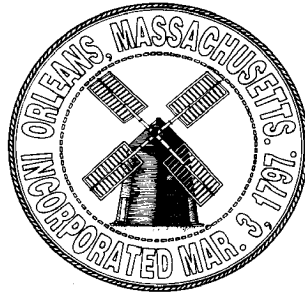


**TOWN OF ORLEANS  
TOWN MEETING WARRANTS**

for use at

**MONDAY, May 7, 2018  
ANNUAL TOWN MEETING - 6:30 PM  
&  
SPECIAL TOWN MEETING – 6:30 PM  
Nauset Middle School Gymnasium**



**ANNUAL ELECTION  
TUESDAY, May 15, 2018  
7:00 AM - 8:00 PM  
Council on Aging Senior Center**

Published as a supplement of  
The Cape Codder – April 20, 2018

***Please bring this copy of the warrant  
to Town Meeting.***

**COPIES OF THIS WARRANT ARE AVAILABLE  
ON TAPE OR IN LARGER PRINT  
PLEASE CALL 240-3700 EXTENSION 415**

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## MOTION CHART

Application of rules is indicated by the Motion's Numerical Sequence

Motions	Debatable	Non-Debatable	Amendable	Non-Amendable	Second Required	Second Not Required	Vote Required	May Reconsider	May Not Reconsider
1. Point of Order		X				X	n/a		
2. Previous Question Terminate Debate		X		X	X		2/3		
3. Postpone Indefinitely	X			X	X		MAJ	X	
4. Lay on Table		X		X	X		MAJ	X	
5. Amendment	X		X		X		MAJ	X	
6. Accept and Adopt	X		X		X		MAJ	X	
7. Consider Articles Out of Order	X		X		X		2/3		X
8. Reconsider	X			X	X		2/3		X
9. Adopt a Resolution	X		X		X		MAJ		X
10. Adjourn to Time Uncertain	X		X		X		MAJ	X	
11. Adjourn		X		X	X		MAJ		X

While a motion to amend is under discussion, a motion to postpone indefinitely displaces the previous motion, but a motion to adjourn cannot be taken up until the motion to amend is decided.

## ORLEANS TOWN MEETING BYLAWS

Pursuant to the provisions of the Town of Orleans Charter duly adopted by voters of the Town of Orleans, the Town Clerk, with the advice of the Moderator, hereby adopts the following Town Meeting By-Laws:

**Procedural Rules:** The Moderator shall enforce procedural rules in accordance with general laws, the Charter, and these By-Laws.

**Other Procedural Rules:** If none of the rules set forth herein or in the Charter governs a situation at the Town Meeting, then rules which would be in effect with respect to the Town Meeting if the Charter had not been adopted shall apply.

**Attendance:** No person other than a legal voter shall be allowed on the floor of the house except by the consent of the Moderator. At the Town Meeting, a non-voter may speak after a favorable majority vote of Town Meeting.

**Quorum:** For all Town Meetings, both annual and special, there shall be required a quorum of two hundred (200) registered voters of the Town.

**Quorum Challenge:** Any five (5) voters may challenge the existence of a quorum. If the Moderator determines the number in attendance to be less than the established quorum, he shall adjourn the meeting to a stated date, time and place.

**Moderator: Participation in Discussions:** The Moderator, when acting as such, shall not participate in any discussions.

**Method of Voting:** Except as otherwise specified by law, the Moderator shall have full authority to specify a voice vote, a standing vote counted by him or by tellers appointed by him, or a written ballot. The Moderator may conduct all votes requiring a two-thirds (2/3) majority by statute in the same manner in which the Moderator conducts the vote when a majority vote is required.

**Motions in Writing:** All motions shall be submitted in writing.

**Withdrawal of Motions:** A motion moved, seconded and stated may be withdrawn by the mover and the seconder.

**Precedence of Motions:** When a question is under debate, motions shall have precedence in the order of their arrangement shown on the attached chart.

**Changing Order of Articles:** The order of consideration of the articles as printed in the warrant may be changed only by a two-thirds (2/3) vote of the Town Meeting. In preparing the Warrant under Clause 2-4-1, the Board of Selectmen may include in it a Consent Calendar listing articles which that Board deems non-controversial. In the event such a Consent Calendar is so included, a written request by five registered voters before the commencement of Town Meeting, or, afterward, an oral request by five registered voters prior to consideration of the Consent Calendar, shall remove a

particular article from it. All remaining articles in the Consent Calendar shall then be voted upon by a single vote without debate. Removed articles shall be considered and acted upon immediately after consideration of the Consent Calendar, and in the order of their listing in the Consent Calendar.

**Speaking Twice:** No person shall speak twice on the same question until all those wishing to speak thereon have done so, nor shall any person speak for more than five (5) minutes at one time, except by permission of the Moderator; provided, however, that the restrictions shall apply neither to those persons required to be in attendance under provisions of Clause 2-7-3 of the Charter (town officers, members of boards and commissions, department heads, or their duly designated representatives, when proposals affecting their various office, board or department are being considered), nor to those persons making the original motion or amendments thereto under any article.

**Reconsideration:** Any vote may be reconsidered if a voter on the prevailing side moves to do so and if the Moderator moves that there is additional information to bring before the meeting. Only one (1) reconsideration shall be allowed per article. Any reconsideration of a vote shall take place at the session it was voted.

**Recount:** When a voice vote as decided by the Moderator is questioned by more than one voter, it shall be made certain by a rising vote counted by the Moderator, or the tellers appointed by him, or by a written ballot. When a standing vote is challenged by more than five (5) voters, the Moderator may rule a written ballot be taken.

**Move the Question:** Requires a second. Not debatable. Two-thirds (2/3) Vote. Terminates debate.

**Move the Question After Presentation:** A motion to move the question shall not be allowed if the moving party makes a presentation immediately prior to making the motion to call the question.

**Amendments to Motions:** The first amendment to a motion may be amended (secondary amendment). This secondary amendment may not itself be amended.

**Article for Capital Improvements:** In accordance with Charter clause 8-7-1, any articles for capital improvements not in compliance with 8-5-1 shall require a three-fourths (3/4) majority vote of the Town Meeting.

Clause 8-7-1 of the Charter reads as follows:

“The Town Meeting shall act on the five year Capital Improvements Plan (CIP) and the annual Capital Budget, provided all proposed projects included in the Capital Budget have been included in the CIP in the prior fiscal year. The Capital Budget may consist of more than one article in the Warrant for the Town Meeting. Any articles for capital improvements not in compliance with 8-5-1 shall require a three-fourths (3/4) majority vote of the Town Meeting.”

Clause 8-5-1 of the Charter reads:

“The Town Administrator shall prepare a five year Capital Improvements Plan

(CIP) and an annual Capital Budget which shall be designed to deal with unmet long range needs of the Town and to implement the goals and objectives of the Orleans Comprehensive Plan as it may be amended from time to time. The CIP shall include land acquisitions, buildings and improvements, machinery and equipment, vehicles, and infrastructure including roads, water mains, storm drainage and other publicly owned utilities. The Board of Selectmen may establish more detailed policies relating to the refinement and implementation of the CIP.”

Dissolution of Town Meeting: In accordance with Charter clause 2-7-8, the Town Meeting must act on every article placed before it.

Clause 2-7-8 of the Charter reads:

“No motion, the effect of which would be to dissolve the Town Meeting, shall be in order until every article in the Warrant has been duly considered and acted upon. This requirement shall not preclude the postponement of consideration of any article to an adjournment of the meeting to a stated time and place. Any reconsideration of a vote shall take place at the session it was voted, the intent being that a final vote taken at a Town Meeting shall not be reconsidered at a subsequent session of the same Town Meeting.”

## FINANCIAL SUMMARY

### TO THE VOTERS:

The Annual Town Meeting warrant includes a number of articles that have an impact on the financial condition of the town, as well as on individual voters in terms of local property taxes.

To assist you in your deliberations, on the following pages you will find a number of schedules and charts that have been included in the warrant to provide additional information that may be of help to you at Town Meeting.

The “Financial Plan” for Fiscal Years 2018 & 2019 compares revenues and expenditures adopted in FY 2018 with those proposed in FY 2019. The Plan assumes approval of all funding articles as recommended in the Annual Town Meeting warrant.

As presented for FY 2019, the total expenditures amount to \$41,191,000, an increase of \$3,858,000 or 10.3%. The total property tax levy increase would be 15.4% resulting in a tax rate of \$7.52 per thousand dollars of assessed valuation, an increase of \$0.89 or 13.4% over FY 2018.

A “Tax Rate Information” table shows the estimated tax rate increase and tax impact on a property valued at \$500,000 for articles that are funded by property taxes. Each funding article in the warrant includes a notation showing the FY 2019 tax rate impact per thousand dollars of assessed valuation.

The warrant also includes two charts that summarize the Town’s “Financing Sources” and “Expenditure Comparison By Organizational Group” adopted in FY 2018 and Proposed/Recommended for FY 2019.

Finally, the “Proposed Operating Budget” for the Fiscal Year July 1, 2018 – June 30, 2019 includes the 2018 adopted and 2019 proposed budgets and is broken down by department, line item description and dollar amounts.

For FY 2019, the total proposed operating budget is \$37,141,387 inclusive of all non-school and school expenditures. This amount represents an overall increase of \$3,608,881 or 10.8% over FY 2018. Excluding debt, non-school operating expenditures are up 3.6% and school (Orleans Elementary, Nauset Regional and Cape Cod Tech) expenditures are up 3.9% next year.

Respectfully,

John F. Kelly  
Town Administrator

**FINANCIAL PLAN**  
**FOR THE FISCAL YEARS 2018 & 2019**  
(\$000)

<u>REVENUES</u>	<u>ADOPTED FY 2018</u>	<u>PROPOSED FY 2019</u>	<u>DOLLAR CHANGE</u>	<u>PERCENT CHANGE</u>
<b>Property Tax</b>				
Property Tax (Base)	22,504	23,311	807	3.6%
Statutory Increase	563	583	20	3.6%
Growth	245	166	(79)	-32.3%
Debt/Capital Exp. Exclusions	3,730	6,156	2,426	65.0%
Cape Cod Commission Act	168	173	4	2.5%
Stabilization Fund Override	522	535	13	2.5%
General Override	-	725	725	
Unused Levy Capacity	(1,454)	(1,263)	191	-13.2%
Community Preserv. Surtax	724	785	61	8.4%
Total Property Tax	<u>27,000</u>	<u>31,169</u>	<u>4,169</u>	<u>15.4%</u>
<b>Non-Property Tax</b>				
State Aid	616	622	6	1.0%
Motor Vehicle Excise	1,145	1,174	29	2.5%
Local Receipts	2,978	3,008	30	1.0%
Water Fees	2,114	2,265	151	7.1%
Hotel/Meals Tax	575	592	17	3.0%
Free Cash	1,126	912	(213)	-19.0%
Funds Resv. Appr./Other Avail.	1,595	916	(679)	-42.6%
Community Preserv. Reserves	183	414	231	126.6%
Community Preserv. State Match	-	118	118	
Total Non Property Tax	<u>10,332</u>	<u>10,021</u>	<u>(311)</u>	<u>-3.0%</u>
<b>Total Revenues</b>	<b><u>37,333</u></b>	<b><u>41,191</u></b>	<b><u>3,858</u></b>	<b><u>10.3%</u></b>
<i>Assessed Value (actual and est.)</i>	3,963,297	4,042,563	79,266	2.0%
<i>Tax Rate</i>	6.63	7.52	0.89	13.4%
<b>EXPENDITURES</b>				
Provision for Abatement/Exempt	224	200	(24)	-10.8%
<b>Non-School</b>				
Salaries and Wages	10,933	11,208	275	2.5%
Fringe Benefits	2,568	2,736	168	6.6%
Pensions	1,812	1,886	74	4.1%
General Expenses	3,548	3,708	160	4.5%
State/County Assessments	595	615	20	3.3%
Sub Total - Non Sch Operating	<u>19,456</u>	<u>20,153</u>	<u>697</u>	<u>3.6%</u>
Capital Expenditures	167	151	(17)	-10.0%
Debt - Excluded (no Wastewater)	2,992	5,322	2,331	77.9%
Debt - Excluded (Wastewater Only)	755	880	125	16.5%
Debt - Not Excluded	13	11	(2)	-18.4%
Debt - Water Dept.	600	703	103	17.2%
Sub Total - Non Sch Capital/Debt	<u>4,528</u>	<u>7,067</u>	<u>2,540</u>	<u>56.1%</u>
Total - Non School	<u>23,984</u>	<u>27,220</u>	<u>3,236</u>	<u>13.5%</u>
<b>School</b>				
Nauset Regional	4,284	4,484	200	4.7%
Debt	49	50	0	0.7%
NRS Capital Outlay	101	104	4	3.6%
Sub Total - NRS	<u>4,434</u>	<u>4,638</u>	<u>204</u>	<u>4.6%</u>
Orleans Elementary	3,721	3,852	131	3.5%
Fringe Benefits	925	981	55	6.0%
Pensions	158	164	6	4.1%
OES Capital Outlay/Spec. Articles	20	20	-	0.0%
Sub Total - OES	<u>4,824</u>	<u>5,017</u>	<u>193</u>	<u>4.0%</u>
C.C. Technical High	290	266	(24)	-8.3%
Total - Schools	<u>9,549</u>	<u>9,921</u>	<u>373</u>	<u>3.9%</u>
<b>Other Expenses</b>				
Community Preserv. Debt	488	491	2	0.5%
Community Preserv. Fund Expenses	418	826	408	97.5%
Special Articles	2,669	2,533	(137)	-5.1%
Sub Total - Other Expenses	<u>3,576</u>	<u>3,849</u>	<u>274</u>	<u>7.7%</u>
<b>Total Expenditures</b>	<b><u>37,333</u></b>	<b><u>41,191</u></b>	<b><u>3,858</u></b>	<b><u>10.3%</u></b>

**TAX RATE INFORMATION**  
**ESTIMATED FOR FISCAL YEAR 2019**

**Per tax rate increments:**

<b>TAX RATE INCREASE</b>	<b>MUNICIPAL REVENUE RAISED</b>	<b>TAX IMPACT ON \$500,000.00 PROPERTY</b>
\$ 0.01	\$ 40,425.63	\$ 5.00
\$ 0.05	\$ 202,128.13	\$ 25.00
\$ 0.10	\$ 404,256.25	\$ 50.00
\$ 0.20	\$ 808,512.51	\$ 100.00
\$ 0.30	\$ 1,212,768.76	\$ 150.00
\$ 0.40	\$ 1,617,025.01	\$ 200.00
\$ 0.50	\$ 2,021,281.27	\$ 250.00
\$ 0.60	\$ 2,425,537.52	\$ 300.00
\$ 0.70	\$ 2,829,793.77	\$ 350.00
\$ 0.80	\$ 3,234,050.03	\$ 400.00
\$ 0.90	\$ 3,638,306.28	\$ 450.00
\$ 1.00	\$ 4,042,562.53	\$ 500.00

**Per revenue raised increments:**

\$ 0.0002	\$ 1,000.00	\$ 0.12
\$ 0.0012	\$ 5,000.00	\$ 0.62
\$ 0.0025	\$ 10,000.00	\$ 1.24
\$ 0.0124	\$ 50,000.00	\$ 6.18
\$ 0.0247	\$ 100,000.00	\$ 12.37
\$ 0.1237	\$ 500,000.00	\$ 61.84
\$ 0.2474	\$ 1,000,000.00	\$ 123.68

As you consider each article included in this year's warrant, the above schedule will provide you with the anticipated tax rate and tax impact on a property valued at \$500,000.00. This applies only to articles funded by property tax and not to articles funded by bonding or by a special revenue or receipts account (such as Ambulance Billing or Stabilization Fund).

The above calculations are based on the Town's estimated valuation for Fiscal Year 2019. These figures should be considered as estimates only, since valuations can change annually.

**FINANCING SOURCES**  
**Adopted Fiscal Year 2018 vs. Estimated Fiscal Year 2019**

<b>FINANCING SOURCES</b>	<b>FY 2019 PERCENT OF TOTAL</b>	<b>FY 2018 ADOPTED</b>	<b>FY 2019 ESTIMATED</b>	<b>PERCENT INCR/DECR</b>	<b>DOLLAR INCR/DECR</b>
Property Tax	76%	27,000,436	31,169,450	15%	4,169,014
Water Fees	5%	2,113,955	2,264,708	7%	150,753
Local Receipts	7%	2,978,236	3,008,018	1%	29,782
Motor Vehicle Excise	3%	1,145,460	1,174,097	2%	28,636
Other Available Funds	4%	1,777,954	1,447,924	-19%	(330,030)
Free Cash	2%	1,125,832	912,418	-19%	(213,414)
Hotel/Meals Tax	1%	574,631	591,870	3%	17,239
State Aid	2%	616,201	622,363	1%	6,162
<b>Total</b>	<b>100%</b>	<b>37,332,705</b>	<b>41,190,848</b>	<b>10%</b>	<b>3,858,143</b>

**EXPENDITURE COMPARISON BY ORGANIZATIONAL GROUP**  
**Adopted Fiscal Year 2018 vs. Recommended Fiscal Year 2019**

<b>ORGANIZATIONAL UNIT</b>	<b>FY 2019 PERCENT OF TOTAL</b>	<b>FY 2018 ADOPTED</b>	<b>FY 2019 PROPOSED</b>	<b>PERCENT INCR./DECR.</b>	<b>DOLLAR INCR./DECR.</b>
Education (1)	24%	9,548,595	9,921,322	4%	372,727
Public Safety	14%	5,612,011	5,744,367	2%	132,356
Public Works	12%	4,801,958	4,933,804	3%	131,846
Debt/Capital Outlay	17%	4,360,105	6,916,384	59%	2,556,279
Fringe Benefits	7%	2,567,662	2,736,047	7%	168,385
General Government	6%	2,199,593	2,291,041	4%	91,448
Special Articles	6%	2,669,226	2,532,634	-5%	(136,592)
Pensions	5%	1,812,055	1,886,365	4%	74,310
Human Services	3%	1,022,350	1,034,351	1%	12,001
Culture & Recreation	2%	619,146	638,922	3%	19,776
State & County Assess.	1%	595,357	615,032	3%	19,675
Insurance	1%	393,674	423,753	8%	30,079
<b>OTHER</b>					
Community Preserv. Fund	3%	906,665	1,316,827	45%	410,162
Provision for Abatement/Exempt	0%	224,308	200,000	-11%	(24,308)
<b>Total</b>	<b>100%</b>	<b>37,332,705</b>	<b>41,190,848</b>	<b>10%</b>	<b>3,858,143</b>

(1) Includes Capital Outlay Items per NRSD Agreement.

## MUNICIPAL FINANCE TERMS

**Appropriation** - An authorization made by the legislative body of a government, which permits officials to incur obligations against and to make expenditures of governmental resources. Appropriations are usually made for fixed amounts and are typically granted for a one-year period.

**Bond** - A written promise to pay (debt) a specified sum of money (called principal or face value) at a specified future date (called the maturity date) along with periodic interest paid at a specified percentage of the principal (interest rate). Bonds are typically used for long-term debt.

**Budget** - A plan of financial operation embodying an estimate of proposed expenditures for a given period and the proposed means of financing them. Used without any modifier, the term usually indicates a financial plan for a single fiscal year.

**Capital Improvement Program** - A plan for capital expenditures to be incurred each year over a fixed period of several future years setting forth each capital project, the amount to be expended in each year, and the method of financing those expenditures.

**Chapter 90 Highway Funds** – The state legislature authorizes and issues transportation capital bonds every few years. In each Transportation Bond, funds are apportioned to communities based upon a formula under the provisions of MGL Ch. 90 § 34, hence the term Chapter 90 funds. The Chapter 90 highway formula is comprised for three variables: local road mileage as certified by the Massachusetts Highway Department (MHD), employment figures from the Department of Employment and Training (DET), and population estimates from the U.S. Census Bureau. Under this formula, those communities with a large number of road miles received proportionately more aid than those with fewer road miles. These funds are reimbursed to communities based upon certified expenditure reports submitted to MHD.

**Conservation Fund** - This fund may be expended for lawful conservation purposes as described in MGL Ch. 40, § 8C. This fund may also be expended for damages related to the taking of land by eminent domain provided that such taking has first been approved by a two-thirds (2/3) vote of city council or town meeting.

**Contingent Appropriation** – This is an appropriation that authorizes spending for a particular purpose upon the occurrence of a later event. The grant of spending authority made by an appropriation must be certain at the time of the vote and, therefore, contingent appropriations are not generally permissible. Under MGL Ch. 59 § 21C(m), however, towns may make appropriations from the tax levy, available funds or borrowing, contingent upon the subsequent passage of a Proposition 2 ½ override or exclusion question for the same purpose.

**Debt Exclusion** - A vote by a community at an election to exclude debt service payments for a particular capital project from the levy limit. The amount necessary to

cover the annual debt service payment is added to the levy limit for the life of the debt only. A debt exclusion may temporarily increase the levy above the levy ceiling.

**Debt Service** - Payment of interest and repayment of principal to holders of a government's debt instruments.

**Equalized Valuations (EQVs)** - Determinations for the full and fair cash value of all property in the Commonwealth which is subject to local taxation. EQVs have historically been used as variables in distributing certain state aid accounts, and for determining county assessments and certain other costs. The Commissioner of Revenue, in accordance with Chapter 58, Section 10C, is charged with the responsibility of biannually determining an equalized valuation for each city and town in the Commonwealth.

**Excess Levy Capacity** - The difference between the levy limit and the amount of real and personal taxes actually levied in a given year.

