

TOWN OF EASTHAM

ANNUAL TOWN MEETING WARRANT AND FINANCE COMMITTEE REPORT AND RECOMMENDATIONS

7:00 P.M.

MAY 7, 2007

NAUSET REGIONAL HIGH SCHOOL GYMNASIUM

ANNUAL TOWN ELECTION

MAY 15, 2007

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 7, 2007

TOWN WARRANT

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TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

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THE FINANCE COMMITTEE REPORT

To the voters and citizens of the Town of Eastham:

According to the Massachusetts Finance Committee Handbook, "...the Committee is responsible for submitting recommendations on budget and other financial warrant articles to town meeting." In addition, Eastham Finance Committee's standard practice is to review and make recommendations on all articles. Your town's Finance Committee takes this responsibility very seriously and meets regularly throughout the year to fulfill this obligation.

The Eastham Finance Committee considers the fiscal implications of each article in regards to the financial health of the town. For articles that appear not to have any fiscal implication, the Committee considers the potential impact of the article on the character and future of the Town.

In Eastham, residential real estate is our primary source of funding for town operations. Under Proposition 2 ½'s limitations for annual increases in funding capacity, care must be taken in terms of additional spending requests and requirements. Eventually, simple mathematics dictates that an override will be required when new growth and local receipts do not cover the budgets requested to provide services to the Town. The Finance Committee commends those unions, departments and committees that recognize this situation and work with the town with understanding and cooperation.

For the Fiscal Year 2008 - covering the period July 1, 2007 to June 30, 2008 - there are adequate resources to continue to provide the level of services to which Eastham taxpayers are accustomed. The budget presented at this Town Meeting reflects this. In this budget, the limitations imposed by Proposition 2 ½ are reached.

Costs associated with the ongoing operations rise more quickly than revenues permitted by Proposition 2 ½, leading to the conclusion that an override will be required to continue to provide the present level of services in the next fiscal year. While FY 2008 appears to be proceeding without major disruption, we would be remiss if we did not call your attention to the need for additional funding in FY 2009. The present projection for FY 09 shows a shortfall of available funds of \$506,000, and for FY 10, the shortfall reaches \$1,100,000.

Two issues represented on this warrant deal with proposed wind turbines and with a town-wide water supply. The wind turbines are represented by zoning articles brought by the town's Energy Committee, the Planning Board and by petition from nearby homeowners. There are financial implications in the articles as Eastham would realize income from the turbines. The exact amount is not yet known, but it is envisioned that we would receive an amount equal to, or greater than, our expenditures on energy to power the various town operations.

The proposal for a town-wide water supply is easily the most expensive project ever taken on by the Town of Eastham. At present, it is estimated that the cost to establish the water system throughout the town is just under seventy-five (\$75) million. This amount plus interest, would be repaid over fifty-five (55) years. The total could be reduced if the town received grant support from the state or federal government. Studies show that water quality is already poor in parts of Eastham and has continued to decline over the past fifteen (15) years. Some solution needs to be implemented for those properties with poor water near the Town's transfer station. It would make more sense to think about a solution for all of the town now, before the problem becomes more acute.

The Eastham Elementary School has just finished significant renovation as we meet. The Town will be facing large costs for many years into the future for this project; these costs are outside the normal constraints of Proposition 2 ½, due to a debt exclusion vote. Half of our tax increase this year is due to borrowing costs for the Elementary School renovations. The enrollment for the 2006-7 school year is two-hundred and thirty one (231), an increase of eleven percent (11%) at a time when the enrollments in the other towns included in the Nauset Region are declining. Eastham will continue to pay an increasing share of the regional budget. Eastham Elementary's share of the Central Office salaries and expenses has increased nineteen point sixty-six percent (19.66%) in the FY 08 budget.

The Elementary School budget is increased more than nine percent (9%) from last year's budget as approved at Town Meeting. This year, Town Meeting is voting on an article appropriating \$115,000 to cover a shortfall in the present (FY 07) budget. If we add that amount to the present year's budget, the increase in the present budget would be greater than six percent (6%) over the previous year (FY 06) as well as greater than six percent (6%) for FY 08 over FY 07. These increases are contributing greatly toward the need for an override next year.

To reach the proposed FY 08 Elementary School budget figure of \$2,981,391, significant reductions were made in several line items. These include Professional Development (-60.45%); Textbooks, Workbooks, Software, Media (-24.97%); Other Instructional Materials (-32.41%); Instructional Equipment (-15.75%); and Instructional Supplies (-

17.42%). Most of these items have been reduced in the present year (FY 07) as well. We continue to maintain the level of teachers and administrators, but we provide fewer and fewer materials for them to work with. In the presentation of the Regional Middle School budget, Superintendent Michael Gradone reports, "we have identified that thirty percent (30%) of our students do not read or comprehend at their grade level." When the Elementary teachers have inadequate materials with which to work, it is little wonder that such a situation exists. We are faced with either expanding our school budget, and requiring an override, or reducing the number of teachers - increasing class sizes from the present thirteen to seventeen (13-17) to more traditional levels in the twenties (20's) - and administrators.

Also contributing greatly to the budget pressures at the Elementary level are the increased costs for educational assistants to serve the special needs population. Contracted Services for tutors have increased from five-hundred (\$500) to fifty seven thousand two-hundred (\$57,200) in one year. Ed Assistant Salaries is budgeted at \$221,419 for FY 08, up from \$121,319 in the FY 07 budget. To help offset these increases, the budget for Facility Maintenance has been reduced. We may have a new building today, but if it is not maintained, how long before we need another one?

The Finance Committee has expended considerable time and energy toward meeting and working with the Elementary School Committee and the school Principal, Susan Helman, to further develop a better mutual understanding of their entire budget process. In the future, it is the intent of the Finance Committee to become involved in the development of the Elementary School budget as early in the process as possible. Many questions remain concerning those areas of the budget deemed "mandated -thus unchangeable." It is our intent to look into those areas and attempt to stop all budget reductions from coming out of only student-related expenses.

The Community Preservation Act adds three percent (3%) to our property tax bills and some of that money is matched by income from the Registry of Deeds. This money can be used for affordable housing, historic preservation and open space purchases. These funds provide exciting new opportunities for Eastham. Articles 20 through 28 reflect the work of the C.P.A. Committee over the past year. The proposals brought to the committee this year did not involve the same level of financial commitment as last year. The Committee has accepted all the proposals brought to them. There are questions about the value of several of them. Should the Town spend more money on the Elementary School through this mechanism? Should the Town spend more money on a private home in this manner? The funds can always be saved for another year when more pressing needs are known.

Specific comments and recommendations are attached to each article in the warrant, after the Summary: explanation.

John Knight, Chair
Ruth Katzman, Vice Chair
Brian Eastman, Clerk
Donna Cary
Norman Newell

Susan Beyle
Judith Cannon
Lisa Radke
Russell French

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

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 seventh day of May, Two Thousand and Seven, 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 fifteenth day of May next, then and there to elect the following Town Officers;

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)
Nauset Regional School Committee (Three Year Term: Vote for One)
Housing Authority (Five Year Term: Vote for One)

and act on the following question:

Shall the town of Eastham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds to be issued in order to finance establishing a water system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and engineering and other costs incidental thereto?

POLLS OPEN AT 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: 8-0-0

(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 standard with which all Massachusetts municipalities indemnify DEP for work in the local communities.

BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0

(majority vote required)

ARTICLE 3

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 71, Section 16B, which would reallocate the sum of member 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 2009; 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 2009, rather than as determined by the State's Education Reform Formula

BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0

(majority vote required)

ARTICLE 4

To see if the Town will vote to accept the provisions of G.L. Chapter 59, Section 5, Clause 54 and establish a minimum fair cash value of \$1,500 before a personal property account is required to be taxed; or take any action relative thereto.

By Board of Selectmen

Summary:

M.G.L. Chapter 59, Section 5, Clause 54 is a local option Statute that allows local governments to exempt personal property accounts with low value from taxation. In FY07 there were 490 personal property bills with a value less than \$1,500 which resulted in tax bills averaging \$5.30. The 490 bills represented \$2,600 in revenue and cost approximately \$500 to bill and collect if no further collection efforts are required.

BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 7-0-1

BOARD OF ASSESSORS: 3-0

(majority vote required)

ARTICLE 5

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.

BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0

(2/3rds majority vote required)

ARTICLE 6

To see if the town will vote to change the purpose for which the land is being held, from being held for tax title, to being held for disposition for sale to abutter, and further to authorize the Board of Selectmen to dispose of the property located at 325 Campground Road, Assessors Map 7, Parcel 371 taken for tax purposes under a deed recorded at the Barnstable County Registry of Deeds in Book 5321, Page 20; or take any other action relative thereto.

