticipated sale is not consummated, provided further that funds not committed within three (3) years shall revert to the Community Preservation Housing Reserve Fund; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article grants \$300,000 in Community Preservation Funds, to the Eastham Housing Authority to provide funds to assist in the purchase of a single or two-family affordable rental. The group will acquire additional funding from other sources and will need approval of the Community Preservation Committee and Board of Selectmen to finalize the purchase. All unexpended funds will revert to the Community Preservation Housing Reserve Fund within 3 years.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(majority vote required)

ARTICLE 29

To see if the town will vote to rescind Article 18, of the May 2, 2006 Annual Town Meeting transferring \$300,000 from the Community Preservation Housing Reserve Fund to rehabilitate the site formerly known as the Neighborhood Gas Station; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article rescinds the Town Meeting vote on May 1, 2006, to grant \$300,000 in Community Preservation Funds to convert the Neighborhood Gas Station to low income housing. Unfortunately, more problems were uncovered which make this project no longer feasible. The money will revert to the Community Preservation Housing Reserve Fund.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0-0

COMMUNITY PRESERVATION COMMITTEE: 5-0

(majority vote required)

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ARTICLE 30

To see if the Town will vote to transfer from “free cash” so called the sum of **\$48,000** to the Eastham Elementary School for the purchase of computers and other technology related hardware and software; or take any action relative thereto.

By Eastham Elementary School Committee

Summary:

The above amount was received in response to a grant prepared by the school. The money can only be made available to them at this time by voting this transfer. They propose to use the money to support technology improvements and additions at the Elementary School.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 2-5 This vote reflects the Finance Committee’s continuing struggle with the allocation of building project funds set aside for this purpose, being used to cover other costs.

(majority vote required)

ARTICLE 31

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$97,294** for Eastham’s share of capital improvements and equipment replacement expenses for the Nauset Regional High and Middle Schools, for the following purposes and in the estimated total following amounts; or take any action relative thereto.

By the Nauset Regional School Committee

Summary:

This is a continuation of the capital funding process designed to mirror the capital planning process used by most member towns. The full five year plan is adopted each year by the school committee and the single year funding request is forwarded to the town for inclusion in the warrant. The items identified for acquisition this year include our share of the technology plan, locker replacement, heating system pipe replacement, carpet replacement, science lab renovation, music equipment program, boiler control upgrade, tile installation, window replacement, and door replacement.

The total cost of all the above projects is \$498,000

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 7-0

(majority vote required)

ARTICLE 32

To see if the town will vote to accept G.L. c.44, §55C, and establish a Municipal Affordable Housing Trust to be known as the Eastham Affordable Housing Trust Fund whose purpose shall be to provide for the creation and preservation of affordable housing for the benefit of low and moderate income households, and to implement said Trust Fund, to vote to authorize the Board of Selectmen to execute a Declaration of Trust and Certificate of Trust for the Eastham Affordable Housing Trust which Declaration of Trust shall provide for a five (5) member Board of Trustees to be appointed by the Board of Selectmen for staggered terms not to exceed three (3) years, of whom at least one member shall be a Selectman; said Trustees shall have the full range of powers and duties specified in G.L. c.44, §55C, including the following:

(1) to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or by-law or any other ordinance or by-law;

(2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

(3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;

(4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

(5) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;

(6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) to apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

(10) to carry property for accounting purposes other than acquisition date values;

(11) to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

(12) to make distributions or divisions of principal in kind;

(13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

(15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) to extend the time for payment of any obligation to the trust.

or take any other action relative thereto.

By Board of Selectmen

Summary:

The Board considers the establishment of the affordable housing trust as one tool to assist in increasing the affordable inventory in the Town. This article authorize establishment of the trust which will accept funds from many sources including gifts, grants, real property or other, and hold such funds for expenditure towards the creation of affordable housing units. Said units may be for rent or ownership. Other towns have established such trust and this will provide an opportunity for Eastham to work cooperatively with other towns on this endeavor.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 4-0-3

(majority vote required)

ARTICLE 33

To see if the Town will vote to amend the Zoning By-Law Section XVII – Procedure for the Demolition of Historically or Architecturally Significant Buildings – as follows:

removing the following phrase in the first sentence of Section 3-3.5,
“until 180 days”

replace with the following phrase in the first sentence of Section 3-3.5,
“until 12 months”

so that the first sentence in Section 3-3.5 reads as follows:

Upon determination by the Commission that the “significant building” which is the subject of the Notice of Intent to Demolish is a “preferably preserved significant building,” the Commission shall so advise the applicant and the Inspector of Buildings, and no demolition permit may be issued until 12 months after the date of the Commission’s determination.

or take any action relative thereto.