**Exemptions** - Statutory exclusions of specific amounts of property tax owed. Upon approval of an application to the Board of Assessors, exemptions may be granted for qualified veterans, blind individuals, surviving spouses and persons over 70 years of age. In addition, an exemption may, at the discretion of the Assessors, be issued for certain financial hardships.

**Fiscal Year** – Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. For example, the 2011 fiscal year is July 1, 2010 to June 30, 2011. Since 1876, the federal government has had a fiscal year that begins October 1 and ends September 30.

**Free Cash (also Budgetary Fund Balance)** - Funds remaining from the operations of the previous fiscal year which are certified by the Massachusetts Department of Revenue Director of Accounts as available for appropriation. Remaining funds include unexpended free cash from the previous year, receipts in excess of estimates shown on the tax rate recapitulation sheet and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount of remaining funds which can be certified as free cash. The calculation of free cash is made based on the balance sheet, which is submitted by the community's Accountant, Auditor, or Comptroller.

**Levy** – The amount a community raises through the property tax. The levy can be any amount up to the levy limit.

**Levy Ceiling** – the maximum levy assessed on real and personal property may not exceed 2 ½ percent of the total full and fair cash value of all taxable property (MGL Ch. 59 § 21C). Property taxes levied may exceed this limit only if the community passes a capital exclusion, a debt exclusion, or a special exclusion.

**Levy Limit** – The maximum amount a community can levy in a given year. The limit can grow each year by 2 ½ percent of the prior year's levy limit plus new growth and

any overrides. (MGL Ch. 59 § 21C[f & g]. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, a debt exclusion, or a special exclusion

**Local Receipts** - Locally generated revenues other than real and personal property taxes and excluding Special Revenue fund revenues. Examples include motor vehicle excise, investment income, hotel/motel tax, fees, rentals and charges. Annual estimates of local receipts are shown on the tax rate recapitulation sheet.

**New Growth** - The taxing capacity added by new construction and other increases in the property tax base. New growth is calculated by multiplying the value associated with new construction by the tax rate of the previous fiscal year.

**Proposition 2 ½ Overrides/Underrides** - General Override to permanently increase the amount of property taxes the Town can raise. This requires a majority vote by the Selectmen in order to be placed on the ballot.

General Underride to permanently decrease the amount of property taxes the Town can raise. This requires a majority vote by the Selectmen in order to be placed on the ballot.

Capital Override exemption is a one-year increase in the property tax levy for the specific item or project. This requires a two-thirds (2/3) vote by the Selectmen to appear on the ballot.

Debt Exclusion is an increase in the property tax levy for the life of the bond issue. This requires a two-thirds (2/3) vote by the Selectmen to appear on the ballot.

**Reserve Fund** – An amount set aside annually within the budget of a town (not to exceed 5% of the tax levy for the preceding year) to provide a funding source for extraordinary or unforeseen expenditures. In a town, the Finance Committee can authorize transfers from this fund for “extraordinary or unforeseen” expenditures. Other uses of the fund require budgetary transfers by town meeting.

**School Building Assistance Program (SBA)** – Established in 1948 and frequently revised by statutory amendments, this state program reimburses cities, towns and regional school districts various percentages of their school construction costs depending on the wealth of the community or district and the category of reimbursement. The Department of Education administers the SBA program.

**Stabilization Fund** – A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. (MGL Ch. 40 § 5B). Communities may appropriate into this fund in any year an amount not to exceed ten percent of the prior year’s tax levy or a larger amount with the approval of the Emergency Finance Board. The aggregate of the stabilization fund shall not exceed ten percent of the community’s equalized value, and any interest shall be added to and become a part of the fund. A two-thirds vote of town meeting is required to appropriate money from the Stabilization Fund.

**Town of Orleans Finance Committee**  
**Fiscal Year 2018 Annual Report and Letter to the Town**

**Introduction**

The Town of Orleans Finance Committee (“the Committee”) is charged by the Town Charter to provide an independent review of issues affecting the financial position of the Town and the taxpayers. This responsibility includes publishing an annual report and letter to the Town and the taxpayers highlighting the work that the Committee has conducted during the current fiscal year. Over the past few years, the emphasis of the Committee’s annual letter has been to identify the financial risks facing the Town of Orleans. This year, the Committee’s letter is focused on the challenges and opportunities related to the Operating Budget, Capital Planning and Investment and Additional Revenue Sources.

Orleans may be considered the quintessential resort Town, boasting lovely beaches and a Cape Cod League baseball team among its many amenities. But the amenities that attract thousands of visitors to our Town during the summer are also the source of the financial dilemma facing the Town: how to provide a high level of Town services to two different populations. Basically, we have a small taxpayer base (approx. 6,000) having to provide and maintain an infrastructure necessary to support the peak demands of a much larger summertime population of approximately 19,000. Police, Fire and Rescue, and Natural Resources must all be sufficiently staffed to provide for the health and safety of all our summertime guests. Roads, water and wastewater systems must be designed to accommodate peak summer demand. Clearly, the financial stress of a seasonal economy has its impact on the Town’s taxpayers.

In the summer, service jobs are plentiful, but it can be difficult finding work in the winter. Full-time residents may have to balance multiple jobs at varying hours in order to provide a sufficient household income. The tourist influx also impacts real estate values. Seasonal properties can garner attractive, in-season rentals and support our residential and commercial tax base, but they can also raise housing values. Given the seasonality of employment opportunities, year round residents are hard-pressed to find affordable housing. Town employees often reside in neighboring towns, or have left Orleans for better paying jobs elsewhere. While Orleans provides excellent educational and recreational opportunities for young families, housing values can make it tough for families of moderate income to maintain a residence here.

**Operating Budget**

In the past, it has been the policy of the Board of Selectmen to limit spending growth with a view to maintaining a property tax rate believed to be “affordable” for the average Orleans taxpayer. This has principally been achieved through spending cuts and deferred spending. The proof-point is that Orleans continues to enjoy one of the lowest tax rates per assessed value in the Commonwealth. But such a policy has its shortcomings. This budget policy operates without regard to actual spending needs as determined by department heads and other Town officials.

The current Town budgeting format does not allow for any meaningful analysis of the actual costs of delivering individual services. Nor has there been any meaningful attempt at a zero-based budgeting process. So, on balance, while maintaining a limitation on operating fund expenditures, there is no inherent mechanism to measure the impact of this budget discipline. The Town offers a wide array of services to its taxpayers. Many of these services are of a critical nature for the well-being of its taxpayers; many others are critical for the upkeep of the Town itself. Managing the operating budget specifically oriented to the tax rate ignores the fact that cuts in the operating budget to meet that goal will sooner or later result in the denial of some of these services. And if such painful choices become necessary, there is no method available to differentiate among the various Town services to insure that critical Town services are maintained at an acceptable level.

The ancillary costs of Town government will further limit the flexibility of the operating budget. A variety of state, county, insurance and healthcare assessments increased from \$5.4mm in FY 2018 to \$5.7mm in FY 2019 (a 7% increase). And the expenses associated with the Town's Other Post-Employment Benefits (OPEB) liability are to be addressed in a Warrant Article, which will authorize a process to fund these anticipated costs over the next 30 years. Clearly, the demands of the operating budget on property tax revenues are many, varied and increasing.

### **Capital Planning and Investment**

In addition to managing the day-to-day delivery of services to the Town residents, the Board of Selectmen and the Town Administration also bear the responsibility for managing the Town's infrastructure and maintaining the Town's capital assets.

In its annual letter to the Town in 2016, the Finance Committee cited the difficult and expensive challenges facing the Town in the near future. The list included the need for a new police station and DPW facility, the need to address the condition of the beaches and the problem of installing a wastewater infrastructure. Since that time, the Town's taxpayers have been responding to these challenges. The police station has been completed and the DPW facility and the downtown sewer system are under construction. So as we look back we can say that much has been done. The financing of the debt required for the police station and DPW facility was established last fall at terms very favorable to the Town and to the taxpayers, but the impact on the tax rate has not yet been felt. Much of the proposed increase in property taxes from FY'18 to FY'19, from a rate of \$6.63 to a rate of \$7.52 per thousand dollars of assessed value (an increase of 13% ) is due to a substantial increases in debt service (from \$4.3mm to \$6.9mm - a 59% gain, although Budget guidelines for departmental budgets increases are limited to 2.5%).

Clean waters are an essential element of Orleans' seaside heritage. Financing for the sewer system to restore these waters is another challenge awaiting us. It is anticipated that much of the costs of the comprehensive wastewater project can be financed with a 0% loan from the Commonwealth's State Revolving Fund, providing the taxpayers with a significant interest cost saving and further mitigating the Town's risk of rising interest rates. Never-the-less, the Comprehensive Water Resource Management Plan (CWRMP) will be a major investment in time and money. After years of delays, the taxpayers are

being called on now to move this important project forward. Taxpayers at Town Meeting are being asked to take a major step and approve the funds necessary for the next phase in the CWRMP implementation.

A series of storms brought record-setting high tides which severely damaged Nauset Beach late this winter. We all mourn the loss of Liam's Snack Shack as a result of the substantial erosion those storms brought to our shores. But if nothing else, Mother Nature demonstrated the cost of doing nothing. The Town's original plan for Nauset Beach had envisioned a phased, three year program of reinforcing the back of the dunes, relocating the Administration building, and using the Hubler property for additional parking. The destructive winter storms greatly accelerated the need to protect the beach and the Selectmen initiated an emergency program to relocate the gazebo and stabilize the remaining dunes to protect the Administration Building, existing parking lot and the septic system under the parking lot. With time not in our control, it will require a continued commitment of resources to mitigate the impact of increasing high tides on our most prized asset and the foundation of the Town's economic base, just when those resources are already stretched thin. "Time and tide..." as the saying goes; it turns out we have way more tide than we have time.

### **Additional Revenue Sources**

As we prepare to meet these financing challenges, yet another challenge awaits: the need to find additional funding sources to augment Town revenue and reduce the burden on the property tax. Traditionally, the Town has relied on its property tax levy for a substantial portion of its operations. However, the scope of the costs facing the Town provides impetus for the Town to reconsider this strategy, and to identify substantial additional revenue sources net of the cost to implement them, to relieve this property tax burden.

Aside from the property tax, there are other tax regimes that are also available to the Town. However they are by and large not under the control of the Town and have only a limited impact on Town finances:

1. Vehicle Excise Tax - although collected by the Town, the excise tax rate is established by the state. This tax is a function of the valuation of the vehicles registered in Orleans. (\$1,145,000 est. for FY'18)
2. Meals Tax - the Town collects an additional 1% on meals served at local restaurants. (\$340,000 est. for FY'18)
3. Hotel/Motel Tax - the Town currently collects 4%, with the option of increasing this to 6%. (\$234,000 est. for FY'18)
4. Gasoline Tax - is collected by the Commonwealth, and reimbursed to the Town.
5. Sales tax - is collected by the Commonwealth. No direct benefit to the Town.
6. Alcohol/tobacco taxes - collected by the Commonwealth. No direct benefit to the Town.

Other state aid includes distributions for construction, reconstruction or improvements to Town roads and bikeways and distributions from the sale of lottery tickets, which are intended for educational purposes.

Enacting additional taxes is the purview of the Massachusetts legislature. A tax on short-term rentals of private residences has been much discussed and has the potential to raise significant revenue for the Town. The State Legislature is currently considering a number of bills to implement such a tax. It is hoped that such legislation is enacted shortly.

One additional tax that has been enacted and is available to the Town is a tax on retail marijuana sales. Brewster, in a recent special Town meeting, approved the licensing of retail marijuana establishments and can collect up to a 3% impact fee, in addition to a 3% tax on retail sales, all of which will go into their general fund to reduce taxes. While an emotionally charged issue, this revenue source could be significant and Orleans should consider the financial impact related to permitting such establishments.

User fees are an additional source of Town operating fund revenues. While non-resident parking fees at Nauset and Skaket beaches provide a substantial revenue stream, estimated at slightly more than \$1,250,000 for FY'18, as currently established they do not cover the beach operating costs, leaving a deficit that could run as high as \$300,000 for this fiscal year, a deficit that is subsidized with property tax revenues. The loss of rental payments from Liam's will only increase that deficit. Either by instituting resident parking fees or raising non-resident fees, the beaches should be positioned to operate as a self-sustaining enterprise.

The Transfer Station is a similar enterprise. Although the current policy is to fund 80% of operations from fees, increases in the cost of waste hauling and a decline in recycling revenues have impeded the implementation of this policy. But for FY '19, even if that level of funding is achievable, the operations at the Transfer Station will produce a shortfall of nearly \$140,000, which, again, is subsidized with property tax revenues. Either by increasing fees or switching to a "pay as you throw" system, the Transfer Station should generate revenues to at least cover its direct costs of operation.

The Town also has a whole menu of 368 user fees, under the jurisdiction of 15 different Town boards, agencies and commissions. Fees under the jurisdiction of the Board of Selectmen (86) are limited to an annual 5% cap, unless otherwise approved by Town Meeting. There needs to be a comprehensive policy to assess user fees to insure that they are kept current and consider the cost of the services provided.

As another area of potential opportunity for additional financial support of the Town, the Finance Committee would encourage the Selectmen to work with the Town Administrator to establish an effective grant pursuit protocol to be followed by all Departments as appropriate, including regular reporting on pursuit efforts and results. Last year's Revenue Committee identified millions of dollars of state and federal grant money received by other Cape Towns over the past few years - grant money that Orleans might have been eligible for but did not pursue.

The point of the Finance Committee's recommendations is to encourage a discussion in the Town of Orleans to address the Town's pressing financial needs. And while the needs may not be measurable yet, they are never-the-less real. And the options are limited. Without some combination of new tax revenues, new grant awards and increased user

fees, the Town's property tax rate will continue to be the only vehicle to support these foreseeable cost increases.

Respectfully submitted,  
The Orleans Finance Committee

Lynn Bruneau, Chair  
Roger Pearson, Vice Chair  
Elaine Baird  
Kevin Galligan  
Frank Lucibella  
Peter Monger  
Suzanne Moore  
Peter O'Meara  
Robert Renn

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

To either of the Constables of the Town of Orleans in the County of Barnstable  
GREETINGS:

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 Town affairs, to meet at the NAUSET MIDDLE SCHOOL GYMNASIUM in said ORLEANS on MONDAY, the SEVENTH day of MAY in the year TWO THOUSAND EIGHTEEN at 6:30 P.M. to act on the following:

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Article 5. Revolving Fund Bylaw  
Article 6. Departmental Revolving Funds Authorization  
Article 7. Municipal Rental Revolving Account  
Article 8. Parks and Recreation Revolving Fund; Acceptance of M.G.L. Ch. 44, § 53D  
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## CONSENT CALENDAR ARTICLES

### ARTICLE 1. REPORT OF THE SELECTMEN, TOWN OFFICERS AND SPECIAL COMMITTEES

To act upon the Annual Report of the Board of Selectmen, Town Officers and other Special Committees. (Board of Selectmen)

#### MOTION (IF NEEDED)

I move this article be accepted and adopted as printed in the warrant.

#### SUMMARY

This article provides for the acceptance of the Annual Town Report and any other reports that Town Boards, Committees and Commissions may want to present to the Annual Town Meeting.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 9 – YES 0 – NO 0 – ABSTAIN

### ARTICLE 2. ACCEPT TRANSPORTATION BOND BILL FUNDS

To see if the Town will vote to authorize the Board of Selectmen to accept and enter into a contract for the expenditure of any funds allocated or to be allocated from year to year by the Commonwealth of Massachusetts and/or Barnstable County for the construction, reconstruction and improvements of roads and bikeways within the Town of Orleans, or to take any other action relative thereto. (Board of Selectmen)

#### MOTION (IF NEEDED)

I move this article be accepted and adopted as printed in the warrant.

#### SUMMARY

This article will allow the Town to accept money from the State to perform work under the provisions of Massachusetts General Law Chapter 90, Section 34(2)(a). The Town's apportionment for FY19 is \$284,800.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 9 – YES 0 – NO 0 – ABSTAIN

### ARTICLE 3. HOLD STATE HARMLESS FOR WORK

To see if the Town will vote to assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, as most recently amended by Chapter 5 of the Acts of 1955, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Management for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tide-waters, foreshores and shores along a public 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, or to take any other action relative thereto. (Board of Selectmen)

MOTION (IF NEEDED)

I move this article be accepted and adopted as printed in the warrant.

SUMMARY

The Commonwealth requires that the Town annually assume all liability for certain damages that may occur when work is performed by the Massachusetts Department of Environmental Management within tidal and non-tidal waterways within the Town.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 9 – YES 0 – NO 0 – ABSTAIN

ARTICLE 4. AUTHORIZATION TO SELL SURPLUS EQUIPMENT & ACCEPT GIFTS

To see if the Town will vote to authorize the Town Administrator to dispose of surplus supplies and equipment under such terms and conditions as the Town Administrator deems advisable, provided all proceeds from any such disposition are returned to the General Fund, Water Surplus Fund or Reserve for Appropriation account where applicable and to accept any gift items that may be given to the Town on behalf of the citizens of Orleans, or to take any other action relative thereto. (Board of Selectmen)

MOTION (IF NEEDED)

I move this article be accepted and adopted as printed in the warrant.

SUMMARY

This article authorizes the Town Administrator to dispose of surplus/outdated supplies and equipment during the fiscal year. All money received for the disposal of such goods is to be placed in the General Fund, Water Surplus Fund or Reserve for Appropriation account, as appropriate. It will also allow the Town Administrator to accept gifts to the Town or any departments of the Town without additional Town Meeting action.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 9 – YES 0 – NO 0 – ABSTAIN

ARTICLE 5. REVOLVING FUND BYLAW

To see if the Town will vote to amend the Code of the Town of Orleans by adding thereto the following new section to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E½, or take any vote or votes in relation thereto.

## CHAPTER 82: DEPARTMENTAL REVOLVING FUNDS

§82-1. Purpose. This by-law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by M.G.L. c 44, § 53E½.

§82-2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Finance Committee.

§82-3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

§82-4. Procedures and Reports. Except as provided in M.G.L. c44, § 53E½ and this by-law, the laws, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Director of Municipal Finance shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Director of Municipal Finance provides the department, board, committee, agency or officer on appropriations made for its use.

§82-5.1 Council on Aging Revolving Fund.

- 5.1.1 Fund Name. There shall be a separate fund called the Council on Aging Revolving Fund authorized for use by the Council on Aging.
- 5.1.2 Revenues. The Director of Municipal Finance shall establish the Council on Aging Revolving Fund as a separate account and credit to the fund all of the user, program and activity fees charged and received by the Council on Aging in connection with its programs and activities.
- 5.1.3 Purposes and Expenditures. During each fiscal year, the Council on Aging may incur liabilities against and spend monies from the Council on Aging Revolving

Fund for the expenses of its fee based programs and activities in connection with the services provided by the Council on Aging.

5.1.4 Fiscal Years. The Council on Aging Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

#### §82-5.2 The Council on Aging Transportation Revolving Fund.

5.2.1 Fund Name. There shall be a separate fund called the Council on Aging Transportation Revolving Fund authorized for use by the Council on Aging.

5.2.2 Revenues. The Director of Municipal Finance shall establish the Council on Aging Transportation Revolving Fund as a separate account and credit to the fund all donations received for transportation services.

5.2.3 Purposes and Expenditures. During each fiscal year, the Council on Aging may incur liabilities against and spend monies from the Council on Aging Transportation Revolving Fund to fund driver salaries, vehicle maintenance and other necessary expenses in connection with the transportation program of the Council on Aging.

5.2.4 Fiscal Years. The Council on Aging Transportation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

#### §82-5.3 The Home Composting Bin/Recycling Revolving Fund.

5.3.1 Fund Name. There shall be a separate fund called the Home Composting Bin/Recycling Revolving Fund for use by the Department of Public Works.

5.3.2 Revenues. The Director of Municipal Finance shall establish the Home Composting Bin/Recycling Revolving Fund as a separate account and credit to the fund all of the fees charged and received by the Department of Public Works for composting bins and recycling containers.

5.3.3 Purposes and Expenditures. During each fiscal year, the Department of Public Works may incur liabilities against and spend monies from the Home Composting Bin/Recycling Revolving Fund for the expenses of purchasing additional composting bins and recycling containers.

5.3.4 Fiscal Years. The Home Composting Bin/Recycling Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

#### §82-5.4 Cultural Council Awards Revolving Fund.

5.4.1 Fund Name. There shall be a separate fund called the Cultural Council Awards Revolving Fund for use by the Cultural Council.

5.4.2 Revenues. The Director of Municipal Finance shall establish the Cultural Council Awards Revolving Fund as a separate account and credit to the fund entry fees, grants and donations received by the Cultural Council.

5.4.3 Purposes and Expenditures. During each fiscal year, the Cultural Council may incur liabilities against and spend monies from the Cultural Council Awards Revolving Fund for awards and to reimburse expenses.

5.4.4 Fiscal Years. The Cultural Council Awards Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

#### §82-5.5 The Beach Store Revolving Fund

5.5.1 Fund Name. There shall be a separate fund called the Beach Store Revolving Fund for use by the Natural Resources Department.

5.5.2 Revenues. The Director of Municipal Finance shall establish the Beach Store Revolving Fund as a separate account and credit to the fund all fees charged and received by the Natural Resources Department from the resale of beach store related items.

5.5.3 Purposes and Expenditures. During each fiscal year, the Natural Resources Department may incur liabilities against and spend monies from the Beach Inventory Revolving Fund to purchase items for resale and any other expenses related to the beach store.

5.5.4 Fiscal Years. The Beach Store Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

#### §82-5.6 The H.K. Cummings Collection Revolving Fund

5.6.1 Fund Name. There shall be a separate fund called the H.K. Cummings Collection Revolving Fund authorized for use by Snow Library.

