

TOWN OF EASTHAM
ANNUAL TOWN MEETING WARRANT
AND FINANCE COMMITTEE REPORT AND RECOMMENDATIONS

7:00 P.M.

MAY 3, 2010

NAUSET REGIONAL HIGH SCHOOL AUDITORIUM

ANNUAL TOWN ELECTION

MAY 18, 2010

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 508 240-5900.

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

Please bring this warrant to Town Meeting

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010

TOWN WARRANT

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FINANCE COMMITTEE REPORT

The importance of fiscal responsibility cannot be over-emphasized in the economic times in which we find ourselves. The Finance Committee plays an important part in insuring that the Town of Eastham acts in a fiscally responsible manner by providing informed recommendations on each of the warrant articles presented to Town Meeting including various budgets. These recommendations are arrived at through information gathering, careful consideration of that information and debate.

The budget in this year's Town Warrant for FY2011 represents an excellent job by the Town Administrator in finding ways to manage our town efficiently and in providing the current level of services while keeping funding within Proposition 2 ½ requirements. Eastham has managed to avoid an override for the past several years, but it is clearly only a matter of time before we can no longer kick the "override can" ahead of us and we will be faced with a significant override. With the likelihood of this possibility, we need to proactively consider all possible means of reducing operating expenses and increasing revenue sources.

To decrease expenses, we need to consider, among other things:

- ❖ Regionalizing existing operations; e.g., dispatchers, police, assessors, schools, etc.
- ❖ Consider regionalizing new operations; e.g., water, solid waste handling, etc.
- ❖ Exploring the town's use of renewable energy including solar and wind turbines, which would both reduce expenses and increase revenues.
- ❖ Think of new ways to streamline services; i.e., using public/private partnerships and inter-town sharing to reduce costs and improve services.

To increase revenues, we need to consider, among other things:

- ❖ Expanding the rooms' tax base to include all seasonal rentals (90 days or less) which would bring significant monies into the town of Eastham.
- ❖ Fees for parking and services at, for example: Rock Harbor and Hemenway Landing and Boat Meadow
- ❖ Passing increased rooms and meals taxes in the warrant this year.
- ❖ Establishing concession stands in public areas; i.e., Wiley Park, First Encounter Beach.

The Finance Committee welcomes all thoughtful comments useful in improving our town's financial situation.

Joseph Bayne, Chairman
Randall Smith, Vice Chair
Brian Eastman, Clerk
Judith Cannon
John Dowman

Norman Newell
Susan Beyle
John Knox
William Krum

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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 Auditorium, Monday, the third day of May, Two Thousand and Ten, 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 eighteenth day of May next, then and there to elect the following Town Officers:

Selectman (Two Three-Year Terms: Vote for Two)
Eastham Elementary School Committee (Two Three-Year Terms: Vote for Two)
Eastham Elementary School Committee (Two One-Year Unexpired Terms: Vote for Two)
Eastham Housing Authority (One Four-Year unexpired Term: Vote for One)
Nauset Regional School Committee (One Three-Year Term: Vote for One)
Public Library Trustee (One Three-Year Term: Vote for One)

POLLS OPEN 7:00 A.M. AND CLOSE AT 8:00 P.M.

ARTICLE 1

To see if the Town will vote to raise and appropriate or transfer from available funds **\$1,200** for Greenhead Fly Control as authorized by G.L. C.252 § 24, , 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 RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(majority vote required)

ARTICLE 2

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

By Board of Selectmen

Summary:

All Massachusetts municipalities indemnify the DEP for work in the local communities with this standard article.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-1

(majority vote required)

ARTICLE 3

To see if the Town will vote to amend the Town of Eastham Zoning By-laws, Section XII.G, Administration, by removing the following words from the first sentence, after the word Authority, "under Sections XIII, XX and XXI of this by-law," so that it reads as follows:

G. The Planning Board when sitting as a Special Permit Granting Authority may impose a reasonable fee on the applicant for the employment of outside consultants. Upon the selection of an outside consultant by majority vote of the Planning Board, the applicant has 30 days to appeal the selection to the Board of Selectmen pursuant to the grounds set forth in M.G.L. c. 44, sec. 53G.

or take any action relative thereto.

By Planning Board

Summary:

This article will allow the Planning Board to hire outside consultants, at the expense of the applicant, to assist in evaluating complex technical details of projects seeking special permits from the Planning Board. This bylaw confirms the provision in the State statute, which allows the hiring of such experts at the expense of the applicant.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMMENDATION: 6-0

(2/3rds vote required)

ARTICLE 4

To see if the Town will vote to amend the Town of Eastham Zoning By-law Section III Definitions, by adding the following definitions in appropriate alphabetical order:

FULLY SHIELDED LIGHT FIXTURE – A light fixture closed at the top with shielding so that the lower edge of the shield is at or below the centerline of the light source or lamp to minimize the light rays emitted above the horizontal plane.

GLARE – Light emitted from a lamp with intensity great enough to produce a reduction in a typical viewer's ability to see.

LAMP – A bulb, which is a component of a light fixture. It consists of an outer glass envelope and a metal base enclosing a filament or arc tube and electrodes.

LIGHT FIXTURE – A lighting device that may be secured to a wall, ceiling, pole, or post and is used to hold one or more lamps. Lighting fixtures are designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the electrical power supply.

LIGHT TRESPASS – The shining of direct light produced by a light fixture onto an abutting lot, parcel, or street.

MUNICIPAL WIND FACILITY - Any wind facility on Town-owned property.

or take any action relative thereto.

By Planning Board

Summary:

These additional definitions relate only to commercial site plan developments as defined in Section XIII, Site Plan Approval – Special Permit and in Section XXI of the Eastham Zoning By Laws and apply only to new developments. Existing lighting on developments not subject to Section XIII may continue.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 3-4 not recommended.

PLANNING BOARD RECOMMENDATION: 4-0

(2/3rds vote required)

ARTICLE 5

To see if the Town will vote to amend the Town of Eastham Zoning By-laws Section XIII Site Plan Approval – Special Permit, by adding after section G.4, the following new section:

G.5. Control of Glare and Light Trespass.

A. To the greatest extent feasible, all light fixtures shall be equipped with whatever shielding, lenses, or cutoff devices are necessary to eliminate light trespass onto any street or abutting lot or parcel and to minimize glare to persons on any street or abutting lot or parcel.

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B. All light fixtures, regardless of their intended use or mounting configuration, shall be fully shielded and directed downward, except that architectural features such as building sections, spires, American flags, or landscaping features may be up-lit to a limited extent, provided that the applicant demonstrates that glare and light trespass are minimized to the extent reasonably possible and consistent with the purposes of this bylaw.

C. All light fixtures shall also be positioned on the site to direct light into the site, lot or parcel and away from the property boundaries of the site and away from abutting properties.

or take any action relative thereto.

By Planning Board

Summary:

This article will require shielding or design and placement of outdoor lighting for new commercial, non-residential projects so that such lighting is not directed onto abutting properties.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 3-4 not recommended

PLANNING BOARD RECOMMENDATION: 4-0

(2/3rds vote required)

ARTICLE 6

To see if the Town will vote to amend the town of Eastham Zoning By-laws Section XIII.B.1 by deleting the words in the first sentence after the word "no" the words "special permit, variance or" so that it reads as follows:

B. PROJECTS REQUIRING SITE PLAN SPECIAL PERMITS:

1. No building permit shall be issued for any of the following uses unless a Site Plan Special Permit has been granted by the Planning Board. The Planning Board shall not issue a special permit until all necessary zoning relief has been granted from the Zoning Board of Appeals.

or take any action relative thereto.

By Planning Board

Summary:

This article will change the order in which permits are sought by allowing applicants to seek Zoning Board of Appeals approval of projects, if necessary, prior to engaging in Site Plan Review with the Planning Board.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

PLANNING BOARD RECOMMENDATION: 4-0

(2/3rds vote required)

ARTICLE 7

To see if the Town will vote to reauthorize the Council On Aging/Lower Cape Adult Day Center Revolving Account, through the Town Accountant's office, in accordance with G. L. C. 44, § 53 E ½ to be expended under the direction of the Council On Aging Director in order to place anticipated revenues collected from program income which shall be used to further the operation of programs under the Council On Aging, and to establish the limit on expenditures from said account for Fiscal Year 2011 at \$15,000, or take any action relative thereto.

By Board of Selectmen

Summary:

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

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(majority vote required)

ARTICLE 8

To see if the Town will vote to reauthorize the Recreation Bottles and Cans Revolving Account, through the Town Accountant's office, in accordance with G.L. C.44, § 53E ½ to be expended under the direction of the Recreation Department in order to place anticipated revenues from the collection of bottles and cans, which shall be used to further the operation of programs under the Beach and Recreation department, and to establish the limit of expenditures from said account for Fiscal Year 2011 at \$10,000, or take any action relative thereto

By Board of Selectmen

Summary:

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

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(majority vote required)

ARTICLE 9

To see if the Town will vote to reauthorize the Home Composting/Bin Recycling Revolving Account, through the Town Accountant's office, in accordance with G.L. C 44, §53E ½ to be expended under the direction of the Board of Selectmen or their designee, in order to place anticipated revenues collected from the sale of compost bins which shall be used to purchase additional compost bins, advertise the availability of such bins, or undertake recycling related activities and to establish the limit on expenditures from said account for FY2011, at \$9,000 or take any action relative thereto.

By Board of Selectmen

Summary:

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

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(majority vote required)

ARTICLE 10

To see if the Town will vote to accept the provisions of G. L. C.71, §16B, which would reallocate the sum of members towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called for fiscal year 2012, 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 2012, rather than as determined by the State's Education Reform Formula. The regional agreement allocation has been used since 1994, inception of education reform.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

ARTICLE 11

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

Moderator	\$ 150.00
Town Clerk	\$ 61,610.00
Treasurer/Tax Collector	\$ 73,730.00
Selectmen (5) \$1,500 each	\$ 7,500.00
Total	\$142,990.00

or take any action relative thereto.