By Board of Selectmen

Summary:

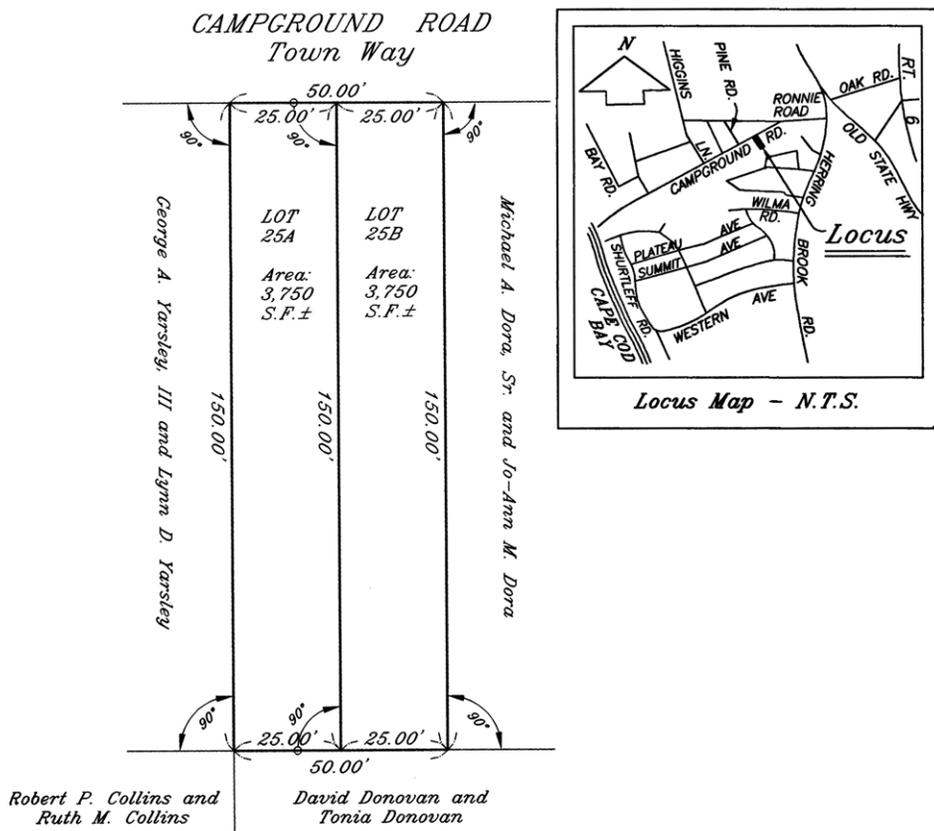
This is a Town owned parcel of land acquired as a tax delinquent parcel in 1986 for the delinquency of \$56.63. The parcel is 7,500 square feet. The lot is narrow, 50' wide and thus not likely that a septic system and well can be installed without variances. The town therefore, will not consider this property for affordable housing or any residential or commercial use. As town owned land it does not generate tax revenue. The abutters however have approached the town and expressed an interest in acquiring a one half interest each in the land. They are willing to pay the assessed value of the parcel, \$5,400, and any associated costs for transfer. The abutters' lots are 16,553 square feet and 14,810 square feet, with three bedroom houses on each lot. Even with the addition of 3,750 square feet, their parcels will be less than 21,000 square feet. No additional bedrooms can be added based on this additional land. The Town owns other parcels which were taken for tax title and the Board of Selectmen feel that the town may be better served by having these parcels back on the tax rolls as long as they are joined to the abutting land and do not allow for intensification of use, such as additional bedrooms. The Board of Selectmen will review each one to determine whether it is appropriate to sell them to abutters. The Board has limited consideration at this time to parcels which will not be used to intensify the current use of abutting properties.

BOARD OF SELECTMEN: 5-0
FINANCE COMMITTEE: 8-0

(majority vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

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ARTICLE 7

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 Selectmen/Chamber of Commerce

Summary:

Last year the Chamber of Commerce Town Meeting voted to grant the Chamber, \$12,000 to assist in the operation of the information booth. They are seeking the same subsidy in this year. The town maintains ownership of the building and provides for the portable facilities, lawn and building maintenance.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 3-2-3

(majority vote required)

ARTICLE 8

To see if the town will vote to transfer the sum of **\$10,000** from Fiscal Year 06 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:

- \$7500 Monday Concerts at the Windmill, including sound system rental, and promotional materials
- \$1600 Beautification Project, donation to EFFI (island planting), Holiday Decorations
- \$300 Tourist Map (larger scale)
- \$600 Completion of Project to replace Welcome Signs;

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: 5-0

FINANCE COMMITTEE: 7-0-1

(majority vote required)

ARTICLE 9

To see if the Town will vote to authorize the Council on Aging/Adult Day Care Center Revolving Account, through the Town Accountant's office, in accordance with Massachusetts General Laws, Chapter 44, Section 53E 1/2 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/Adult Day Care, and to establish the limit on expenditures from said account for Fiscal Year 2008 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 such as educational seminars, entertainment, fitness and health programs. These programs charge a fee to the participants. The fees will be deposited into this account and the instructor will be paid from this account.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 7-0-1

(majority vote required)

ARTICLE 10

To see if the Town will vote to authorize the Board of Selectmen to establish a Data Processing Services Revolving account through the Town Accountant's office, in accordance with Massachusetts General Laws, Chapter 44, Section 53E 1/2 to be expended under the direction of the Manager of Information Systems in order to place anticipated revenues collected from services rendered and expend funds to pay salary or other costs associated with and related to providing data processing support services to the Eastham Elementary School and to establish the limit on expenditures from said account for FY08 at \$2,500; or take any other action relative thereto.

By Board of Selectmen

Summary:

The MIS director for the town also provides services to the Elementary School as time permits. The needs of the town have grown so the additional hours which are used at the Elementary School are in addition to the regular work week of 35 hours. The employee is paid 35 hours from town funds and the additional hours used by the school will be paid from this fund. All receipts for service are placed in this fund.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 5-0

(Majority vote required)

ARTICLE 11

To see if the Town will vote to authorize the Board of Selectmen to establish a Home Composting Bin/Recycling Revolving account, through the Town Accountant's office, in accordance with Massachusetts General Laws, Chapter 44, Section 53E 1/2 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 FY08 at \$9,000; or take any other 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 composters or other items to enhance town wide recycling efforts.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 6-0

(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 **\$18,424,629**, 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 is the operating budget for all town departments, the elementary school and contains our contribution to the Nauset Regional School District and Cape Cod Tech. This year the operating budget does not require an override but uses the full tax levy to support the functions. This overall budget is up 9% with the major contributor being the first year debt payment for the elementary school renovations. The non debt portion of the budget including such costs as health insurance, unemployment, retirement assessments and salary adjustments for nearly all of the employees is up 5.3%. Usually we see significant increases in retirement, health insurance, and property and liability insurance. The retirement assessment is up \$90,000. The Barnstable County Retirement System of which we are a member, is one of the retirement systems under consideration for state management of its assessments due to poor asset performance. Which is defined as investment returns of less than 5%. When the system's investment returns are high, the retirement assessments to the towns can decrease or remain level.

Health insurance costs are up less than 2%. Prudent management by the group and a health claims reserve, support a small increase in our budget. The health insurance budget includes elementary school employees as well as municipal employees.

Property and liability insurance is expected to increase significantly when the full effect of the renovations at the elementary school is included as part of the total property value. This building was previously valued at \$4 million. With \$11.8 million in improvements, that value is expected to double. Property insurance for this town owned building is part of the municipal insurance budget.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: See Line Votes

(majority vote required.)

FY08 ARTICLE 12 - SELECTMEN'S OPERATING BUDGET				
LINE		APPROVED	SELECTMEN'S	FIN COMM
#		FY07 BUDGET	RECOMMEND BUDGET	RECOMMEND
<i>GENERAL GOVERNMENT</i>				
1	SELECTMEN/TN ADMINISTRATOR OFFICE SALARY	\$286,831.00	\$296,639.00	8-0
2	SELECTMEN/TOWN ADMINISTRATOR EXPENSE	\$16,720.00	\$19,045.00	8-0
3	RESERVE FUND	\$65,000.00	\$65,000.00	8-0
4	TOWN ACCOUNTANT OFFICE SALARY	\$100,919.00	\$110,874.00	8-0
5	TOWN ACCOUNTANT EXPENSE	\$29,650.00	\$29,650.00	8-0
6	ASSESSOR OFFICE SALARY	\$146,999.00	\$157,146.00	8-0
7	ASSESSOR EXPENSE	\$22,880.00	\$23,045.00	8-0
8	TREASURER/COLLECTOR OFFICE SALARY	\$86,395.00	\$92,156.00	8-0
9	TREASURER/COLLECTOR EXPENSE	\$10,376.00	\$10,490.00	8-0
10	CERTIFICATION OF NOTES	\$200.00	\$200.00	8-0
11	LEGAL SERVICES EXPENSE	\$65,000.00	\$65,000.00	8-0
12	TAX TITLE EXPENSE	\$5,000.00	\$5,000.00	8-0
13	TOWN CLERK/ELECTIONS OFFICE SALARY	\$66,640.00	\$71,063.00	8-0
14	TOWN CLERK /ELECTIONS EXPENSE	\$10,650.00	\$10,120.00	8-0
15	DATA PROCESSING SALARY	\$70,834.00	\$75,949.00	8-0
16	DATA PROCESSING EXPENSE	\$98,836.00	\$100,089.00	8-0
17	CENTRAL PURCHASING SUPPLY & SERVICE	\$45,950.00	\$49,817.00	8-0
18	CONSERVATION COMMISSION SALARY	\$20,117.00	\$21,561.00	8-0
19	CONSERVATION COMMISSION EXPENSE	\$1,680.00	\$1,690.00	8-0
20	NATURAL RESOURCES SALARY	\$230,248.00	\$234,506.00	8-0
21	NATURAL RESOURCES EXPENSE	\$43,983.00	\$42,291.00	8-0
22	PLANNING/ZONING SALARY	\$66,193.00	\$67,356.00	8-0
23	PLANNING /ZONING EXPENSE	\$1,946.00	\$2,181.00	8-0
24	MUNICIPAL BUILDINGS SALARY	\$111,055.00	\$118,952.00	8-0
25	MUNICIPAL BUILDINGS EXPENSE	\$70,480.00	\$81,595.00	8-0
26	BULK FUEL OIL EXPENSE	\$104,893.00	\$130,000.00	8-0
27	TOWN REPORT EXPENSE	\$10,000.00	\$10,000.00	8-0
28	ENGINEERING & SUPPORT SERVICES EXPENSE	\$4,000.00	\$4,000.00	8-0
		\$1,793,475.00	\$1,895,415.00	
<i>PUBLIC SAFETY & INSPECTIONAL SERVICES</i>				
29	POLICE SALARY	\$1,025,629.00	\$1,104,019.00	8-0
30	POLICE EXPENSE	\$157,414.00	\$164,278.00	8-0
31	FIRE SALARY	\$1,322,029.00	\$1,405,542.00	8-0
32	FIRE EXPENSE	\$181,801.00	\$180,433.00	8-0
33	DISPATCHING SALARY	\$220,006.40	\$245,609.00	8-0
34	DISPATCHING EXPENSE	\$7,420.00	\$8,320.00	8-0
35	BUILDING INSPECTION SALARY	\$85,526.00	\$91,678.00	8-0
36	BUILDING INSPECTION EXPENSE	\$6,596.00	\$7,500.00	8-0
37	GAS/PLUMBING INSPECTION EXPENSE	\$26,000.00	\$27,750.00	8-0
38	WIRE INSPECTION EXPENSE	\$35,000.00	\$36,400.00	8-0
39	EMERGENCY MANAGEMENT EXPENSE (FORMERLY CIVIL DEFENSE)	\$100.00	\$100.00	8-0
40	TREE WARDEN EXPENSE	\$1,200.00	\$800.00	8-0
41	DUTCH ELM DISEASE EXPENSE	\$10.00	\$10.00	8-0
42	INSECT/PEST/POISON IVY CONTROL	\$10.00	\$10.00	8-0
43	HARBORS & LANDINGS SALARY	\$5,900.00	\$6,240.00	8-0
44	HARBORS & LANDINGS EXPENSE	\$1,467.00	\$1,342.00	8-0
		\$3,076,108.40	\$3,280,031.00	
<i>EDUCATIONAL SERVICES</i>				
45	ELEMENTARY SCHOOL OPERATIONS	\$2,729,479.00	\$2,981,391.00	8-0
46	NAUSET REGION CAPITAL ASSESSMENT	\$136,433.00	\$82,591.00	8-0
47	NAUSET REGION OPERATING ASSESSMENT	\$3,416,408.00	\$3,471,350.00	8-0
48	CAPE COD REGIONAL TECHNICAL SCHOOL	\$334,460.00	\$298,052.00	8-0
		\$6,616,780.00	\$6,833,384.00	