5.6.2 Revenues. The Director of Municipal Finance shall establish the H.K. Cummings Collection Revolving Fund as a separate account and credit to the fund all of the fees charged and received by Snow Library in connection with the sale of prints.

5.6.3 Purposes and Expenditures. During each fiscal year, the Snow Library may incur liabilities against and spend monies from the H.K. Cummings Collection Revolving Fund for the expenses of the reproduction and digitization of prints in the H.K. Cummings Special Collection.

5.6.4 Fiscal Years. The H.K. Cummings Collection Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

#### §82-5.7 The Solar Credits Revolving Fund

5.7.1 Fund Name. There shall be a separate fund called the Solar Credits Revolving Fund authorized for use by the Town.

5.7.2 Revenues. The Director of Municipal Finance shall establish the Solar Credits Revolving Fund as a separate account and deposit the revenues received by the Town for net metering credits.

5.7.3 Purposes and Expenditures. During each fiscal year, the Town may incur liabilities against and spend monies from the Solar Credits Revolving Fund for the Town's utility bills.

5.7.4 Fiscal Years. The Solar Credits Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

Or to take any other action relative thereto. (Board of Selectmen)

MOTION (IF NEEDED)

I move this article be accepted and adopted as printed in the warrant.

SUMMARY

This article seeks to establish and authorize revolving funds for use by town departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, Section 53E1/2 which has recently been amended to require revolving accounts be authorized by by-law.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 7 – YES 0 – NO 0 – ABSTAIN

ARTICLE 6. DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

To see if the Town will vote to authorize revolving funds for certain town departments under M.G.L. c. 44, § 53E½ as follows:

- 1) Council on Aging Revolving Fund, said account not to exceed Sixty Thousand and 00/100 Dollars (\$60,000.00). Monies on hand in the Account will be used to fund programs, class instructor fees, fees for reservations and tickets related to trips and functions, and an annual volunteer appreciation function. All funds to be spent under the direction of the department manager and the Town Administrator.
- 2) Council on Aging Transportation Revolving Fund, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to fund driver salaries, vehicle maintenance and other necessary expenses related to the transportation program. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 3) The Home Composting Bin/Recycling Revolving Fund, said account not to exceed Fifteen Thousand and 00/100 Dollars (\$15,000.00). The Account will be used to

purchase additional composting bins and recycling containers. Said funds to be spent under the direction of the department manager and the Town Administrator.

- 4) Cultural Council Awards Revolving Fund, said account not to exceed Two Thousand and 00/100 Dollars (\$2,000.00). The Account will be used for the depositing of entry fees, expense reimbursements, and for awarding of cash prizes to participants in special exhibits and cultural events. Said funds to be spent under the direction of the Cultural Council and the Town Administrator.
- 5) The Beach Store Revolving Fund, said account not to exceed Seventy Five Thousand and 00/100 Dollars (\$75,000.00) The Account will be used to purchase items for resale and to pay for other beach store related expenses. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 6) The H.K. Cummings Collection Revolving Fund, said account not to exceed Five Thousand and 00/100 Dollars (\$5,000.00). The Account will be used for costs associated with reproduction and digitization of prints. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 7) The Solar Credits Revolving Fund, said account not to exceed Thirty Five Thousand and 00/100 Dollars (\$35,000.00). The Account will be used to pay the Town's utility bills. Said funds to be spent under the direction of the department manager and the Town Administrator.

Or to take any other action relative thereto to. (Board of Selectmen)

#### MOTION (IF NEEDED)

I move that this article be accepted and adopted as printed in the warrant.

#### SUMMARY

This article will authorize, establish and continue the authorization of various revolving funds for the following purposes:

- 1) A revolving fund for the specific receipts, fees and charges for particular programs, services and activities of the Council on Aging.
- 2) A revolving fund for use by the Council on Aging to offset expenses related to the transportation program with monies collected through donations and gifts.
- 3) A revolving fund for the purchase of composting bins and recycling containers. These bins and containers are sold to the general public and the funds collected are placed in a special revolving account that allows for the purchase of additional composting bins and recycling containers.
- 4) A revolving fund for use by the Cultural Council to award cash prizes for selected juried shows and reimburse expenses. The funds for cash prizes would be generated by the entry fee that artists pay to show their work.
- 5) A revolving account for use by the Natural Resources Department to purchase items for resale and to pay for other beach store related expenses.
- 6) A revolving fund for use by Snow Library to fund the reproduction and digitization of prints in the H.K. Cummings special collection.
- 7) A revolving fund for use by the Town to pay electric bills. Eversource will not apply our net metering credits directly to our accounts, so the revolving account allows for the funds to be used to pay utility bills.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 9 – YES 0 – NO 0 – ABSTAIN

## ARTICLE 7. MUNICIPAL RENTAL REVOLVING ACCOUNT

To see if the Town will vote to authorize the establishment of the following municipal building or property rental revolving accounts under M.G.L. c. 40, §3 and, further, that any balance at the close of the fiscal year shall remain in the account and may be expended for the upkeep and maintenance of the building or property by the board, committee or department head in control of the building or property:

- 1) The Conservation Properties Account, said account not to exceed Twenty Five Thousand and 00/100 Dollars (\$25,000.00). The Account will be used to pay utility bills and other necessary expenses associated with the rental of the Town owned properties under the jurisdiction and control of the Conservation Commission. Said funds to be spent under the direction of the Conservation Commission and the Town Administrator.
- 2) The Seasonal Housing Properties Account, said account not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property on Wildflower Lane and the former Hubler property located on Beach Road. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 3) The Community Building Account, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property at 44 Main Street. Said funds to be spent under the direction of the department manager and the Town Administrator.

Or to take any other action relative thereto. (Board of Selectmen)

### MOTION (IF NEEDED)

I move that this article be accepted and adopted as printed in the warrant.

### SUMMARY

This article will authorize, establish and continue the authorization of various revolving funds for the following purposes:

- 1) A revolving fund for the properties managed by the Conservation Commission. Monies collected as rent will be placed in the account for use to pay utility bills and other necessary expenses associated with the rental of the properties.
- 2) A revolving fund for the Gavigan and Hubler properties. Monies collected as rent from seasonal employees will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.
- 3) A revolving fund for the Community Building, also known as the Old Firehouse. Monies collected as rent from organizations using the property will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 7 – YES 0 – NO 0 – ABSTAIN

ARTICLE 8. PARKS AND RECREATION REVOLVING FUND; ACCEPTANCE OF M.G.L. CH. 44, §53D

To see if the Town will vote to accept the provisions of M.G.L. c. 44, §53D, in order to establish a revolving fund which shall be kept separate and apart from all other monies by the Treasurer and in which shall be deposited the receipts received in connection with the conduct of self-supporting recreation and park services of the town. The principal and interest thereon shall be expended at the direction of the authority, commission, board or official of the Town with said responsibility, and with the approval of the Town Administrator, without further appropriation; and only for the purpose of operating self-supporting recreation and park services; provided, further, that the unreserved fund balance shall not exceed Ten Thousand Dollars (\$10,000.00) at the close of each fiscal year and any such amount in excess of Ten Thousand Dollars (\$10,000.00) shall be paid into the Town treasury as provided in c.40, §53.

Or to take any other action relative thereto. (Board of Selectmen)

MOTION (IF NEEDED)

I move that this article be accepted and adopted as printed in the warrant.

SUMMARY

This article seeks to establish and authorize a revolving fund for use by the Parks & Recreation Divisions in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, Section 53D which has recently been amended.

BOS: Voted 5-0 to recommend entire consent calendar  
FC: 7 – YES 0 – NO 0 – ABSTAIN

ARTICLE 9. ADOPT M.G.L. CH. 71, § 16B, ASSESSMENT FORMULA – NAUSET REGIONAL SCHOOLS

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 71, § 16B, which would reallocate the sum of the member towns' contribution to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called, or to take any other action relative thereto. (Nauset Regional School Committee)

MOTION (IF NEEDED)

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article will apportion the Nauset Regional School Assessments for FY20 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last ten years by Town Meeting vote.

**BOS:** Voted 5-0 to recommend entire consent calendar  
**FC:** 9 – YES      0 – NO      0 – ABSTAIN

(Simple Majority Vote Required)

**CONSENT CALENDAR – PROPOSED MOTION**

I move that Articles 1, 2, 3, 4, 5, 6, 7, 8 and 9 be accepted and adopted as printed in the warrant.

**CONSENT CALENDAR – SUMMARY**

As provided in an amendment to the Orleans Home Rule Charter approved by the Town Meeting in 2015 and by local election in 2016, the Board of Selectmen may include in the warrant a Consent Calendar listing articles which that Board deems non-controversial. A written request by five registered voters before the commencement of Town Meeting, or, afterward, an oral request by five registered voters prior to consideration of the Consent Calendar, shall remove a particular article from it. All remaining articles in the Consent Calendar shall then be voted upon by a single vote without debate. Removed articles shall be considered and acted upon immediately after consideration of the Consent Calendar, and in the order of their listing in the Consent Calendar.

**BOS:** 5 – YES      0 – NO      0 – ABSTAIN  
**FC:** 9 – YES      0 – NO      0 – ABSTAIN

**ARTICLE 10. TOWN / SCHOOL BUDGET (FY19)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund and pay departmental expenses for the fiscal year commencing July 1, 2018 and ending June 30, 2019 and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or service as the case may be, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**TOWN OF ORLEANS**  
**PROPOSED OPERATING BUDGET**  
**FOR THE FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2018 ADOPTED</u>	<u>2019 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
<b>GENERAL GOVERNMENT</b>						
	<b>122</b>	<b><u>SELECTMEN/TOWN ADMINISTRATOR</u></b>				
1		SALARY	389,841	374,575	(15,266)	-3.9%
2		EXPENSE	157,815	157,941	126	0.1%
	TOTAL	SELECTMEN/TOWN ADMINISTRATOR	547,656	532,516	(15,140)	-2.8%
	<b>123</b>	<b><u>TELEPHONE/COMMUNICATIONS</u></b>				
3		EXPENSE	29,720	30,280	560	1.9%
	TOTAL	TELEPHONE/COMMUNICATIONS	29,720	30,280	560	1.9%
	<b>124</b>	<b><u>MEDIA OPERATIONS</u></b>				
4		SALARY	77,214	78,850	1,636	2.1%
5		EXPENSE	14,990	15,248	258	1.7%
6		CAPITAL OUTLAY	17,938	18,275	337	1.9%
	TOTAL	MEDIA OPERATIONS	110,142	112,373	2,231	2.0%
	<b>131</b>	<b><u>FINANCE COMMITTEE</u></b>				
7		SALARY	1,500	1,700	200	13.3%
8		EXPENSE	500	700	200	40.0%
9		RESERVE FUND	80,000	80,000	-	0.0%
	TOTAL	FINANCE COMMITTEE	82,000	82,400	400	0.5%
	<b>135</b>	<b><u>FINANCE</u></b>				
10		SALARY	225,712	225,712	-	0.0%
11		EXPENSE	34,033	44,435	10,402	30.6%
	TOTAL	FINANCE DIRECTOR	259,745	270,147	10,402	4.0%
	<b>141</b>	<b><u>ASSESSING</u></b>				
12		SALARY	153,354	156,614	3,260	2.1%
13		EXPENSE	73,550	75,000	1,450	2.0%
	TOTAL	ASSESSING	226,904	231,614	4,710	2.1%
	<b>145</b>	<b><u>TREASURER/COLLECTOR</u></b>				
14		SALARY	214,102	227,430	13,328	6.2%
15		EXPENSE	35,342	36,992	1,650	4.7%
	TOTAL	TREASURER/COLLECTOR	249,444	264,422	14,978	6.0%
	<b>155</b>	<b><u>MANAGEMENT INFORMATION SYSTEMS</u></b>				
16		SALARY	90,496	127,378	36,882	40.8%
17		EXPENSE	119,855	155,705	35,850	29.9%
18		CAPITAL OUTLAY	20,550	-	(20,550)	-100.0%
	TOTAL	MANAGEMENT INFORMATION SYSTEMS	230,901	283,083	52,182	22.6%
	<b>161</b>	<b><u>TOWN CLERK/ELECTIONS/VOTER REG.</u></b>				
19		SALARY	138,222	146,999	8,777	6.3%
20		EXPENSE	18,245	20,035	1,790	9.8%
21		CAPITAL OUTLAY	-	3,000	3,000	
	TOTAL	TOWN CLERK	156,467	170,034	13,567	8.7%
	<b>171</b>	<b><u>CONSERVATION</u></b>				

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2018 ADOPTED</u>	<u>2019 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
22		SALARY	117,310	120,818	3,508	3.0%
23		EXPENSE	3,935	4,015	80	2.0%
	TOTAL	CONSERVATION	121,245	124,833	3,588	3.0%
	<b>175</b>	<b>PLANNING</b>				
24		SALARY	153,305	156,676	3,371	2.2%
25		EXPENSE	13,695	13,765	70	0.5%
	TOTAL	PLANNING	167,000	170,441	3,441	2.1%
	<b>176</b>	<b>ZONING BOARD OF APPEALS</b>				
26		SALARY	5,105	5,023	(82)	-1.6%
27		EXPENSE	3,800	3,800	-	0.0%
	TOTAL	ZONING BOARD OF APPEALS	8,905	8,823	(82)	-0.9%
	<b>195</b>	<b>TOWN REPORTS/TOWN MEETING</b>				
28		EXPENSE	9,464	10,075	611	6.5%
	TOTAL	TOWN REPORTS/TOWN MEETING	9,464	10,075	611	6.5%
	<b>TOTAL</b>	<b>GENERAL GOVERNMENT</b>	<b>2,199,593</b>	<b>2,291,041</b>	<b>91,448</b>	<b>4.2%</b>
		<b>PUBLIC SAFETY</b>				
	<b>210</b>	<b>POLICE/COMMUNICATIONS</b>				
29		SALARY	2,289,503	2,308,144	18,641	0.8%
30		EXPENSE	215,716	230,784	15,068	7.0%
31		CAPITAL OUTLAY	-	-	-	
	TOTAL	POLICE/COMMUNICATIONS	2,505,219	2,538,928	33,709	1.3%
	<b>213</b>	<b>FUEL</b>				
32		EXPENSE	114,718	116,952	2,234	1.9%
	TOTAL	FUEL	114,718	116,952	2,234	1.9%
	<b>220</b>	<b>FIRE/RESCUE</b>				
33		SALARY	2,332,467	2,406,548	74,081	3.2%
34		EXPENSE	333,338	340,388	7,050	2.1%
35		CAPITAL OUTLAY	-	-	-	
	TOTAL	FIRE/RESCUE (see note 1)	2,665,805	2,746,936	81,131	3.0%
	<b>241</b>	<b>BUILDING</b>				
36		SALARY	184,141	191,371	7,230	3.9%
37		EXPENSE	79,255	79,160	(95)	-0.1%
	TOTAL	BUILDING	263,396	270,531	7,135	2.7%
	<b>242</b>	<b>BUILDING CODE BOARD OF APPEALS</b>				
38		SALARY	404	411	7	1.7%
39		EXPENSE	50	50	-	0.0%
	TOTAL	BUILDING CODE BOARD OF APPEALS	454	461	7	1.5%
	<b>291</b>	<b>EMERGENCY MANAGEMENT</b>				
40		SALARY	46,594	54,434	7,840	16.8%
41		EXPENSE	15,825	16,125	300	1.9%
42		CAPITAL OUTLAY	-	-	-	
	TOTAL	CIVIL DEFENSE	62,419	70,559	8,140	13.0%
	<b>TOTAL</b>	<b>PUBLIC SAFETY</b>	<b>5,612,011</b>	<b>5,744,367</b>	<b>132,356</b>	<b>2.4%</b>

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2018 ADOPTED</u>	<u>2019 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
<b>EDUCATION</b>						
	<b>300</b>	<b><u>ORLEANS ELEMENTARY SCHOOL</u></b>				
43		BENEFITS	1,082,999	1,144,879	61,880	5.7%
44		OPERATIONS	3,721,373	3,852,298	130,925	3.5%
45		CAPITAL OUTLAY	20,000	20,000	-	0.0%
	TOTAL	ORLEANS ELEMENTARY SCHOOL	4,824,372	5,017,177	192,805	4.0%
	<b>310</b>	<b><u>NAUSET REGIONAL ASSESSMENT</u></b>				
46		EXPENSE	4,333,446	4,533,793	200,347	4.6%
47		CAPITAL OUTLAY - NRSD AGREEMENT	100,599	104,238	3,639	3.6%
	TOTAL	NAUSET REGIONAL ASSESSMENT	4,434,045	4,638,031	203,986	4.6%
	<b>330</b>	<b><u>CAPE COD TECHNICAL ASSESSMENT</u></b>				
48		EXPENSE	290,179	266,114	(24,065)	-8.3%
	TOTAL	CAPE COD TECHNICAL ASSESSMENT	290,179	266,114	(24,065)	-8.3%
	<b>TOTAL</b>	<b>EDUCATION</b>	<b>9,548,595</b>	<b>9,921,322</b>	<b>372,727</b>	<b>3.9%</b>
<b>PUBLIC WORKS AND FACILITIES</b>						
	<b>420</b>	<b><u>DEPARTMENT OF PUBLIC WORKS</u></b>				
49		SALARY	2,577,370	2,642,199	64,829	2.5%
50		EXPENSE	946,135	990,284	44,149	4.7%
51		CAPITAL OUTLAY	-	-	-	
	TOTAL	HIGHWAY	3,523,505	3,632,483	108,978	3.1%
	<b>423</b>	<b><u>SNOW REMOVAL</u></b>				
52		SALARY	47,024	47,024	-	0.0%
53		EXPENSE	124,976	124,976	-	0.0%
	TOTAL	SNOW REMOVAL	172,000	172,000	-	0.0%
	<b>450</b>	<b><u>WATER</u></b>				
54		SALARY	606,809	622,100	15,291	2.5%
55		EXPENSE	370,644	377,721	7,077	1.9%
56		CAPITAL OUTLAY	129,000	129,500	500	0.4%
	TOTAL	WATER-SRF (see note 2)	1,106,453	1,129,321	22,868	2.1%
	<b>TOTAL</b>	<b>PUBLIC WORKS AND FACILITIES</b>	<b>4,801,958</b>	<b>4,933,804</b>	<b>131,846</b>	<b>2.7%</b>
<b>HUMAN SERVICES</b>						
	<b>510</b>	<b><u>HEALTH</u></b>				
57		SALARY	244,304	247,385	3,081	1.3%
58		EXPENSE	50,200	51,148	948	1.9%
	TOTAL	HEALTH	294,504	298,533	4,029	1.4%
	<b>541</b>	<b><u>COUNCIL ON AGING</u></b>				
59		SALARY	580,084	592,048	11,964	2.1%
60		EXPENSE	90,289	75,907	(14,382)	-15.9%
61		CAPITAL OUTLAY	-	-	-	
	TOTAL	COUNCIL ON AGING	670,373	667,955	(2,418)	-0.4%
	<b>543</b>	<b><u>VETERANS BENEFITS</u></b>				
62		EXPENSE	57,473	67,863	10,390	18.1%
	TOTAL	VETERANS BENEFITS	57,473	67,863	10,390	18.1%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2018 ADOPTED</u>	<u>2019 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>TOTAL</b>	<b>HUMAN SERVICES</b>	1,022,350	1,034,351	12,001	1.2%
		<b><i>CULTURE AND RECREATION</i></b>				
	<b>610</b>	<b><u>SNOW LIBRARY</u></b>				
63		SALARY	456,510	471,376	14,866	3.3%
64		EXPENSE	157,963	160,135	2,172	1.4%
65		CAPITAL OUTLAY	-	-	-	
	<b>TOTAL</b>	<b>SNOW LIBRARY</b>	<b>614,473</b>	<b>631,511</b>	<b>17,038</b>	<b>2.8%</b>
	<b>615</b>	<b><u>HISTORIC COMMISSION</u></b>				
66		SALARY	-	1,200	1,200	
67		EXPENSE	-	1,550	1,550	
	<b>TOTAL</b>	<b>HISTORIC COMMISSION</b>	<b>-</b>	<b>2,750</b>	<b>2,750</b>	
	<b>690</b>	<b><u>OLD KINGS HIGHWAY REG DISTRICT</u></b>				
68		SALARY	1,748	1,736	(12)	-0.7%
69		EXPENSE	975	975	-	0.0%
	<b>TOTAL</b>	<b>OLD KINGS HIGHWAY REG DISTRICT</b>	<b>2,723</b>	<b>2,711</b>	<b>(12)</b>	<b>-0.4%</b>
	<b>692</b>	<b><u>MEMORIAL &amp; VETERANS DAY</u></b>				
70		EXPENSE	1,500	1,500	-	0.0%
	<b>TOTAL</b>	<b>MEMORIAL &amp; VETERANS DAY</b>	<b>1,500</b>	<b>1,500</b>	<b>-</b>	<b>0.0%</b>
	<b>699</b>	<b><u>SPECIAL EVENTS &amp; INFORMATION</u></b>				
71		EXPENSE	450	450	-	0.0%
	<b>TOTAL</b>	<b>SPECIAL EVENTS &amp; INFORMATION</b>	<b>450</b>	<b>450</b>	<b>-</b>	<b>0.0%</b>
	<b>TOTAL</b>	<b>CULTURE AND RECREATION</b>	<b>619,146</b>	<b>636,172</b>	<b>17,026</b>	<b>2.7%</b>
		<b><i>DEBT SERVICE</i></b>				
	<b>710</b>	<b><u>PRINCIPAL - NOTES &amp; BONDS</u></b>				
72		EXPENSE	3,213,504	4,530,000	1,316,496	41.0%
	<b>TOTAL</b>	<b>PRINCIPAL - NOTES &amp; BONDS</b>	<b>3,213,504</b>	<b>4,530,000</b>	<b>1,316,496</b>	<b>41.0%</b>
	<b>751</b>	<b><u>INTEREST - NOTES &amp; BONDS</u></b>				
73		EXPENSE	1,146,601	2,386,384	1,239,783	108.1%
	<b>TOTAL</b>	<b>INTEREST - NOTES &amp; BONDS</b>	<b>1,146,601</b>	<b>2,386,384</b>	<b>1,239,783</b>	<b>108.1%</b>
	<b>TOTAL</b>	<b>DEBT SERVICE</b>	<b>4,360,105</b>	<b>6,916,384</b>	<b>2,556,279</b>	<b>58.6%</b>
		<b><i>INTERGOVERNMENTAL/INSURANCE</i></b>				
	<b>820</b>	<b><u>STATE ASSESSMENTS</u></b>				
74		EXPENSE	224,026	229,627	5,601	2.5%
	<b>TOTAL</b>	<b>STATE ASSESSMENTS</b>	<b>224,026</b>	<b>229,627</b>	<b>5,601</b>	<b>2.5%</b>
	<b>830</b>	<b><u>COUNTY ASSESSMENTS</u></b>				
75		SALARY	1,812,055	1,886,365	74,310	4.1%
76		EXPENSE	327,614	336,255	8,641	2.6%
	<b>TOTAL</b>	<b>COUNTY ASSESSMENTS</b>	<b>2,139,669</b>	<b>2,222,620</b>	<b>82,951</b>	<b>3.9%</b>
	<b>840</b>	<b><u>OTHER STATE &amp; COUNTY CHARGES</u></b>				
77		EXPENSE	43,717	49,150	5,433	12.4%
	<b>TOTAL</b>	<b>OTHER STATE &amp; COUNTY CHARGES</b>	<b>43,717</b>	<b>49,150</b>	<b>5,433</b>	<b>12.4%</b>