By Eastham Historical Committee

Summary:

This article will extend the time required for the demolition delay permit.

BOARD OF SELECTMEN: 5-0 in favor of 12 month delay

FINANCE COMMITTEE: 0-8 We feel that the 180 day delay is sufficient.

PLANNING BOARD: 5-0 in favor of 12 month delay

(2/3 vote required)

ARTICLE 34

To see if the Town will vote to amend the Eastham Zoning By-Laws Section XIV - Site Plan Approval – Residential as follows:

by removing the letter “F” from Section 14-C and replacing it with the letter K,

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so that the section reads as follows:

C. Required Site Plan Content:

“All site plans submitted under this section shall be in accordance with SECTION XIII (F) 1, 2 A-K of this by-law. The Planning Board shall have the right upon good cause to waive all or part of any of the above site plan content requirements.”

And further to amend the Eastham Subdivision Rules and Regulations Section II: Submission and Approval of Plans by adding the word “seven” before the number “7” so that the section reads as follows,

2.3.4 Notification of Abutters All abutters and abutters to abutters within 300 feet must be notified by certified mail, return receipt requested, at least seven (7) days prior to the meeting at which such Preliminary Plan will be presented.

or take any action relative thereto.

By Planning Board

Summary:

This article will clarify miscellaneous departmental procedures and Zoning By-law protocols.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 5-0-2

PLANNING BOARD: 5-0

(2/3 vote required)

ARTICLE 35

To see if the Town will vote to amend the Eastham Zoning By-laws by adding to Section XII the following language:

“G. The Planning Board when sitting as a Special Permit granting authority under Sections XIII and XX of this by-law may impose a reasonable fee on the applicant for the employment of outside consultants. Upon the selection of an outside consultant by majority vote of the Planning Board, the applicant has 30 days to appeal the selection to the Board of Selectmen pursuant to the grounds set forth in M.G.L. Chapter 44, Section 53G”.

or take any action relative thereto.

By Planning Board

Summary:

This article adds the ability for the Planning Board to utilize outside consultants when reviewing technical or scientific information in Site Plan Approval as well as for wind energy facilities.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 8-0

PLANNING BOARD: 5-0

(2/3 vote required)

ARTICLE 36

To see if the Town will vote to amend the Zoning By-Law by adding Section XX as stated in the following, as written by the seven person Ad-Hoc Committee selected by the Selectmen:

SECTION XX - COMMERCIAL WIND ENERGY FACILITIES

A. Purpose

The purpose of this by-law is to provide by special permit for the construction and operation of wind facilities and to provide standards for the placement, design, construction, monitoring, modification and removal of wind facilities, and to provide adequate financial assurance for decommissioning. These standards also address public safety and minimize the adverse effects of wind turbines on the character of neighborhoods, property values, scenic, historic, and environmental resources of the Town, and especially minimize any adverse effects on human health and well-being.

B. General Requirements

1. Special Permit

No wind facility over 60 kilowatts of rated nameplate capacity shall be erected, constructed, installed or modified as provided in this section without first obtaining a permit from the Eastham Planning Board. The construction of a wind facility shall be permitted in any zoning district subject to the issuance of a Special Permit and provided that the use complies with all requirements set forth in sections D, E, F and G. All such wind energy facilities shall be constructed and operated in a manner that minimizes any adverse visual, safety, and environmental impacts. No special permit shall be granted unless the Eastham Planning Board finds in writing that:

- (a) the specific site is an appropriate location for such use;
- (b) the use is not expected to adversely affect the neighborhood;

(c) there is not expected to be any serious hazard to pedestrians or vehicles from the use;

(d) no nuisance is expected to be created by the use; and

(e) adequate and appropriate facilities will be provided for the proper operation of the use.

Such permits may also impose reasonable conditions, safeguards and limitations on time and use and may require the applicant to implement all reasonable measures to mitigate unforeseen adverse impacts of the wind facility, should they occur.

Wind monitoring or meteorological towers shall be permitted in all zoning districts subject to issuance of a building permit for a temporary structure and subject to reasonable regulations concerning the bulk and height of structures and determining yard-size, lot area, setbacks, open space, parking, and building coverage requirements.