FY08 ARTICLE 12 - SELECTMEN'S OPERATING BUDGET

LINE #		APPROVED FY07 BUDGET	SELECTMEN'S RECOMMEND BUDGET	FIN COMM RECOMMEND
	<i>PUBLIC WORKS & SANITATION</i>			
49	GENERAL MAINTENANCE SALARY	\$350,000.00	\$379,352.00	8-0
50	GENERAL MAINTENANCE EXPENSE	\$264,049.00	\$186,964.00	8-0
51	SNOW & SANDING SALARY	\$25,000.00	\$26,136.00	8-0
52	SNOW & SANDING EXPENSE	\$16,500.00	\$16,500.00	8-0
53	STREET LIGHTING EXPENSE	\$6,100.00	\$6,800.00	8-0
54	WASTE COLLECTION & DISPOSAL SALARY	\$140,000.00	\$130,767.00	8-0
55	WASTE COLLECTION & DISPOSAL EXPENSE	\$412,578.00	\$445,187.00	8-0
		\$1,214,227.00	\$1,191,706.00	
	<i>HEALTH & HUMAN SERVICES</i>			
56	VETERANS' GRAVE OFFICER	\$75.00	\$75.00	8-0
57	OLD CEMETERIES EXPENSE	\$600.00	\$600.00	8-0
58	TOWN NURSE SERVICES	\$7,920.00	\$9,500.00	8-0
59	PUBLIC HEALTH SALARY	\$143,295.00	\$153,587.00	8-0
60	PUBLIC HEALTH EXPENSE	\$16,100.00	\$17,307.00	8-0
61	INSPECTION OF ANIMALS EXPENSE	\$1,000.00	\$500.00	8-0
62	COUNCIL ON AGING SALARY	\$109,028.00	\$116,796.00	8-0
63	COUNCIL ON AGING EXPENSE	\$18,191.00	\$20,087.00	8-0
64	LOWER CAPE ADULT DAY PROGRAM SALARY	\$117,578.00	\$126,029.00	8-0
65	LOWER CAPE ADULT DAY PROGRAM EXPENSE	\$15,392.00	\$15,528.00	8-0
66	VETERANS' SERVICES - EXPENSE	\$13,962.00	\$14,899.00	7-0-1
67	VETERANS' SERVICES - BENEFITS	\$9,000.00	\$9,000.00	7-0-1
68	HUMAN SERVICES AGENCIES	\$51,100.00	\$50,750.00	8-0
		\$503,241.00	\$534,658.00	
	<i>CULTURE & RECREATION</i>			
69	LIBRARY SALARY	\$168,392.00	\$181,781.00	8-0
70	LIBRARY EXPENSE	\$55,050.00	\$61,500.00	8-0
71	BEACH & RECREATION SALARY	\$223,926.00	\$228,473.00	8-0
72	BEACH & RECREATION EXPENSE	\$58,712.00	\$61,134.00	8-0
		\$506,080.00	\$532,888.00	
	<i>DEBT AND BANKING SERVICES</i>			
73	FIRE STATION	\$150,000.00	\$150,000.00	8-0
74	LANDFILL CAPPING	\$64,239.00	\$64,755.00	8-0
75	ROACH PROPERTY ACQUISITION	\$80,000.00	\$80,000.00	8-0
76	TRANSFER STATION	\$125,000.00	\$125,000.00	8-0
77	EASTHAM ELEMENTARY SCHOOL RENOVATION	\$0.00	\$414,000.00	8-0
78	INTEREST EXPENSE (LONG/SHORT TERM)	\$268,527.00	\$694,573.00	8-0
79	TAX ANTICIPATION NOTES	\$10,000.00	\$10,000.00	8-0
80	SEPTIC BETTERMENT LOANS	\$10,400.00	\$20,401.00	8-0
81	PURCELL/ASCETTINO LAND PURCHASE	\$65,000.00	\$70,000.00	8-0
82	BANK FINANCING CHARGES	\$2,478.00	\$2,779.00	8-0
		\$775,644.00	\$1,631,508.00	
	<i>OTHER EXPENSES (GENERAL GOVERNMENT)</i>			
83	EMPLOYEE BENEFITS	\$16,200.00	\$19,500.00	8-0
84	BARN. COUNTY RETIREMENT ASSESSMENT	\$647,322.00	\$737,832.00	8-0
85	TOWN INSURANCE - UNEMPLOYMENT EXPENSE	\$12,000.00	\$20,700.00	8-0
86	TOWN INSURANCE - EMPLOYEE EXPENSE HEALTH	\$1,365,556.00	\$1,388,841.00	8-0
87	TOWN INSURANCE - TOWN PROTECTION (PROP & LIAB)	\$325,605.00	\$358,166.00	8-0
		\$2,366,683.00	\$2,525,039.00	
	TOTAL	\$16,852,238.40	\$18,424,629.00	

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$415,500** to purchase the following capital items, make improvements to capital facilities as listed below; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 13 in the annual town meeting warrant lists the capital acquisitions being requested this year and the funding source. This article recommends the use of just more than \$300,000 in free cash, with the remainder being funded by other sources. All of the items included in this article previously appeared on the capital improvement plan and

therefore a majority vote is needed to approve these purchases. Two items of note on the plan are the Chipper and the Generator for the DPW. These two pieces of equipment should improve service to the public and the efficiency of our employees. The chipper will allow us to be more aggressive in our trail maintenance programs as we can dispose of brush as it is trimmed from the trails and the roadsides. The generator is the final piece in our efforts to be able to maintain municipal services even when power is unavailable due to storm outages.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

(majority vote required)

FY08 CAPITAL ACQUISITION									
ITEM #	DEPARTMENT		ITEM					FY08	
	DATA PROCESSING								
1			COMPUTER HARDWARE/SPECIALIZED SOFTWARE					\$20,000.00	F
2			GIS DIGITIZATION/AERIAL PHOTOGRAPHY					\$30,000.00	F
	TOWN CLERK								
5			VOTING MACHINE (NEW DISABILITY REQ.)					\$8,000.00	F
6	ASSESSING		INSPECTION VEHICLE (THREE YR LEASE)					\$9,000.00	F
	NATURAL RESOURCES								
9			4x4 PICK UP TRUCK (THREE YR LEASE)					\$12,000.00	F
17			PORTABLE GPS					\$2,500.00	F
	MUNICIPAL BUILDINGS EQUIPMENT								
22			SNOWBLOWER REPLACEMENT					\$1,500.00	F
	MUNICIPAL BUILDINGS IMPROVEMENTS								
28			PROJECT CONTINGENCY:MAJOR REPAIRS ,PAINTING ETC.					\$25,000.00	F
29	T.H.		MECHANICAL SYSTEMS OVERHAUL					\$10,000.00	F
32			REPLACE CIRCULATOR PUMPS					\$3,500.00	F
	ANNEX/RECREATION BLDG								
36			MAJOR MAINTENANCE & REPAIRS					\$10,000.00	F
40	COA		INTERIOR UPGRADES CARPET/FURNITURE					\$12,000.00	F
44	DPW/NR		COPIER REPLACEMENT					\$6,000.00	F
46			REPLACE HOT WATER TANK & FILTER WATER					\$4,500.00	F
49	INFO/WMILL		GEN BLDG MAIN & REPAIR					\$30,000.00	F
			WINDMILL/INFO/ANCIENT CEMETERIES R&M/BANDSTAND						
58	POLICE		REPLACE 2 OF 4 AIR HANDLING UNITS					\$9,000.00	F
	FIRE								
60			REPLACE CHILLERS					\$7,700.00	A
71			BACKSTOP REPLACEMENT/FENCING					\$15,000.00	L
76			REPLACE STAIRS @ BAY ROAD (STONE)					\$15,000.00	L
	DPW								
78			3/4 TON PICK UP					\$35,000.00	F
82			WOOD CHIPPER (BRAND BANDIT 2000)					\$38,000.00	L
87			TRANSFER STATION FENCE REPLACEMENT (OLDER SECT.)					\$18,000.00	F
90			GENERATOR REPLACE DPW/ TRANS TRANSFER STATION					\$40,000.00	F
96			TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS					\$10,300.00	F
	FIRE (EQUIP)								
117			REPLACE GAS METER					\$1,500.00	A
			RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT						
124			SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SUITS					\$4,000.00	A
126			RADIO REPLACEMENT/UPGRADES					\$6,000.00	A
127			FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL.					\$7,000.00	A
130	RESOURCE LAND MANAGEMENT PLANS -							\$25,000.00	F
	TOTAL							\$415,500.00	
	TOTAL CAPITAL FUNDS NEEDED BY SOURCE								
	FUNDING SOURCE KEY								
		F = FREE CASH						\$321,300.00	
		A = AMBULANCE RECPTS						\$26,200.00	
		L=LAND ACQUISITION FUND						\$68,000.00	

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 FY09-FY13 as printed below; or take any action relative thereto.