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2018 ADOPTED</u>	<u>2019 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>912</b>	<b><u>INSURANCE NOTES AND BONDS</u></b>				
78		EXPENSE	393,674	423,753	30,079	7.6%
	TOTAL	INSURANCE NOTES AND BONDS	393,674	423,753	30,079	7.6%
	<b>913</b>	<b><u>UNEMPLOYMENT COMPENSATION</u></b>				
79		EXPENSE	15,000	15,000	-	0.0%
	TOTAL	UNEMPLOYMENT COMPENSATION	15,000	15,000	-	0.0%
	<b>914</b>	<b><u>EMPLOYEE HEALTH &amp; MEDICARE</u></b>				
80		SALARY	2,552,662	2,721,047	168,385	6.6%
	TOTAL	EMPLOYEE HEALTH & MEDICARE	2,552,662	2,721,047	168,385	6.6%
	<b>TOTAL</b>	<b>INTERGOVERNMENTAL/INSURANCE</b>	<b>5,368,748</b>	<b>5,661,196</b>	<b>292,448</b>	<b>5.4%</b>
	<b>GRAND TOTAL</b>		<b>33,532,506</b>	<b>37,141,387</b>	<b>3,606,131</b>	<b>10.8%</b>
		TOTAL OPERATING BUDGET	33,532,506	37,141,387	3,608,881	10.8%
		Assessed Value (actual and est.)	3,963,297	4,042,563	2.0%	
		Tax Rate	\$ 6.63	\$ 7.52	13.4%	

Note 1 \$ 500,000 of appropriations for the FY 2019 Fire/Rescue budget are offset by revenues from ambulance billings.

Note 2 Appropriations for employee benefits and debt payments associated with Water Department operations are included in the operating budget under employee health/Medicare and debt service totals. A portion of the Water Department revenues will be used to offset these costs.

**PROPOSED MOTION**

I move this article be accepted and adopted and that the Town Meeting adopt the Selectmen’s proposed FY 2019 budget as printed in the warrant, and as funding therefore, to raise and appropriate the sum of Thirty Three Million One Hundred Twenty Nine Thousand Four Hundred Twenty Six and 00/100 Dollars (\$33,129,426.00), appropriate from Water Fees the sum of Two Million Two Hundred Sixty Four Thousand Seven Hundred Eight and 00/100 Dollars (\$2,264,708.00), transfer from Free Cash the sum of Nine Hundred Twelve Thousand Four Hundred Eighteen and 00/100 Dollars (\$912,418.00), transfer from the Ambulance Receipts Reserved for Appropriation account the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), transfer from the Water Ways Improvement account the sum of One Hundred Twenty Six Thousand and 00/100 Dollars (\$126,000.00), transfer from the Cable Fees Receipts Reserved for Appropriation account the sum of One Hundred Thirty Two Thousand and 00/100 Dollars (\$132,000.00), transfer from the Municipal Insurance Fund the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), transfer from the Water Pollution Abatement Trust account the sum of Five Thousand and 00/100 Dollars (\$5,000.00), transfer from the Wetlands Protection Fund the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), and transfer from the Bond Premiums the sum of Forty Six Thousand Eight Hundred Thirty Five and 00/100 Dollars (\$46,835.00); for a total appropriation of Thirty Seven Million One Hundred Forty One Thousand Three Hundred Eighty Seven and 00/100 Dollars (\$37,141,387.00).

**SUMMARY**

This article would set and fund the operational budgets for the normal operation for all Town functions in the amount of Thirty Seven Million One Hundred Forty One Thousand Three Hundred Eighty Seven and 00/100 Dollars (\$37,141,387.00) for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             6 – YES            1 – NO            0 – ABSTAIN

**ARTICLE 11. CAPITAL IMPROVEMENTS PLAN (FY20 – FY24)**

To see if the Town will vote pursuant to CHAPTER 8 FINANCIAL PROVISIONS AND PROCEDURES, Section 7, Action of Town Meeting, Subsection 8-7-1 of the Orleans Home Rule Charter, to act on the Capital Improvements Plan as published in the Warrant, by adopting said Plan with or without amendments thereto, which amendments may include an increase or decrease in the amount of money allocated to any particular line item contained therein, the addition of new line items or the deletion of line items contained therein, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted and that pursuant to Chapter 8, Financial Provisions and Procedures, Section 7, Action of Town Meeting, Sub-section 8-7-1 of the Orleans Home Rule Charter, the Town Meeting accept the Capital Improvement Plan as printed in the warrant.

Project Descriptions	Adopted		Budgeted					Proposed					
	FY19	FY19	FY19	FY20	FY21	FY22	FY23	FY24	FY20	FY21	FY22	FY23	FY24
<b>COMMUNITY PRESERVATION ACT</b>													
Program Activity Funding	723,799	1,316,826	(1)	(1)	(1)	(1)	(1)	(1)				(1)	(1)
<b>CWRMP IMPLEMENTATION (CF-27) (CF-28)</b>													
Planning, Engineering & Adaptive Management Activities (Funding TBD)	4,048,300	4,223,600	40,904,680	1,149,450	9,893,700	919,000	5,119,200						
Treatment & Disposal Site Investigations													
Non-Traditional Technologies Design, Demonstration & Implementation													
Wastewater Facilities Design													
Wastewater Facilities Construction													
Update of Amended CWMP													
Water Quality Monitoring, MEP Report & Updates													
Technical Oversight & Projects Management													
<b>DPW &amp; NATURAL RESOURCES</b>													
Water Quality Drainage Improvements (NR-6)(NR-12) (Stabilization Fund)	178,287	178,287	182,745	187,313	191,996	196,796	201,716						
Town Pavement Management Program (T-1)(T-7) (Stabilization Fund)	356,596	356,596	365,511	374,649	384,015	393,616	403,456						
Water Department Asset Management Plan													
Replace Countryside Drive 6-inch Water Main w/8-inch (Debt)			362,000		11,000	115,000							
WTP Membrane Replacement (Rack 1) (Water Reserves)				362,000									
WTP Membrane Replacement (Rack 2) (Water Reserves)					362,000								
WTP Membrane Replacement (Rack 3) (Water Reserves)						362,000							
Well No. 7 to WTP Raw Water Main Project (Debt)	235,000	210,000	2,335,000										
Replace Rock Harbor Road 6-inch Water Main w/8-inch (Debt)						72,000							
Replace Skaket Beach Administration Building and Restrooms Construction (Debt Exclusion)	315,000	775,000											
Nauset Beach Dune Restoration Project at Main Parking Lot Construction Phase 1 (Debt Exclusion)	1,000,000	0											
Construction Phase 2 (Debt Exclusion)					1,000,000								
Town Landing Boating Ramp and Bulkhead Replacement Projects			700,000										
Portanimit Road - Construction (Debt Exclusion)						700,000							
Town Cove (by Goose Hummock) - Construction (Debt Exclusion)											700,000		
Rock Harbor (Commercial/Loading Dock) - Construction (Debt Exclusion)													
Nauset Estuary Dredging Project													
Phase 1 - Inner Channel Town Cove to Hopkins Island (Debt Exclusion)			775,000										
Phase 2 - Outer Channel Hopkins Island to Nauset Inlet (Debt Exclusion)				1,200,000									

Project Descriptions	Adopted		Budgeted		Proposed				
	FY19	FY19	FY19	FY19	FY20	FY21	FY22	FY23	FY24
<b>FIRE/RESCUE DEPARTMENT</b>									
Replace Roof on Fire Station <i>(Debt Exclusion)</i>					350,000				
<b>NAUSET REGIONAL SCHOOLS</b>									
Five Year Capital Plan Project Funding <i>(Raise &amp; Appropriate)</i>	103,100		104,238		105,700	108,300	111,025	113,900	116,800
High School MSBA CORE Project									
Construction <i>(Debt Exclusion)</i>						12,902,500			
<i>(Orleans share of project cost is 20.07% based on FY19 assessments)</i>									
<b>ORLEANS ELEMENTARY SCHOOL</b>									
MSBA CORE Project (classroom & restroom plumbing, stage and roof)									
Feasibility Study & Schematic Design <i>(Debt Exclusion)</i>					375,000				
Construction <i>(Debt Exclusion)</i>							1,975,000		
<b>SNOW LIBRARY</b>									
Replace Roof on Library <i>(Debt Exclusion)</i>						350,000			
<b>TOWN BUILDING &amp; FACILITIES MAINTENANCE PROGRAM</b>									
Building & Facilities Master Plan Projects <i>(Stabilization Fund)</i>	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Media Operations <i>(CATV Fees)</i>	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000
OES Technology Improvements <i>(Raise &amp; Appropriate)</i>	17,900	18,275	18,275	18,275	18,275	18,275	18,275	18,275	18,275
Water Department <i>(Water Fees)</i>	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
	144,000	129,500	129,500	129,500	45,000	45,000	45,000	45,000	45,000
<b>TOWN VEHICLE &amp; DURABLE EQUIPMENT REPLACEMENT PROGRAM</b>									
General Fund Departments - Vehicles & Equipment <i>(Stabilization Fund)</i>	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
DPW/NR Replace Streetsweeper <i>(Debt Exclusion)</i>	510,000	510,000	510,000	510,000	510,000	510,000	510,000	510,000	510,000
Fire Department Replace Pumper Truck <i>(Debt Exclusion)</i>						675,000			
New Ambulances <i>(Ambulance Reserves)</i>						330,000			360,000
Water Department - Vehicles & Equipment <i>(Water Fees)</i>	46,000	46,000	46,000	46,000	0	10,000	130,000	48,000	25,000
<b>TOTALS</b>	<b>8,047,982</b>	<b>8,238,322</b>	<b>47,398,911</b>	<b>18,592,487</b>	<b>15,774,011</b>	<b>3,004,587</b>	<b>7,869,447</b>		

Proposed Annual Funding by Source	Proposed Annual Funding by Fiscal Year					
	FY19	FY20	FY21	FY22	FY23	FY24
Community Preservation Funds	1,316,826					
Water Fees/Funds	385,500	2,742,000	417,000	620,000	208,000	70,000
Ambulance Receipts	0	0	330,000	0	0	360,000
CATV Fees	18,275	18,275	18,275	18,275	18,275	18,275
Stabilization Fund - Veh & Equip (Prop. Tax)	510,000	510,000	510,000	510,000	510,000	510,000
Stabilization Fund - Bldg & Facilities (Prop. Tax)	350,000	350,000	350,000	350,000	350,000	350,000
Stabilization Fund - Pavement Mgmt. (Prop. Tax)	356,596	365,511	374,649	384,015	393,616	403,456
Stabilization Fund - Water Quality Drainage (Prop. Tax)	178,287	182,745	187,313	191,996	196,796	201,716
Wastewater Funding Sources (TBD)	4,223,600	40,904,680	1,149,450	9,893,700	919,000	5,119,200
Debt Exclusions (Prop. Tax)	775,000	1,825,059	15,127,500	3,675,000	275,000	700,000
Raise & Appropriate (Prop. Tax)	124,238	125,700	128,300	131,025	133,900	136,800
<b>Total</b>	<b>8,238,322</b>	<b>47,023,970</b>	<b>18,592,487</b>	<b>15,774,011</b>	<b>3,004,587</b>	<b>7,869,447</b>

**Notations:** References to the Orleans Comprehensive Plan are shown after each project description in parenthesis and described in the addendum.

(1) Community Preservation Act program activities will be supported through the CPA surtax, state matching funds and available fund reserves.

(2) Town Building & Facilities Maintenance Program includes projects grouped by funding source - dedicated stabilization fund, cable television franchise fees, water reserves or raise and appropriate. A separate 7-year master plan of scheduled projects is maintained for review and approval by the Board of Selectman. The funding source for each group is shown in parenthesis.

(3) Town Vehicle & Equipment Replacement Program includes purchases grouped by funding source - dedicated stabilization fund, ambulance receipts, water reserves or debt exclusion. A separate 10-year master plan of scheduled replacements is maintained for review and approval by the Board of Selectmen. The funding source for each group is shown in parenthesis.

(4) Grants: All articles to fund capital projects include the authorization for the Board of Selectmen and/or Town Administrator to apply for and to accept any Federal, State, County or other funds that may be available for such purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which may be used to offset the total cost of the project.

Adopted: March 21, 2018

<b>ORLEANS COMPREHENSIVE PLAN IMPLEMENTATION PROGRAM DESCRIPTIONS</b>	
<b>ITEM</b>	
CF-19	Implement improvements to Town Landings as scheduled.
CF-27	Develop a wastewater management plan for the entire town
CF-28	Implement recommendations of the wastewater management plan
NR-6	Prevent direct discharge of untreated stormwater into coastal embayments and ponds
NR-12	Prevent direct discharge of untreated stormwater into fresh water bodies
T-1	Complete and utilize a Pavement Management System to develop a systematic approach to street maintenance and improvement
T-7	Fund the Highway Department at an appropriate level to support the maintenance and replacement of new and existing roads.

**CAPITAL BUDGET  
FY19**

<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
<b>COMMUNITY PRESERVATION ACT</b> Program Activity Funding	\$1,316,826	CPA Funds
<b>CWRMP IMPLEMENTATION</b> Planning, Engineering and Adaptive Management Activities New Treatment & Disposal Site Investigations Non-Traditional Technologies Demonstration Projects Wastewater Facilities Design Water Quality Monitoring, MEP Compliance & Project Baselines Technical Oversight & Projects Management	\$4,223,600	Debt Exclusion
<b>DPW &amp; NATURAL RESOURCES</b> Water Quality Drainage Improvements Town Pavement Management Program Water Dept. Connect Well No. 7 to Water Treatment Plant - Design Replace Skaket Beach Admin. Building & Restrooms - Construction	\$178,287 \$356,596 \$210,000 \$775,000	Stabilization Funds Stabilization Funds Debt Debt
<b>NAUSET REGIONAL SCHOOLS</b> 5-Year Capital Plan Project Funding	\$104,238	Raise & Appropriate
<b>TOWN BUILDING &amp; FACILITIES MAINTENANCE PROGRAM</b> Building & Facilities Master Plan Projects Media Operations OES Technology Improvements Water Department	\$350,000 \$18,275 \$20,000 \$129,500	Stabilization Funds CATV Fees Raise & Appropriate Water Fees
<b>TOWN VEHICLE &amp; EQUIPMENT REPLACEMENT PROGRAM</b> General Fund Departments Water Department	\$510,000 \$46,000	Stabilization Funds Water Fees
<b>TOTAL</b>	<b>\$8,238,322</b>	

**Note:** The following changes are being proposed to the Capital Improvements Plan since its adoption at Town Meeting in May 2017:

**Projects Added:** Nauset Regional Schools Five Year Capital Plan Project Funding (FY23).

**Project Start Dates:** Water Department Countryside Drive Water Main (FY20 & 21 to FY22 & 23); Nauset Estuary Dredging Phase 1 (FY19 to FY20) and Phase 2 (FY22 to FY21); Fire Department Roof Replacement (FY19 to FY20); Nauset Regional High School MSBA Project (FY20 to FY21); Orleans Elementary School MSBA Feasibility Study (FY19 to FY20) and Snow Library Roof Replacement (FY20 to FY21).

**Projects Removed:** Nauset Regional Middle School Renovations (FY22).

Revised: April 4, 2018

## FY20 PROJECT DESCRIPTIONS

### COMMUNITY PRESERVATION ACT – PROGRAM ACTIVITY FUNDING

This is an annual program that for CPA activities that are supported through the 3% CPA surtax, state matching funds and available fund reserves. As required under the CPA, a minimum of 10% of the Town's annual proceeds have to be allocated to each of the three primary purposes: open space, affordable housing and historic preservation. Town Meeting approval is necessary for all Community Preservation Committee recommendations for funding.

Total Project Funding:	TBD
Method of Financing:	Available Funds (CPA)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon use

### CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over a twenty year period (FY19 – FY38). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY20: Downtown Area Collection (\$12,351,100), WWTF (\$23,066,900) and Effluent Disposal (\$4,375,300); Meeting House Pond Collection System (\$828,480); Permeable Reactive Barriers (\$7,900); and Program Management (\$275,000).

Total Estimated Cost:	\$40,904,680
Method of Financing:	Bonding (30 years)
Recommended Schedule:	36 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$1,363,489

### DPW & NATURAL RESOURCES – WATER QUALITY DRAINAGE IMPROVEMENTS

This is an annual appropriation for the design and construction of improvements to the Town's drainage infrastructure systems to address water quality issues resulting from storm water runoff that adversely affects the health of the various Town coastal embayments and ponds, along with the Town's fresh water bodies. Addressing these drainage issues will bring the Town into compliance with US EPA Storm Water Quality Permits and Mass. DEP Water Quality requirements. Various State and Federal Agencies offer limited grant funding to address storm water issues. Annual funding for water quality drainage improvements will be based on a proposed project schedule.

Total Estimated Cost:	\$182,745
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

### DPW & NATURAL RESOURCES – TOWN PAVEMENT MANAGEMENT PROGRAM

This is an annual appropriation for the local share of the Town's Pavement Management Program to repair, resurface, and reconstruct Town roadways. The Town currently

maintains approximately 56 miles of public roadways. Also included under this program is work related to roadway drainage and sidewalk projects. Over the past several years the Town has compiled an inventory of the condition of all our roadways in an effort to address, on a priority basis, the long term maintenance needs. Local funding for laid out public roads is also supplemented by State Aid Chapter 90 funds, and the FY18 apportionment was \$290,140. Annual funding for roadway and drainage projects will be based on a proposed project schedule.

Total Estimated Cost:	\$365,511
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

DPW & NATURAL RESOURCES – WATER DEPT. WTP FILTER MEMBRANE REPLACEMENT

This item would replace rack #1 at the water treatment plant. The membranes were supplied with a 10 year performance warranty and need to be replaced. As the heart of the treatment process their replacement must be planned for and the supplier (Pall Corp.) and other experienced professionals advise planning for the replacement as the warranty expires. One of three racks would be replaced in three successive years beginning in FY20.

Total Estimated Cost:	\$362,000
Method of Financing:	Water Reserves
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	\$50,000

DPW & NATURAL RESOURCES – WATER DEPT. WELL NO. 7 TO WTP CONSTRUCTION

This project will incorporate well #7 into the water treatment plant by extending a water main from Quanset Road to the plant. This will improve reliability during peak summer demand periods and deliver a high quality product to consumers. Well #7 currently has an increasing iron problem and even though it is our largest single source, it is only used during peak summer demand or emergencies because of the water quality.

Total Estimated Cost:	\$2,335,000
Method of Financing:	Bonding (25 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	\$5,000
Average Annual P&I:	\$154,110

DPW & NATURAL RESOURCES – PORTANIMICUT ROAD BULKHEAD REPLACEMENT

This project provides funds for the construction of the replacement of the bulkhead and boat ramp located at the Portanimicut Road town landing. This landing receives heavy commercial and recreational use from April to December annually.

Total Estimated Cost:	\$700,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	8 Months

Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$49,700

**NAUSET ESTUARY DREDGING PROJECT (PHASE 1)**

This project will fund the first phase of the Nauset Estuary dredging project to improve navigation and public safety. This phase will involve mechanically dredging approximately 6,800 cubic yards from the channel in the inner estuary from Town Cove to Hopkins Island. This work would be permitted separately to allow earlier construction. It is anticipated that the permits will be in place by the end of 2018. The dredged sand would be dewatered and stockpiled at an upland site to be used for town beach nourishment projects.

Total Estimated Cost:	\$775,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$94,450

**FIRE/RESCUE DEPARTMENT ROOF REPLACEMENT**

This project will fund the replacement of the fire station roof that was installed with the station was originally constructed back in 1987.