2. Compliance with Laws, Ordinances and Regulations

The construction and operation of all such proposed wind facilities shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications and aviation requirements.

3. Proof of Liability Insurance

The applicant shall be required to provide evidence of liability insurance in an amount and for a duration sufficient to cover loss or damage to persons and structures occasioned by the failure of the facility.

4. Site Control

The applicant shall submit with the application for a Special Permit documentation of actual or prospective control of the project site sufficient to allow for the installation and use of the proposed facility. This shall include documentation to the satisfaction of the Eastham Planning Board that it controls by ownership, lease or easement the entirety of the Safety Zone as defined in Section D-3.

C. Application Process and Requirements

1. Application Procedures

A. General

The application for a wind facility shall be filed in accordance with the rules and regulations of the Eastham Planning Board concerning special permits.

B. Application

Each application for a special permit shall be filed by the applicant with the town clerk pursuant to section 9 of chapter 40A of the Massachusetts General Laws.

2. Required Documents

A. General

The applicant shall provide the Eastham Planning Board with 10 copies of the application. All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts. Included in the application shall be:

B. Name, address, phone number and signature of the applicant, as well as all co-applicants or property owners, if any.

C. The name, contact information and signature of any agents representing the applicant.

D. Noise Study - A noise report prepared by a qualified acoustical testing engineer shall be submitted to the Planning Board with any application for a wind turbine tower. The Planning Board shall determine the adequacy of the Noise Study and, if necessary, may require further submissions. The study shall include, but not be limited to, the following requirements:

NOTE that all standards listed in this section are subject to review and modification by the standards' governing body. Each standard is to be applied as it may be modified or superseded by that standard's governing body.

1. Establish the existing ambient noise level according to ASTM E1014-84 (Standard Guide for Measurement of Outdoor A-Weighted Sound Level) and ANSI S12.18-1994 (Procedures for Outdoor Measurement of Sound Pressure Levels) with a sound meter that meets or exceeds ANSI S1.4-1983 (Specifications for Sound Level Meters) specifications for a Type I sound meter. At a minimum, measurements must be taken in each of four quarters (or seasons) of a test year for a minimum of three days continuously during each test period; however, if the ambient level varies widely, additional measurements must be taken during each test period to establish a statistically valid L₉₀ sound level. The ambient background level is defined as the lowest 1-hour L₉₀ level measured during

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sampling or the L₉₀ projected using a wind speed study synchronous with and correlated to the sound measurements.

If the latter option is chosen, applicant is required to make measurements/predictions of wind speed over all of the conditions under which the turbines will be operating, from the cut-in wind speed (minimum wind speed at which the turbines operate) to the design wind speed. Wind speed measurements must be measured synchronously with noise measurements and be correlated so that background noise and future wind turbine noise can be compared. Measurements should be made at proposed hub height for the greatest accuracy. The Eastham Planning Board may allow measurements to be taken from a lower anemometer height, but not less than 50 meters, provided that such measurements, along with an analysis of SODAR data collected on site for the proposed height are used to show a wind shear component for estimating wind speed at hub height. If a lower anemometer is used, the estimate must also accurately reflect the differences in daytime and nighttime shear exponents due to changes in atmospheric stability as derived from data collected on site at the proposed turbine locations.

2. Determine and model all noise generating sources within the proposed project, and select and detail reasons for "worst-case" sources that are used for the analysis. If multiple specific sources of noise exist, the analysis should accumulate the noise impact at any receptor.
3. Establish a perimeter around the proposed project consisting of the closest residential zone boundary lines, town lines, or shorelines in every direction.
4. Select a set of at least five theoretical receptors positioned on or outside the perimeter in each quadrant where residential property exists, plus at other locations of potentially sensitive receptors within 2500 feet of the proposed project. Select for analysis and detail the reasons for selecting "worst case" receptor positions.
5. Determine and model sound attenuation factors at all selected receptors, including air temperature and humidity averages for each quarter (season), established or actual measured on-site wind direction models, topography, natural and man-made barriers, reflections and ground surface materials.
6. Include adjustments for all design and construction aspects of the project that would modify any of the above factors to increase sound emission.
7. Use the sound propagation model of ISO 9613 (Predictive Modeling Standard) to calculate sound emission at the theoretical receptors. The applicant shall also provide modeling for the full range of atmospheric conditions expected at the site.
8. If any receptors would not meet the requirements of Section 6.3 "Noise," provide specific mitigation measures to be proposed as part of the project which would allow the receptors to comply with Section 6.3 requirements.
9. Provide all measurements, calculations and assumptions used to arrive at the report conclusions, and cite all data specifics from existing models that are relied upon to model the proposed site and all receptors sufficient to allow an experienced acoustical engineer to duplicate the findings.
10. Provide a contour map of the expected sound level from the project, using 5dB (A) increments extending out to a distance of 2500 feet. For projects with multiple turbines, the contours should indicate the combined full load sound level.
11. Provide a chart showing in dB (A), for each receptor selected, at least the ambient sound level, the calculated project source sound level, the total projected, and the increase.