By Elected Officials

Summary:

All salaries in this article are level funded, therefore no change from FY10.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(majority vote required)

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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 **\$19,295,325**, 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:

This article is the annual operating budget for the Town, and our share of all school costs. The budget is up **1.25%**. Cost of living salary adjustments for town employees are not included as most contracts are in negotiation. The schools' COLA and step increases are included in the school budget lines, but they have cut many areas to reach this budget. The school officials hope to reestablish spending in some of the areas they cut and at the time of this printing, the teacher unions have agreed to reopen the contract that currently includes a 3.5% increase.

As FY09 closed out, the State certified our free cash at \$1,237,803. The town, with conservative estimates of fee revenue, and by reducing our expectations of revenue from state sources, managed to close the fiscal year in good condition. Bond rating agencies consider availability of cash reserves as one measure of fiscal health, along with cash management practices and internal controls. We are fiscally sound and favorably ranked by bond rating agencies.

In addition to the operations identified in this article, each year we expect to spend approximately \$500,000 from free cash to support the capital acquisition program in Article 13. Also, we use other cash reserves, such as ambulance receipts, land bank, and boat excise, to fund various articles and related budget items. An effort is made to limit the amount of free cash used to fund operating budget expenditures. The school and municipal operating budgets are recurring expenses and should be funded with a recurring resource, such as tax receipts. However, those receipts are not enough. We need to use some cash or increase the tax levy by having an override. Last year we used \$188,966 in free cash to support the operating budget. To fund municipal and school operations as listed in this article, we need to use \$40,435 from our free cash reserves. We will fund Article 16, which is a set aside for union and non-union salary adjustments, using free cash as well. This use of free cash to supplement Article 12 spending and fund articles and the capital needs of the community will require the use of \$514,320 from our free cash use reserves. That will leave a balance, as of July 1, 2010, of \$723,483. If an additional amount is used to fund union and non-union contract settlements, it is expected that we will open the year with over \$600,000 in cash and therefore should recertify at just under \$1 million dollars, maintaining a sound fiscal position.

The budget planning process begins in October and information gathered is used first to update revenue and spending actual from the previous year and

then to refine projections. Five-year projections of spending and revenue are then prepared to guide the budget preparation and planning. The projection of annual expenses, using a budget growth rate of 3.5%, indicates that a \$500,000 to \$600,000 override may be needed in FY12. The budget over the past three years has not increased more than 2.5%, so the absolute dollars needed in an override could be less. Nevertheless, it is unlikely that we will be able to continue to avoid an override.

This year, the schools made significant cuts to the salary and expense portions of their operations. They had layoffs last year and this year supplies are being cut as well. In the past five years, municipal staff reductions have occurred through resignations and retirements. The Assistant Town Administrator and a full time police officer resigned more than two years ago and we have left those positions vacant. Additionally, a part-time clerical assistant in the Planning Department and the Department Manager in the Natural Resources Department resigned this past year and again both positions remain vacant. Municipal supply budgets have been trimmed and capital purchases delayed or purchased on a lease to stretch cash reserves. Even so, municipal and school operational costs continue to increase. Expenditures for gasoline, heat and electricity increase, despite energy conservations efforts. The costs for these operational basics increase at a faster rate than the tax levy and are unsustainable without additional revenue. We are looking into sharing services with other towns to achieve economies of scale and cost savings as well as to sustain current service levels. While we continue to explore revenue enhancement, we do so in the context that we are a tourist based economy. Much of our revenue is subject to the economy and the weather. Therefore, prior year deficits are not easily made up. We will need an override or a dramatic change in the way the state assists municipalities to increase funding. So far, the state has offered primarily local option taxes as a way that municipalities can increase revenue.

This year is a watershed year in that our ability to continue to manage costs and avoid an override is exhausted. The municipal staff and expenses have been cut over the past three years in an effort to control costs. Several other towns on the Cape sought overrides in the last five years and feel they must continue to do so. We have not had to do that yet, but we have cut staff and will soon need to consider service cuts. The budget is very lean. Most departments expend all funds appropriated and any unanticipated circumstance creates a deficit in the department. We need to build the tax base and the only way to do that is to consider an override in FY12. As we finalize revenue numbers and the state budget is finalized in late June, we can look at the projections and reassess our needs.

The budget in this article is balanced. It uses a small amount of cash, less than \$50,000 to achieve this. Using this cash will avoid an override this year, and provides all of the current services.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

FY11 ARTICLE 12 - SELECTMEN'S OPERATING BUDGET

LINE		APPROVED	SELECTMEN'S	FIN COMM
#		FY10 BUDGET	FY11 BUDGET	RECOM
GENERAL GOVERNMENT				
1	SELECTMEN/TN ADMINISTRATOR OFFICE SALARY	\$256,054.00	\$258,178.00	9-0
2	SELECTMEN/TOWN ADMINISTRATOR EXPENSE	\$15,275.00	\$15,275.00	9-0
3	RESERVE FUND	\$65,000.00	\$65,000.00	9-0
4	TOWN ACCOUNTANT OFFICE SALARY	\$109,004.00	\$111,454.00	9-0
5	TOWN ACCOUNTANT EXPENSE	\$29,650.00	\$29,310.00	9-0
6	ASSESSOR OFFICE SALARY	\$174,114.00	\$178,383.00	9-0
7	ASSESSOR EXPENSE	\$27,653.00	\$25,865.00	9-0
8	TREASURER/COLLECTOR OFFICE SALARY	\$102,178.00	\$104,323.00	9-0
9	TREASURER/COLLECTOR EXPENSE	\$9,467.00	\$7,972.00	9-0
10	CERTIFICATION OF NOTES	\$200.00	\$200.00	9-0
11	LEGAL SERVICES EXPENSE	\$65,000.00	\$65,000.00	9-0
12	DATA PROCESSING SALARY	\$84,518.00	\$86,687.00	9-0
13	DATA PROCESSING EXPENSE	\$99,710.00	\$98,220.00	9-0
14	TAX TITLE EXPENSE	\$5,000.00	\$5,000.00	9-0
15	TOWN CLERK/ELECTIONS OFFICE SALARY	\$77,059.00	\$78,592.00	9-0
16	TOWN CLERK /ELECTIONS EXPENSE	\$7,925.00	\$8,175.00	9-0
17	CENTRAL PURCHASING SUPPLY & SERVICE	\$51,213.00	\$51,213.00	9-0
18	NATURAL RESOURCES SALARY	\$312,369.00	\$251,716.00	9-0
19	NATURAL RESOURCES EXPENSE	\$30,722.00	\$27,652.00	9-0
20	NATURAL RESOURCES CAPITAL EXPENSE	\$11,770.00		
21	PLANNING/ZONING SALARY	\$67,108.00	\$58,107.00	9-0
22	PLANNING /ZONING EXPENSE	\$1,758.00	\$2,038.00	9-0
23	MUNICIPAL BUILDINGS SALARY	\$130,616.00	\$132,446.00	9-0
24	MUNICIPAL BUILDINGS EXPENSE	\$87,720.00	\$82,720.00	9-0
25	BULK FUEL OIL EXPENSE	\$213,400.00	\$187,000.00	9-0
26	TOWN REPORT EXPENSE	\$15,000.00	\$10,000.00	9-0
27	ENGINEERING & SUPPORT SERVICES EXPENSE	\$4,000.00	\$4,000.00	9-0
		\$2,053,483.00	\$1,944,526.00	
PUBLIC SAFETY & INSPECTIONAL SERVICES				
28	POLICE SALARY	\$1,149,923.00	\$1,181,972.00	9-0
29	POLICE EXPENSE	\$98,968.00	\$158,815.00	9-0
30	FIRE SALARY	\$1,552,084.00	\$1,584,195.00	9-0
31	FIRE EXPENSE	\$105,244.00	\$112,941.00	9-0
32	FIRE CAPITAL EXPENSE	\$70,476.00	\$70,476.00	9-0
33	DISPATCHING SALARY	\$273,489.00	\$277,220.00	9-0
34	DISPATCHING EXPENSE	\$7,644.00	\$6,550.00	9-0
35	BUILDING INSPECTION SALARY	\$102,212.00	\$103,275.00	9-0
36	BUILDING INSPECTION EXPENSE	\$7,885.00	\$4,810.00	9-0
37	GAS/PLUMBING INSPECTION EXPENSE	\$29,943.00	\$30,391.00	9-0
38	WIRE INSPECTION EXPENSE	\$38,424.00	\$39,000.00	9-0
39	EMERGENCY MANAGEMENT EXPENSE (CIVIL DEFENSE)	\$100.00	\$100.00	9-0
40	TREE WARDEN EXPENSE	\$400.00	\$400.00	9-0
41	DUTCH ELM DISEASE EXPENSE	\$10.00	\$10.00	9-0
42	INSECT/PEST/POISON IVY CONTROL	\$10.00	\$10.00	9-0
43	HARBORS & LANDINGS SALARY	\$6,720.00	\$6,720.00	9-0
44	HARBORS & LANDINGS EXPENSE	\$1,357.00	\$1,357.00	9-0
		\$3,444,889.00	\$3,578,242.00	
EDUCATIONAL SERVICES				
45	ELEMENTARY SCHOOL OPERATIONS	\$3,257,915.00	\$3,339,363.00	9-0
46	NAUSET REGION CAPITAL ASSESSMENT	\$43,557.00		
47	NAUSET REGION OPERATING ASSESSMENT	\$3,413,052.00	\$3,489,481.00	9-0
48	CAPE COD REGIONAL TECHNICAL SCHOOL	\$236,905.00	\$147,502.00	9-0
		\$6,951,429.00	\$6,976,346.00	