Total Estimated Cost:	\$350,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	3 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$22,875

**NAUSET REGIONAL SCHOOLS – CAPITAL PLAN PROJECT FUNDING**

This items covers Orleans share of the annual capital plan project costs that are undertaken by the Nauset Regional Schools as part of their ongoing responsibilities for the maintenance and repairs of the middle school, high school and administration building facilities. Under the intermunicipal agreement for the regional school district, Orleans FY19 assessment is 20.07% of the total based on the student enrollments on October 1, 2017.

Total Estimated Cost:	\$105,700
Method of Financing:	Raise & Appropriate
Recommended Schedule:	TBD
Estimated Annual Cost O/M:	N/A

**ORLEANS ELEMENTARY SCHOOL – MSBA CORE PROJECT STUDY & DESIGN**

This project would fund a feasibility study and schematic design necessary to participate in the MSBA CORE program to address the complete replacement of the plumbing and fixtures in the restrooms and classrooms in the original building; replacing the rubber membrane roof; replacing the stage accessibility ramp/lift; sound absorption panels in the K-3 wing; and interior lighting occupancy sensors, signage and access to the playfields. The scope of work needed is outlined in the Capital Asset Assessment report by Habeeb & Associates Architects dated on October 21, 2013.

Total Estimated Cost:	\$375,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$26,625

**TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM**

This is an annual program that includes the various building and facilities maintenance projects scheduled each year to be funded through stabilization funds, water reserves, cable television franchise fees, or general tax revenues. The goal of including a summary of these projects in the CIP is to provide a more complete picture of the proposed work each year in all of the town buildings and facilities that is capital rather than routine in nature. A copy of the two schedules that are maintained for this program are included for further reference.

Total Estimated Cost:	\$433,275
Method of Financing:	Reserves, Stabilization, R&A or CATV
Recommended Schedule:	12 Months

**TOWN VEHICLE & EQUIPMENT REPLACEMENT PROGRAM**

This is an annual program that includes the various motor vehicle and durable equipment proposed to be replaced each year with funding provided through the use of stabilization funds, water reserves, ambulance receipts or debt service. The goal of including a replacement program summary in the CIP is to provide a more complete picture of the overall capital spending each year. A copy of the 10-year schedule is included for further reference.

Total Estimated Cost:	\$510,000
Method of Financing:	Stabilization
Recommended Schedule:	12 Months

**FY21 PROJECT DESCRIPTIONS**

**CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT**

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over a twenty year period (FY19 – FY38). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY21: Meeting House Pond Collection System (\$866,550); Permeable Reactive Barriers (\$7,900); and Program Management (\$275,000).

Total Estimated Cost:	\$1,149,450
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$38,315

DPW & NATURAL RESOURCES – WATER DEPT. WTP FILTER MEMBRANE REPLACEMENT

This item would replace rack #2 at the water treatment plant. The membranes were supplied with a 10 year performance warranty and need to be replaced. As the heart of the treatment process their replacement must be planned for and the supplier (Pall Corp.) and other experienced professionals advise planning for the replacement as the warranty expires. One of three racks would be replaced in three successive years beginning in FY20.

Total Estimated Cost:	\$362,000
Method of Financing:	Water Reserves
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	\$50,000

NAUSET ESTUARY DREDGING PROJECT (PHASE 2)

This project will fund the second phase of the Nauset Estuary dredging project to improve navigation and public safety. This phase will involve hydraulically dredging approximately 73,800 cubic yards from the channel in the outer estuary from Hopkins Island to the Nauset Inlet. This work would be permitted separately due to the additional state and federal regulatory requirements that must be met. It is anticipated that permits will be in place by the end of 2020 or 2021. The dredged sand would be dewatered and used for future phases of the beach retreat project at Nauset Beach.

Total Estimated Cost:	\$1,200,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A

NAUSET REGIONAL SCHOOLS – HIGH SCHOOL MSBA CORE PROJECT CONSTRUCTION

The MSBA CORE Project is a very preliminary cost estimate of \$65,000,000 based on square footage and category totals and will change as Nauset progresses through the MSBA process. The MSBA separates their projects into three categories – additions/renovations, new and repairs and a more accurate estimate will result from the study funded in FY18. Under the intermunicipal agreement for the regional school district, all four towns must approve the project funding and assessments are based on school enrollments, which for Orleans results in a 19.85% share of the total based on the student enrollments on October 1, 2015.

Total Estimated Cost:	\$12,902,500
Method of Financing:	Bonding (20 years)
Recommended Schedule:	TBD
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$983,816

SNOW LIBRARY ROOF REPLACEMENT

This project will fund the roof replacement at Snow Library.

Total Estimated Cost:	\$350,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	3 months

Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$26,688

**FIRE DEPARTMENT PUMPER TRUCK REPLACEMENT**

This project will fund the replacement of 2001 KME Excel Fire Pumper Truck.

Total Estimated Cost:	\$675,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$82,350

**FIRE DEPARTMENT AMBULANCE REPLACEMENT**

This project will fund the replacement of a 2014 International 4400 SBA LP Ambulance.

Total Estimated Cost:	\$330,000
Method of Financing:	Ambulance Receipts
Recommended Schedule:	12 months
Estimated Annual Cost O/M:	N/A

**FY22 PROJECT DESCRIPTIONS**

**CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT**

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over a twenty year period (FY19 – FY38). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY22: Downtown Area Collection (\$23,100) and WWTF (\$94,400); Meeting House Pond Collection System (\$9,493,300); Permeable Reactive Barriers (\$7,900); and Program Management (\$275,000).

Total Estimated Cost:	\$9,893,700
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$329,790

**DPW & NATURAL RESOURCES – WATER DEPT. COUNTRYSIDE DRIVE WATER MAIN**

This project will fund the engineering design to replace a 6-inch water main with an 8-inch main to improve fire flows in East Orleans as recommended in the 20-year Asset Management Plan prepared for the Town in 2014. The project will be designed and bid so that the results can be presented to the Town Meeting in May 2021.

Total Estimated Cost:	\$11,000
Method of Financing:	Bonding (25 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$2,500
Average Annual P&I:	\$605

DPW & NATURAL RESOURCES – WATER DEPT. WTP FILTER MEMBRANE REPLACEMENT

This project would be to replace rack #3 at the water treatment plant. The membranes are nearing the end of their 10 year performance warranty and need to be replaced. As the heart of the treatment process their replacement must be planned for and the supplier (Pall Corp.) and other experienced professionals advise planning for the replacement as the warranty expires. One of three racks would be replaced in three successive years beginning in FY20.

Total Estimated Cost:	\$362,000
Method of Financing:	Water Reserves
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	\$50,000

DPW & NATURAL RESOURCES – WATER DEPT. ROCK HARBOR ROAD WATER MAIN

This project will fund the engineering design to replace a 6-inch water main with an 8-inch main as recommended in the 20-year Asset Management Plan prepared for the Town by Wright Pierce Engineering in 2014. The project will be designed and bid so that the results can be presented to the Town Meeting in May 2022 for consideration.

Total Estimated Cost:	\$72,000
Method of Financing:	Bonding (25 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$2,500
Average Annual P&I:	\$3,960

DPW & NATURAL RESOURCES – NAUSET BEACH DUNE RESTORATION (PHASE 2)

This project will fund the second phase of the dune restoration project at the main parking lot for Nauset Beach in accordance with the Woods Hole Group's Outer Beach Management Plan recommendations in March 2017. Due to the accelerating rate of erosion and rising sea levels, it is estimated that the existing dune that protects the Town's 900 car parking lot will be washed away within 5 years if the Town takes no action. As part of the recommended approach, sand would be brought in to bolster the backside of the existing dune. The project will be coordinated with the Nauset Estuary Dredging Project as a possible source of sand. If the dredged sand is not available, then an upland source will be used.

Total Estimated Cost:	\$1,000,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	TBD during
design Average Annual P&I:	\$127,500

DPW & NATURAL RESOURCES – TOWN COVE BULKHEAD REPLACEMENT

This project provides funds for the construction of the replacement of the east bulkhead and boat ramp located at the Town Cove town landing adjacent to the Goose Hummock. This landing receives heavy commercial and recreational use from April to December annually.

Total Estimated Cost:	\$700,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	TBD during
design Average Annual P&I:	\$49,700

**ORLEANS ELEMENTARY SCHOOL – MSBA CORE PROJECT CONSTRUCTION**

This project would fund the construction of the MSBA CORE final program scope developed in FY19 to address the complete replacement of the plumbing and fixtures in the restrooms and classrooms in the original building; replacing the rubber membrane roof; replacing the stage accessibility ramp/lift; sound absorption panels in the K-3 wing; and interior lighting occupancy sensors, signage and access to the playfields. The scope of work needed is outlined in the Capital Asset Assessment report by Habeeb & Associates Architects dated on October 21, 2013.

Total Estimated Cost:	\$1,975,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$115,400

**FY23 PROJECT DESCRIPTIONS**

**CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT**

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over a twenty year period (FY19 – FY38). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY23: Downtown Area Collection (\$23,100) and WWTF (\$94,400); Permeable Reactive Barriers (\$526,500); and Program Management (\$275,000).

Total Estimated Cost:	\$919,000
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$30,633

**DPW & NATURAL RESOURCES – WATER DEPT. COUNTRYSIDE DRIVE WATER MAIN**

This project will fund the engineering design to replace a 6-inch water main with an 8-inch main to improve fire flows in East Orleans as recommended in the 20-year Asset Management Plan prepared for the Town in 2014. The project will be designed and bid so that the results can be presented to the Town Meeting in May 2019.

Total Estimated Cost:	\$115,000
Method of Financing:	Bonding (25 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$2,500

Average Annual P&I: \$6,325

**DPW & NATURAL RESOURCES – REPLACE STREET SWEEPER**

This item will replace a regenerative air street sweeper that was purchased in 2013 to clean the 56 miles of public roads twice a year, clean the down town area on a weekly basis, and clean all town owned parking lots.

Total Estimated Cost: \$275,000  
Method of Financing: Bonding (5 years)  
Recommended Schedule: 3 Months  
Estimated Annual Cost O/M: \$5,000  
Average Annual P&I \$51,750

**FY24 PROJECT DESCRIPTIONS**

**CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT**

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over a twenty year period (FY19 – FY38). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY24: Downtown Area Collection (\$23,100) and WWTF (\$94,400); Meeting House Pond Collection System (\$7,700); Permeable Reactive Barriers (\$4,156,600); Nitrogen Removing Biofilter (\$562,400); and Program Management (\$275,000).

Total Estimated Cost: \$5,119,200  
Method of Financing: Bonding (30 years)  
Recommended Schedule: 12 Months  
Estimated Annual Cost O/M: TBD during design  
Average Annual P&I: \$170,633

**DPW & NATURAL RESOURCES – ROCK HARBOR COMMERCIAL LOADING RAMP REPLACEMENT**

This project provides funds for the construction of the replacement of the commercial bulkhead loading ramp at Rock Harbor.

Total Estimated Cost: \$700,000  
Method of Financing: Bonding (20 years)  
Recommended Schedule: 8 Months  
Estimated Annual Cost O/M: TBD during design  
Average Annual P&I \$49,700

**FIRE DEPARTMENT AMBULANCE REPLACEMENT**

This project will fund the replacement of a 2015 International 4400 SBA LP Ambulance.

Total Estimated Cost: \$360,000  
Method of Financing: Ambulance Receipts  
Recommended Schedule: 12 months  
Estimated Annual Cost O/M: N/A

**SUMMARY**

In accordance with Chapter 8-5-1 of the Charter the Town Administrator shall prepare a five year Capital Improvements Plan (CIP) and annual Capital Budget which are designed to deal with the unmet long-range needs of the Town and to implement the goals and objectives of the Orleans Comprehensive Plan.

The CIP includes land acquisitions, buildings and improvements, machinery and equipment, vehicles, and infrastructure including roads, water mains, storm drainage and other publicly owned utilities.

The CIP includes proposed expenditures for all town activities and departments, the regional school, and regional, county, state and federal grants that may be used to support and finance capital improvements, facilities and equipment through grants, loans or inter-municipal agreements.

Proposed CIP project financing may include bonding, stabilization or reserve funds, or other available funds. Proposed capital expenditures in excess of \$10,000 for motor vehicles, equipment, building/facility maintenance and repairs are included in the CIP summarized by department and funding source.

As presented, the CIP includes all proposed projects for the period beginning July 1, 2019 (FY20) through June 30, 2024 (FY24). Projects that are proposed for funding in FY19 make up the Capital Budget and may be presented in one or more articles in the Town Meeting Warrant for funding consideration. The Capital Budget projects that were included in the CIP at the May 2017 Town Meeting are shown in the "Adopted" column under FY19 and those projects that are being proposed for funding are shown in the "Budgeted" column under FY19.

In accordance with the Chapter 8-7-1 of the Charter, the Town Meeting shall act on the five year CIP and the annual Capital Budget, provided all proposed projects have been included in the CIP in the prior fiscal year. Any articles for capital improvements not in compliance with 8-5-1 shall require a three-fourths (3/4) majority vote of the Town Meeting.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 12. FUND OTHER POST-EMPLOYMENT BENEFITS (OPEB) LIABILITY TRUST FUND**

To see if the Town will vote to raise and appropriate, and/or transfer the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) to be deposited in the Other Post-Employment Benefits (OPEB) Liability Trust Fund to cover the unfunded actuarial liability related to retirees' health care and other post-employment benefits, and further to authorize funds of the Town to be invested and reinvested by the Town Treasurer consistent with the prudent investor rule of M.G.L. Chapter 32B, section 20 as the same may be amended from time to time, provided however that such vote shall not take effect until the Town votes, pursuant to Massachusetts General Laws, Chapter 59 Sec. 21C, to

assess an additional Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) in real estate and personal property taxes for the purpose of funding and paying the Other Post-Employment Benefits for the fiscal year beginning July 1,2018; or take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) be raised and appropriated to be deposited in the Other Post-Employment Benefits (OPEB) Liability Trust Fund, and further to authorize funds of the Town to be invested and reinvested by the Town Treasurer consistent with the prudent investor rule of M.G.L. Chapter 32B, section 20 as the same may be amended from time to time; provided however that this vote shall not take effect until the Town votes, pursuant to Massachusetts General Laws Chapter 59 Sec. 21C, to assess an additional Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) in real estate and personal property taxes for the purpose of funding and paying the Other Post-Employment Benefits for the fiscal year beginning July 1, 2018.

### **SUMMARY**

This article adds to the trust fund established by Town Meeting vote on October 27, 2014, to fund future financial obligations for retirees, primarily for town retiree health benefits, otherwise known as Other Post- Employment Benefits (OPEB). This trust fund allows the Town to have access to the State Retiree Benefits Trust Fund, for purposes of investing OPEB funds. Adoption of the trust was recommended by the Governmental Accounting Standard Board as well as the Massachusetts Department of Revenue, our independent auditors and municipal bond rating agencies. The funding is subject to the Town approving a general override ballot question.

Fiscal Year 2019 tax rate impact of \$0.11 per thousand valuation.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

### **ARTICLE 13. FUND COMMUNITY PRESERVATION ACT PROGRAM BUDGET**

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund's Annual Revenues and/or available funds for the payment of debt service, undertaking of Community Preservation projects, the Administrative Expenses of the Community Preservation Committee and all other necessary and proper expenses for FY19, or take any other action relative thereto. (Community Preservation Committee)

(Simple Majority Vote Required)

## PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of One Million Three Hundred Sixteen Thousand Eight Hundred Twenty-Six and 00/100 Dollars (\$1,316,826.00) be transferred from the Community Preservation Fund for the purposes and in the amounts set forth in the article.

## SUMMARY

The Community Preservation Committee recommends that the following amounts be appropriated and/or reserved from Fiscal Year 2019 Community Preservation Fund revenues, unless otherwise specified, for Fiscal Year 2019 community preservation purposes with each item considered a separate appropriation.

### RECOMMENDED AMOUNT AND SOURCE

PURPOSE	FY 19 Est. Surtax & State Share	Housing Reserve	Historic Reserves	Unreserved Funds	Total
Source of Funds	\$902,446	\$81,140	\$112,720	\$462,374	\$1,558,680
<i>Appropriations:</i>					
1) Debt Service Expenses	\$490,800				490,800
2) Project #1 - Old Firehouse Plans & Specs for Preservation/Rehabilitation			75,000		75,000
3) Project #2 - Academy of Performing Arts Playhouse Restoration	90,440		36,594	122,966	250,000
5) Project #3 - Orleans Cemetery Assoc. Vault Door Repair			1,126		1,126
6) Project #4 - Community Housing Institute Municipal Officials Training		15,000			15,000
7) Project #5 - Homeless Prevention Council Affordable Apartment		25,000			25,000
8) Project #6 - Affordable Housing Comm. Housing Reserve Funds	205,766	18,860		75,374	300,000
9) Project # 7- Affordable Housing Comm. Affordable Housing Consultant			12,720	12,280	25,000
10) Project #8 - Campbell-Purcell Regional Housing Development	90,440	9,560			100,000
11) Project #9- Orleans Conservation Trust Trail Kiosks				9,900	9,900
12) Committee Expenses	25,000				25,000

Grand Total	\$902,446	\$81,140	\$112,720	\$220,520	\$1,316,826
	UNRESERVED FUND BALANCE	HISTORIC RESOURCES		COMMUNITY HOUSING	
EST. END FUND BALANCES	\$241,854	0		\$300,000	

**Project 1: Old Firehouse Plans and Specifications**

Type: Historic Preservation

Applicant: Board of Selectmen

Amount: \$75,000

Summary: This application will fund the preparation of plans and specifications for the preservation/rehabilitation of the Old Firehouse building located in the Village Center, in accordance with the standards of the Secretary of the Interior.

**Project 2: Academy Playhouse Restoration**

Type: Historic Preservation

Applicant: Academy of Performing Arts

Amount: \$250,000

Summary: This application will fund the repair and restoration of the original exterior and interior architectural details of the Academy Playhouse, originally built as the Orleans Town Hall in 1873. The work will be done as part of a larger privately funded capital improvement program.

**Project 3: Cemetery Vault Door Repair**

Type: Historic Preservation

Applicant: Orleans Cemetery Association

Amount: \$1,126

Summary: This application will fund the repair of the green door on the historically significant vault located in the eastern portion of the Orleans cemetery.

**Project 4: Community Housing Institute Municipal Officials Training**

Type: Affordable Housing

Applicant: Community Development Partnership

Amount: \$15,000

Summary: This application will fund the second year of the Community Housing Institute, which equips local officials with the knowledge and skills needed to support the creation of year-round housing on the Lower Cape. This year the program will include advanced training for those who participated in the first sessions.

**Project 5: Homeless Prevention Council Affordable Housing Unit**

Type: Affordable Housing

Applicant: Homeless Prevention Council

Amount: \$25,000

Summary: In May 2017, the Town voted to fund the conversion of unused space in the Council's building into an affordable rental apartment. This application provides additional

funding to meet state regulations, address structural deficiencies, and other unanticipated costs.

**Project 6: Housing Reserves**

Type: Affordable Housing  
Applicant: CPC and Affordable Housing Committee  
Amount: \$300,000  
Summary: The Orleans Affordable Housing Committee had originally requested that \$150,000 be set aside in CPA housing reserves for future use in affordable housing initiatives. The CPC determined that housing should be a Town priority, and voted to increase this amount using available unreserved funds.

**Project 7: Affordable Housing Pre-Development Fund**

Type: Affordable Housing  
Applicant: Affordable Housing Committee  
Amount: \$25,000  
Summary: This application will enable the Town to hire a professional housing consultant on an as-needed basis to assist with pre-acquisition soft costs, or alternatively a full-time consultant to be shared with other towns.

**Project 8: Campbell-Purcell Regional Housing Development**

Type: Affordable Housing  
Applicant: Pennrose, LLC  
Amount: \$100,000  
Summary: This application will fund Orleans' contribution to the development of a 65-unit rental housing project in Eastham, which will be available to a broad range of ages and incomes, and provide housing options for the Orleans workforce.

**Project 9: Walking Trail Kiosks**

Type: Recreation  
Applicant: Orleans Conservation Trust  
Amount: \$9,900  
Summary: This application will fund the installation of six informative kiosks located at the Orleans Conservation Trust walking trails.

**Committee Expenses: \$25,000**

The Community Preservation Act permits the Committee to allocate up to 5 percent of annual revenues (surtax and state share) for operating administrative expenses. However, the CPC is recommending that only \$25,000 be used for regular expenses including legal consultation, administrative assistance, maintaining records and, if funding permits, additional studies directed toward realizing the Town's possibilities in the areas of recreation, open space, community housing and historic resources. Any and all unused funds at the end of the fiscal year revert to the fund balance for future projects.

<b>BOS:</b>	3 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	8 – YES	0 – NO	0 – ABSTAIN

## **ARTICLE 14. FUND COMPREHENSIVE WATER RESOURCES MANAGEMENT PLAN IMPLEMENTATION – PLANNING, ENGINEERING AND ADAPTIVE MANAGEMENT**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Four Million Two Hundred Twenty Three Thousand Six Hundred and 00/100 Dollars (\$4,223,600.00), or any other sum, for the purpose of funding implementation of the Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

### **PROPOSED MOTION**

I move that this article be accepted and adopted and that the sum of Four Million Two Hundred Twenty Three Thousand Six Hundred and 00/100 Dollars (\$4,223,600.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Four Million Two Hundred Twenty Three Thousand Six Hundred and 00/100 Dollars (\$4,223,600.00) pursuant to Massachusetts General Laws, Chapter 29C and Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

### **SUMMARY**

In order to move the Amended Water Quality Plan and associated Adaptive Management Plan process forward, the Board of Selectmen proposes to fund the following activities in FY19:

1. Continued Planning and Engineering (\$3,333,900): Final Design of Downtown Area Sewer Collection System, Treatment Facility and Effluent Disposal Site; Non-Traditional Technologies - Demonstration Projects at Lonnie's Pond (Aquaculture) and Eldredge (Park Permeable Reactive Barrier).