3. Siting and Design - The applicant shall provide the Eastham Planning Board with a description of the property which shall include:

A. Location Map

Copy of a portion of the most recent USGS Quadrangle Map, at a scale of 1:25,000, showing the proposed facility site, including turbine sites, and the area within at least two miles from the facility. Zoning district designation for the subject parcel should be included; however a copy of a zoning map with the parcel identified is suitable.

B. Site Plan

A site plan as delineated in section VIII F of the Bylaws. In addition the plan must include:

- (a) Location of all roads, public and private on the site parcel and adjacent parcels within 300 feet, and proposed roads or driveways, either temporary or permanent.
- (b) Existing areas of tree cover, including average height of trees, on the site parcel and adjacent parcels within 300 feet.
- (c) Location of viewpoints referenced below in 10.3.3 of this section.

C. Visualizations

The Eastham Planning Board shall select between three and six sight lines, including from the nearest building with a view of the wind facility, for pre- and post-construction view representations. Sites for the view representations shall be selected from populated areas or public ways within a 2-mile radius of the wind facility. View representations shall have the following characteristics:

- (a) View representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the wind facility (e.g. superimpositions of the wind facility onto photographs of existing views).
- (b) All view representations will include existing, or proposed, buildings or tree coverage.
- (c) Include description of the technical procedures followed in producing the visualization (distances, angles, lens, etc...).

4. Landscape Plan

A plan indicating all proposed changes to the landscape of the site, including temporary or permanent roads or driveways, grading, vegetation clearing and planting, exterior lighting, other than FAA lights, screening vegetation or structures. Lighting shall be designed to minimize glare on abutting properties and except as required by the FAA be directed downward with full cut-off fixtures to reduce light pollution.

5. Decommissioning Landscape Plan

A plan indicating all proposed changes to the landscape of the site on decommissioning the project, including all aspects of returning the land to its condition prior to project inception. Plan will include replacement of topsoil and replanting of trees. The cost of such decommissioning shall be part of the good faith estimate submitted pursuant to section H-3 of this bylaw.

6. Operation & Maintenance Plan

The applicant shall submit a plan for maintenance of access roads and storm water controls, as well as general procedures for operational maintenance of the wind facility.

7. Compliance Documents

If required under previous sections of this by-law, the applicant will provide with the application:

- (a) a description of financial surety that satisfies H-3 of this section,
- (b) proof of liability insurance that satisfies Section B-3 of this section,
- (c) certification of height approval from the FAA,
- (d) a statement that satisfies Section C-2-D, listing existing and maximum projected noise levels from the wind facility

8. Independent Consultants

Upon submission of an application for a special permit, the special permit granting authority will be authorized to hire outside consultants, pursuant to section 53G of chapter 44 of the Massachusetts General Laws.

D. General Siting Standards

1. Wind Turbine Height

Wind facilities shall be no higher than 400 feet from the existing grade of the land.

2. Setbacks

Wind turbines shall be set back a minimum distance of 3 times the blade tip height or 1,000 feet, whichever is greater, from the nearest residential property line. The Eastham Planning Board may impose a greater setback if it deems it necessary to protect the public health, safety and welfare of the community.

3. Safety Zone

An area surrounding the Wind Turbine with a radius of not less than 1.5 times its height as defined in Section III of these zoning by-laws. There shall be no residential structures allowed in the Safety Zone.

4. Water Resources Protection

Any turbines to be located in Water Resources Protections District G or Well Field Protection District H shall be sited upon a determination by the Board of Selectmen through the Town of Eastham's Water Supply Consultant and a determination from the Mass. Department of Environmental Protection Agency that the siting of such turbines shall not cause any adverse effect on the then current or future siting of water supply wells to serve the Town of Eastham.