LINE #		APPROVED FY10 BUDGET	SELECTMEN'S FY11 BUDGET	FIN COMM RECOM
<i>PUBLIC WORKS & SANITATION</i>				
49	GENERAL MAINTENANCE SALARY	\$443,808.00	\$454,426.00	9-0
50	GENERAL MAINTENANCE EXPENSE	\$115,173.00	\$112,172.00	9-0
51	GENERAL MAINTENANCE CAPITAL	\$69,021.00	\$86,116.00	9-0
52	SNOW & SANDING SALARY	\$31,200.00	\$31,327.00	9-0
53	SNOW & SANDING EXPENSE	\$16,500.00	\$16,500.00	9-0
54	STREET LIGHTING EXPENSE	\$8,500.00	\$7,600.00	9-0
55	WASTE COLLECTION & DISPOSAL SALARY	\$147,697.00	\$151,382.00	9-0
56	WASTE COLLECTION & DISPOSAL EXPENSE	\$353,527.00	\$312,207.00	9-0
57	WASTE COLLECTION & DISPOSAL CAPITAL EXPENSE	\$0.00	\$15,706.00	9-0
		\$1,185,426.00	\$1,187,436.00	
<i>HEALTH & HUMAN SERVICES</i>				
58	VETERANS' GRAVE OFFICER	\$75.00	\$75.00	9-0
59	OLD CEMETERIES EXPENSE	\$0.00	\$0.00	9-0
60	TOWN NURSE SERVICES	\$5,000.00	\$5,000.00	9-0
61	PUBLIC HEALTH SALARY	\$172,577.00	\$176,275.00	9-0
62	PUBLIC HEALTH EXPENSE	\$17,835.00	\$18,835.00	9-0
63	INSPECTION OF ANIMALS EXPENSE	\$250.00	\$250.00	9-0
64	COUNCIL ON AGING/ADC SALARY	\$269,949.00	\$274,223.00	9-0
65	COUNCIL ON AGING/ADC EXPENSE	\$33,099.00	\$32,920.00	9-0
66	VETERANS' SERVICES - EXPENSE	\$16,728.00	\$17,572.00	9-0
67	VETERANS' SERVICES - BENEFITS	\$9,000.00	\$9,000.00	9-0
68	HUMAN SERVICES AGENCIES	\$53,500.00	\$53,500.00	9-0
		\$578,013.00	\$587,650.00	
<i>CULTURE & RECREATION</i>				
69	LIBRARY SALARY	\$200,256.00	\$200,870.00	9-0
70	LIBRARY EXPENSE	\$71,385.00	\$70,260.00	9-0
71	BEACH & RECREATION SALARY	\$236,344.00	\$237,185.00	9-0
72	BEACH & RECREATION EXPENSE	\$70,554.00	\$76,054.00	9-0
		\$578,539.00	\$584,369.00	
<i>DEBT AND BANKING SERVICES</i>				
73	FIRE STATION	\$150,000.00	\$150,000.00	9-0
74	LANDFILL CAPPING	\$63,158.00	\$66,490.00	9-0
75	ROACH PROPERTY ACQUISITION	\$80,000.00	\$75,000.00	9-0
76	TRANSFER STATION	\$120,000.00	\$120,000.00	9-0
77	INTEREST EXPENSE (LONG/SHORT TERM)	\$415,161.00	\$376,064.00	9-0
78	TAX ANTICIPATION NOTES	\$10,000.00	\$10,000.00	9-0
79	SEPTIC BETTERMENT LOANS	\$20,401.00	\$20,401.00	9-0
80	PURCELL LAND PURCHASE	\$30,000.00	\$35,000.00	9-0
81	EASTHAM ELEMENTARY SCHOOL RENOVATION	\$410,000.00	\$410,000.00	9-0
82	BANK FINANCING CHARGES	\$2,500.00	\$2,500.00	9-0
		\$1,301,220.00	\$1,265,455.00	
<i>OTHER EXPENSES (GENERAL GOVERNMENT)</i>				
83	EMPLOYEE BENEFITS	\$13,500.00	\$13,500.00	9-0
84	BARN. COUNTY RETIREMENT ASSESSMENT	\$936,887.00	\$1,029,701.00	9-0
85	TOWN INSURANCE - UNEMPLOYMENT EXPENSE	\$10,000.00	\$10,000.00	9-0
86	TOWN INSURANCE - EMPLOYEE EXPENSE HEALTH	\$1,672,435.00	\$1,792,500.00	9-0
87	TOWN INSURANCE - TOWN PROTECTION (PROP & LIAB)	\$331,300.00	\$325,600.00	9-0
		\$2,964,122.00	\$3,171,301.00	
TOTAL		\$19,057,121.00	\$19,295,325.00	1.25%

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010

TOWN WARRANT

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$805,000** 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:

This article identifies items and funding sources for capital acquisitions to be purchased this year. We are purchasing two replacement ambulances. These vehicles will be on a three-year lease purchase and funded using ambulance receipts. Additionally we will be replacing a five-year-old administrative vehicle in the department, two cardiac monitors and the inflatable rescue boat. The total for the department is \$265,000. In addition to repairs in several buildings, the article includes \$25,000 to support the current library structure until a new library plan is presented to Town Meeting. It is anticipated that the project for a new library will be presented at the May 2011, Annual Town Meeting. Included in the Department of Public Works, planned expenditures of \$139,000 is \$50,000 for the first year of a three-year lease for a Replacement Loader, \$14,000 for the first year of a three-year lease for a ¾-ton pick-up on a lease and \$75,000 to supplement Chapter 90 funds for road repairs. Each year we try to set aside funds to supplement Chapter 90 money for road repairs. State allocations as a share of the cost of repairs and improvements, by mile, has been decreasing, so the town needs to increase its share of funds allocated from the tax levy maintenance of the roads.

Annually, included in this article are funds for computer hardware and software. This year however, the amount is \$155,000 and includes \$135,000 for a new software package for the police department. The software in the police department will be upgraded to a newer digital standard, which will allow for greater flexibility in report writing, tracking of incidents, and communication with other Massachusetts' police departments as many already use this software.

This total to be spent on capital projects and acquisition this year is \$805,000. Ninety-five Thousand (\$95,000) is to be raised under the tax levy, and \$100,000 will be redirected from previously approved capital articles and projects, which are complete, with the remaining funds from free cash and reserved appropriations.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

FY 11 CAPITAL ACQUISITION ARTICLE 13						
ITEM	DEPARTMENT	ITEM	FY11			
DATA PROCESSING						
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$20,000.00			F
2		COMPUTER SOFTWARE REPLACEMENT (police)	\$135,000.00			F/O
NATURAL RESOURCES						
3		4x4 PICK UP TRUCK (YR 1 OF 3YR LEASE/PURCHASE)	\$13,000.00			F
4		BOAT MOTOR 130HP	\$12,000.00			F
HARBOR IMP.						
5		DREDGE ROCK HARBOR	\$5,000.00			EX
MUNICIPAL BUILDINGS EQUIPMENT						
6		VAN REPLACEMENT (YR 1 OF 3YR LEASE/PURCHASE)	\$12,000.00			F
MUNICIPAL BUILDINGS IMPROVEMENTS						
7	ALL BLDGS	PROJECT CONTINGENCY: REPAIRS ,PAINTING ETC.	\$25,000.00			F
8	COA	COA KITCHEN/ELECTRICAL REPLACEMENTS	\$40,000.00			HST/F
9	TOWN HALL	REPLACE FURNACE/BOILER	\$23,000.00			F
10	RECREATION	MAJOR MAINTENANCE & REPAIRS	\$20,000.00			F
11	POLICE	REFURNISH/REFURBISH	\$45,000.00			F
12	LIBRARY	GENERAL REPAIRS PENDING BUILDING PROJECT	\$25,000.00			F
DPW						
13		3/4 TON PICK UP (YR 1 OF 3YR LEASE/PURCHASE)	\$14,000.00			F
14		ORDINARY ROAD M & R (NOT CHAP 90)	\$75,000.00			T
15		LOADER REPLACEMENT (444) (3 YR LEASE)	\$50,000.00			F
POLICE						
16		PORTABLE RADIOS (3)	\$6,000.00			F
17		LAP TOP COMPUTER (4) IN CAR REPLACEMENT	\$20,000.00			T
FIRE (EQUIP)						
18		REPLACE AMBULANCE (CHG BUY TWO SAME TIME)	\$125,000.00			A
19		ADMIN VEHICLE REPLACEMENT (3 YR LEASE)	\$13,000.00			A
20		REPLACE COPIER	\$8,000.00			A
21		THERMAL IMAGER	\$10,000.00			A
22		COMPUTER HARDWARE ENHANCEMENT/ADDITIONS	\$5,000.00			A
23		FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM	\$7,000.00			A
24		CARDIAC MONITORS (2)	\$60,000.00			A
25		BOAT REPLACEMENT	\$30,000.00			A
26		FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL.	\$7,000.00			A
TOTAL			\$805,000.00			
TOTAL CAPITAL FUNDS NEEDED BY SOURCE (KEY)						
		F = FREE CASH				\$320,000.00
		O= TRANSFERS FROM OTHER ARTICLES				\$100,000.00
		A = AMBULANCE RECEIPTS				\$265,000.00
		HST=HUMAN SERVICES GIFT FUND				\$20,000.00
		EX = BOAT EXCISE				\$5,000.00
		T = TAX LEVY				\$95,000.00
TOTAL			\$805,000.00			

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010 TOWN WARRANT

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 FY12-FY16 as printed below; or take any action relative thereto.

By Board of Selectmen

Summary:

This is the five-year capital plan, which list all anticipated capital expenditures for equipment, supplies and projects including engineering and planning studies. Items on the list are a minimum of \$1,000. This listing is a planning tool to focus attention on needed expenditures for the upcoming years. The benefit of the plan is that the town is able to anticipate large expenditures and appropriately schedule bond issues and debt repayments in a manner that support a stable tax rate while ensuring that capital equipment is acquired in a timely manner and that structures are well maintained.