By Board of Selectmen

Summary:

This is an annual article which notifies the Town of the capital equipment and programs which department heads have recommended for completion in the next five years. Individual items are reviewed each year, costs may be adjusted, and the item may be moved forward or back on the list depending on the need of the department. The new year on the plan is FY13. Most items shown in that year are regular replacements. Of note

however is Line 73, Road Maintenance, \$120,000. This significant infusion of money is requested to offset the steady reduction of state funding for road maintenance, Chapter 90. In order to maintain the road system condition, the town will have to increase its share of the cost. Line 19, Harbor Improvements, is scheduled for \$100,000 in FY13. This will be a major replacement of the docks and piers. While planning still needs to be done, it is unlikely that these improvements will include any increase in the number of slips.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

(majority vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

TOWN WARRANT

FIVE YEAR CAPITAL PLAN FY09 - FY13												
ITEM #	DEPARTMENT	ITEM	FY09	FY10	FY11	FY12	FY13					
DATA PROCESSING												
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$20,000	F	\$20,000	F	\$20,000	F	\$20,000	F	\$20,000	F
2		GIS DIGITIZATION/AERIAL PHOTOGRAPHY										
3		SERVER UPGRADES/REPLACEMENTS			\$20,000	F						
4		UPGRADE TELEPHONE SYSTEM - ALL BLDGS	\$15,000	F								
5		REPLACE PLOTTER/SCANNER(S)									\$10,000	F
SUB-TOTAL			\$35,000		\$20,000		\$40,000		\$20,000		\$30,000	
COA/ADULT DAYCARE												
6		VAN REPLACEMENT			\$26,000	HST					\$26,000	HST
SUB-TOTAL			\$0		\$26,000		\$0		\$0		\$26,000	
TOWN CLERK												
7		VOTING MACHINE (NEW DISABILITY REQ.)									\$10,000	F
SUB-TOTAL			\$0		\$0		\$0		\$0		\$10,000	
ASSESSING												
8		VIDEO/CAMERA REPLACEMENT									\$5,000	F
SUB TOTAL			\$0		\$0		\$0		\$0		\$5,000	0
NATURAL RESOURCES												
9		4x2 PICK UP TRUCK	\$35,000	F			\$35,000	F				
10		4X4 PICK UP TRUCK					\$39,000	F				
11		SAND DRIFT FENCE - VARIOUS LOCATIONS			\$15,000	L					\$20,000	L
12		HEMENWAY HATCHERY/GROWOUT GREENHOUSE	\$6,000	F								
13		BOAT MOTOR 130HP	\$12,000	F								
14		BOAT MOTOR 50 H P	\$8,000	F								
15		HERRING RUN GATE REPLACEMENTS					\$3,000	F				
16		PORTABLE BOAT HULL REPLACES D-25							\$15,000	F		
17		PORTABLE GPS							\$2,500	F		
18		ROCK HARBOR FLOATING DOCK REPLACEMENT							\$250,000	D		
SUB-TOTAL			\$61,000		\$15,000		\$38,000		\$306,500		\$20,000	
HARBOR IMP.												
19		UPGRADE AND GENERAL IMPROVEMENTS	\$5,000	EX							\$100,000	F
20		DREDGE ROCK HARBOR	\$8,000	EX					\$25,000	F		
SUB TOTAL			\$13,000		\$0		\$0		\$25,000		\$100,000	
MUNICIPAL BUILDINGS EQUIPMENT												
21		VACUUM/CARPET CLEANERS/ LADDERS					\$2,000	F				
22		VAN REPLACEMENT			\$25,000	F					\$28,000	F
23		COPIERS/POSTAGE METERS	\$5,000	F								
24		FLOOR MACHINE							\$1,400	F		
SUB-TOTAL			\$5,000		\$25,000		\$2,000		\$1,400		\$28,000	
MUNICIPAL BUILDINGS IMPROVEMENTS												
25		IRRIGATE THREE (3) MUNICIPAL BLDGS - (TH, POLICE, FIRE)	\$30,000	F								
26		PROJECT CONTINGENCY: MAJOR REPAIRS ,PAINTING ETC.	\$10,000	F	\$25,000	F	\$10,000	F	\$25,000	F	\$10,000	F
SUB-TOTAL			\$40,000		\$25,000		\$10,000		\$25,000		\$10,000	

ITEM #	DEPARTMENT	ITEM	FY09	FY10	FY11	FY12	FY13
27	T.H.	MECHANICAL SYSTEMS OVERHAUL					\$10,000 F
28		REFURBISH/REFURNISH TOWN HALL			\$125,000 F		
29		REPLACE VAULT A/C UNITS					\$9,000 F
30		REPLACE CIRCULATOR PUMPS					\$3,000 F
31		REPLACE HOT WATER TANK			\$3,800 F		
32		REPLACE EXISTING A/C UNITS				\$20,000 F	
		ANNEX/RECREATION BLDG					
33		MAJOR MAINTENANCE & REPAIRS					\$20,000 F
SUB-TOTAL			\$0	\$0	\$128,800	\$20,000	\$42,000
34	COA	HEAT/AIR CONDITIONING/OVERHAUL				\$15,000 HST	
35		OUTSIDE M&R SHINGLE SIDE, ROOF, CORNER BDS					\$20,000 F
36		INTERIOR UPGRADES CARPET/FURNITURE		\$20,000 F	\$8,500 F		
37		RESURFACE DRIVEWAY			\$30,000 F		
38		INSTALL AUTOMATIC DOOR SYSTEMS	\$15,000 F				
39		RENOVATION/EXPANSION OF SENIOR CENTER				\$3,000,000 D	
40		APPLIANCE REPLACEMENTS					\$6,000 F
41		GENERATOR REPLACEMENT/MAJOR OVERHAUL					\$30,000 F
SUB-TOTAL			\$15,000	\$20,000	\$38,500	\$3,015,000	\$56,000
42	DPW/	COPIER REPLACEMENT		\$5,000 F			
43	NR	AIR/HEATING SYSTEM OVERHAUL/REPLACE					\$20,000 F
44		EXTERIOR MAINTENANCE - STUCCO	\$10,000 F			\$10,000 F	
SUB-TOTAL			\$10,000	\$5,000	\$0	\$10,000	\$20,000
45	INFO/ WMILL	GEN BLDG MAIN & REPAIR WINDMILL/INFO/ANCIENT CEMETERIES R&M/BANDSTAND		\$10,000 F			\$5,000 F
46	POLICE	REPLACE OVERHAUL AIR/HEAT CIRCULATOR PUMPS					\$30,000 F
47		REPLACE DIESEL GENERATOR W/GAS	\$30,000 F				
48		REPLACE ALL CARPET UPSTAIRS		\$10,800 F			
49		REPLACE ALL CARPET DOWNSTAIRS				\$6,800 F	
50		REFURNISH/REFURBISH			\$80,000 F		
51		REPLACE HOT WATER TANK					\$3,000 F
52		REPLACE FRONT/REAR DOOR		\$4,000 F			
53		REPLACE SHINGLES, ROOF & SIDEWALL			\$27,000 F		
54		REPLACE 2 OF 4 AIR HANDLING UNITS				\$9,000 F	
55		SURVEILLANCE EQUIPMENT (HERRING RUNS ELSEWHERE)			\$2,000 F		
SUB-TOTAL			\$30,000	\$24,800	\$109,000	\$15,800	\$38,000
	FIRE						
56		BUILDING MAINTENANCE (VARIOUS ITEMS BLDG 5+ YRS OLD.)				\$20,000 A	
SUB-TOTAL			\$0	\$0	\$0	\$20,000	\$0
	LIBRARY						
57		RENOVATION/EXPANSION	\$10,000,000 D				
		HEATING SYSTEM OVERHAUL					
		OUTSIDE LIGHTING UPGRADES					
		AIR CONDITIONING UPGRADE					
		GRADING AND SURFACING					
SUB-TOTAL			\$10,000,000	\$0	\$0	\$0	\$0
	SCHOOL						
58		REPLACE PLAYGROUND EQUIP			\$25,000 F		
59		GYM FLOOR REFINISHING				\$10,000 F	
SUB-TOTAL			\$0	\$0	\$25,000	\$10,000	\$0
	BEACHES/RECREATION						
60		UPGRADE/ADA BATH HOUSES			\$40,000 F		