E. Design Standards

1. Color and Finish

The Eastham Planning Board shall have discretion over the turbine color, although a neutral, non-reflective exterior color designed to blend with the surrounding environment is encouraged.

2. Lighting and Signage

A. Lighting

Wind turbines shall be lighted only if required by the Federal Aviation Administration. Lighting of other parts of the wind facility, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties.

B. Signage

Signs on the wind facility shall comply with the requirements of the Town's sign regulations, and shall be limited to:

- (a) Those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger.
- (b) Educational signs providing information about the facility and the benefits of renewable energy.

C. Advertising

Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.

D. Utility Connections

Reasonable efforts shall be made to locate utility connections from the wind facility underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

E. Appurtenant Structures

All appurtenant structures to such wind facilities shall be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other and shall be contained within the turbine tower whenever technically and economically feasible. Structures shall only be used for housing of equipment for this particular site. Whenever reasonable, structures should be shaded from view by vegetation and/or located in an underground vault and joined or clustered to avoid adverse visual impacts.

F. Support Towers

Monopole towers are the preferred type of support for the Wind Facilities.

F. Safety, Aesthetic and Environmental Standards

1. Emergency Services

The applicant shall provide a copy of the project summary and site plan to the local emergency services entity, as designated by the Eastham Planning Board. Upon request the applicant shall cooperate with local emergency services in developing an emergency response plan.

2. Unauthorized Access

Wind turbines or other structures part of a wind facility shall be designed to prevent unauthorized access.

3. Shadow/Flicker

Wind facilities shall be sited in a manner that minimizes shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses through either siting or mitigation.

If a wind turbine is proposed closer than a separation of 10 rotor diameters from turbine to the project boundary lines, a shadow flicker analysis shall be conducted estimating the shadow flicker impact in the area. No receptor should be subjected to shadow flicker more than 30 hours per calendar year or more than 30 minutes per day. For the purpose of the model flicker is defined as when 20% or more of the sun is masked by the mechanism. These maximum limits are based upon a worst case calculation of the astronomically maximum shadow, which is defined as the time between sunrise and sunset

during which theoretically, the sun will shine continuously within a cloudless sky. Any modeling of potential shadow flicker impact shall consider all of the indoor and outdoor uses of a property that would be subject to flicker. The Planning Board may approve a project that models shadow flicker impact on receptors beyond the prescribed limit only if the project developer provides a detailed plan for meeting the prescribed standard when the turbines are in operation. This can be accomplished by taking steps to cease operation of the turbine when shadow flicker is forecast at receptors which would otherwise be exposed to shadow flicker exceeding the prescribed limit.

4. Noise

The wind facility and associated equipment shall conform with the provisions of the Department of Environmental Protection's, Division of Air Quality Noise Regulations (310 CMR 7.10). A source of sound will be considered to be violating these regulations if the source:

- (a) increases the broadband sound level by more than 10 dB (A) above ambient, except that a source of sound will be considered in violation if the source increases the broadband sound level by more than 5 dB (A) above ambient at any residence or residential property line.
- (b) produces a "pure tone" condition – when an octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited residence. Ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment hours. An analysis prepared by a qualified engineer shall be presented to demonstrate compliance with these noise standards.

5. Land Clearing, Soil Erosion and Habitat Impacts

Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind facility and is otherwise prescribed by applicable laws, regulations, and ordinances.

G. Monitoring and Maintenance

1. Facility Conditions

The project owner/operator shall maintain the wind facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The project owner/operator shall be responsible for the cost of maintaining the wind facility and any access roads, unless accepted as a public way, and the cost of repairing any damage occurring as a result of operation and construction.

A. Facility Specification Sheet

All wind energy facilities shall provide a specification sheet including make, model, picture and manufacturers' specifications, including noise decibel data. Include manufacturers' material safety data sheet documentation for the type and quantity of all materials used in the operation and construction of all equipment, including but not limited to, all lubricants and coolants. This information shall be made available to inspectors to be used as reference to aid in their inspections and evaluations.

B. Structural/Integrity Inspection

The owner/operator of each wind energy facility shall submit a bi-annual inspection report to the Eastham Planning Board or its designee on the structural and operational integrity of the facility. Such report shall be prepared by a professional engineer licensed by the State of Massachusetts. If such report recommends that repairs or maintenance measures be undertaken, the owner/operator shall provide with such report a written schedule for undertaking such repairs or maintenance.