A new item of note on this schedule is the inclusion of \$65,000 in FY12 and FY14 for fresh water/pond studies (line 134). These funds will help the town respond to issues identified in the pond testing programs currently underway.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

FIVE YEAR CAPITAL PLAN FY12-FY16												
ITEM	DEPARTMENT	ITEM	FY12	FY13	FY14	FY15	FY16					
DATA PROCESSING												
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$40,000.00	F	\$20,000.00	F	\$20,000.00	F	\$20,000.00	F	\$20,000.00	F
2		SERVER UPGRADES/REPLACEMENTS			\$10,000.00	F						
3		UPGRADE TELEPHONE SYSTEM - ALL BLDGS (VOIP)			\$10,000.00	F						
4		REPLACE PLOTTER/SCANNER(S)		\$10,000.00	F							
SUB-TOTAL			\$40,000.00	\$30,000.00	\$40,000.00	\$20,000.00	\$20,000.00					
COA/ADULT DAYCARE												
5		VAN REPLACEMENT		\$26,000.00	HST						\$26,000.00	HST
SUB-TOTAL			\$0.00	\$26,000.00	\$0.00	\$0.00	\$0.00				\$26,000.00	
TOWN CLERK												
6		VOTING MACHINE (NEW DISABILITY REQ.)		\$10,000.00	F							
SUB-TOTAL			\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00				\$0.00	
ASSESSING												
7		VIDEO/CAMERA REPLACEMENT		\$1,000.00	F						\$1,500.00	F
8		TABLET PC Rugged outdoor use					\$1,500.00	F				
9		DATA COLLECTOR VEHICLE					\$3,000.00	F				
SUB-TOTAL			\$0.00	\$1,000.00	\$0.00	\$0.00	\$4,500.00				\$1,500.00	
NATURAL RESOURCES												
10		4x4 PICK UP TRUCK	\$12,000.00	F	\$12,000.00	F			\$15,000.00	F	\$15,000.00	F
11		4X4 PICK UP TRUCK	\$12,000.00	F	\$12,000.00	F			\$13,000.00	F	\$13,000.00	F
12		SAND DRIFT FENCE - VARIOUS LOCATIONS	\$15,000.00	L		\$20,000.00	L					
13		BOAT MOTOR 130HP/50HP				\$15,000.00	F					
14		EQUIPMENT CHAINSAWS/PRESSURE WASHER									\$1,800.00	F
15		HERRING RUN GATE REPLACEMENTS				\$3,000.00	F					
16		PORTABLE BOAT HULL REPLACES D-25	\$15,000.00	F								
17		PORTABLE GPS					\$2,500.00	F				
SUB-TOTAL			\$54,000.00	\$24,000.00	\$38,000.00	\$30,500.00	\$29,800.00					
HARBOR IMP.												
18		ROCK HARBOR FLOATING DOCK REPLACEMENT	\$250,000.00	D	\$250,000.00	D	\$250,000.00	D	\$250,000.00	D		
19		DREDGE ROCK HARBOR	\$5,000.00	EX	\$5,000.00	EX	\$5,000.00	EX	\$5,000.00	EX	\$5,000.00	EX
SUB-TOTAL			\$255,000.00	\$255,000.00	\$255,000.00	\$255,000.00	\$255,000.00	\$5,000.00				
MUNICIPAL BUILDINGS EQUIPMENT												
20		VACUUM/CARPET CLEANERS/ LADDERS					\$2,000.00	F				
21		VAN REPLACEMENT	\$12,000.00	F	\$12,000.00	F	\$12,000.00	F			\$12,000.00	F
22		COPIERS/POSTAGE METERS					\$10,000.00	F				
23		FLOOR MACHINE/SNOW BLOWER	\$1,400.00	F			\$1,400.00	F				
SUB-TOTAL			\$13,400.00	\$12,000.00	\$12,000.00	\$13,400.00	\$12,000.00					
MUNICIPAL BUILDINGS IMPROVEMENTS												
24		IRRIGATE THREE (3) MUNICIPAL BLDGS - (TH, POLICE, FIRE)				\$30,000.00	F					
25		PROJECT CONTINGENCY: MAJOR REPAIRS ,PAINTING ETC.	\$25,000.00	F	\$20,000.00	F	\$25,000.00	F	\$25,000.00	F	\$30,000.00	F
26		GREEN ENERGY ENHANCEMENTS			\$50,000.00	F						
SUB-TOTAL			\$25,000.00	\$70,000.00	\$55,000.00	\$25,000.00	\$30,000.00					
27	T.H.	MECHANICAL SYSTEMS OVERHAUL		\$10,000.00	F							
28		REFURBISH/REFURNISH TOWN HALL	\$150,000.00	F								
29		REPLACE FURNACE/BOILER									\$40,000.00	F
30		REPLACE VAULT A/C UNITS				\$9,000.00	F					
31		REPLACE CIRCULATOR PUMPS				\$3,000.00	F					
32		REPLACE HOT WATER TANK									\$3,000.00	F
33		REPLACE EXISTING A/C UNITS	\$30,000.00	F								
ANNEX/RECREATION BLDG												
34		MAJOR MAINTENANCE & REPAIRS									\$20,000.00	F
SUB-TOTAL			\$180,000.00	\$10,000.00	\$12,000.00	\$0.00	\$63,000.00					
COA												
35		HEAT/AIR CONDITIONING/OVERHAUL			\$15,000.00	HST						
36		ELECTRICAL/MECHANICAL SYSTEMS UPGRADE									\$15,000.00	F
37		INTERIOR UPGRADES CARPET/FURNITURE									\$28,500.00	F
38		RESURFACE DRIVEWAY				\$30,000.00	F					
39		RENOVATION/EXPANSION OF SENIOR CENTER				\$3,000,000.00	D					
40		SEPTIC SYSTEM UPGRADE/REPLACEMENT	\$25,000.00	F				D				
41		GENERATOR REPLACEMENT/MAJOR OVERHAUL					\$30,000.00	F				
SUB-TOTAL			\$25,000.00	\$0.00	\$3,045,000.00	\$30,000.00	\$43,500.00					

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010

TOWN WARRANT

ITEM	DEPARTMENT	ITEM	FY12	FY13	FY14	FY15	FY16
42	DPW/NR	COPIER REPLACEMENT		\$5,000.00	F		
43		AIR/HEATING SYSTEM OVERHAUL/REPLACE		\$20,000.00	F		
44		EXTERIOR MAINTENANCE - STUCCO	\$10,000.00	F			\$10,000.00
45		EXPANSION DPW GARAGE SPACE			\$500,000.00	D	
SUB-TOTAL			\$10,000.00	\$25,000.00	\$500,000.00	\$0.00	\$10,000.00
	INFO/WMILL	GEN BLDG MAIN & REPAIR					
46		WINDMILL/INFO/ANCIENT CEMETERIES R&M/BANDSTAND			\$5,000.00	F	
47	POLICE	REPLACE OVERHAUL AIR/HEAT CIRCULATOR PUMPS		\$30,000.00	F		
48		REPLACE DIESEL GENERATOR W/GAS	\$40,000.00	F			
49		REPLACE OUTDOOR LIGHTING	\$4,200.00	F			
50		REPLACE ALL CARPET UPSTAIRS				\$10,800.00	F
51		REPLACE ALL CARPET DOWNSTAIRS	\$6,000.00	F		\$6,800.00	F
52		REFURNISH/REFURBISH					
53		REPLACE HOT WATER TANK					\$3,000.00
54		REPLACE FRONT/REAR DOOR	\$4,000.00	F			
55		REPLACE SHINGLES, ROOF & SIDEWALL					
56		REPLACE 2 OF 4 AIR HANDLING UNITS	\$9,000.00	F		\$9,000.00	F
SUB-TOTAL			\$63,200.00	\$30,000.00	\$5,000.00	\$26,600.00	\$3,000.00
	FIRE						
57		REPLACE FIRE PUMP (SPRINKLER) IN STATION			\$50,000.00	A	
58		BUILDING MAINTENANCE (VARIOUS ITEMS BLDG 5+ YRS OLD.)	\$20,000.00	A			\$40,000.00
SUB-TOTAL			\$20,000.00	\$0.00	\$50,000.00	\$0.00	\$40,000.00
	LIBRARY						
59		RENOVATION/EXPANSION	\$10,000,000.00	D			
		HEATING SYSTEM OVERHAUL					
		OUTSIDE LIGHTING UPGRADES					
		AIR CONDITIONING UPGRADE					
SUB-TOTAL			\$10,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	SCHOOL						
60		ROUTINE PAINTING ROTATION	\$5,000.00	F	\$5,000.00	F	\$5,000.00
61		REPLACE PLAYGROUND/BASKETBALL COURT SURFACE			\$25,000.00	F	\$25,000.00
62		GYM FLOOR REFINISHING		\$15,000.00	F		\$15,000.00
63		COMPUTER HARDWARE/REPLACEMENTS/UPGRADES	\$20,000.00	F	\$20,000.00	F	\$20,000.00
SUB-TOTAL			\$25,000.00	\$40,000.00	\$50,000.00	\$25,000.00	\$65,000.00
	BEACHES/RECREATION						
64		UPGRADE/ADA BATH HOUSES				\$15,000.00	F
65		PARKING LOT REPAIRS (VARIOUS LOCATIONS)		\$10,000.00	F		
66		ADA BEACH CHAIR	\$3,000.00	F			
67		4 X 2 TRUCK LEASE	\$14,000.00	F	\$13,000.00	F	
68		4 X 2 TRUCK LEASE		\$12,000.00	F	\$12,000.00	F
69		B-BALL RESURFACE/BASEBALL BACKSTOP REPL/FENCING				\$15,000.00	F
70		BEACH GATE SHACKS			\$3,000.00	F	\$3,000.00
71		WALKWAYS/DUNE MAINTENANCE FENCING		\$21,000.00	F	\$23,000.00	F
72		BEACH CLEANER					\$80,000.00
SUB-TOTAL			\$17,000.00	\$56,000.00	\$28,000.00	\$68,000.00	\$80,000.00
	DPW						
73		REPLACE/REFURBISH HYDRAULIC TRUCK LIFT		\$45,000.00	F		
74		REPLACE CATCH BASIN CLEANER			\$110,000.00	F	
75		REPLACE ROLL OFF TRUCK (USED)	\$65,000.00	F			
76		ONE TON DUMP		\$55,000.00	F		\$55,000.00
77		3/4 TON PICK UP	\$35,000.00	F			\$35,000.00
78		SANDER			\$15,000.00	F	
79		INTERNATIONAL DUMP (LEASE PURCHASE 2) 6 WHEEL LARGE			\$35,000.00	F	\$35,000.00
80		EXTRA LARGE DUMP 10 WHEELER (LEASE PURCHASE 5 YR)				\$25,000.00	\$25,000.00
81		ORDINARY ROAD M & R (NOT CHAP 90)	\$110,000.00	T	\$120,000.00	T	\$130,000.00
82		NEW TRASH TRAILERS			\$60,000.00	F	\$60,000.00
83		TRACTOR TRAILER HORSE (FOR YARD USE ONLY - USED)	\$40,000.00	F			
84		REPLACE/ADD RECYCLING COMPACTOR			\$15,000.00	F	\$15,000.00
85		ROADSIDE MOWER REPLACEMENT (5400)					
86		LOADER REPLACEMENT (444)	\$75,000.00	F	\$75,000.00	F	
87		TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS			\$14,000.00	F	
88		NEW EQUIPMENT STORAGE BLDG AT TRANSFER STATION	\$200,000.00	D			
89		ONE (1) 40 YARD CLOSED TOP ROLL OFF CONTAINER		\$6,300.00	F		\$6,300.00
90		STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENTS			\$50,000.00	F	\$60,000.00
91		MOWER REPLACEMENTS				\$20,000.00	F
92		SWEEPER REPLACEMENT (FIVE YEAR LEASE)					\$30,000.00
SUB-TOTAL			\$525,000.00	\$301,300.00	\$429,000.00	\$445,000.00	\$246,300.00