2. Adaptive Management Implementation (\$436,600): Water Quality Monitoring; MEP Study & Report Updates; and Cedar Pond & Rock Harbor Creek Planning, Fresh Water Ponds Planning, Design and Implementation.
3. Program Management (\$453,100): Owners Project Manager for Final Design of Downtown Area Sewer; Public Engagement Coordination and Financial Analysis.

**BOS:**            4 – YES        0 – NO        0 – ABSTAIN  
**FC:**             7 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 15. FUND CONSTRUCTION TO REPLACE SKAKET BEACH ADMINISTRATION BUILDING & RESTROOMS**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Seven Hundred Seventy Five Thousand and 00/100 Dollars (\$775,000.00) for the purpose of funding the construction of the Skaket Beach Administration Building & Restrooms, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted and that the sum of Seven Hundred Seventy Five Thousand and 00/100 Dollars (\$775,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Seven Hundred Seventy Five Thousand and 00/100 Dollars (\$775,000.00) pursuant to Massachusetts General Laws, Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**SUMMARY**

This project involves the demolition, removal and replacement of the existing administration building and restrooms at Skaket Beach. A new administration building will be constructed that meets State Building Codes and has ADA compliant restroom facilities.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             5 – YES            2 – NO            0 – ABSTAIN

**ARTICLE 16. FUND WATER QUALITY DRAINAGE IMPROVEMENTS**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of One Hundred Seventy Eight Thousand Two Hundred Eighty Seven and 00/100 Dollars (\$178,287.00) into the Stabilization Fund for Water Quality Drainage Improvements, and further to transfer from the Stabilization Fund the sum of One Hundred Seventy Eight Thousand Two Hundred Eighty Seven and 00/100 Dollars (\$178,287.00) for the purpose of funding the design and construction of improvements to the Town’s drainage infrastructure systems, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Seventy Eight Thousand Two Hundred Eighty Seven and 00/100 Dollars (\$178,287.00) be raised and appropriated to the Stabilization Fund for Water Quality Drainage Improvements, and further to authorize the sum of One Hundred Seventy Eight Thousand Two Hundred Eighty Seven and 00/100 Dollars (\$178,287.00) to be transferred from the Stabilization Fund for Water Quality Drainage Improvements for the purpose of funding the design and construction of improvements to the Town’s drainage infrastructure systems, including all expenses incidental and related thereto.

**SUMMARY**

This project seeks to address storm water quality issues resulting from storm water runoff that adversely affects the health of the various town coastal embayments and ponds, as well as the Town’s fresh water bodies. Addressing these drainage issues will bring the Town into compliance with US EPA Storm Water Quality Permits and Massachusetts DEP Water Quality requirements. Funding for this article is an annual appropriation from the stabilization fund established for this purpose.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 17. ADOPT 2018 PLEASANT BAY ALLIANCE MANAGEMENT PLAN UPDATE**

To see if the Town will vote to adopt the 2018 Pleasant Bay Resource Management Plan Update developed in accordance with the Pleasant Bay Resource Management Plan adopted by the Town in 1998 and updated in 2003, 2008 and 2013, and the Intermunicipal Agreement with the Towns of Chatham, Harwich and Brewster, originally authorized by the Town in 1998 and re-authorized in 2003, 2008 and 2013; and to authorize the Board of Selectmen to enter into a successor Intermunicipal Agreement, as amended, to expire on June 30, 2038 with one or more of the aforementioned Towns for the purpose of continuing the Pleasant Bay Resource Management Alliance to implement the plan and plan updates, a copy of which Agreement is on file with the Town Clerk, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

The purpose of the Pleasant Bay Resource Management Plan is to promote the natural resource health and public enjoyment of Pleasant Bay. This article adopts the updated Plan and provides for a successor agreement with Chatham, Harwich and Brewster. The 2018 Plan Update may be found at [www.pleasantbay.org](http://www.pleasantbay.org).

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 18. ADOPT PLEASANT BAY ALLIANCE WATERSHED PERMIT PLAN**

To see if the Town will vote to adopt the 2018 Pleasant Bay Alliance Watershed Permit Plan and to authorize the Board of Selectmen to enter into an Intermunicipal Agreement (IMA) with the Towns of Chatham, Harwich and Brewster, substantially in the form of the Agreement on file with the Town Clerk, for the purpose of implementing said plan, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article authorizes the Board of Selectmen to enter into an additional IMA with the Towns of Chatham, Harwich and Brewster to make a joint application to DEP for a Watershed Permit to address the issue of excessive input of Nitrogen from the Pleasant Bay Watershed. The permit will establish performance standards, authorize certain activities and establish timeframes under an adaptive management framework for

achieving water quality and habitat quality restoration goals required to achieve the designated uses established by DEP under the Massachusetts Water Quality Standards.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         6 – YES        0 – NO        1 – ABSTAIN

**ARTICLE 19. FUND TOWN PAVEMENT MANAGEMENT PROGRAM**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Three Hundred Fifty Six Thousand Five Hundred Ninety Six and 00/100 Dollars (\$356,596.00) into the Stabilization Fund for the Town Pavement Management Program, and further to transfer from the Stabilization Fund the sum of Three Hundred Fifty Six Thousand Five Hundred Ninety Six and 00/100 Dollars (\$356,596.00) for the purpose of funding the local share of the Town’s ongoing Pavement Management Program to repair, resurface, and reconstruct town roadways, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Three Hundred Fifty Six Thousand Five Hundred Ninety Six and 00/100 Dollars (\$356,596.00) be raised and appropriated to the Stabilization Fund for the Town Pavement Management Program, and further to authorize the sum of Three Hundred Fifty Six Thousand Five Hundred Ninety Six and 00/100 Dollars (\$356,596.00) to be transferred from the Stabilization Fund for the Town Pavement Management Program, for the purpose of funding the local share of the Town’s ongoing Pavement Management Program to repair, resurface, and reconstruct town roadways, including all expenses incidental and related thereto.

**SUMMARY**

This article will provide the local share of the funding for the Town’s ongoing Pavement Management Program to repair, resurface, and reconstruct town roadways. The program also includes work related to roadway drainage and sidewalk projects. The Town maintains approximately 56 miles of public roadways and uses an inventory of roadway conditions to prioritize the long term maintenance needs of the Town. Funding from this article will supplement existing appropriations, enabling the Town to move forward with the completion of projects already scheduled through FY19 that may otherwise be delayed. Funding for this article is an annual appropriation from the stabilization fund established for this purpose. In addition to local funding of roadway projects, the Town receives State Aid Chapter 90 funds each year; our FY19 apportionment is \$284,800.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 20. FUND MAINTENANCE OF BUILDINGS AND FACILITIES**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) into the Stabilization Fund for Building and Facility Maintenance, and further to transfer from the Stabilization Fund the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) for the purpose of funding building and facility maintenance projects, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) be raised and appropriated to the Stabilization Fund for Building and Facility Maintenance, and further to authorize the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) to be transferred from the Stabilization Fund for Building and Facility Maintenance for the purpose of funding building and facility maintenance projects, including all expenses incidental and related thereto.

**SUMMARY**

This article adds to the “targeted” Stabilization Fund under Massachusetts General Law Chapter 40, Section 5B which was established for the sole purpose of funding a building and facility maintenance program. The Town’s 7-year Buildings and Facilities Master Plan identifies, prioritizes and schedules remedial work to address the deficiencies, repairs and/or upgrades necessary for all Town buildings and facilities, and is updated for review periodically with the Board of Selectmen who has final approval over annual project funding.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 21. FUND PURCHASE OF MOTOR VEHICLES AND EQUIPMENT**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Five Hundred Ten Thousand and 00/100 Dollars (\$510,000.00) into the Stabilization Fund for Motor Vehicles and Equipment, and further to transfer from the Stabilization Fund the sum of Five Hundred Ten Thousand and 00/100 Dollars (\$510,000.00) for the purpose of funding vehicle and equipment purchases, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements

for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Five Hundred Ten Thousand and 00/100 Dollars (\$510,000.00) be raised and appropriated to the Stabilization Fund for Motor Vehicles and Equipment, and further to authorize the sum of Five Hundred Ten Thousand and 00/100 Dollars (\$510,000.00) to be transferred from the Stabilization Fund for Motor Vehicles and Equipment for the purpose of funding for the purpose of funding motor vehicle and equipment purchases, including all expenses incidental and related thereto.

### **SUMMARY**

This article adds to the ~~ÄtargetedÄ~~ Stabilization Fund under Massachusetts General Law Chapter 40, Section 5B which was established for the sole purpose of funding vehicle and equipment purchases. The Town's 10-year Motor Vehicle Inventory and Durable Equipment Replacement Schedule identifies, prioritizes and tracks 125 different vehicles and equipment types for all Town Departments and is updated periodically for review with the Board of Selectmen who has final approval over all purchases and approves all changes. Over the next 10 years, the total General Fund expenditures from the Stabilization Fund are estimated at \$5.1 million and the goal is to level fund the program at \$510,000 annually and allocate a set amount to each department. Level funding will avoid spikes in the property tax and provides the ability to prioritize and fund larger purchases incrementally over several years without the need to borrow money.

Proposed funding allocation and equipment to be purchased in FY19 are as follows:

#### DPW & Natural Resources (\$242,150)

- Replace 2008 Dump Truck (\$70,000 partial fund)
- New department wide mobile radio system (\$90,000)
- Replace 2013 Beach Pickup Truck (\$35,000)
- Replace Paddleboard, AED and Portable Radios (\$4,000)
- Replace 2012 Pickup Truck (\$42,000)
- Replace Channel Markers (\$1,150)

#### Town Hall (\$44,050)

- MIS Computer Equipment (\$33,000)
- Replace 2008 Compact Car (\$11,050 partial fund)

#### Fire Department (\$99,200)

- New Traffic Signal at Station Entrance (\$99,200 partial fund)

#### Police Department (\$124,600)

- Replace 2013 Explorer SUV (\$42,000)
- Replace 2014 Patrol Car (\$40,000)

- Replace Portable Radios (\$8,600)
- Replace Mobile Data Terminals (\$13,700)
- Reserve/Encumber (\$20,300)

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             6 – YES            1 – NO            0 – ABSTAIN

**ARTICLE 22. FUND ENGINEERING & DESIGN TO CONNECT WELL #7 TO THE EXISTING WATER TREATMENT PLANT**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Two Hundred Ten Thousand and 00/100 Dollars (\$210,000.00) for the purpose of funding the engineering and design for bringing the Well # 7 to the existing Water Treatment Plant at 350 South Orleans Rd, including all expenses incidental and related thereto; and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Two Hundred Ten Thousand and 00/100 Dollars (\$210,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Two Hundred Ten Thousand and 00/100 Dollars (\$210,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 8 (5), or any other enabling authority, and to issue bonds or notes of the Town therefore, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**SUMMARY**

This article is to fund engineering and design services to bring Well #7, the Town’s largest well from Quanset Road to the water treatment plant at 350 South Orleans Road. Bringing Well #7 to the water treatment plant will allow more flexibility to rest Wells 1, 4, 5 & 6 during the months of low demand and to utilize the Town’s largest well for more than just during the seasonal demand months of July and August due to its rising iron content.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 23. FUND INSTALLATION OF WATER METER TECHNOLOGY REPLACEMENT PROGRAM**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of One Million Ninety Eight Thousand and 00/100 Dollars (\$1,098,000.00) for the purpose of funding the installation of the Water Meter Technology Replacement Program, including all expenses incidental and related thereto; and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(3/4 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of One Million Ninety Eight Thousand and 00/100 Dollars (\$1,098,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of One Million Ninety Eight Thousand and 00/100 Dollars (\$1,098,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 8 (5), or any other enabling authority, and to issue bonds or notes of the Town therefore, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**SUMMARY**

This article is for the purchase and installation of cellular water meters for each customer of Orleans municipal water system. The cellular technology will allow the Orleans Water Department to, within the next three years bill quarterly, to meet the Massachusetts Department of Environmental Protection Agencies conservation requirements of our Water Management Act permit, to monitor for and inform our consumers of leaks and to provide our customers online tools for water tracking and alerts.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             5 – YES            1 – NO            1 – ABSTAIN

**ARTICLE 24. FUND WATER DEPARTMENT REPLACEMENT OF PICKUP TRUCK**

To see if the Town will vote to transfer from available funds the sum of Forty Six Thousand and 00/100 Dollars (\$46,000.00), or any other sum, for the purpose of purchasing a new pickup truck for the Water Department, including all expenses incidental and related thereto; and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds

that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town, the proceeds from any such disposition to be applied toward the cost of acquiring said pickup truck, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant and that the sum of Forty Six Thousand and 00/100 Dollars (\$46,000.00) be transferred from the Water Surplus Account for this purpose and for costs incidental and related thereto.

**SUMMARY**

This article will fund the replacement of a 2007 pickup truck under the Town's Vehicle and Equipment Replacement Program. The new truck will be funded through the Water Surplus Account.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	7 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 25. TRANSFER WATER SERVICE CONNECTION FUNDS**

To see if the Town will vote to transfer from available funds the sum of Thirty Five Thousand and 00/100 Dollars (\$35,000.00), or any other sum, to the Water Special Revenue Fund - Water Service Connection Account for the purpose of maintaining water service connections, or to take any other action relative thereto. (Board of Water and Sewer Commissioners)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and the sum of Thirty Five Thousand and 00/100 Dollars (\$35,000.00) be transferred from the Water Special Revenue Fund – Fund Balance Reserved for Water Service Connections for this purpose.

**SUMMARY**

This article transfers funds from a reserve account to the working account of the Water Department, to fund supplies, materials and equipment needed to install, maintain and improve water service connections and associated capital investments.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 26. FUND VISITOR MANAGEMENT SERVICES BY ORLEANS CHAMBER OF COMMERCE**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Thirty Three Thousand and 00/100 Dollars (\$33,000.00), or any other sum, to be spent under the direction of the Orleans Chamber of Commerce, Inc. and the Board of Selectmen for the purposes of managing year round visitors and making the Town more user friendly; or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Thirty Three Thousand and 00/100 Dollars (\$33,000.00), be raised and appropriated for this purpose.

**SUMMARY**

The Orleans Chamber of Commerce, Inc. is requesting funds for projects including management of the Town's Visitor Information Center, staffing, technology services, annual property lease payment, and projects and functions designed to make the Town of Orleans more user-friendly for residents and visitors.

Fiscal Year 2019 tax rate impact of \$0.008 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 27. FUND HUMAN SERVICES AGENCIES (FY19)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Twenty Thousand Six Hundred Fifty and 00/100 Dollars (\$120,650.00), or any other sum, to fund the following human services organizations for the period July 1, 2018 to June 30, 2019.

**Funding for 2019**

AIDS Support Group of Cape Cod	\$ 2,000.00
Alzheimers Support Group of Cape Cod	\$ 9,000.00
CapeAbilities	\$ 5,900.00
Cape Cod Children's Place	\$ 3,250.00
Cape Cod Child Development Program, Inc.	\$ 2,500.00
Consumer Assistance Council, Inc.	\$ 500.00
Duffy Health Center	\$ 1,000.00
Elder Services of Cape Cod and the Islands, Inc.	\$ 2,500.00
Family Pantry of Cape Cod	\$ 5,000.00
Food4Kids/ Church of the Holy Spirit	\$ 5,000.00
Gosnold, Inc.	\$ 8,500.00
Homeless Prevention Council	\$ 10,000.00

Independence House, Inc.	\$ 4,800.00
Lower Cape Outreach Council	\$ 10,000.00
Nauset Together We Can	\$ 12,000.00
Orleans After School Activities Program	\$ 20,000.00
Outer Cape Health Services	\$ 15,000.00
Sight Loss Services, Inc.	\$ 1,200.00
South Coastal Counties Legal Services, Inc.	<u>\$ 2,500.00</u>
	\$120,650.00

Or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

### PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant, and that the sum of One Hundred Twenty Thousand Six Hundred Fifty and 00/100 Dollars (\$120,650.00) be raised and appropriated for this purpose.

### SUMMARY

**Aids Support Group of Cape Cod** works to foster health, independence and dignity for people living with HIV/Aids and Viral Hepatitis by providing care, support and housing. They work to help reduce the spread of HIV and other sexually transmitted infections through prevention, education and testing services.

(FY18 funding: \$ 2000.00)

The projected number of Orleans residents to be served in FY19 is 5.

Recommended funding for FY19: \$ 2,000.00

**Alzheimer's Family Caregiver Support Center** provides free personalized services to families, individuals and caregivers on Cape Cod living with Alzheimer's and other dementia-related diseases.

(FY18 funded: \$ 9,000.00)

The projected number of Orleans residents to be served in FY19 is 80.

Recommended funding for FY19: \$ 9,000.00

**CapeAbilities** provides vocational support services, education, counseling, residential and social therapeutic support to residents who have disabilities to empower them to achieve meaningful and valued roles in society.

(FY18 funded: \$5,900.00)

The projected number of Orleans residents to be served in FY19 is 18.

Recommended funding for FY19: \$ 5,900.00

**Cape Cod Children's Place** is an education center committed to providing high quality care, support and advocacy for families with young children. In Orleans, they provide a playgroup for preschool children.

(FY18 funded: \$ 3,250.00)

The projected number of Orleans residents to be served in FY19 is 170 families.

Recommended funding for FY19: \$ 3,250.00

**Cape Cod Child Development** provides quality childcare, early education, developmental intervention and family support services on Cape Cod and the Islands. A nonprofit resource for early intervention for children with disabilities and a provider of the Head Start program are a small part of what they provide.

(FY18 funded: \$2,500.00)

The projected number of Orleans residents to be served in FY 19 is 11.

Recommended funding for FY19: \$ 2,500.00

**Consumer Assistance Council, Inc.** assists and educates consumers and sellers of goods and services about consumer protection laws. They also ensure consumer transactions are conducted in a fair and equitable way.

(FY18 funded: \$300.00)

The projected number of Orleans residents to be served in FY19 is 30.

Recommended funding for FY19: \$ 500.00

**Elder Services of Cape Cod and the Islands Inc.** is dedicated to promoting the welfare, enhancing the quality of life and maintaining the dignity of elders. Orleans funding goes to support the Meals on Wheels program in Orleans.

(FY18 funded: \$ 2,500.00)

The projected number of Orleans residents to be served in FY19 is 98.

Recommended funding for FY19: \$ 2,500.00

#### **Food 4 Kids Church of the Holy Spirit**

FY18 funded: New applicant

The projected number of Orleans residents to be served in FY19 is 120.

Recommended funding for FY19: \$5,000.00

#### **Family Pantry of Cape Cod**

FY18 funded: New applicant

The projected number of Orleans residents to be served in FY19 is 150.

Recommended Funding for FY19: \$ 5,000.00

**Gosnold, Inc.** is a not for profit Cape based organization helping individuals and families with drug and alcohol addiction and mental health issues.

(FY18 funded: \$ 8,000.00)

The projected number of Orleans residents to be served in FY19 is 110.

Recommended funding for FY19: \$ 8,500.00

**Homeless Prevention Council's** mission is to combat and prevent homelessness with the ultimate goal of empowering individuals and families in crisis to attain and sustain self-sufficiency and preserve their housing.

(FY18 funded: \$ 9,400.00)

The projected number of Orleans residents to be served in FY19 is 96.

Recommended funding for FY19: \$ 10,000.00

**Independence House** mission is to help all domestic violence and sexual assault victims and their children by creating opportunities to find safety and become empowered through

crisis intervention, advocacy, counseling, referral, prevention, outreach, education and inspiring change in our community.

(FY18 funded: \$4,800.00)

The projected number of Orleans residents to be served in FY19 is 103.

Recommended funding for FY19: \$4,900.00

**Lower Cape Outreach Council, Inc.** provides emergency assistance of food, clothing, and financial support to individuals and families on the Lower Cape and to provide follow up services on in the areas of employment and education.

(FY18 funded: \$11,000.00)

The projected number of Orleans residents to be served in FY19 is 501 households.

Recommended funding for FY19: \$ 10,000.00

**Nauset Together We Can** mission is to provide programs and activities to support, engage and empower the youth of our community.

(FY18 funded: \$ 7,000.00)

The projected number of Orleans residents to be served in FY19 is 25.

Recommended funding for FY19: \$ 12,000.00

**Orleans After School Activities Program** provides working parents quality after school care including school vacations and summer daycare. It offers a safe, nurturing, creative, fun environment for Orleans children.

(FY18 funded \$20,000.00)

The projected number of Orleans residents to be served in FY19 is 105 families.

Recommended funding for FY19: \$ 20,000.00

**Outer Cape Health Services** provides a full range of primary health care and supportive social services to the 8 outer Cape towns. It is a federally qualified health center. It provides healthcare regardless of financial or insurance status.

(FY18 funded: 0)

The projected number of Orleans residents served in FY19 is 1000.

Recommended funding for FY19: \$ 15,000.00

**Sight Loss Services** is the only nonprofit corporation providing peer support, information and referral, education and awareness, outreach/home independence training, and adaptive aids to people who are learning to cope and function safely and independently with the loss of sight.

(FY18 funded: \$ 1,100.00)

The projected number of Orleans residents served in FY19 is 90.

Recommended funding for FY19: \$ 1,200.00

**South Coast Legal Services, Inc.** provides free legal services to low income and elderly residents of southeastern Massachusetts.

(FY18 funded: \$ 2400.00)

The projected number of Orleans' residents to be served in FY19 is 30.