C. Noise Inspection Monitoring

All wind energy facilities shall conduct initial and periodic noise inspection by funding noise testing by a qualified independent third-party acoustical measurement consultant, which may be required as often as bi-annually, or more frequently upon request of the Eastham Planning Board in response to complaints by neighbors. Results must be submitted to the Eastham Planning Board or its designee within 90 days of request.

D. Annual Local Inspection

The Town of Eastham Building Inspector will schedule an annual inspection by the Town of Eastham Building Inspector, Electrical Inspector, Department of Public Works, Fire Department, Board of Health, or any other designees deemed necessary.

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E. Facility Conditions.

After undertaking such inspections, the Eastham Planning Board or its designee shall provide notice of any noncompliance with the terms of this Local Law or the conditions of approval of any permit issued hereunder. The owner/operator shall be given 90 days to cure such violations.

2. Modifications

All material modifications to a wind facility made after issuance of the special permit shall require approval by the special permit granting authority as provided in this section.

H. Abandonment or Decommissioning

1. Removal Requirements

Any wind facility which has reached the end of its useful life or has been abandoned shall be removed. When the wind facility is scheduled to be decommissioned, the applicant shall notify the town by certified mail of the proposed date of discontinued operations and plans for removal. The owner/operator shall physically remove the wind facility no more than 150 days after the date of discontinued operations. At the time of removal, the wind facility site shall be restored to the state it was in before the facility was constructed or any other legally authorized use. More specifically, decommissioning shall consist of:

- (a) Physical removal of all wind turbines, structures, equipment, security barriers and transmission lines from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The special permit granting authority may allow the owner to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
- (d) Upon abandonment, topsoil should be replaced and trees replanted.

2. Abandonment

Absent notice of a proposed date of decommissioning, the facility shall be considered abandoned when the facility fails to operate for more than one year without the written consent of the Eastham Planning Board. The Eastham Planning Board shall determine in its decision what proportion of the facility is inoperable for the facility to be considered abandoned. If the applicant fails to remove the wind facility in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town shall have the authority to enter the property and physically remove the facility.

3. Financial Surety

The applicant shall submit with the application a good-faith estimate of the cost of removing the facility. The estimate shall be fully inclusive and shall be prepared by a qualified engineer. The Eastham Planning Board may either accept the estimate or it may determine the cost of removal. Any special permit granted shall require a bond or other surety to cover the cost of removal in the event the town must remove the facility. The amount of surety shall be 150% of the Eastham Planning Board’s determination of the cost of removal. The surety must be filed with the Eastham Planning Board prior to the issuance of a Building Permit.

On each 5-year anniversary of the issuance of the Building Permit, the owner of the facility shall submit a new good faith estimate of the cost of removal. The Eastham Planning Board shall within 90 days of the anniversary either accept the owner’s estimate or otherwise determine the cost of removal. The Eastham Planning Board shall give notice to the owner by certified mail of its determination. The owner shall have 45 days to file any additional surety required. Failure to comply with this paragraph shall be cause to revoke the special permit.

Such surety shall not be required for municipally owned facilities.

I. Term of Special Permit

A Special Permit issued for a wind facility shall be valid for 25 years, unless extended or renewed. The time period may be extended or the permit renewed by the Eastham Planning Board upon satisfactory operation of the facility. Request for renewal must be submitted at least 180 days prior to expiration of the special permit. Submitting a renewal request shall allow for continued operation of the facility until the Eastham Planning Board acts. At the end of that period (including extensions and renewals), the wind facility shall be removed as required by this section.

The applicant or facility owner shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.

By Petition

BOARD OF SELECTMEN: 1-3 The majority is opposed to this by law change.
FINANCE COMMITTEE: 0-8
PLANNING BOARD: At Town Meeting
(2/3 vote required)

ARTICLE 37

To see if the Town will vote to amend the Eastham Zoning By-laws by adding to Section XIII at the end of paragraph B1 the following language:

“except for wind energy projects subject to Section XX – Commercial Wind Energy Facilities.”

And further to amend the Eastham Zoning By-laws by removing the last sentence of Section XII, Paragraph B and adding the following language:

“The Planning Board will be the Special Permit granting authority for Section XIII – Site Plan Approval and Section XX – Commercial Wind Energy Facilities”.

or take any action relative thereto.