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010 TOWN WARRANT

ITEM	DEPARTMENT	ITEM	FY12	FY13	FY14	FY15	FY16
POLICE							
93		UNMARKED ADMINISTRATIVE VEHICLE 4X4(3 YR LEASE)	\$9,700.00	T			
94		CRUISER/w video	\$33,000.00	T	\$35,500.00	T	\$36,000.00
95		CRUISER	\$34,500.00	T	\$35,500.00	T	\$36,000.00
96		UNMARKED ADMIN DEP VEHICLE			\$10,000.00	T	\$10,000.00
97		PORTABLE RADIOS (3)	\$6,000.00	F	\$6,000.00	F	\$6,000.00
98		LAP TOP COMPUTER IN CAR REPLACEMENT (4)			\$15,000.00	F	\$15,000.00
99		BULLET PROOF VEST REPLACEMENT (ALL)				\$20,000.00	F
100		DIGITAL VIDEO FOR CRUISERS			\$35,000.00	F	
SUB-TOTAL			\$83,200.00		\$122,000.00		\$102,000.00
FIRE (EQUIP)							
101		REPLACE AMBULANCE (CHG BUY TWO SAME TIME)	\$125,000.00	A	\$125,000.00	A	\$125,000.00
102		ENGINE REPLACEMENT (1992) (5 YR LEASE PUR, \$550,000)			\$120,000.00	A	\$120,000.00
103		SQUAD 1 REPLACEMENT (TRUCK 160)			\$15,000.00	A	\$15,000.00
104		ADMINISTRATIVE VEHICLE REPLACEMENT	\$13,000.00	A	\$13,000.00	A	
105		TANKER REPLACEMENT (98) 5 YR LEASE				\$40,000.00	A
106		REPLACE SPECIAL HAZARDS TRUCK (91) 5 YR LEASE			\$40,000.00	A	
107		REPLACE COPIER					\$8,000.00
108		UPGRADE AIR PACKS - 4.5L	\$28,000.00	A	\$28,000.00	A	
109		THERMAL IMAGER					
110		UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED)			\$7,000.00	A	
111		HYDRANT STANDPIPE SYS -ON SITE WELLS/BURIED TANKS			\$12,000.00	A	
112		REPLACE GAS METER		\$2,000.00	A		
113		COMPUTER SOFTWARE ENHANCEMENTS				\$20,000.00	A
114		COMPUTER HARDWARE ENHANCEMENT/ADDITIONS					
115		FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT			\$5,000.00	A	
116		CARDIAC MONITORS (2)				\$30,000.00	A
117		JAWS		\$35,000.00	A		
118		AIR BAGS (LIFTING CARS)				\$5,000.00	A
119		SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SUITS		\$5,000.00	A	\$5,000.00	A
120		BOAT REPLACEMENT (rigid hull inflatable)					
121		RADIO REPLACEMENT/UPGRADES	\$8,000.00	A		\$8,000.00	A
122		FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL.		\$8,000.00	A		
123		PORTABLE GENERATOR (REPLACEMENT)			\$2,500.00	A	
124		PORTABLE WATER TANK				\$4,000.00	A
SUB-TOTAL			\$174,000.00		\$336,000.00		\$201,500.00
125	RESOURCE LAND MANAGEMENT PLANS			\$35,000.00	F		
126	LONG RANGE PLAN IMPLEMENTATION ASSISTANCE		\$30,000.00	F	\$25,000.00	F	
127	LAND ACQUISITION(OPEN SPACE, RECREATION, MAINTENANCE)			\$75,000.00	F		
128	LAND ACQUISITION HOUSING/AFFORDABLE HOUSING PURCHASES			\$75,000.00	F	\$75,000.00	F
129	COASTAL EROSION PLANNING/MITIGATION			\$100,000.00	C		
130	MUNICIPAL WASTE WATER/ WATER/PLANNING/IMPLEMENTATION			\$5,000,000.00	D		
131	NORTH EASTHAM VILLAGE CTR IMPLEMENT/municipal bldgs, housing, infrastructure				\$3,000,000.00	D	
132	ALTERNATIVE/GREEN ENERGY INITIATIVES			\$2,000,000.00	D		
133	FRESH WATER/POND STUDIES		\$65,000.00	F	\$65,000.00	F	
TOTAL			\$11,604,800.00		\$8,633,300.00		\$7,912,500.00
TOTAL CAPITAL FUNDS NEEDED BY SOURCE (KEY)							
	F = FREE CASH		\$753,600.00		\$725,300.00	\$790,000.00	\$783,000.00
	C = COMMUNITY PRESERVATION FUND			\$100,000.00			
	HST + HUMAN SERVICES GIFT FUND			\$26,000.00	\$15,000.00		\$26,000.00
	A = AMBULANCE RECEIPTS		\$194,000.00	\$336,000.00	\$251,500.00	\$372,000.00	\$308,000.00
	EX = BOAT EXCISE		\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
	T = TAX LEVY		\$187,200.00	\$191,000.00	\$81,000.00	\$82,000.00	\$73,000.00
	D = CAPITAL DEBT EXCLUSION		\$10,450,000.00	\$7,250,000.00	\$6,750,000.00	\$250,000.00	\$80,000.00
	L=LAND ACQUISITION FUND		\$15,000.00		\$20,000.00		
	G = GRANT/OTHER		\$0.00	\$0.00			
TOTAL			\$11,604,800.00		\$8,633,300.00		\$7,912,500.00

ARTICLE 15

To see if the Town will vote to transfer and appropriate a sum of money to various accounts for meeting the remaining expenses for Fiscal Year 2010; or take any action relative thereto.

By Board of Selectmen

Summary:

This article will cover any account shortfalls. With the exception of Snow and Ice, there are no known shortfalls as of the printing of this warrant.

BOARD OF SELECTMEN RECOMMENDATION: At Town Meeting

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting
(majority vote required)

ARTICLE 16

To see if the town will vote to transfer from available funds a sum of money, to be set aside, for the purpose of funding wage increases for union and non-union employees for the period beginning July 1, 2010; or take any action relative thereto

By Board of Selectmen

Summary:

The four unions representing town employees are currently in negotiations. Contracts are unsettled at the time of this printing, but this article will provide a sum of money, which will be the maximum settlement options for all union and non-union personnel for FY11.

BOARD OF SELECTMEN RECOMMENDATION: At Town Meeting

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting
(majority vote required)

ARTICLE 17

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation substantially in the following form:

Notwithstanding any general or special law to the contrary, the town of Eastham may impose a room occupancy tax, not to exceed 5% and equal to the occupancy tax imposed on accommodations subject to G.L. c.64G in addition to any such occupancy tax currently allowed by law, on any vacation or leisure accommodation, including but not limited to

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010 TOWN WARRANT

apartments, single or multiple family housing, cottages, condominiums and timeshare units or any other such temporary occupancy not currently defined in G.L. c.64G; vacation or leisure accommodation being defined as occupancy for a price to be paid and intended at the time of contract to be for a period of ninety consecutive days or less, regardless of whether such use and possession is as a lessee, tenant, guest or license; G.L. c.64G, §3,4,5,6 and 7A and shall be liable in the same manners as operators in G.L. c.64 §7B; or take any action relative thereto.

By Board of Selectmen

Summary:

The state legislature has offered municipalities limited opportunities to raise additional revenue by increasing the rooms' tax and the meals tax. The rooms' tax currently only applies to rental accommodation in motels, hotels, and guesthouses with three or more rooms to let. Single-family homes and condominiums, which are an ever-increasing share of the vacation rental market, do not pay this tax. The result is an advantage to these private rentals. Such visitors however, still draw heavily on seasonal services as do visitors in other types of accommodation. This article, if passed, will allow the town along, with some others on the cape who are seeking similar permission, to petition the legislature to pass a local law that will allow the town to institute and collect this tax. The town currently has on record over 1100 rental units. The majority of those are short-term seasonal rentals. The estimate of potential revenue assuming eight (8) weeks occupancy at an average rent of \$1000 per week is between \$400,000 and \$500,000. Rental periods of more than ninety (90) days would not be taxed.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(majority vote required)

ARTICLE 18

To see if the Town will vote to amend the local excise rate imposed under G.L. C.64G, § 3A, as amended, to authorize an increase in the local excise on rental of rooms in hotels, motels, lodging houses and bed and breakfast establishments with three or more rooms within the town by one percent (1%) raising the local rate share from 4% to 5% and further to designate January 1, 2011 as the effective date; or to take any other action relative thereto.

By Board of Selectmen

Summary:

This article if voted will take advantage of the state allowable increase in the room occupancy tax currently paid by certain rental accommodations in the Town. The 1% increase will raise the tax from its present amount of 9.7% percent to 10.7% percent. An additional one percent (1%) would generate approximately \$25,000.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 4-2

(majority vote required)

ARTICLE 19

To see if the Town will vote to accept G.L. c 64L, § 2(a) to authorize imposition of a local meals excise tax of .75% percent to take effect on January 1, 2011, or to take any other action relative thereto.

By Board of Selectmen

Summary:

If approved, effective January 1, 2011, the cost of any restaurant meal sold in Eastham will include an additional surcharge of 0.75% percent of the total value of the bill for the meal. This surcharge would be in addition to the current State Sales Tax, however, 100% of the revenue collected by the new local surcharge, will be returned to the Town. The Local Option Excise Tax is being presented as a mechanism for local governments to increase and diversify revenues, without increasing the local property tax. Based on a restaurant bill of \$100, a surcharge of 0.75% would add \$0.75 to the bill. The estimated revenue is \$66,391.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 3-2-1

(majority vote required)

ARTICLE 20

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$10,000** to be given to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth; or take any action relative thereto.