ITEM #	DEPARTMENT	ITEM	FY09		FY10		FY11		FY12		FY13	
61		PARKING LOT REPAIRS (VARIOUS LOCATIONS)	\$15,000	F								
62		ADA BEACH CHAIR							\$3,000	F		
63		4 X 4 TRUCK LEASE							\$25,000	F		
64		4 X 4 TRUCK LEASE					\$30,000	F				
65		BACKSTOP REPLACEMENT/FENCING	\$15,000	F							\$15,000	F
66		BEACH GATE SHACKS							\$3,000	F		
67		WALKWAYS/DUNE MAINTENANCE FENCING	\$6,000	F			\$6,000	F				
68		SALES COMPUTERS HARD/SOFTWARE	\$20,000	F								
SUB-TOTAL			\$56,000		\$0		\$76,000		\$31,000		\$15,000	
DPW												
69		ONE TON DUMP			\$40,000	F					\$38,000	F
70		3/4 TON PICK UP					\$35,000	F				
71		SANDER									\$15,000	F
72		INTERNATIONAL DUMP (LEASE PURCHASE 2)	\$42,000	F	\$42,000	F						
73		ORDINARY ROAD M & R (NOT CHAP 90)	\$80,000	T	\$90,000	T	\$100,000	T	\$110,000	T	\$120,000	T
74		NEW TRASH TRAILERS	\$55,000	F					\$60,000	F		
75		TRACTOR TRAILER HORSE (FOR YARD USE ONLY)							\$40,000	F		
76		SNOW PLOW REPLACEMENT FOR 1 TON TRUCK			\$4,500	F					\$4,500	F
77		REPLACE/ADD RECYCLING COMPACTOR					\$25,000	F				
78		TRASH COMPACTOR REPLACEMENT	\$55,000	F								
79		ROADSIDE MOWER REPLACEMENT (5400)			\$50,000	F						
80		963 TRACK CRAWLER REPLACEMENT			\$175,000	D						
81		LOADER REPLACEMENT (444)					\$140,000	D				
82		TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS							\$11,000	F		
83		ONE (1) 40 YARD CLOSED TOP ROLL OFF CONTAINER	\$6,300	F					\$6,300	F		
SUB-TOTAL			\$238,300		\$401,500		\$300,000		\$227,300		\$177,500	
POLICE												
84		UNMARKED ADMINISTRATIVE VEHICLE 4X4 (3 YR LEASE)							\$12,000	T	\$12,000	T
85		CRUISER/w video	\$30,500	T	\$31,000	T	\$31,500	T	\$33,000	T	\$35,500	T
86		CRUISER	\$33,000	T	\$33,500	T	\$34,000	T	\$34,500	T	\$35,500	T
87		4 X4 VEHICLE (REPLACE 2001)			\$36,000	F						
88		PORTABLE RADIOS (2)					\$6,000	F				
89		LAP TOP COMPUTER IN CAR REPLACEMENT					\$25,000	T				
90		BULLET PROOF VEST REPLACEMENT (ALL)			\$20,000	F						
SUB-TOTAL			\$63,500		\$120,500		\$96,500		\$79,500		\$83,000	
FIRE (EQUIP)												
91		REPLACE AMBULANCE (CHG BUY TWO SAME TIME)			\$375,000	A						
92		REPLACE 1986 ENGINE (5 YR LEASE PURCHASE)	\$70,487	A	\$70,487	A						
93		ENGINE REPLACEMENT (1992) (5 YR LEASE PUR, \$425,000)							\$75,000	A	\$75,000	A
94		SQUAD 1 REPLACEMENT (TRUCK 160)									\$15,000	A
95		TANKER REPLACEMENT (98) 5 YR LEASE							\$40,000	A		
96		REPLACE SPECIAL HAZARDS TRUCK (91) 5 YR LEASE					\$40,000	A				
97		REPLACE COPIER			\$8,000	A						
98		UPGRADE AIR PACKS - 4.5L	\$28,000	A					\$28,000	A		
99		THERMAL IMAGER			\$25,000	A						
100		UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED)	\$50,000	A					\$5,000	A		
101		HYDRANT STANDPIPE SYS -ON SITE WELLS/BURIED TNKS			\$12,000	A			\$12,000	A		
102		REPLACE GAS METER									\$2,000	A
103		COMPUTER SOFTWARE ENHANCEMENTS	\$2,000	A			\$10,000	A				
104		COMPUTER HARDWARE ENHANCEMENT/ADDITIONS	\$5,000	A			\$5,000	A				
105		FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM	\$5,000	A			\$7,000	A	\$5,000	A		
RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT												
106		CARDIAC MONITORS (2)			\$60,000	A					\$30,000	A
107		JAWS	\$35,000	A								
108		AIR BAGS (LIFTING CARS)			\$4,000	A						
109		SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SUITS							\$5,000	A		
110		BOAT REPLACEMENT (rigid hull inflatable)	\$30,000	A								
111		RADIO REPLACEMENT/UPGRADES			\$6,000	A			\$8,000	A		
112		FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL.			\$7,000	A			\$8,000	A		
113		PORTABLE GENERATOR (REPLACEMENT)									\$2,500	A

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

TOWN WARRANT

ITEM #	DEPARTMENT	ITEM	FY09	FY10	FY11	FY12	FY13
114		PORTABLE WATER TANK	\$3,000	A		\$4,000	A
SUB-TOTAL			\$228,487	\$567,487	\$62,000	\$190,000	\$124,500
115	RESOURCE LAND MANAGEMENT PLANS -				\$35,000	F	
116	LONG RANGE PLAN IMPLEMENTATION ASSISTANCE			\$40,000	F	\$50,000	F
117	LAND ACQUISITION(OPEN SPACE.RECREATION, MAINTENANCE)		\$75,000	F	\$75,000	F	\$75,000
118	LAND ACQUISITION HOUSING/AFFORDABLE HOUSING PURCHASES		\$75,000	F		\$75,000	F
119	LIMITED MUNICIPAL WATER SYSTEM		\$170,000	D	\$170,000	D	\$170,000
120	WIND TURBINE				\$1,000,000	D	
TOTAL			\$11,115,287	\$1,535,287	\$2,130,800	\$4,291,500	\$860,000
TOTAL CAPITAL FUNDS NEEDED BY SOURCE (KEY)							
	F = FREE CASH		\$560,300	\$602,300	\$568,300	\$457,000	\$486,500
	HST + HUMAN SERVICES GIFT FUND		\$0	\$26,000	\$0	\$15,000	\$26,000
	A = AMBULANCE RECPTS		\$228,487	\$567,487	\$62,000	\$210,000	\$124,500
	EX = BOAT EXCISE		\$13,000	\$0	\$0	\$0	\$0
	T = TAX LEVY		\$143,500	\$154,500	\$190,500	\$189,500	\$203,000
	D = CAPITAL DEBT EXCLUSION		\$10,170,000	\$170,000	\$1,310,000	\$3,420,000	\$0
	L=LAND ACQUISITION FUND		\$0	\$15,000	\$0	\$0	\$20,000
	G = GRANT/OTHER		\$0	\$0	\$0	\$0	\$0
TOTAL			\$11,115,287	\$1,535,287	\$2,130,800	\$4,291,500	\$860,000

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 2007; 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	\$58,500.00
Treasurer/Tax Collector	\$70,000.00
Selectmen (5) \$1,500 each	\$7,500.00

Total **\$136,150.00**

or take any action relative thereto.

By Elected Officials

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 amend implementing by law section 9.0 of the Eastham Home Rule Charter by deleting Section 9-5-1, Search Committee its entirety; or take any other action relative thereto.

By Board of Selectmen

Summary:

The Internet and website make it possible to notice the citizens easily of the availability of positions on various town boards. The high number of applicants indicates that it is working. The committee's role was to find and pre interview candidates. However,

they did not recommend a specific candidate but forwarded all names to the Board of Selectmen for interviews and further consideration. The Search Committee has not been staffed for several years. This article will eliminate the requirement of the charter, but the provision of the charter allowing the Board of Selectmen to create "ad hoc" committees will allow them to reestablish the committee at a later date if they so chose.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 1-5-0

(Majority vote required)

ARTICLE 18

To see if the Town will vote to accept the provisions of G.L. c. 32B, Section 18, requiring that all eligible retirees of the Town utilize the federal Medicare program for health insurance, by voting that the Town shall require all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, his/her spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, his/her spouse or dependents, to enroll in a Medicare health benefits supplement plan offered by the Town, provided that benefits under said plan and Medicare Part A and Part B together shall be comparable actuarial value to those under the retirees existing coverage. or take any action relative thereto.

By Board of Selectmen/Treasurer Tax Collector

Summary:

In an effort to address the spiraling costs of providing group medical insurance to employees and retirees this article, if accepted by the Town, requires all eligible retirees to enroll in Medicare Part A and Part B, and if desired enroll in a Medicare supplement plan offered by the Town. The adoption of this section of the law is being made in consideration of the continually rising costs of group medical insurance and in an effort to address long-term ramifications of these costs. Although we have made a concerted and quite successful effort to encourage retirees that are eligible for Medicare to enroll at age 65, there is no legal requirement that they do so. We do not currently have any retirees that would be impacted or required to change their coverage due to the acceptance of this section.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

(majority vote required)

ARTICLE 19

To see if the Town will vote to establish a water supply and water distribution system for the Town and to appropriate a sum of money for establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department

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equipment, and design and engineering and other costs incidental thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; to determine whether any such borrowing shall be subject to a Proposition 2 ½ debt service exemption vote; to determine whether the Board of Selectmen should be authorized to act as water commissioners and to exercise all of the powers of water commissioners pursuant to General Laws chapter 41, section 69B; and to determine whether the Town should accept the provisions of General Laws chapter 40, sections 42A through 42I and 42K to authorize the collection of water rates and to permit the assessment of betterments for the water supply and water distributing system; or to take any other action relative thereto.

By Board of Selectmen

Summary:

This article, if approved by this vote and a debt exclusion ballot at the town election, will begin in earnest, the formal permitting process for a municipal water system. The estimated debt costs do not consider anticipated grants and low cost loans. The proposed system would be townwide. Permitting is expected to take four years so the first pipe is expected to be laid in 2012. The first phase work will include all well development and permitting. The next phase would include the water tower(s) currently expected to number two. The townwide system is designed to provide 1.8 million gallons per day peak capacity with extra design capacity to reach 2.5 million gallons per day. This article also provides for the Board of Selectmen to act as the Water Commissioners and for the system, once operational, to assess charges and collect fees. (See Planning and Debt Schedule in Appendix)

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 6-2-0

WATER RESOURCES ADVISORY: 8-0

(2/3rds vote required)

ARTICLE 20

To see if the Town will vote to transfer and appropriate the sum of **Sixty Thousand (\$60,000.00) Dollars** from the Community Preservation Fund balance for recreation, for the purpose of the Eastham Elementary School Playground Project as proposed by the Eastham Elementary School Parents Group to be administered by the Town in accordance with applicable laws; or take any other action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will transfer \$60,000 from the Community Preservation Fund unrestricted fund balance for recreation to fund a new playground at the Eastham Elementary School.