By Board of Selectmen

Summary:
This article exempts Commercial Wind Energy Facilities from review under Site Plan Approval, and requires approval from the Planning Board as the Special Permit Granting Authority.
BOARD OF SELECTMEN: 4-0
FINANCE COMMITTEE: 8-0
PLANNING BOARD: 5-0
(2/3 vote required)

ARTICLE 38

To see if the Town will vote to amend the Eastham Zoning By-laws by adding the following definitions to Section III:

Utility Scale Wind Facility: A commercial wind facility, where the primary use of the facility is electrical generation to be sold to the wholesale electricity markets.

On-Site Wind Facility: A wind project, which is located at a commercial, industrial, agricultural, institutional, or public facility that will consume more than 50% of the electricity generated by the project on-site.

Height: The height of a wind turbine measured from the natural grade to the tip of the rotor blade at its highest point, or blade-tip height.

Rated Nameplate Capacity: The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a “nameplate” on the equipment.

Wind Facility: All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

Wind Monitoring or Meteorological Tower: A temporary tower equipped with devices to measure wind speeds and direction, used to determine how much wind power a site can be expected to generate.

Wind Turbine: A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle body and a rotor with two or more blades.

Receptors: Special selected points at which measurements will be taken for required analysis submissions under this by-law.

or take any action relative thereto.

By Planning Board

Summary:
This article adds definitions related to wind energy facilities to the Town of Eastham’s Zoning By-laws.
BOARD OF SELECTMEN: 4-0
FINANCE COMMITTEE: 8-0
PLANNING BOARD: 5-0
(2/3 vote required)

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ARTICLE 39

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **Five Thousand and 00/100 (\$5,000) Dollars** to finance operational costs relative to the operation of The Juice Bar for Eastham students from the Nauset Regional School District and to authorize the Board of Selectmen to enter into a contract and expend such funds for this purpose or to take any other action relative thereto. The Juice Bar, a substance free alternative for teens of the Nauset Region, is operated and managed by the Nauset Together We Can Prevention Council Inc., a non-profit organization.

By Petition

BOARD OF SELECTMEN: 0-4 Not supported due to the availability of unexpended funds from FY07.

FINANCE COMMITTEE: 6-0
(majority vote required)

ARTICLE 40

To see if the Town will vote to accept as a town way, the private way known as Chipmunk Lane, as shown on a plan entitled Plan of Land in Eastham Ma, Prepared for Margar Z. and Robert J. Erickson, James Bowman, engineer dated December 11, 1984, and recorded in Barnstable County Registry of Deeds Book 158 Page 41, copies of which are on file with the Town Clerk; or take any action relative thereto.

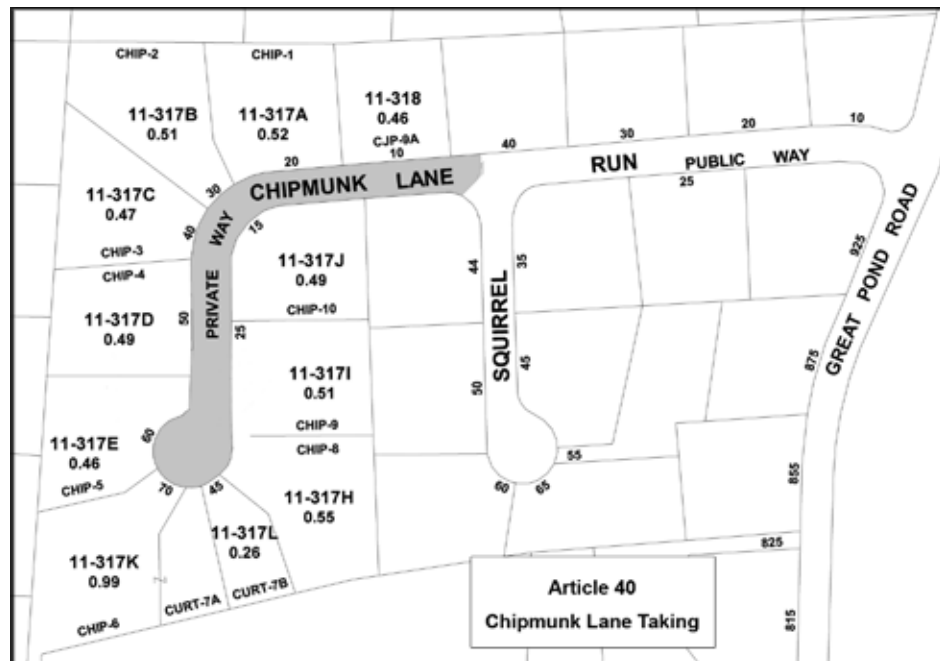
By Petition

BOARD OF SELECTMEN: 0-5

FINANCE COMMITTEE: 6-0 In favor of acceptance of road.