By Board of Selectman/Chamber of Commerce

Summary:

Annually the Town has supported a grant to the Chamber of Commerce to assist in paying for the operation of the Information Booth, a Town owned building. This money is used primarily for salaries as the Town continues to provide building and yard maintenance, pay electrical and telephone charges. This amount is reduced, by \$2,000. Last year's grant was \$12,000.

BOARD OF SELECTMEN RECOMMENDATION: 3-2

FINANCE COMMITTEE RECOMMENDATION: 8-1

(majority vote required)

ARTICLE 21

To see if the town will vote to appropriate and transfer the sum of **\$10,000** from Fiscal Year 09 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: \$ 6,500 Monday concerts at the windmill including sound system rental and promotional materials, \$1,000 contribution to Eastham Forum Flower Islands (EFFI), and \$2,500 for promotional banners; or take any action relative thereto.

By Visitor Services Board

Summary:

This is an annual article to fund activities of the Visitor's Services Board, which enhance and promote tourism in the Town.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

ARTICLE 22

To see if the town will vote to change the purpose for which land is held, for general municipal purposes, to being held for transfer to the Eastham Affordable Housing Trust, said land an area of 80,000 square feet +/-, being a portion of a parcel of land known as the Roach Property, located off North Sunken Meadow Road, North Eastham Barnstable Registry of Land Court as Document No 672011, noted on Certificate of Title No 141491, and shown on Assessors Map 2, Parcel 32A, for the purpose of entering into a contract with a private nonprofit corporation to construct one or more affordable housing units, pursuant to G.L. 40B, but in no event more than 6 bedrooms, and provided that construction of at least one of the units must be started prior to January 1, 2012; or take any action relative thereto.

By Board of Selectmen

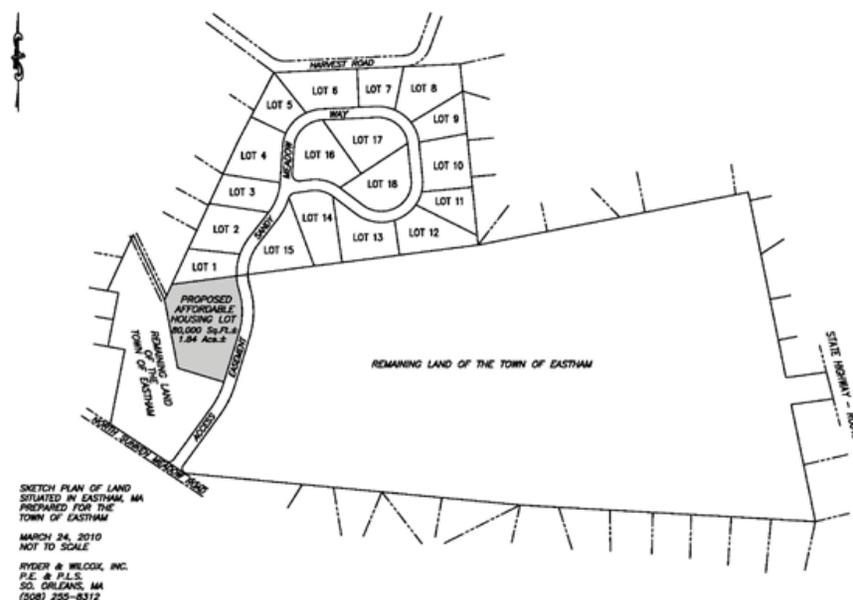
Summary:

The Affordable Housing Trust (AHT) has agreed to solicit requests from Habitat for Humanity and other non-profits to construct affordable housing units on this land. Habitat for Humanity, an organization that assists individuals by constructing housing, using a "sweat equity" model, has a bequest for \$150,000+/- to construct one or more affordable, housing units in Eastham. The units must be started within 2011.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

2/3 majority vote required)



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ARTICLE 23

To see if the Town will vote to amend the Town of Eastham Zoning By-laws, Section III Definitions, by adding the **bold text** below:

BUILDING HEIGHT – The vertical distance, not to exceed thirty (30) feet, between the highest point of the roof and the average elevation of the naturally existing mean grade **(the measurements taken at the corners of the structure)** prior to any excavation, leveling, grading, or filling at the building foundation, exclusive of chimneys, air shafts, ventilators, vents, **lightning rods not exceeding twelve (12) inches in height**, or similar items which may be of the height required for proper operation or use. Building height applies to all buildings and/or structures. **The building shall remain in compliance with the height requirement after final grading.**

or take any action relative thereto.

By Planning Board

Summary:

This article amends the existing definition in an effort to detail the method for calculating finished height and defines height of lightning rods

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMMENDATION: 6-0

(2/3rds vote required)

ARTICLE 24

To see if the Town will vote to amend the Town of Eastham Zoning By-laws Section III Definitions by adding the following definition in appropriate alphabetical order:

CUPOLA – A traditional decorative (non-functional) structure on top of a roof which shall be no more than three (3) feet wide, three (3) feet deep, and no more than four (4) feet tall, measured from and extending above the roof ridgeline are exempt from the building height limit

or take any action relative thereto.

By Planning Board

Summary:

This article amends the definitions section of the Town of Eastham’s Zoning By-laws by defining dimensional limits of cupolas. Cupolas, by definition, will be higher than the ridge line height limit of 30’. These dimensional limits will remove the possibility that such structures would be used as habitable space.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0-1

PLANNING BOARD RECOMMENDATION: 6-0

(2/3rds vote required)

ARTICLE 25

To see if the Town will vote to amend the Town of Eastham Zoning By-laws Section III Definitions, by deleting the phrase “or a portion of a main building”:

BUILDING, ACCESSORY – A supplemental building ~~or a portion of a main building~~, the use of which is incidental to that of the main or principal building, and which is located on the same lot therewith.

or take any action relative thereto.

By Planning Board

Summary:

This article amends the definitions section of the Town of Eastham’s Zoning By-laws to define an accessory building as not attached to the building housing the principal use.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD: 6-0

(2/3rds vote required)

ARTICLE 26

To see if the Town will vote to amend the Town of Eastham Zoning By-laws Section IX.B Intensity Regulations, by deleting Sections IX.B.6 and IX.B.7 in their entirety adding a new section IXB.6, to read as follows:

B.6 Setback requirements for detached accessory buildings used for any purpose, in Districts A, B, C, D, E, G & H, regardless of when the lot was created, shall be:

- ❖ a minimum separation of eight (8) feet between all buildings; and
- ❖ a minimum of twelve (12) feet and at least the maximum height of the accessory structure from the side and rear property lines; and
- ❖ thirty (30) feet from any street or way.

or take any action relative thereto.

By Planning Board

Summary:

This article amends the Intensity Regulations and Setback requirements for detached accessory buildings to require that the maximum setback requirements for a detached accessory building relates to, and is equal to, the height of the structure. Such requirements will ensure that sufficient distances are maintained between buildings thus reducing disturbance to abutters.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 8-0

PLANNING BOARD RECOMMENDATION: 6-0

(2/3rds vote required)

ARTICLE 27

To see if the Town will vote to amend the Town of Eastham Zoning By-laws Section III Definitions by deleting the existing definition of Site Coverage, in its entirety and replacing it with the following, so that it reads:

SITE COVERAGE – The sum of the gross horizontal area of the floors of a dwelling including the square footage of any permanently roofed accessory structures such as sheds, garages, screen porches and covered decks but excluding unfinished attic areas, unfinished basement areas, and farmer’s porches.

or take any action relative thereto.

By Planning Board

Summary:

This article amends the definitions section of the Town of Eastham’s Zoning By-laws to detail the methodology for calculating site coverage so that areas such as hallways and stairways are included as a part of the calculation. Site coverage limitations assist the Planning Board in ensuring that the mass of a structure is consistent with the neighborhood and community character.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMMENDATION: 6-0

(2/3rds vote required)

ARTICLE 28

To see if the Town will vote to amend the Road Acceptance Policy By Law, Eastham Code Chapter 403 – 6 by adding a new section E. to read as follows:

E. The owners of at least 80% percent of the abutting lots shall agree by signature on the petition, to the road acceptance petition prior to submission to the Board of Selectmen.

By Board of Selectmen

Summary:

The current road acceptance policy by law does not require any percentage of the owners to agree to the road acceptance in order for the proposal to be presented to town meeting. This change would require that at least 80% percent of the owners of abutting lots agree to this consideration by town meeting.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-3

(majority vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010

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ARTICLE 29

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation, to provide for the amendment of the Town of Eastham Home Rule Charter Sections as follows:

C2-8B: Delete the words, "to new voters at time of registration" so that the section reads as follows:

C2-8B: The Town Clerk shall prepare, in consultation with the Moderator, rules of parliamentary procedure in simplified form, which shall be available for distribution to all those requesting them and to those in attendance at Town Meeting.

C3-4E: Delete "All" at beginning, and replace with "Unless otherwise specified," so that the section reads as follows:

C3-4E: Unless otherwise specified, appointed boards, committees and commissions shall be responsible to the Board of Selectmen through the Town Administrator and shall respond to all requests from the office of the Town Administrator.

C3-8G: Insert "Eastham" before the words, "school committee" in lines 3 and 6 so that the section reads as follows:

C3-8G: There shall be an Eastham Elementary School Committee consisting of five members elected for terms of three years each, so arranged that the terms of as nearly an equal number of members as is possible shall expire each year. The Eastham Elementary School Committee shall have all the powers and duties, which are given to school committees by General Laws and it, shall have such additional powers and duties as may be authorized by this Charter, by Bylaw, or by Town Meeting vote. The powers of the Eastham Elementary School Committee shall include, but are not intended to be limited to the following:

C3-8H: Delete in its entirety and replace with the following:

C3-8H: At least one representative shall be elected to the Nauset Regional School Committee for a term of three years. Any terms shall be arranged so that they will expire in different years.

C3-8I: Replace the word, "three," with the word "five," before the word, "members," so that the section reads:

C3-8I: There shall be a Board of Library Trustees of five members, elected for three-year overlapping terms at an annual election.