Recommended funding for FY19: \$2,500.00

Fiscal Year 2019 tax rate impact of \$0.029 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 28. FUND FOURTH OF JULY CELEBRATION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Eight Thousand and 00/100 Dollars (\$8,000.00), or any other sum, for the purpose of funding the July 4<sup>th</sup> celebration within the Town of Orleans. Said funds to be expended under the direction of the Town Administrator, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant, and that the sum of Eight Thousand and 00/100 Dollars (\$8,000.00) be raised and appropriated for this purpose.

**SUMMARY**

This article would fund expenses related to the annual July 4<sup>th</sup> parade in the Town of Orleans. The Town funds will be used to supplement private fundraising activities necessary to support the parade and any unexpended funds will be available for the following year.

Fiscal Year 2019 tax rate impact of \$0.002 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         8 – YES        1 – NO        0 – ABSTAIN

**ARTICLE 29. FUND CULTURAL COUNCIL GRANTS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Two Thousand and 00/100 Dollars (\$2,000.00), or any other sum, for the purpose of funding Cultural Council awards to Orleans recipients. Said funds to be expended under the direction of the Town Administrator, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant, and that the sum of Two Thousand and 00/100 Dollars (\$2,000.00) be raised and appropriated for this purpose.

**SUMMARY**

This article would provide additional funding for Cultural Council programs and awards beyond what is provided by the Commonwealth of Massachusetts. The Town funds will be used only for awards to Orleans residents and businesses located in Orleans. Any unexpended funds will be available for the following year.

Fiscal Year 2019 tax rate impact of \$0.001 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 30. AUTHORIZE AND FUND HABITAT CONSERVATION PLAN (HCP) PERMITS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Forty Two Thousand and 00/100 Dollars (\$42,000.00) for the purpose of funding the implementation costs, including all expenses incidental and related thereto, of the Habitat Conservation Plan (HCP) approved by the Federal and State Fish and Wildlife Services. The HCP provides for limited over sand vehicle use of Nauset Beach south of the bathing beach parking lot during the summer migratory bird nesting season, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted and that the sum of Forty Two Thousand and 00/100 Dollars (\$42,000.00) be raised and appropriated for this purpose.

**SUMMARY**

This article will fund the third year cost to implement the statewide HCP permits. The permits are issued for a period of three years and the implementation costs include additional seasonal staff, equipment and predator mitigation funds as conditions of the permits.

Fiscal Year 2019 tax rate impact of \$0.01 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         7 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 31. FUND ELECTED OFFICIALS COMPENSATION (FY19)**

To see if the Town will vote to fix the salaries of elected officials for the twelve month period beginning July 1, 2018 as follows:

- 1) Board of Selectmen (5)        \$3,000.00
- 2) Board Chairman                \$ 500.00

- 3) Moderator \$ 300.00
- 4) Constables (2) \$ 150.00

and to raise and appropriate and/or transfer from available funds the sum of Sixteen Thousand One Hundred and 00/100 Dollars (\$16,100.00), or any other sum, for this purpose, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Sixteen Thousand One Hundred and 00/100 Dollars (\$16,100.00) be raised and appropriated for this purpose.

**SUMMARY**

This article will provide funding for the Board of Selectmen, Moderator and Constables compensation for Fiscal Year 2019.

Fiscal Year 2019 tax rate impact of \$0.004 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 32. FUND UNANTICIPATED EMPLOYEE BUYOUTS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Thirty Five Thousand and 00/100 Dollars (\$35,000.00), or any other sum, to fund unanticipated employee related buyouts, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Thirty Five Thousand and 00/100 Dollars (\$35,000.00) be raised and appropriated for this purpose.

**SUMMARY**

This article will set aside funding for unanticipated employee related buyouts of unused sick leave and vacation leave in accordance with existing collective bargaining agreements.

Fiscal Year 2019 tax rate impact of \$0.009 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

## **ARTICLE 33. CREATE AN AFFORDABLE HOUSING TRUST FUND**

To see if the Town will vote to accept the provisions of M.G.L. c. 44, §55C, to create an Affordable Housing Trust Fund; and further to authorize the Board of Selectmen to dissolve the existing Affordable Housing Committee; and further to authorize the Board of Selectmen to file special legislation to repeal Chapter 260 of the Acts of 2000 authorizing the Town to establish an Affordable Housing Trust Fund; and further to transfer all funds and other assets in the care, custody and control of the Affordable Housing Trust Fund established under Chapter 260 of the Acts of 2000 to the board of trustees of the Orleans Affordable Housing Trust Fund established hereby under section 55C of Chapter 44 of the General Laws; and further to amend the General Bylaws by deleting Chapter 104 in its entirety and replacing it with the following new Chapter 104:

### **Chapter 104. TOWN OF ORLEANS AFFORDABLE HOUSING TRUST**

**Section 1: Purpose.** The purpose of the Orleans Affordable Housing Trust Fund (Trust) is to provide for the creation and preservation of affordable housing in Orleans, for the benefit of low and moderate income households and for the funding of community housing, as defined in and in accordance with the provisions of MGL Chapter 44, §55C.

**Section 2: Board of Trustees.** There shall be a Board of Trustees (Board) consisting of not less than five nor more than seven Trustees who shall be appointed by the Board of Selectmen. At least one of the Trustees shall be a member of the Selectmen. Only persons who are residents of the Town shall be eligible to hold the office of Trustee. Trustees shall serve for a term of two years, except that two of the initial Trustee appointments shall be for a term of one year, and may be re-appointed at the discretion of the Selectmen. Any Trustee who ceases to be a resident of the Town shall cease to be a Trustee and shall promptly provide a written notification of the change in residence to the Selectmen. Any Trustee may resign by written instrument signed and acknowledged by such Trustee and duly filed with the Town Clerk. If a Trustee shall die, resign, or for any other reason cease to be a Trustee before his or her term of office expires, a successor shall be appointed by the Selectmen to fill such vacancy provided that in each case the appointment and acceptance in writing by the Trustee so appointed is filed with the Town Clerk. No such appointment shall be required so long as there are five Trustees in office. Upon the appointment of any succeeding Trustee and the filing of such appointment, the title to the Trust estate shall thereupon and without the necessity of any conveyance be vested in such succeeding Trustee jointly with the remaining Trustees.

**Section 3: Powers of the Board of Trustees.** The powers of the Trustees, all of which shall be carried on in furtherance of the purposes set forth in General Laws Chapter 44 Section 55C, shall include the following:

with the approval of the Board of Selectmen, to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any bylaw or any general or special law or any other source, including money from Chapter 44B of the General Laws (Community Preservation Act); provided, however, that any

such money received from Chapter 44B shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the Trust, and such funds shall be accounted for separately by the Trust; and provided further, that at the end of each fiscal year, the Trust shall ensure that all expenditures of funds received from said Chapter 44B are reported to the Community Preservation Committee of the Town for inclusion in the community preservation initiatives report, form CP-3, to the Department of Revenue;

2. with the approval of the Board of Selectmen, to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
3. with the approval of the Board of Selectmen, to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Board deems advisable notwithstanding the length of any such lease or contract;
4. to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust;
5. to employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
6. to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
7. to apportion receipts and charges between income and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
8. with the approval of the Board of Selectmen, to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
9. with the approval of the Board of Selectmen, to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board, with the approval of the Board of Selectmen, may deem necessary and appropriate;
10. to carry property for accounting purposes other than acquisition date values;

11. with the approval of the Board of Selectmen, to borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge Trust assets as collateral, provided, however, that no such borrowing shall be backed by the full faith and credit of the Town of Orleans;
12. to make distributions or divisions of principal in kind;
13. to compromise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of MGL Chapter 44, §55C, to continue to hold the same for such period of time as the Board may deem appropriate;
14. to manage or improve real property; and, with the approval of the Board of Selectmen, to abandon any property which the Board determines not to be worth retaining;
15. to hold all or part of the Trust property uninvested for such purposes and for such time as the Board may deem appropriate; and
16. to extend the time for payment of any obligation to the Trust.

Section 4: Notwithstanding any general or special law to the contrary, all moneys paid to the Trust in accordance with any zoning bylaw, exaction fee, or private contributions shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and to be expended these funds need not be further appropriated. All moneys remaining in the Trust at the end of any fiscal year, whether or not expended by the Board within 1 year of the date they were appropriated into the Trust, remain Trust property.

Section 5: The Trust is a public employer and the members of the Board are public employees for purposes of Chapter 258 of the General Laws.

Section 6: The Trust shall be deemed a municipal agency and the Trustees special municipal employees, for purposes of Chapter 268A of the General Laws.

Section 7: The Trust is exempt from Chapters 59 and 62 of the General Laws, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any political subdivision thereof.

Section 8: The books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices.

Section 9: The Trust is a public body for purposes of Sections 18 through 25 of Chapter 30A of the General Laws.

Section 10: The Trust is a board of the Town for purposes of Chapter 30B and Section 15A of Chapter 40 of the General Laws; but agreements and conveyances between the

Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the Town shall be exempt from said Chapter 30B.

Section 11: Except as may be specifically authorized in this Bylaw, neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town.

Section 12: The Board shall work with the Town's Affordable Housing Committee in carrying out the purposes of this Trust.

or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

### **SUMMARY**

This article seeks to create an Affordable Housing Trust Fund under the applicable provisions of Massachusetts Generals Chapter 44 Section 53C. The purpose of the Trust is to provide for the creation and preservation of affordable housing in Orleans for the benefit of low and moderate income households and for the funding of community housing, as defined in the Community Preservation Act. This Trust Fund will replace the existing Affordable Housing Trust Fund established by the Town in 2000 by Special Act of the Legislature. It is anticipated that establishing a new Trust Fund adopted pursuant to Chapter 44 Section 53C will then provide the Trustees of the Trust greater flexibility in preserving and creating affordable housing by authorizing the Trustees, subject to the approval of the Board of Selectmen and the of availability of Trust assets, to purchase and develop real estate without Town Meeting approval. Eliminating the time associated with the Town Meeting process, will permit the Trustees to timely take advantage of housing opportunities for the creation of affordable housing which previously have been missed because of the time frames associated with the Town Meeting approval process. The article also seeks permission to dissolve the existing Trust Fund and the Affordable Housing Committee which currently oversees the existing Trust Fund. Additionally, the article seeks to transfer the current balance of the existing Trust Fund to the newly created Trust Fund once the Attorney General approves the Trust Fund By-law.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

### **ARTICLE 34. ESTABLISH AFFORDABLE HOUSING COMMITTEE**

To see if the Town will vote to amend the General Bylaws by adding the following new sections to Chapter 104.

Chapter 104. Affordable Housing Committee.

Section 13: There shall be an Affordable Housing Committee consisting of seven members, who are residents of the Town, to be appointed by the Board of Selectmen, for three-year overlapping terms as follows: two members to be appointed for a term of one year and thereafter for a term of three years, two members to be appointed for a term of two years and thereafter for a term of three years, and three members to be appointed for a term of three years.

Section 14: The Affordable Housing Committee shall advise the Board of Trustees of the Town of Orleans Affordable Housing Trust Fund established pursuant to M.G.L. c. 44, §55C, and the Board of Selectmen with respect to furthering the purposes of the Affordable Housing Trust to provide for the creation and preservation of affordable housing in Orleans, for the benefit of low and moderate income households and for the funding of community housing.

or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

#### **SUMMARY**

This article seeks to establish a new Affordable Housing Committee to provide guidance and recommendations to the Board of Selectmen and the Trustees of the newly formed Affordable Housing Trust Fund with respect to the preservation and creation of affordable housing in Orleans. The Board of Selectmen recommend the formation of such an advisory committee as the Trustees of the new Trust Fund will be focused primarily on the management of Trust assets and the financing associated with specific affordable housing projects.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

#### **ARTICLE 35. FUND AFFORDABLE HOUSING TRUST FUND**

To see if the Town will vote to raise and appropriate the sum of Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00) to be deposited in the Affordable Housing Trust Fund created under the action taken under Article 34 of the May 7, 2018 Annual Town Meeting; provided however that such vote shall not take effect until the Town votes, pursuant to Massachusetts General Laws, Chapter 59 Sec. 21C, to assess an additional Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00) in real estate and personal property taxes for the purpose of funding and paying the Affordable Housing Trust Fund for the fiscal year beginning July 1, 2018; and further provided that the bylaw creating the Affordable Housing Trust Fund is approved by the Attorney General, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**MOTION**

I move that this article be accepted and adopted as printed in the warrant and that the sum of Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00) be raised and appropriated for this purpose; provided however that this vote shall not take effect until the Town votes, pursuant to Massachusetts General Laws Chapter 59 Sec. 21C, to assess an additional Two Hundred Seventy-Five Thousand 00/100 Dollars (\$275,000.00) in real estate and personal property taxes for the purpose of funding and paying the Affordable Housing Trust Fund for the fiscal year beginning July 1, 2018; and further provided that the bylaw creating the Affordable Housing Trust Fund is approved by the Attorney General.

**SUMMARY**

This article proposes to fund the Affordable Housing Trust Fund created under the action proposed to be taken under Article 34. The funding is subject to the Town approving a general override ballot question and approval by the Attorney General of the Affordable Housing Trust Fund.

Fiscal Year 2019 tax rate impact of \$0.07 per thousand valuation.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 36. ADOPT GENERAL BYLAW, CH. 95 – SINGLE-USE PLASTIC BAGS**

To see if the Town will vote to adopt Chapter 95, Single-Use Plastic Bag Bylaw as follows or take any other action relative thereto. (Conservation Commission)

**Chapter 95  
Single-Use PLASTIC BAGS**

**1. Purpose and Intent**

The use and disposal of single-use plastic bags are proven to have significant negative impacts on marine and land environments of our coastal community, including but not limited to:

- A. Contributing to the harm of marine and terrestrial wildlife through ingestion and entanglement;
- B. Pollution and degradation of the terrestrial and coastal environments;
- C. Storm drainage system overload; and
- D. Disposal burdens for solid waste collection and recycling facilities.

Therefore, the Town of Orleans seeks to protect its natural resources by prohibiting the use of single-use plastic bags by all retail establishments through a phase out period of 12 months from the effective date of this article.

## 2. Definitions

**Food and Retail Establishment:** any business selling goods, food, or services to the public, including but not limited to: markets; restaurants; bars; take-out food purveyors; and merchandise retailers.

**Single-Use Plastic Bag:** a bag made of plastic, including but not limited to bags made of high-density polyethylene, low density polyethylene, 'biodegradable', 'compostable', with a thickness of less than 3.5 mils provided at the checkout stand, cash register, point of sale or other point of departure intended for the purpose of transporting food or merchandise out of the Establishment.

**Reusable Bag:** a bag that is specifically designed and manufactured for multiple reuse and is made of cloth or other durable materials.

## 3. Applicability

The requirements of this bylaw shall apply to single-use plastic bags, as defined above. Said bags shall no longer be distributed, sold, or provided at any Town of Orleans Establishment after the 12 month phase out period. Any stock remaining after that date shall be recycled or returned to the manufacturer by the Establishment. Establishments may provide paper, reusable bags, or boxes at no charge, or charge a fee which would be kept by the Establishments, as they so desire.

## 4. Exemptions

The following are exempt and not subject to the provisions of this article:

1. Plastic bags used for newspapers, pet waste, yard waste, household garbage, or protective dry cleaning bags
2. Bags sold in quantity (bulk) for home food storage
3. Bags used for the protection of raw foods, including but not limited to, produce or meat/fish products
4. Packaging used during the transport of products to an Establishment from the manufacturer

## 5. Enforcement

This bylaw may be enforced by any Town of Orleans Police Officer or Agent of the Board of Health

## 6. Fines and Penalties

Any person or Establishment violating this chapter shall be punished by a non-criminal fine of not more than fifty dollars (\$50) for each offense. Each day that such offence continues shall constitute a separate offence.

(Simple Majority Vote Required)

### PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant.

## SUMMARY

This article proposes to eliminate the distribution and use of single use plastic bags of a thickness of less than 3.5 mils. Single use plastic bags cause harm on the natural environment and burden our solid waste collection and recycling facilities. The proposed bylaw would allow for a phase out period over the next twelve months during which retail and food establishments would slowly eliminate the distribution of single use plastic bags.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            2 – ABSTAIN

## ARTICLE 37. ADOPT GENERAL BYLAW, CH. 96 – POLYSTYRENE REDUCTION BYLAW

To see if the Town will vote to adopt Chapter 96, Polystyrene Reduction as follows or take any other action relative thereto. (Conservation Commission)

### CHAPTER 96 POLYSTYRENE REDUCTION BYLAW

#### 1. Purpose and Intent

The use and disposal of polystyrene products are proven to have significant negative impacts on marine and land environments of our coastal community, including but not limited to:

- A. Contributing to the harm of marine and terrestrial wildlife through ingestion and entanglement;
- B. Pollution and degradation of the terrestrial and coastal environments;
- C. Human risk through exposure to harmful carcinogens used in the manufacturing of polystyrene products; and
- D. Disposal burdens for solid waste collection and recycling facilities.

Therefore, the Town of Orleans seeks to protect its natural resources and the well-being of its residents by prohibiting food or retail establishments from the distributing single-use disposable polystyrene containers, and counterparts, through a phase out period.

#### 2. Definitions

***Single-Use Polystyrene Disposable Containers and Counterparts:*** single-use disposable products for serving or transporting food or beverages, including but not limited to, take out foods and/or partially consumed meals prepared by a restaurant and/or retail food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, straws, cup lids, and cutlery.

***Expanded Polystyrene (EPS):*** polystyrene that has been expanded or “blown” using a gaseous blowing agent into a solid form.

**Polystyrene:** expanded and extruded forms of thermoplastic, petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion blown molding (extruded foam polystyrene), sometimes called Styrofoam, a Dow Chemical Co. trademarked form of polystyrene foam.

**Food Establishments:** any operations, including but not limited to, restaurants, schools, charitable associations, food trucks, farmer's markets, concession stands, and other public venues that store, prepare, package, serve, vend or otherwise provide food for human consumption. Any establishment requiring a permit to operate in accordance with State Food Code, 105 CMR 590.000, et. seq., shall be considered Food Establishments for the purposes of this Bylaw.

**Retail Establishments:** any commercial business facility that sells goods directly to consumers, including but not limited to, grocery stores, pharmacies, liquor stores, convenience stores, retail stores and vendors selling clothing, food, and personal items, dry cleaning services, theaters and all other food service establishments.

**Public Venues:** operations such as meeting halls, Town offices, public facilities and recreation areas.

### **3. Applicability**

Single-use polystyrene disposable containers and counterparts shall not be used or distributed as disposable food service containers and counterparts by food establishments and/or retail establishments within the Town of Orleans after January 1<sup>st</sup>, 2020. Any stock remaining after that date shall be recycled or returned to the manufacturer by the Establishment.

### **4. Exemptions**

The following are exempt and not subject to the provisions of this article:

1. Polystyrene packing peanuts and foam packaging used to transport goods from a manufacturer
2. Prepackaged meat and produce trays, egg cartons, and other food or beverage products used in packaging from the manufacturer for the purposes of transport
3. Packaging used for the protection of raw foods, including but not limited to, produce or meat/fish products
4. Polystyrene insulated foam freezer containers enclosed in durable rigid plastic

### **5. Enforcement**

This Bylaw may be enforced by any Town Police Officer or Agent of the Board of Health

### **6. Fines and Penalties**

Any person or Establishment violating this chapter shall be punished by a non-criminal fine of not more than fifty dollars (\$50) for each offense. Each day that such offense continues shall constitute a separate offense.

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article proposes to eliminate single-use polystyrene disposable containers and counterparts. These items are more commonly known as styrofoam cups, plastic cutlery, and take out containers. These products commonly end up in our environment and do not degrade or decompose. The proposed bylaw would require a phase out period until January of 2020 at which time the distribution of these products at retail and food establishments would no longer be allowed and biodegradable/recyclable alternatives would be required

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             6 – YES            0 – NO            3 – ABSTAIN

**ARTICLE 38. AMEND GENERAL BYLAWS – STRETCH ENERGY CODE**

To see if the Town will vote to amend the General Bylaws by adding a new Chapter 131 of the Orleans General By-Laws, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2019, as follows:

Chapter 131 Stretch Energy Code

ARTICLE I

Title, Purpose and Applicability

§131-1. Title

This bylaw shall be cited and may be referred to as the Stretch Energy Code.

§131-2. Purpose

The purpose of the Stretch Energy Code (780 CMR 115.AA) is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for both new construction and existing buildings.

§131-3. Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51 as applicable.

ARTICLE II

Definitions

§131-4. Definitions

International Energy Conservation Code (IECC) – The IECC is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle.

The baseline energy conservation requirements of the Massachusetts State Building Code and the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

- a. Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 8th edition Massachusetts Building Code, the Stretch Energy Code is an appendix to the Massachusetts Building Code, based on further amendments to the IECC to improve the energy efficiency of buildings built to this code.

**ARTICLE III**  
Enforceability

**§131-5. Stretch Code Enforceability**

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future additions, amendments or modifications, is herein incorporated by reference into the Town of Orleans General By-Laws, Chapter 131.

The Stretch Code is enforceable by the Building Commissioner or local Building Inspector; or to take any other action related thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

The Town of Orleans is seeking to become eligible to be designated as a Green Community through the Massachusetts Office of Energy and Environmental Affairs. The Green Communities Designation and Grant Program helps municipalities navigate and meet the five criteria required to become a Green Community, in turn qualifying them for grants that finance additional energy efficiency and renewable energy projects at the local level. Adoption of the Stretch Code will satisfy the fifth of five required criteria.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 39. AMEND GENERAL BYLAWS - ESTABLISH A POLICY TO REVIEW ALL TOWN OF ORLEANS USER FEES, PERMIT FEES, AND LICENSE FEES ANNUALLY**

To see if the Town will vote to amend the General By-Laws by deleting Chapter 94-7 in its entirety and by further amending the General By-Laws by deleting Chapter 94-8, Sections A, B, C and D in its entirety and inserting a new Chapter 94-8 to read as follows:

Chapter 94-8- Restrictions on Certain Fees Set by the Board of Selectmen and Other Town Boards and Commissions.