BOARD OF HIGHWAY SURVEYORS: 0-3 opposed to acceptance of road as it is not built to current standards.

PLANNING BOARD: 0-5 opposed to acceptance of road.
(majority vote required)



ARTICLE 41

To see if the Town will accept the published reports of the Town officers as printed and made available to the public in the 2007 Town of Eastham Annual Report, and to hear any unpublished reports of committees and to do or act on anything which may legally come before this meeting.

RESOLUTION

To see if the Town will vote to accept the following resolution:

Whereas, Congress has the sole responsibility to allocate funds; and

Whereas, Congress is the check to the Executive branch of government which is prosecuting the illegal occupation of Iraq; and

Whereas, more than \$480 billion of taxpayer money has already been spent on this war without end in sight, depriving us of necessary funds for education, housing, healthcare, support for returning veterans, reparations to the people of Iraq, and for other vital human needs,

We therefore call upon Congressional representatives to vote only for funding for a safe and rapid withdrawal of all U.S. troops from Iraq.

The Town Clerk is instructed to send a copy of this resolution to Senator Edward Kennedy, Senator John Kerry, Representative William Delahunt, Senator Harry Reid, Representative Nancy Pelosi, and President George W. Bush.

By Petition

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

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

Given under our hands and seals this 9th day of April in the year of our Lord, Two Thousand and Eight.

Linda S. Burt

Linda S. Burt
Chair

Martin J. McDonald

Martin McDonald
Vice Chairman

David Schropfer

David Schropfer
Clerk

Kenelm N. Collins

Kenelm N. Collins

Carol F. Martin

Carol F. Martin

BOARD OF SELECTMEN

Greetings:

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

Lt. Kent J. R. L.

Constable

A True Copy Attest:

Lillian Lamperti

Lillian Lamperti, Town Clerk

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PROCEDURES FOR TOWN MEETING

In accordance with Section 2-8-2 of the Eastham Town Charter the following procedures will be followed:

1. The Open Town Meeting shall be the Legislative branch of the municipal government of the Town of Eastham, as set forth in the Charter, Section 1-6.
2. Every registered voter wishing to speak at Town Meeting shall proceed to one of the available microphones. Once recognized, the voter shall give his or her name and address, speak to the question for not more than three minutes, and shall not speak again until all those wishing to speak thereon have done so. See Section 2-8-3 of the Charter for exceptions-persons making the motion and persons required to be in attendance under Section 2-8-1.
3. Eastham taxpayers who are not registered voters, may only speak at Town Meeting if permitted by a majority consent of voters. Consent will be requested when any non-resident has identified himself/herself in advance to the Moderator.
4. Registered voters will be seated first. Special seating may be available for non-registered parties; however, that seating will be made available only after the Town Clerk has determined that there are an adequate number of seats for all registered voters in attendance. Voters who sit in the Non-Voter Section will not have their votes counted.
5. Discussion on each article in the Town Warrant shall terminate when there is no one wishing to speak on said article or the discussion becomes redundant in the opinion of the Moderator, or someone is recognized and moves the question, or a motion to limit or extend debate has been approved by a 2/3 vote of Town Meeting.
6. Votes may be taken by voice (Majority to be determined by the Moderator) or by a show of hands. Articles or motions requiring a 2/3 vote will be by hand count unless unanimous. It takes seven Town Meeting members to question the results of a voice vote. If seven so question the results of a voice vote, we will move to an immediate hand count.
7. Only persons who have voted on the prevailing side may move to reconsider an article. Reconsideration of an article may occur only on the same night during which the article was considered.
8. TOWN MEETING TIME, A Handbook of Parliamentary Law, Third Edition, 2001, published by and for the Massachusetts Moderators Association, is the parliamentary handbook that will be used to guide Eastham Town Meetings.
10. The only persons allowed in the foyer at Town Meeting will be Registrars, Checkers and voters. Persons with handouts of any nature must be outside the building or in a designated area.

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

PLEASE BE COURTEOUS BY ALLOWING EACH SPEAKER TO PRESENT THEIR IDEAS WITHOUT INTERRUPTION.

NOTES