BOARD OF SELECTMEN: 4-0-1

FINANCE COMMITTEE: 6-2-0

COMMUNITY PRESERVATION COMMITTEE: 6-0

(majority vote required)

ARTICLE 21

To see if the Town will vote to transfer and appropriate the sum of **Sixty-one Thousand Nine Hundred (\$61,900.00) Dollars** from the Community Preservation Fund historic reserve fund for the purpose of rehabilitation to the Seabury-Sparrow House at 2765 State Highway, Eastham, MA, owned by a private property owner, said rehabilitation to include chimney repair, window replacement, new foundation, re-securing of the beams to the foundation, and siding; provided that said funds shall be contingent upon the execution of a Preservation Restriction Agreement by the owner to assure that the exterior architectural, historic and cultural features shall be retained with said Agreement to be recorded at the Barnstable County Registry of Deeds and further that the property owner shall execute a mortgage to the Town of Eastham for the return of Community Preservation funds to the Community Preservation reserve, in the event of a change of ownership of the premises which mortgage shall be for the principal sum of CPA funds expended; provided further that all work on all sides shall be consistent with the federal Secretary of Interior and State Historic District standards for rehabilitation of historic structures, and said work shall be approved by the Olde Towne Centre Historic District Commission; provided further that the applicant shall pay for all administrative costs of said restrictions and mortgage security; or take any other action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will provide \$61,900 from Community Preservation Fund historic reserve fund for rehabilitation of the 1823 Seabury-Sparrow House on Route 6. The stability of this house is seriously threatened; its loss would have significant negative impact on the National, State and Local Historic District. Because it is in private ownership, strong deed restrictions and mortgage to the Town are included to protect the Town's interest in preservation of the house.

BOARD OF SELECTMEN: 4-1

FINANCE COMMITTEE: 0-6

COMMUNITY PRESERVATION COMMITTEE: 5-1

(majority vote required)

ARTICLE 22

To see if the Town will vote to transfer and appropriate the sum of **Twenty-one Thousand Five Hundred Eighty-four (\$21,584.00) Dollars** from the Community Preservation Fund community housing reserve fund for the purpose of the Eastham Critical Planning Committee's preparation of a village center overlay district plan which includes community housing on land which includes part or all of certain parcels of land owned by the Town and located generally, off Holmes Road, Route 6 and the Brackett Road area; or to take any other action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will transfer \$21,584 from the Community Preservation Fund community housing reserve fund for preparation of a village center overlay district plan to include Town owned property off Holmes Road, Route 6 and the Brackett Road area.

BOARD OF SELECTMEN: 4-0-1

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 4-0-1

(Majority vote required)

ARTICLE 23

To see if the Town will vote to transfer and appropriate the sum of **Nineteen Thousand (\$19,000.00) Dollars** from the Community Preservation Fund historic reserve fund for the purpose of the Gravestone Conservation Project at the Bridge Road Cemetery and the Cove Burying Ground, which shall include restoration to thirty-nine (39) gravestones; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will provide \$19,000 from the Community Preservation Fund historic reserve funds for the second phase of the Gravestone Conservation Project at Eastham's two ancient burial grounds, Bridge Road Cemetery and Cove Burying Ground. It will include restoration of thirty-nine gravestones.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(majority vote required)

ARTICLE 24

To see if the Town will vote to transfer and appropriate the sum of **Thirty-nine Thousand Eight Hundred Two (\$39,802.00) Dollars** from the Community Preservation Fund historic reserve fund for the purpose of the Eastham Town Clerk Vital Records Preservation and preservation of two (2) works of art in the possession of Town Hall; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will provide \$39,802 from the Community Preservation Fund historic reserve fund to preserve old vital records and clean/restore two works of art in the Town Clerk's office and in Town Hall.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(majority vote required)

ARTICLE 25

To see if the Town will vote to transfer and appropriate the sum of **Fifty-one Thousand Two Hundred (\$51,200.00) Dollars** from the Community Preservation Fund open space reserve fund for the purpose of the Bridge Connecting Project crossing the stream separating Bridge and Great Ponds; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will transfer \$51,200 from the Community Preservation Fund open space reserve fund for construction of a handicapped-accessible bridge across the stream that connects Bridge and Great Ponds.

BOARD OF SELECTMEN: 3-2

FINANCE COMMITTEE: 7-1-0

COMMUNITY PRESERVATION COMMITTEE: 6-0

(majority vote required.)

ARTICLE 26

To see if the Town will vote to transfer and appropriate the sum of **Twenty-eight Thousand Six Hundred (\$28,600.00) Dollars** from the Community Preservation Fund historic reserve fund for the purpose of restoration, including replacing sills, joists, heating system and siding of the 1741 Swift-Daley House Museum on Route 6, Eastham, MA, owned by the Eastham Historical Society, Inc. subject to the conveyance of an appropriate deed restriction to the Town; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

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Summary:

This Article will provide \$28,600 from the Community Preservation Fund historic reserve fund for rehabilitation at the 1741 Swift-Daley House Museum owned by the Eastham Historical Society. A deed restriction, approved by the Massachusetts Historic Preservation Office, is required.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 6-0

(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 providing administrative expenses should the need arrive or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This Article will transfer and appropriate \$20,000 from the Community Preservation Fund Balance for use by the committee for administrative expenses of the Community Preservation Committee. The State legislation permits up to 5%, but the CPC requests a smaller amount (2.5%), in order to pay for legal advertising, consulting fees, if needed, and similar expenses. If unused, the funds revert to the Community Preservation fund, as did most of the previous year's allocation.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

COMMUNITY PRESERVATION COMMITTEE: 6-0

(majority vote required)

ARTICLE 28

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: **\$80,000** for open space purposes, **\$80,000** for historic preservation purposes, **\$80,000** for affordable housing purposes, **\$560,000** to the FY2008 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 in the amounts of \$80,000 for open space purposes, \$80,000 for historic preservation purposes, \$80,000 for affordable housing purposes and the remaining \$560,000 to the FY2008 community preservation fund budgeted reserve. G.L Chapter 44B(6) requires reserve of the funds with 10% to each category.

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 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 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 following items at the High School: Technology Plan items \$130,000, Locker Replacement \$51,000, Lab Station Replacement in E building \$75,000, and Auditorium Lights \$90,000, and at the Middle School the following items, Replace Carpet w/tile \$28,000, Upgrade Telephone System \$25,000, Replace Mullions \$10,000, Paint Exterior Pipes, Stairs and Cupola \$10,000, and Relocate Central Office to Middle School \$40,000. The total cost of all the above projects is \$459,000.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0

(majority vote required)

ARTICLE 30

To see if the town will vote to amend the Eastham Home Rule Charter Article IX Implementing Bylaws Section C9-2D, "deleting the words it in its entirety the following,

D. The warrant for each Annual and Special Town Meeting shall be published in a local newspaper at least 14 days prior to any such Town Meeting.

and replacing it with the following:

D. Notice of the availability of the warrant for each Annual and Special Town Meeting shall be published as a display advertisement, in one or more local newspapers at least 14 days prior to any such Town Meeting.

And further to amend section C9-2E by adding after the word "of" in the second line the words "the notice of availability" so that the section reads as follows:

E. All said warrants shall also be posted in every post office in the town on or before the day of the notice of availability publication, in a local newspaper, and shall remain so posted until the date of the meeting; or take any action relative thereto.

By Board of Selectmen

Summary:

The intent of this section of the Charter is to ensure that the warrant is available at least fourteen days before the Town Meeting. The Town's Web site has the warrant and copies are regularly available at municipal and private locations in town at least fourteen days prior to the town meeting. The town warrant was formerly available as an insert in the newspaper. Due to production problems we no longer use that method and simply print the warrant as a legal in the newspaper. The warrant, as printed in the newspaper, does not include all the maps, graphics, summaries and explanations. To continue with the newspaper printing is very expensive. The goal of giving notice and making the warrant available well in advance of town meeting is clearly met without the cumbersome and expensive newspaper advertisement.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 5-0

(majority vote required)

ARTICLE 31

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to authorize a special fund to be known as the "Land Acquisition and Maintenance Fund" to fund the acquisition and/or maintenance of open space or recreational land under the care and custody of the Board of Selectmen, into which the town, may appropriate funds from time to time from any source, and into which gifts for said purpose may be and further expenditures from this fund shall be made by majority vote of the Board of Selectmen unless for the purchase of land which requires a 2/3 rds vote of town meeting; or take any action relative thereto.

By Board of Selectmen

Summary:

This is a revote of an article approved in 1998. The special act as finally rendered was inconsistent with the article's intent and required a 2/3rds vote for any expenditure. The original intent of this fund was to allow the town to act quickly to make improvements or undertake repairs on town owned land thus ensuring that the land is readily available in a safe and clean condition for citizen use.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 6-0

(majority vote required)

ARTICLE 32

To see if the Town will vote to amend the Eastham Zoning By-Law by adding a new Section XX entitled "Public Wind Energy Facilities" to read as follows:

PUBLIC WIND ENERGY FACILITIES

1.0 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 that address public safety, minimize impacts on scenic, natural and historic resources of the city or town and provide adequate financial assurance for decommissioning.

1.1 Applicability

This section applies to all utility-scale and on-site wind facilities proposed to be constructed after the effective date of this section. It does not apply to single stand-alone turbines under 60 kilowatts of rated nameplate capacity. Any physical modifications to existing wind facilities that materially alters the type or increases the size of such facilities or other equipment shall require a special permit.

2.0 Definitions

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 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.

Special Permit Granting Authority: The special permit granting authority shall be the Eastham Planning Board for the issuance of special permits to construct and operate wind facilities.

Substantial Evidence: Such evidence as a reasonable mind might accept as adequate to support a conclusion.

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.

3.0 General Requirements

3.1 Special Permit Granting Authority

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 special permit granting authority. 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 3, 4, 5 and 6. 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 special permit granting authority 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.

3.2 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.

3.3 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.

3.4 Site Control

At the time of application for a special permit, the applicant shall submit documentation of actual or prospective control of the project site sufficient to allow for installation and use of the proposed facility. Documentation shall also include proof of control over setback areas and access roads, if required. Control shall mean the legal authority to prevent the use or construction of any structure for human habitation within the setback areas.

4.0 General Siting Standards

4.1 Height

Wind facilities shall be no higher than 400 feet above the current grade of the land, provided that wind facilities may exceed 400 feet if:

- (a) the applicant demonstrates by substantial evidence that such height reflects industry standards for a similarly sited wind facility;

(b) such excess height is necessary to prevent financial hardship to the applicant, and

(c) the facility satisfies all other criteria for the granting of a special permit under the provisions of this section.

4.2 Setbacks

Wind turbines shall be set back a distance equal to 1.5 times the overall blade tip height of the wind turbine from the nearest existing residential or commercial structure and 100 feet from the nearest property line and private or public way.