C4-3C (5): Add "simultaneously" after "present" and add "and the Finance Committee" after "Selectmen", so that the section reads as follows:

C4-3C(5): Prepare and present simultaneously to the Board of Selectmen and the Finance Committee, in the manner provided in Article VI of this Charter, a draft annual operating budget for the Town and a proposed capital outlay program;

C4-5.C: Insert "shall" after "action" so that the section reads as follows:

C4-5C: The creation of any new full-time compensated position shall require approval by the Board of Selectmen, and such action shall not be effective until the position has been funded by Town Meeting vote.

C5-2. Strike entire section and replace with new section as follows:

C5-2. Organizations and Procedures.

- A. Each multimember body shall act in accord with the particular charge adopted for it by the Board of Selectmen, subject to any state law requirements.
- B. In addition all multimember bodies shall:
 1. Organize annually at the first meeting of the fiscal year.
 2. Elect a chairperson, clerk and any other necessary officers

3. Adopt rules of procedure and voting.

4. Establish that a quorum, which is by statute a majority of committee members, must be present at all meetings.

5. Maintain minutes and all other records of proceedings, copies of which shall be a public record and shall be filed with the Town Clerk within five (5) days of approval of the minutes.

6. Report to the Board of Selectmen annually.

7. Submit a report for inclusion in the Annual Report

8. Conduct all meetings in accordance with the open meeting provision of the General Laws.

C. Each appointed body shall consist of an odd number of members, who shall be appointed for three-year overlapping terms unless otherwise specified in the charge to that body.

D. No member shall be appointed for more than three consecutive full terms. After reaching maximum service, an individual may be reappointed after one year elapses.

E. No member may be appointed to more than three committees or multi-member bodies.

F. Any person duly appointed or elected to any office or multimember body shall take up the duties of the office immediately upon the date specified by statute or as soon as such person shall have been sworn to the faithful performance of those duties by Town Clerk.

G. The absence without appropriate explanation of any member of an appointed body from three consecutive meetings may serve to vacate the office. The decision to recommend that the office be vacated shall be made by majority vote of the multimember body. After such a majority vote, the Chairperson of the body shall advise the appointing authority forthwith. Upon receipt of such a recommendation, the appointing authority shall vote on whether to declare a vacancy. For any vacancy created in this manner, the appointing authority shall fill the vacancy in accordance with the General Laws and this Charter.

H. A compensated Town employee may serve on a multi-member body, with the exception of the Finance Committee, provided such body shall have no administrative responsibility over any such employee.

C6-1F: Add "and Finance Committee" after "Selectmen" and before "a comprehensive" so that the new section reads as follows:

C6-1F: At least 120 days prior to the scheduled date of the Annual Town Meeting, the Town Administrator shall submit to the Board of Selectmen and Finance Committee, simultaneously, a comprehensive draft budget for all Town functions for the ensuing fiscal year and an accompanying draft budget message.

C6-2. Strike entire section and replace with new section:

C6-2. Action on Proposed Budget

A. Within thirty (30) days following the submission of the draft budget to the Board of Selectmen and the Finance Committee by the Town Administrator, the Board of Selectmen shall adopt its proposed budget, with or without amendments, and submit same with its recommendations to the Finance Committee.

B. On receipt of the budgets for the Eastham Elementary School Committee, Nauset Regional School Committee, and Vocational School Committee, each budget shall be submitted simultaneously to the Board of Selectmen and the Finance Committee. The Board of Selectmen shall, within thirty (30)

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days of each submission, submit its recommendations of the school committee budgets to the Finance Committee.

C. Meeting jointly, the Board of Selectmen and the Finance Committee shall conduct at least one public hearing on the proposed Town budget and the school budgets. The Board of Selectmen and/or the Finance Committee may hold additional non-joint public hearings on the budgets, if deemed necessary. The Board of Selectmen and the Finance Committee may jointly and/or separately require the Town Administrator, any Town Department, Office, Board, Commission and/or committee to appear or furnish appropriate financial reports and budgetary information.

D. The Finance Committee shall vote and issue its recommendations and detailed explanations of all financial articles in an Annual Finance Committee Report, which shall be made available, at least fourteen (14) days prior to the scheduled date of the Annual Town Meeting.

E. The Board of Selectmen shall present the proposed budget to the Annual Town Meeting.

C9-2D: Replace in its entirety, so the new section reads as follows:

C9-2D: A notice of the availability of the warrant shall be published in a local newspaper at least 14 days prior to any such Town Meeting.

C9-2E: Replace “on or before the day of their publication in a local newspaper” with “at least 14 days prior to any such Town Meeting” so the new section reads as follows:

C92-E: All said warrants shall also be posted in every post office in the Town 14 days prior to any such Town Meeting, and shall remain so posted until the date of the meeting.

C9-4A: Delete “preferably in public administration,” so the new section reads in part:

C9-4A: The Town Administrator shall be appointed on the basis of education, executive and administrative qualifications. The educational qualifications shall consist of at least a bachelor’s degree, granted by an accredited degree-granting college or university. Professional...

C9-5A: Replace in its entirety with new language so the new section reads:

C9-5A: Search Committee. A Search Committee consisting of seven (7) members shall be appointed for three-year overlapping terms. Three (3) members shall be appointed by the Board of Selectmen; two (2) members shall be appointed by the Moderator; and two (2) members shall be appointed by the Finance Committee. The committee shall advise the Board of Selectmen and the Moderator concerning the names and qualifications of residents of the Town available to serve on multi-member bodies. The Search Committee may establish procedures for soliciting candidates for consideration and may consult with Town committee members or chairs to assist in determining preferred skills for the individuals to be considered. The Search Committee shall periodically review all Town committee charges. Upon the appointment and qualification of the Search Committee, the office of Search Coordinator shall be abolished.

C9-5J. Insert the words, “and two alternates”, so the new section reads in part:

C9-5J: A Planning Board of seven members and two alternates shall be appointed ...”

C9-5L. Replace in its entirety with new language so the new section reads:

C9-5L: A Water Management Committee of nine members shall be appointed by the Board of Selectmen for three-year overlapping terms. Upon the appointment and qualification of the Water Management Committee, the Water Resources Advisory Board shall be abolished.

C9-5N. A new section shall be added to read:

C9-5N: Capital Projects Committee. Upon any successful votes at Town Meeting and Town election which bonds a municipal project of \$500,000 or more, there shall be activated a Capital Projects Committee to oversee the management of the project, including the expenditure of funds. The Capital Projects Committee shall consist of three (3) voting members and other non-voting members, as follows:

- (1) A Selectman, to be appointed by the Board of Selectmen (voting member);
- (2) A member of the Finance Committee, to be appointed by the Finance Committee (voting member);
- (3) The Town Administrator (voting member);

and other non-voting members as may be required by statute or specified by Town Meeting vote. Should the project not be completed when either the Selectman or the member of the Finance Committee have completed their tenure on those bodied, then the respective body shall appoint a replacement.

C9-5O: Becomes the old C9-5N starting with the word, “Other....”

Charter Review Committee

Summary:

This article, if voted will:

Increase the Library Trustees from three (3) to five (5).

Provide the Finance committee with budgets earlier.

Standardize the procedures for town committees and fix the number of terms.

Clarify the composition and charge for the Search Committee, Abolish the Water Resources Advisory Board and establish the Water Management Committee;

and establish a Capital Projects Committee to be activated upon the bonding of a project of \$500,000 or more.

Correct editorial errors and ambiguities existing in the current Charter.

(Full copies of the Eastham Home Rule Charter is available at www.eastham-ma.gov)

BOARD OF SELECTMEN RECOMMENDATION: 2-3

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

ARTICLE 30

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation, to provide for the amendment of the Town of Eastham Home Rule Charter Sections as follows.

C3-8E: Delete in its entirety

C3-8F: Delete in its entirety

Re-letter C3-8G-H-I-J-K as C3-8E-F-G-H-I

C4-4: In the introductory paragraph, in line 3 after the word, “applicable” insert the words, “Town Treasurer/Collector,” so that the section reads as follows:

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C4-4: The Town Administrator shall appoint, on the basis of merit and fitness alone, and may remove, except as otherwise provided by General Laws, this Charter, personnel bylaws, or collective bargaining agreements that may be applicable, a Town Treasurer/Collector, a Police Chief, a Fire Chief, a Town Accountant, and all other department heads, officers, subordinates and employees, full-and part-time excepting that:

C4-4D: Insert the words, "With the exception of the appointment of the Town Treasurer/Collector," before the first word, "All" so that the section reads:

C4-4D: With the exception of the appointment of the Town Treasurer/Collector, all appointments made or approved by the Town Administrator shall become effective no later than the 15th day following the day on which notice of the proposed appointment is filed with the Board of Selectmen, unless three members of the Board of Selectmen shall vote to reject such an appointment within such period.

C4-4E; Add the following:

C4-4E: Appointment of the Town Treasurer/Collector shall become effective no later than the 15th day following the day on which notice of the proposed appointment is filed with the Finance Committee and the Board of Selectmen, unless five (5) members of the Finance Committee and three (3) members of the Board of Selectmen shall vote to reject such an appointment within such period.

Transitional Provision: Initial appointment of the Town Treasurer/Collector shall be effective at the end of the officer's term that ends at least one year after the State Legislature has approved the change.

Charter Review Committee

Summary:

This article, if voted, will provide for the appointment instead of election of the Town Treasurer/Collector, and for the appointment to be made by the Town Administrator with the Board of Selectmen and the Finance committee having veto power.

(Full copies of the Eastham Home Rule Charter is available at www.eastham-ma.gov)

BOARD OF SELECTMEN RECOMMENDATION: 2-3

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

ARTICLE 31

To see if the Town will vote to appropriate and transfer, pursuant to the provisions of G.L.c. 44B (6) from the FY2011 estimated community preservation revenues to reserves in the following amounts: **\$59,179** for open space purposes, **\$59,179** for historic preservation purposes, **\$59,179** for affordable housing purposes, and **\$414,256** for a total of **\$591,793**, to the FY2011 community preservation budgeted reserve for appropriation as recommended by the community preservation committee, or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article seeks to set aside 10% of the estimated community preservation revenue for open space, historic resources, and affordable community housing, with the remaining estimated revenue reserved for the budgeted reserve for appropriation as required by G.L. Chapter 44B (6).