4.2.1 Setback Waiver

The special permit granting authority may reduce the minimum setback distance as appropriate based on site-specific considerations, if the project satisfies all other criteria for the granting of a special permit under the provisions of this section.

5.0 Design Standards

5.1 Color and Finish

The special permit granting authority shall have discretion over the turbine color, although a neutral, non-reflective exterior color designed to blend with the surrounding environment is encouraged.

5.2 Lighting and Signage

5.2.1 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.

5.2.2 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.

5.2.3 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.

5.2.4 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.

5.3 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.

5.4 Support Towers

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

6.0 Safety, Aesthetic and Environmental Standards

6.1 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 special permit granting authority. Upon request the applicant shall cooperate with local emergency services in developing an emergency response plan.

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6.1.1 Unauthorized Access

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

6.2 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.

6.3 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), unless the Department and the Special Permit Granting Authority agree that those provisions shall not be applicable. 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, or
- (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. The ambient may also be established by other means with consent from DEP. An analysis prepared by a qualified engineer shall be presented to demonstrate compliance with these noise standards.

The special permit granting authority, in consultation with the Department, shall determine whether such violations shall be measured at the property line or at the nearest inhabited residence.

6.4 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.

7.0 Monitoring and Maintenance

7.1 Facility Conditions

The applicant 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 shall be responsible for the cost of maintaining the wind facility and any access road, unless accepted as a public way, and the cost of repairing any damage occurring as a result of operation and construction.

7.2 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.

8.0 Abandonment or Decommissioning

8.1 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.

8.2 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 special permit granting authority. The special permit granting authority 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.

8.3 Financial Surety

The special permit granting authority may require the applicant for utility scale wind facilities to provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the facility, of an amount and form determined to be reasonable by the special permit granting authority, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the applicant. Such surety will not be required for municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for Cost of Living Adjustment.

9.0 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 special permit granting authority 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 special permit granting authority 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.

10.0 Application Process & Requirements

10.1 Application Procedures

10.1.1 General

The application for a wind facility shall be filed in accordance with the rules and regulations of the special permit granting authority concerning special permits.

10.1.2 Application

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

10.2 Required Documents

10.2.1 General

The applicant shall provide the special permit granting authority with 15 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:

10.2.2

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

10.2.3

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

10.2.4

Documentation of the legal right to use the wind facility site, including the requirements set forth in 10.3.2(a) of this section

10.3 Siting and Design

The applicant shall provide the special permit granting authority with a description of the property which shall include:

10.3.1 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.

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10.3.2 Site Plan

A one inch equals 200 feet plan of the proposed wind facility site, with contour intervals of no more than 10 feet, showing the following:

- (a) Property lines for the site parcel and adjacent parcels within 300 feet.
- (b) Outline of all existing buildings, including purpose (e.g. residence, garage, etc.) on site parcel and all adjacent parcels within 500 feet. Include distances from the wind facility to each building shown.
- (c) 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.
- (d) Existing areas of tree cover, including average height of trees, on the site parcel and adjacent parcels within 300 feet.
- (e) Proposed location and design of wind facility, including all turbines, ground equipment, appurtenant structures, transmission infrastructure, access, fencing, exterior lighting, etc.
- (f) Location of viewpoints referenced below in 10.3.3 of this section.

10.3.3 Visualizations

The special permit granting authority 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.).

10.4 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.

10.5 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.

10.6 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 8.3 of this section,
- (b) proof of liability insurance that satisfies Section 3.3 of this section,
- (c) certification of height approval from the FAA,
- (d) a statement that satisfies Section 6.3, listing existing and maximum projected noise levels from the wind facility.

10.7 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 G.L. 44, Section 53G, as necessary. The applicant may be required to pay not more than 50% of the consultant's costs.

or take any action relative thereto,

By Board of Selectmen/Energy Committee

Summary:

This article is modeled on the State Department of Energy Resources (DOER) bylaw. It was issued in February of this year. This version clarifies that responsibility for issuing special permits is with the Planning Board. Setbacks in this article are in Section 4.2 and require 1.5 times the overall height including blade length and 100 feet from the property line.

BOARD OF SELECTMEN: At Town Meeting

FINANCE COMMITTEE: At Town Meeting

PLANNING BOARD: At Town Meeting

(2/3rds vote required)

ARTICLE 33

To see if the Town will vote to amend the Eastham Zoning By-laws by adding a new section **XXI entitled "Private Wind Energy Facilities"** to read as follows:

Private Wind Energy Facilities

SECTION I - PURPOSE

The purpose of this bylaw is encourage the use of wind energy to reduce on-site consumption of utility supplied electricity while minimizing the adverse impacts of wind energy facilities on the character of neighborhoods, property values, scenic, historic and environmental resources of the Town of Eastham. This bylaw will protect the health and safety while allowing for wind energy technologies to be utilized.

SECTION II - SPECIAL PERMIT GRANTING AUTHORITY

The Planning Board shall be the special permit granting authority for private wind facilities. Any application to utilize wind energy facilities shall comply with all applicable sections of this bylaw.

SECTION III - DEFINITIONS

WIND FACILITY - All equipment, machinery and structures utilized in connection with commercial and non commercial wind generated energy, including related transmission, distribution, collection, storage or supply systems whether underground, on the surface or overhead, and other equipment or byproducts in connection therewith and the sale of the energy produced thereby, including but not limited to, wind turbine (rotor, electrical generator and tower), anemometers (wind measuring equipment), transformers, substation, power lines, control and maintenance facilities, site access and service roads.

PRIVATE WIND ENERGY FACILITY - For the purpose of this bylaw, wind facilities that utilize all their electrical output on site which has a rating of not more than 25 kW and is intended to reduce energy consumption for a single residential or business lot.

SAFETY RADIUS – The distance from the base of the turbine tower equal to the total height of the turbine.

WIND TURBINE - Equipment used in wind-generated energy production. Wind turbines capture the kinetic energy of the wind and convert it into electricity. Primary components are the rotor, electrical generator, and tower. Wind turbines must be mounted tubular steel towers.

SECTION IV - REQUIREMENTS

1. No wind facility shall be erected, constructed or installed without Site Plan Approval and the issuance of a Special Permit from the Planning Board.
2. No private wind facilities will be located on parcels less than one (1) acre located on either residentially or commercially zoned parcels.
3. The height of any private wind turbine as measured from average grade shall be less than sixty (60) feet and have a minimum blade clearance from the ground immediately below each wind turbine of twenty (20) feet. A waiver from this provision may be granted if the Planning Board makes a finding that the additional height is necessary for adequate operation of the wind facility.
4. A minimum setback for each wind turbine shall be maintained equal to the overall engineer designed safety radius from any habitable structure or building from the proposed site on which the wind facility is located.
5. Only those signs indicating ownership with contact information, NO TRESPASSING and, danger signs or funding sources shall be allowed in conjunction with the wind facility. Said signage shall be no larger than six (6) square feet and one sided including post.
6. Noise from the wind facility shall not exceed 30 +/- 10 db(a) as measured from the nearest property line. Windstorms and power outages are the exception.
7. The owner shall remove any wind facility that has been abandoned or discontinued for twelve (12) months. The Planning Board shall require a bond or that an escrow account be created to insure funds for future removal.

SECTION V - WAIVERS

When granting a Special Permit for a private wind facility, the Planning Board may waive any of the criteria set forth in SECTION IV of this bylaw provided the Board finds the criteria for issuance of a Special Permit as set forth in SECTION XIII - SITE PLAN APPROVAL – SPECIAL PERMIT of the Eastham Zoning Bylaw is met.

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

TOWN WARRANT

SECTION VI - APPLICATION

The applications for Site Plan Approval - Special Permit should include the following:

1. A certified plot plan which indicates the location of:
 - a. Property lines for the site parcel and adjacent parcels within 300 feet.
 - b. Outline of all existing buildings, including purpose (e.g. residence, garage, etc.) on site parcel and all adjacent parcels within 500 feet. Include distances from the wind facility to each building shown.
 - c. 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.
 - d. Existing areas of tree cover, including average height of trees, on the site parcel and adjacent parcels within 300 feet.
 - e. Proposed location and design of wind facility, including all turbines, ground equipment, appurtenant structures, transmission infrastructure, access, fencing, exterior lighting, etc
2. The following must be prepared and signed by a registered professional engineer:
 - a. A description of the wind facility and the technical, economic and other reasons for the proposed location, height and design.
 - b. Confirmation that the wind facility complies with all applicable Federal and State standards.
 - c. If applicable, a written statement that the proposed wind facility complies with, or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.

or take any action relative thereto.

By Planning Board/Energy Committee

Summary:

The purpose of this bylaw is to encourage and regulate the development and use of residential and commercial wind energy facilities. This bylaw will allow private wind energy facilities while minimizing the adverse impacts on the character of the neighborhoods, property values, scenic, historic and environmental resources of the Town of Eastham.

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 6-0

PLANNING BOARD: 5-0

(2/3rds vote)

ARTICLE 34

To see if the town will vote to amend the Eastham Zoning By law by adding Section XX, as follows:

SECTION XX - PUBLIC WIND ENERGY FACILITIES

1.0 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 that address public safety, minimize impacts on scenic, natural and historic resources of the town and provide adequate financial assurance for decommissioning.

1.1 Applicability

This section applies to all utility-scale and on-site wind facilities proposed to be constructed after the effective date of this section. It does not apply to single stand-alone turbines under 60 kilowatts of rated nameplate capacity.

2.0 Definitions

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 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.

Special Permit Granting Authority: The special permit granting authority for public wind energy facilities shall be the planning board.

Substantial Evidence: Such evidence as a reasonable mind might accept as adequate to support a conclusion.

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.

3.0 General Requirements

3.1 Special Permit Granting Authority

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 special permit granting authority. 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 3, 4, 5 and 6. 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 special permit granting authority 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.

3.2 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.

3.3 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.

3.4 Site Control

At the time of application for a special permit, the applicant shall submit documentation of actual or prospective control of the project site sufficient to allow for installation and use of the proposed facility. Documentation shall also include proof of control over setback areas and access roads, if required. Control shall mean the legal authority to prevent the use or construction of any structure for human habitation within the setback areas.

4.0 General Siting Standards

4.1 Height

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

4.2 Setbacks

Wind turbines shall be set back a distance of 1,200 feet from the nearest residential structure and 700 feet from the nearest property line, private or public way or non-inhabitable structure.

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

TOWN WARRANT

5.0 Design Standards

5.1 Color and Finish

The special permit granting authority shall have discretion over the turbine color, although a neutral, non-reflective exterior color designed to blend with the surrounding environment is encouraged.

5.2 Lighting and Signage

5.2.1 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.

5.2.2 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.

5.2.3 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.

5.2.4 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.

5.3 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.

5.4 Support Towers

Monopole towers are the preferred type of support for the wind facilities.

6.0 Safety, Aesthetic and Environmental Standards

6.1 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 special permit granting authority. Upon request the applicant shall cooperate with local emergency services in developing an emergency response plan.

6.1.1 Unauthorized Access

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

6.2 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.

6.3 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 ordinance. Upon abandonment, topsoil should be replaced and trees replanted.

7.0 Monitoring and Maintenance

7.1 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.

7.2 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.

8.0 Abandonment or Decommissioning

8.1 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 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 designed below-grade foundations in order to minimize erosion and disruption to vegetation.

8.2 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 special permit granting authority. The special permit granting authority 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.

8.3 Financial Surety

The special permit granting authority may require the applicant for utility scale wind facilities to provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the facility, of an amount and form determined to be reasonable by the special permit granting authority, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the applicant. Such surety will not be required for municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for cost of living adjustment.

9.0 Term of Special Permit

A special permit issued for a wind facility shall be valid for 20 years, unless extended or renewed. The time period may be extended or the permit renewed by the special permit granting authority 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 special permit granting authority 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.

10.0 Application Process and Requirements

10.1 Application Procedures

10.1.1 General

The application for a wind facility shall be filed in accordance with the rules and regulations of the special permit granting authority concerning special permits.

10.1.2 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.

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

TOWN WARRANT

10.2 Required Documents

10.2.1 General

The applicant shall provide the special permit granting authority 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:

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

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

10.2.4 Documentation of the legal right to use the wind facility site.

10.3 Siting and Design

The applicant shall provide the special permit granting authority with a description of the property which shall include:

10.3.1 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.

10.3.2 Visualizations The special permit granting authority 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...).

10.4 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 cutoff fixtures to reduce light pollution.

10.5 Operation and Maintenance Plan

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

10.6 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 8.3 of this section,
- b) proof of liability insurance that satisfies Section 3.3 of this section,
- c) certification of height approval from the FAA.

or take any action relative thereto.

By Petition

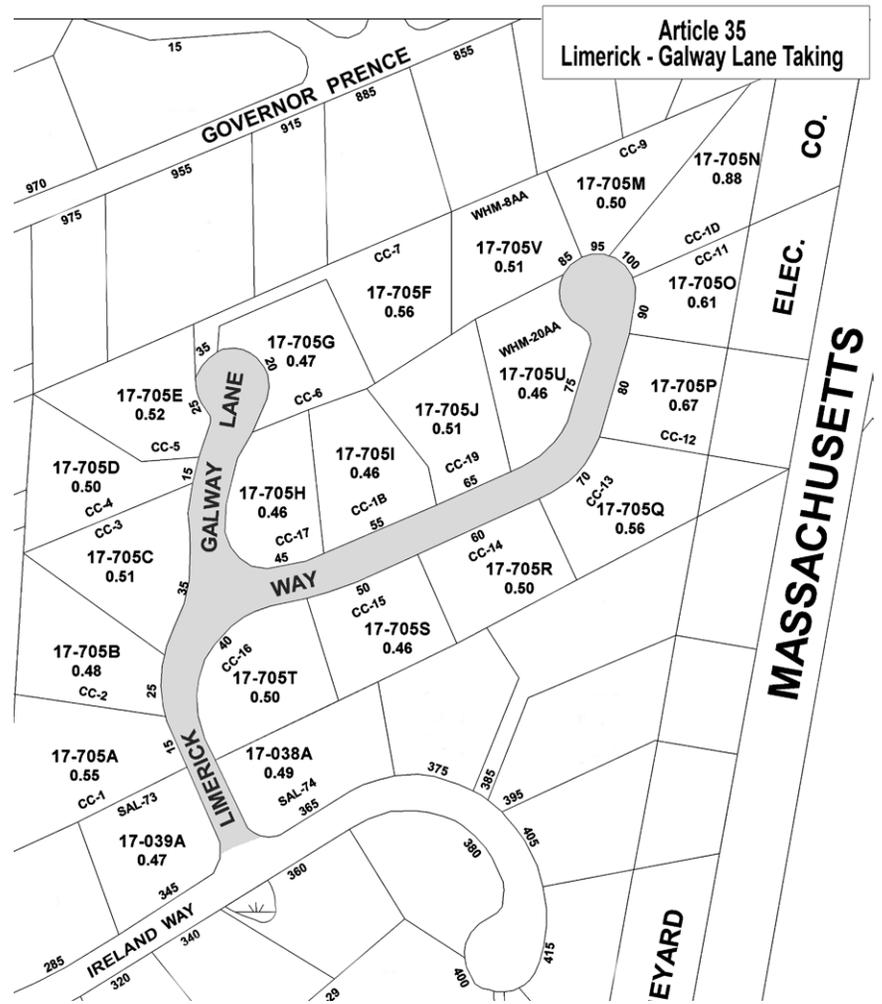
BOARD OF SELECTMEN: At Town Meeting
 FINANCE COMMITTEE: At Town Meeting.
 PLANNING BOARD: At Town Meeting
 (2/3rds vote required)

ARTICLE 35

To see if the Town will vote to accept as a town way, the private ways known as Limerick Way and Galway Lane as shown on Subdivision Plan of Land in Eastham made for Robert Caia and Paul Cass an recorded Book 439 page 99 at the Barnstable County Registry of Deeds, copies of which are on file with the Town Clerk; or take any action relative thereto.

By Petition

BOARD OF SELECTMAN: 5-0
 BOARD OF HIGHWAY SURVEYORS: 3-0
 FINANCE COMMITTEE: 7-1-0
 PLANNING BOARD: 6-0
 (majority vote required)



ARTICLE 36

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 located in Orleans, is operated and managed by the Nauset Together We Can Prevention Council Inc., a non-profit organization.

By Petition

BOARD OF SELECTMEN: 5-0

The Board believes that this funding FY09 should be included in the Human Services Advisory Committee budget and thus be subject to their rigorous review and standards.

FINANCE COMMITTEE: 5-2-1
 (majority vote required)

ARTICLE 37

To see if the Town will vote to amend the existing Town of Eastham Animal Control By-Law the follow provisions in Section II, Subsection 9:1 in the second paragraph the last sentence is deleted and is replaced with "Within fourteen (14) days after such public hearing, said Selectmen shall make such order concerning the restraint or disposal of such dangerous or vicious dog as may be deemed necessary and in the Public Interest, and may fine the owner of any barking or nuisance dog up to three hundred (\$300) per occurrence.

By Petition

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 8-0
 (majority vote required)

ARTICLE 38

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of **\$9,565** for the continued work of the Eastham Pond Stewards in gathering water quality data and acquiring analysis of that data; or take any action relative thereto.

By Petition

BOARD OF SELECTMEN: 4-0

FINANCE COMMITTEE: 5-0
 (Majority vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 7, 2007

TOWN WARRANT

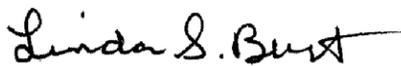
ARTICLE 39

To see if the Town will accept the published reports of the Town officers as printed and made available to the public in the 2006 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.

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 Seven.



Linda S. Burt
Chair



Kenelm N. Collins
Vice Chairman



David Schropfer



Russell Sandblom
Clerk



Martin McDonald
BOARD OF SELECTMEN

Greetings:

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



Constable

A True Copy Attest:



Lillian Lamperti, Town Clerk

PROCEDURES FOR ALL TOWN MEETINGS

In accordance with Section 2-8-2 of the Eastham Town Charter the following procedures will be followed at all future Special and Annual Town Meetings:

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 person wishing to speak at Town meeting shall proceed to one of the available microphones. Once recognized the person shall give his or her name and address, speak to the question for not more than five 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. 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.
4. Votes may be taken by voice (Majority to be determined by the Moderator), or by 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.
5. Only one who has voted on the prevailing side may move to reconsider an article and may do so at any time during Annual or Special Town Meeting. Reconsideration of an article may occur only once.
6. Amendments to an article must be made in writing and presented to the Moderator.
7. 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 on specific articles when any non resident has identified himself/herself in advance, to the Moderator.
8. TOWN MEETING TIME, A Handbook of Parliamentary Law, Third Edition, 2001, published by and for the Massachusetts Moderators Association, is the parliamentary handbook that will be used to guide Eastham Town Meetings.
9. Voters who sit in the Non-voter Section will not have their votes counted.
10. The only persons allowed in the foyer at Town Meeting will be Registrars, Checkers and voters.
11. Persons with handouts of any nature must be outside.

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.

A	B	C	D	E	F	G	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	
1	Eastham Water Supply Planning																									
2	Implementation Plan for Town-Wide System																									
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Version: March 12, 2007

Regulatory Review Period (by DEP, EOECA, Construction Activities)

PHASED DEBT ISSUES \$4.5 Million .08/\$1000 (\$35.46) 30 year borrowing

PHASED DEBT ISSUES \$16.3 Million .21/\$1000 (\$90.91) 40 year borrowing

PHASED DEBT ISSUES \$13.5 Million .36/\$1000 (\$151) 40 year borrowing

PHASED DEBT ISSUES \$13.5 Million .43/\$1000 (\$184.69) 40 year borrowing

PHASED DEBT ISSUES \$13.5 Million .46/\$1000 (\$197.24) 40 year borrowing

PHASED DEBT ISSUES \$12.1 Million .48/\$1000 (\$203.49)

* ALL DEBT COSTS EXCLUDE COST SAVINGS DUE TO POTENTIAL GRANTS AND LOW COST LOANS

NOTES

NOTES