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(majority vote required)

ARTICLE 32

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

By Board of Selectmen/Community Preservation Committee

Summary:

This article permits use of \$20,000 of the Community Preservation Funds for the committee for administrative purposes. The State Legislation permits up to five percent (5%) of all funds for that purpose. The committee has never requested that much and has used very little each year. The remaining balance each year reverts to the Community Preservation Fund Balance.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

COMMUNITY PRESERVATION RECOMMENDATION: 8-0

(majority vote required)

ARTICLE 33

To see if the Town will vote to appropriate and transfer the sum of **\$340,000** from the Community Preservation Housing Reserve Fund to the Eastham Affordable Housing Trust so that said Trust may utilize \$300,000 of the funds to acquire property for affordable housing purposes and utilize \$40,000 to retain the services of a consultant. Said funds to be released upon: 1. The signing of a negotiated Purchase and Sale Agreement contingent upon all funding including CPA funds, bank financing, Barnstable Home Consortium, state/county affordable housing trust funds, or other available resources; and 2. Proposed for execution an Affordable Housing Deed Restriction in the form approved by the Department of Housing and Community Development to run in perpetuity, and 3. Enter into a grant agreement with the Town of Eastham; and 4. Agree to return all unexpended funds to the Community Preservation Fund if an anticipated sale is not consummated, provided further that the funds not committed within two (2) years shall revert to the Community Preservation Housing Reserve Fund, and in accordance with the above conditions, the \$300,000 portion of the funds, shall not be released until the Community Preservation Committee and the Board of Selectmen approve such expenditure; or take any action relative thereto.

Board of Selectmen/Community Preservation Committee

Summary:

This article will provide for the newly formed Eastham Affordable Housing Trust, to begin their work of developing affordable housing units for the town and provide consultant services to assist in their work.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION RECOMMENDATION: 8-0

(majority vote required)

ARTICLE 34

To see if the Town will vote to transfer and appropriate the sum of Four Thousand Two Hundred Dollars (**\$4,200**) from the Community Preservation historic reserve fund for the purpose of replacing portions of the historic fences at Cove Burying Ground and Bridge Road Cemetery; or take any action relative thereto.

Board of Selectmen/Community Preservation Committee

Summary:

Portions of the fences at Bridge Road Cemetery and Cove Burying Ground are in disrepair and need to be replaced.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

COMMUNITY PRESERVATION RECOMMENDATION: 8-0

(majority vote required)

ARTICLE 35

To see if the Town will vote to transfer and appropriate the sum of Twenty One Thousand Thirty Dollars (**\$21,030**) from the Community Preservation historic reserve fund for the purpose of constructing a humidity controlled room, shelving and workbenches in the basement of the Schoolhouse Museum thereby preserving historic artifacts not on active display in the museum, and further to enter into a grant agreement with the Town of Eastham for this purpose; or take any action relative thereto.

Board of Selectmen/Community Preservation Committee

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Summary:

The Historical Society has a number of items when not on active display which are stored in the basement of the Schoolhouse Museum. The humid conditions in the basement have lead to the deterioration of some of those items and in order to stop this process a climate-controlled room is necessary.

BOARD OF SELECTMEN RECOMMENDATION: 4-0-1

FINANCE COMMITTEE RECOMMENDATION: 9-0

COMMUNITY PRESERVATION RECOMMENDATION: 8-0

(majority vote required)

ARTICLE 36

To see if the town will vote to amend the Eastham Code C. 49, §3 to change “two successive full terms” to “three successive full terms” so that it reads as follows:

No member of the Finance Committee shall serve more than three (3) successive, full terms of three (3) years.

or take any action relative thereto.

Charter Review Committee

Summary:

This change is requested to have the Finance Members term limits consistent with other regulatory boards in town and as included in the Charter.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 8-0

(majority vote required)

ARTICLE 37

To see if the Town will vote to amend the Eastham Zoning By-law by adding a new Section: Section XXII – Environmental Standards as follows:

Section XXII – Environmental Standards

A. Purpose – The purposes of this Bylaw are as follows:

- To protect the health, safety and property of the residents of the Town by regulating storm water runoff and erosion and by controlling degradation of inland and coastal wetlands, ponds and other surface water bodies; and
- Encourage the use of Best Management Practices that prevent and reduce nonpoint source of pollutants; and
- Promote land development and site planning practices that are responsive to the Town’s scenic character without preventing the reasonable development of land.

B. In all Zoning Districts, the following standards shall be in effect:

1. All surface water runoff from structures and impervious surfaces shall be collected on site; in no case shall surface water drainage be directed across sidewalks or public or private ways. In no case shall surface water runoff be drained directly into wetlands or water bodies. Drainage systems shall be designed, using Best Management Practices, to minimize the discharge of pollutants by providing appropriately designed vegetated drainage channels and sedimentation basins that allow for adequate settling of suspended solids and maximum infiltration. Dry wells, leaching pits and other similar drainage structures may be used only where other methods are not practicable. Oil, grease and sediments traps to facilitate removal of contaminants shall precede all such drainage structures.
2. Install silt fences, vehicle mud removal areas, vegetative cover, and other sediment and erosion controls and properly maintain them.
3. Prevent soil erosion by minimizing disturbed areas during construction projects, and by vegetating and by mulching bare areas as soon as possible.

C. Enforcement: The Building Inspector as per Section XII.E enforces this Bylaw. and F.

And further, to see if the Town will vote to amend the Town of Eastham Zoning By-laws Section III, Definitions, by adding the following definition in appropriate alphabetical order:

Best Management Practices (BMPs) – A structural, nonstructural, or managerial technique recognized to be the most effective and practical means to prevent and reduce nonpoint source pollutants. BMPs should be compatible with the appropriate use of the resource to which they are applied, and should be cost-effective.

or take any action relative thereto.

By Planning Board

Summary:

This article will require controlling on site erosion and run off on both residential and commercial development. This article will require the development to use Best Management Practices (BMP) to direct storm water away from disturbed or exposed areas of a site to vegetated areas thus improving the quality of the groundwater recharged.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-1

PLANNING BOARD RECOMMENDATION: 4-0

(2/3rds vote required)

ARTICLE 38

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$90,588** for Eastham’s share of capital improvements and equipment replacement expenses shown on the multiyear capital improvement plan for the Nauset District; or take any action relative thereto.

By the Nauset Regional School Committee

Summary:

This is a continuation of the capital funding process designed to mirror the capital planning process used by most member towns. The school committee adopts the full five-year plan each year 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 technology at both the Middle and High Schools, replacement of roofs, windows, elevator controls, P.A. system and a building needs study at the Middle School. At the high school, improvements include replace exterior doors and some windows, replace carpet, replace some lab stations, resurface track, and replace interior door. The total cost of all the above projects is \$ \$459,000.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 9-0

(majority vote required)

ARTICLE 39

To see if the town will vote to amend the Eastham Zoning By-law Section V Uses, District H- Well field Protection District by adding a new #5 to read as follows:

5. Non-Commercial camping on town-owned land by permission of the Board of Selectmen under such regulations as the Board of Selectmen shall adopt for this purpose.

or take any action relative thereto.

By Board of Selectmen

Summary:

This Zoning Bylaw amendment will allow non-commercial camping in District H, on Town-owned land and with the permission of the Board of Selectmen. Currently, camping of any sort is not allowed in the district that is located off Nauset Road and is being used for municipal water exploration.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-1

PLANNING BOARD RECOMMENDATION: 5-0

(2/3rds vote required)

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010
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ARTICLE 40

To see if the town will allow the local Boy Scouts of America and other organized youth groups, approved by the Board of Selectmen, to continue to use and maintain a campsite in District "H", consisting of one (1) acre, more or less, in accordance with the "Leave No Trace" and "Boy Scout Outdoor Code" programs.

By Petition

BOARD OF SELECTMEN RECOMMENDATION: 0-5
FINANCE COMMITTEE RECOMMENDATION: 8-0-1
(majority vote)

ARTICLE 41

To see if the Town will vote to accept as a town way, the private way known as **Raymond Way**, which is shown on plan entitled "Subdivision Plan of Land in Eastham, MA, being a Division of Lot 72 Shown in Plan Book 385, Page 16; Prepared for Edward G. Benz, July 17, 1985" recorded at the Barnstable County Registry of Deeds, Plan Book 414 Page 34 on April 4, 1986; copies of which are on file with the Planning Department.

By Petition

BOARD OF SELECTMEN RECOMMENDATION: 0-5
FINANCE COMMITTEE RECOMMENDATION: 9-0
BOARD OF HIGHWAY RECOMMENDATION: 0-2
PLANNING BOARD RECOMMENDATION: 0-3-1
(majority vote required)

ARTICLE 42

To see if the Town will vote to amend Chapter 17 Article II § 17-9 C. of the Town Bylaws as follows:

All dog owners, keepers or persons having control of a dog are responsible for immediately removing and disposing of, in a sanitary manner, all solid wastes produced by said dog on any property, other than the property of the dog owner. There shall be a zero tolerance policy towards the non-removal of solid dog waste; no written warning shall be given. Any person who violates this provision of this bylaw shall be subject to the following penalties in addition to any other available penalty or remedy at law or in equity:

- (1) First Offense: \$50.00
- (2) Second and subsequent offenses: \$100.00

By Petition

BOARD OF SELECTMEN RECOMMENDATION: 5-0
FINANCE COMMITTEE RECOMMENDATION: 5-4
(majority vote required)

ARTICLE 43

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$5,000 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 there. The Juice Bar a substance free alternative for teens of the Nauset region located in Eastham is operated and managed by the Nauset Together We Can Prevention Council, Inc., a non-profit organization.

By Petition

BOARD OF SELECTMEN RECOMMENDATION: 0-5
FINANCE COMMITTEE RECOMMENDATION: 9-0
(majority vote required)

ARTICLE 44

To see if the Town will accept the published reports of the Town officers as printed and made available to the public in the 2009 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 7th day of April in the year of our Lord, Two Thousand and Ten.

Martin F. McDonald
Chair

Linda S. Burt

Carol F. Martin
Vice Chair

Aimee J. Eckman
Clerk

David W. Schropfer

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

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 3, 2010

TOWN WARRANT

PROCEDURES FOR TOWN MEETING

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

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

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

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