- A. Annually the Board of Selectmen and every other town board or commission shall review, as part of the Town's annual budgeting process, the costs associated with each user fee, permit fee or license fee under their authority (excepting fees set by State Statute) and determine, in accordance with town or state limitations, whether to increase any such user fees, permit fees or license fees that do not cover such costs (defined as all direct operating, inter-departmental allocation and capital (debt and interest)) associated with the activity.
- B. If any provision of this bylaw is held to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provisions, and to this end the provisions are declared to be severable;

or take any other action relative thereto. (Finance Committee)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article seeks to amend the General By-Laws by deleting Chapter 94-7 in its entirety which currently provides as follows:

- ~~A. Any fee under the control of the Board of Selectmen shall only be established or increased after a publicly advertised hearing allowing a minimum of ten (10) days' notice in a publication of general circulation in the town.~~
- ~~B. At such public hearing, information shall be gathered concerning the proposed increase and voted by the Board.~~

and by further amending the General By-Laws by deleting Chapter 94-8, Sections A, B, C, and D in its entirety which currently provides as follows:

- ~~— No public facility user fee, license fee or permit fee which is authorized by law or bylaw to be set by the Board of Selectmen shall be valid or collectible if it is increased from the previous year by an amount greater than five percent (5%) unless said increase is approved by a vote of the Town Meeting.~~
- ~~— Any said user fee, license fee or permit fee which is authorized by law or bylaw to be set by the Board of Selectmen and is not in effect as of the date of this bylaw initially shall be established by a vote of the Town Meeting.~~
- ~~— Nonresident beach parking fees and nonresident ORV beach permit fees shall not be subject to provisions of this bylaw (Article VII). [Added 5-9-1994 ATM, Art. 14]<sup>141</sup>~~

~~—If any provision of this bylaw is held to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provisions, and to this end the provisions are declared to be severable.~~

As proposed, this article requires the Board of Selectmen and other town boards and commissions who have jurisdiction over specific user fees, permits and licenses to annually review the costs of the associated Town services and determine whether to increase the fees over a period of time as they deem appropriate.

**BOS:** Recommendations to be made at Town Meeting  
**FC:** 7 – YES      0 – NO      0 – ABSTAIN

**ARTICLE 40. AUTHORIZE CHANGES IN FEE SCHEDULE**

To see if the Town will vote, pursuant to the Orleans Code §94-8 A. and B., to authorize the Board of Selectmen to increase or set user fees, license fees and permit fees for various departments as set forth in the following schedule, effective September 1, 2018, or take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

<b>Department</b>	<b>Current</b>	<b>Proposed</b>
<b>122 Selectmen/Town Administrator</b>		
Auto Class I	\$75	\$100
Auto Class IV	\$75	\$100
Auto Class V	\$75	\$100
Hawkers/Peddler		
Annual	\$75	\$100
Transient Vendor		
Annual	\$75	\$100
Lodging House	\$50	\$75
Innholder	\$50	\$75
Entertainment		
Annual (Mon - Sat)	\$75	\$125
Temporary Entertainment per day		
Annual (Mon - Sat)	\$20	\$30
<b>LIQUOR LICENSES</b>		
Common Victualler - A		
All Alcoholic	\$1,500	\$1,750
Wine & Malt	\$1,000	\$1,250
Common Victualler - S.		
All Alcoholic	\$1,400	\$1,525
Wine & Malt	\$1,000	\$1,125
Innholder		
All Alcoholic	\$1,500	\$1,750
Wine & Malt	\$750	\$1,250
Club		

<b>Department</b>	<b>Current</b>	<b>Proposed</b>
All Alcoholic	\$1,250	\$1,275
Wine & Malt	\$625	\$875
Gen Pouring License - A		
Wine & Malt	\$750	\$1,000
Gen. Pouring License - S		
All Alcoholic	\$1,250	\$1,375
Wine & Malt	\$625	\$1,000
Retail Package Goods Store		
All Alcoholic - A	\$1,750	\$1,850
Wine & Malt	\$1,000	\$1,250

<b>161 Town Clerk</b>		
<b>Other fees</b>		
Dog Licenses, male/female	\$12.00	\$15
Dog Licenses, neutered/spayed	\$6.00	\$10

<b>295 Shellfish/Harbormaster</b>		
Commercial Shellfish permit	\$100	\$200
Recreational Shellfish permit (resident)	\$20	\$25
Recreational Shellfish permit (non-res.)	\$70	\$75

<b>630 Recreation</b>		
Soccer	\$0	\$30
Field Hockey	\$0	\$30
Basketball	\$0	\$30
Baseball	\$0	\$30
Softball	\$0	\$30
Summer Program resident/non-resident	\$0	\$45/\$75/\$125
Swimming Lessons resident/non-resident	\$0	\$0
Tennis Lessons	\$0	\$0

<b>650 Parks and Beaches</b>		
<b>Beaches</b>		
Resident Taxpayer Beach Parking-first sticker	\$0	\$25
Resident Taxpayer Beach Parking-additional sticker	\$0	\$25
<b>ORV</b>		
Resident - Off season	\$30	\$40
Resident - Yearly	*\$50 or \$60	*\$60 or \$70
Non-Resident - Off Season	\$90	\$100
Non-Resident - Yearly	\$180	\$190
Self-Contained - Off Season	\$125	\$135
Self-Contained - Yearly	\$250	\$260
Camp Owner	*\$50 or \$180	*\$60 or \$90
Pochet	\$5	\$10

\*by mail/in-person

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

Following a comprehensive review of all town fees set by the Board of Selectmen, the Board is proposing increases or new fees in a number of departments. Increasing user fees, permit fees and license fees so that they cover more of the total cost of providing these services will reduce the share of the cost paid through property taxes. In accordance with the Orleans Code, the Board of Selectmen may not increase user fees, license fees or permit fees more than 5% or set new fees without Town Meeting approval.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         7 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 41. AMEND ZONING BYLAW CHAPTER 164-11, PROHIBITED USES**

To see if the Town will vote to amend the Zoning Bylaws, Section 164-11 Prohibited Uses, to add a new subsection E. to read as follows:

**Bold underline** = new language    ~~strikethrough~~ = language removed

- E. Drive-in, drive-through, and similar pick up stations servicing motorized vehicles are prohibited in the Village Center District, and are allowed in other business districts by Special Permit from the Zoning Board of Appeals under the following conditions:**
- 1. The drive-through is ancillary to the main walk-in use;**
  - 2. The drive-through does not impede pedestrian safety or convenience;**
  - 3. The drive-through does not front on or face the public street; and**
  - 4. The overall proposal is approved by the Architectural Review Committee.**

And further, to amend Section 164-13, Schedule of Use Regulations, to add a new Accessory Use, as follows:

**§164-13 Schedule of Use Regulations**

**DISTRICTS**

<b>COMMERCIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC</b>	<b>I</b>	<b>CD#</b>	<b>SC</b>	<b>MB</b>
<b><u>Drive-in, Drive-through or similar pick up stations</u></b>	<u>0</u>	<u>0</u>	<u>A</u>	<u>A</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

or to take any other action relative thereto (Planning Board).

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

## SUMMARY

The article is intended to fill a gap in the Zoning Bylaws, with respect to drive-through facilities. Drive-throughs are prohibited in the Village Center District, but are not otherwise regulated in other areas of town. The recent CVS proposal at the former Hearth & Kettle site included a drive-through that raised several concerns. The bylaw would require drive-through facilities to be designed around pedestrian needs, not located on the street side of the building, and to obtain approval from the Architectural Review Committee.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN  
**FC:** No Significant Fiscal Implication

## ARTICLE 42. AMEND ZONING BYLAW 164-24 – SOIL REMOVAL

To see if the Town will vote to amend the Zoning Bylaws, Section 164-24 Soil Removal, to add a new subsection to read as follows:

**Bold underline** = new language    ~~strikethrough~~ = language removed

### §164-24      **Soil Removal and Filling**

- A. No top soil, gravel, loam or stone in the Town may be removed to be transported outside the Town of Orleans, except from established pit, stockpile or surplus, unless authorized by a special permit from the Board of Appeals.
- B. No top soil, sub soil, gravel, loam, sand, stone, or other earth in the Town may be removed to be transported either outside the Town or from place to place within the Town of Orleans, nor may any land be filled unless the entire area of such removal or filling be graded and replanted with soil improving plants, with a permanent cover crop or by reforestation so that any scars resulting from such removal shall not remain unplanted for a period of longer than six months, with the exception of the Town Disposal Area.

**Any fill material added to land within the Town must be clean, and free of hazardous materials. The filling must be completed within six (6) months of commencement, and any new filling of land on the same parcel shall not be commenced for a period of two (2) years from the time of completion of the original filling activity.**

- C. **Removal or filling of top soil, gravel, loam, sand or stone which exceeds 2,000 cubic yards in volume shall require the granting of a Special Permit from the Zoning Board of Appeals. In reviewing a Special Permit application, the Board shall require the following:**
  - 1. **A professionally prepared, stamped plan shall be submitted showing existing and proposed topography, elevation of seasonal high ground water, quantities of material to be removed or filled, proposed**

- drainage, and a replanting plan. A schedule of proposed activities must be provided.
2. No excavation may be closer than 10 feet to the seasonal high groundwater table.
  3. No Special Permit shall be issued for more than three years.
  4. Proposed methods to control noise and dust. Hours of operation shall be limited to between 7:00 AM and 5:00 PM.
  5. Filling with debris, stumps, or hazardous materials is prohibited.

or to take any other action relative thereto (Planning Board).

(2/3 Vote Required)

### PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant.

### SUMMARY

This article augments existing limitations on soil removal and filling activities within the Town. Any fill must be free of hazardous materials and such activities must be completed within 6 months. For larger projects in excess of 2,000 cubic yards, a Special Permit is required with specific conditions to protect public interests and limit impacts on abutters.

**BOS:**            5 – YES        0 – NO        0 – ABSTAIN  
**FC:**             No Significant Fiscal Implication

### ARTICLE 43. AMEND ZONING BYLAW 164-31 – APARTMENT DEVELOPMENT (REVIEW PERIOD)

To see if the Town will vote to amend the Zoning Bylaws, Section 164-31. Apartment Development, as follows:

**Bold underline** = new language    ~~strikethrough~~ = language removed

#### **§164-31      Apartment Development**

- A. Applicability. Apartments may be developed only in districts as provided in §164-13. A Special Permit for apartments shall be granted only in accordance with Subsections B through F of this section and only upon the specific findings being made by the Board of Appeals:
  - (8) A copy of any Special Permit application under this section shall be filed with the Planning Board when the application is filed with the Town Clerk, and the Planning Board shall review it and make recommendations to the Board of Appeals within ~~forty-five (45)~~ **thirty-five (35)** days of the filing date. The Board of Appeals shall consider any such recommendation in its review of the project.

or to take any other action relative thereto (Planning Board).

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

The amendment changes a section of the Zoning Bylaw that was approved at the 2017 Annual Town Meeting. The response period for the Planning Board’s required recommendation to the Board of Appeals is changed from 45 to 35 days to conform to State law. This article pertains only to Apartment Development, and not to any other portion of the Zoning Bylaw.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN

**FC:** No Significant Fiscal Implication

**ARTICLE 44. AMEND ZONING BYLAW 164-31 – APARTMENT DEVELOPMENT (LOT SIZE)**

To see if the Town will vote to amend the Zoning Bylaws, Section 164-31. Apartment Development, as follows:

**Bold underline** = new language ~~strikethrough~~ = language removed

**§164-31 Apartment Development**

B. Dimensional Requirements

1. Lot Area and Density

a. Lot Area. Minimum lot area for apartment development shall be as follows:

RB District:	60,000 s.f. of contiguous buildable upland
LB, GB Districts:	30,000 s.f. of contiguous buildable upland
VC District:	<del>20,000</del> <b>0</b> s.f. of contiguous buildable upland

or to take any other action relative thereto (Planning Board).

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

Under this article, the minimum lot size for apartments in the Village Center District is reduced from 20,000 square feet to 0 s.f. This means that the number of apartments would be calculated based on the underlying allowable density of 10 units per acre. For example, a .3 acre parcel could have 3 dwelling units. A Special Permit is required for all Apartment Development projects. This article would allow 50 small parcels in the Village

Center District to be used for apartment development, without the existing requirement that the building must contain a commercial use. The amendment is consistent with Town goals to reinvigorate the Village Center District.

**BOS:**            3 – YES            2 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 45. ACCEPT GENERAL LAWS – QUARTERLY TAX PAYMENT SYSTEM**

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, § 57C for the purpose of adopting a quarterly tax payment system, said change to take effect FY 2019 and to act fully thereon; or to take any other action relative thereto.

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

Moving to quarterly tax billing from semi-annual billing will improve the Town’s cash flow while also allowing taxpayers to spread their tax payment burden over four (4) periods as opposed to two (2) periods.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 46. ACCEPT GENERAL LAWS – OFFICE HOURS ON SATURDAY**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 41, § 110A which authorizes any public office in the Town to remain closed on any or all Saturdays as may be determined from time to time, to the same extent as if such Saturday were a legal holiday; or take any other action relative thereto.

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

State law, Chapter 51, § 31, requires that if the final day for registration falls on Sunday or on a holiday, then the preceding day shall be the final day for registration. By accepting Chapter 41, § 110A under this article, Saturday would be designated as a holiday so that if the last day of voter registration falls on a Saturday, it would be moved to the preceding Friday.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             No Significant Fiscal Implication

**ARTICLE 47. FUND SURVEY OF BEACH ROAD – BY PETITION**

To see if the Town will vote to:

Raise and appropriate, borrow and/or transfer from available funds the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00) for the purpose of performing a survey of Beach Road to be utilized for consideration of laying out Beach Road as a public way and for the potential constructions of a Safe Pedestrian Sidewalk along the entire length of Beach Road, or to take any other action relative thereto. (By Petition)

(3/4 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Seventy-Five Thousand Dollars and 00/100 (\$75,000.00) be raised and appropriated for this purpose.

**SUMMARY**

The article would fund a comprehensive survey as a precursor for consideration of laying out Beach Road as a public way and for the potential construction of a Safe Pedestrian Sidewalk along the entire length of Beach Road.

Fiscal Year 2019 tax rate impact of \$0.019 per thousand valuation.

<b>BOS:</b>	0 – YES	5 – NO	0 – ABSTAIN
<b>FC:</b>	0 – YES	8 – NO	0 – ABSTAIN

**ARTICLE 48. AMEND GENERAL BYLAW TO PROHIBIT MARIJUANA ESTABLISHMENTS IN ORLEANS – BY PETITION**

To see if the Town will vote to:

To amend the General Bylaws of the Town of Orleans as contained in the Town Code by adding thereto a new Chapter 64 as follows:

"The operation of any marijuana establishment as defined in M.G.L. c.94G, §1, including without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, within the Town is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Orleans.

"The adoption of this provision is subsequently subject to a vote of the voters of the Town of Orleans pursuant to the provisions of M.G.L. c. 94G as follows:

"Shall the Town of Orleans ratify and, adopt the action of its Town Meeting held on May 8, 2017 in the passage and approval of a general bylaw provision adding a new Chapter 64 to the Code of the Town of Orleans as follows:

"The operation of any marijuana establishment as defined in M.G.L. c. 94G, §1, including without limitation, a marijuana cultivator, marijuana testing facility, marijuana product

manufacturer, marijuana retailer or any other type of licensed marijuana-related business, within the Town is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Orleans”, or to take any other action relative thereto. (By Petition)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted revised as follows:

That the General Bylaws of the Town of Orleans as contained in the Town Code be amended by adding the following new Chapter 64 as follows:

Chapter 64 Prohibition of Marijuana Establishments

Section 64-1

The operation of any marijuana establishment as defined in M.G.L. Chapter 94G, Section 1 including without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, within the Town is prohibited. This prohibition shall not apply to the sale, distribution cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Orleans.

### **SUMMARY**

The article would prohibit Marijuana Establishments from locating in Orleans. In November 2016, Orleans voters did not support the State-wide ballot that legalized marijuana in Massachusetts, and they subsequently approved a prohibition of marijuana establishments on May 16, 2017. However, an article to confirm that prohibition at the 2017 Annual Town Meeting (Article 34) was indefinitely postponed. The petitioners believe that the Town should not allow commercial Marijuana Establishments within its borders. The article does not affect Medical Marijuana Facilities, which were approved by the 2014 Town Meeting. Approval of the article would not encroach upon the rights of individuals to grow and possess marijuana in accordance with the new state law, but would prohibit commercial cultivation and sales.

**BOS:**            0 – YES            4 – NO            1 – ABSTAIN

**FC:**             1 – YES            6 – NO            2 – ABSTAIN

### **ARTICLE 49. AMEND ZONING BYLAW CHAPTER 164-40.4.3 TO EXTEND MORATORIUM ON MARIJUANA ESTABLISHMENTS**

To see if the Town will vote to amend the Town's Zoning Bylaw Section 164-40.4.3 Temporary Moratorium on Recreational Marijuana Establishments and Marijuana Retailers to read as follows:

**Section 164-40.4. Temporary Moratorium on Recreational Marijuana Establishments and Marijuana Retailers**

**§3 Temporary Moratorium.**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments and Marijuana Retailers. The moratorium shall be in effect through ~~June 30, 2018~~ **December 30, 2018**. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and Marijuana Retailers and related uses, determine whether the Town shall restrict any, or all, licenses for Recreational Marijuana Establishments and Marijuana Retailers, determine whether the Town will prohibit on-site consumption at Recreational Marijuana Establishments and Marijuana Retailers and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Recreational Marijuana Establishments and Marijuana Retailers and related uses.

or to take any other action relative thereto. (Planning Board)

(2/3 Vote Required)

#### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

#### **SUMMARY**

Marijuana Establishments are currently subject to a moratorium that is set to expire June 30, 2018. The Massachusetts Cannabis Control Commission did not release its regulations on Marijuana Establishments until after the Town Meeting deadline. This article extends the moratorium so that the Town can craft any needed bylaws in a manner that is consistent with the state regulations, and present them to voters at a Fall Town Meeting.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	5 – YES	2 – NO	0 – ABSTAIN

#### **ARTICLE 50. ACCEPT LOCAL OPTION TAX ON RETAIL MARIJUANA SALE (3%)**

To see if the Town will vote to accept the provisions of Massachusetts General Laws c.64N, Sec. 3, and impose a local tax on the transfer of marijuana or marijuana products by a marijuana retailer operating within the Town of Orleans to anyone other than a marijuana establishment at a rate of 3 per cent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana related products, or take any other action related thereto. (Board of Selectmen)

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

I move the article be accepted and adopted as printed in the warrant.

**SUMMARY**

Mass General Laws c.64N, Sec. 3, authorizes a Town, by vote of Town Meeting to impose a local tax of up to 3 per cent on retail sales of marijuana within the Town. This article seeks to impose a 3 per cent local tax on retail sales by a marijuana retailer operating within Orleans.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**            7 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 51. DESIGNATE END OF PORTANIMICUT ROAD AS PAW WAH LANDING, AND DESIGNATE 141 PORTANIMICUT ROAD AS SMITH BEACH – BY PETITION**

To see if the Town will vote to:

Officially name the public landing at the end of Portanimicut Road in South Orleans “Paw Wah Landing”, and that the 141 Portanimicut property purchased by the Town in 2016 officially be named "Smith Beach". The naming of the 141 Portanimicut property as "Smith Beach" would acknowledge the generosity of the Smith/Gilmore Family. This parcel of land has been known to the local community as Smith Beach for many, many years. Naming the town landing "Paw Wah Landing" rather than the family name of the donors would acknowledge the "legend of Pompmo", referred to as a Medicine Man (Pompmo is the Native American term for "medicine man"), and Pompmo is thought to have resided at the end of Portanimicut Road. This naming would also be in keeping with Paw Wah Pond and Paw Wah Conservation Area that is directly across from the landing.

Naming the landing Paw Wah Landing is acknowledgement enough of the generosity of the two families, the Bergers and the Smiths, whose donation of property allowed for the bulkhead and launching ramp to be built giving the community at large access to Little Pleasant Bay. These donations of land, where the bulkhead and launching ramp are located, were done without any compensation in any form in 1960. The value to the community of having access to Pleasant Bay is immeasurable in monetary terms. It is important that we as a community continue to acknowledge and maintain the historical value and legacy of the people that resided here long before any who reside here now; or to take any other action relative thereto. (By Petition)

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

The article would name the public landing at the end of Portanimicut Road “Paw Wah Landing”, and name the recently purchased Town property at 141 Portanimicut Road “Smith Beach”.

**BOS:**            Recommendations to be made at Town Meeting  
**FC:**            No Significant Fiscal Implication

**ARTICLE 52. DESIGNATE 141 PORTANIMICUT ROAD AS SMITH LANDING – BY PETITION**

To see if the Town will vote to:

Designate 141 Portanimicut Road and included real estate as Smith Landing, or to take any other action relative thereto. (By Petition)

(2/3 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant.

**SUMMARY**

The article would name the recently purchased Town property at 141 Portanimicut Road as Smith Landing.

**BOS:** Recommendations to be made at Town Meeting

**FC:** No Significant Fiscal Implication

**ARTICLE 53. AMEND GENERAL BYLAW CH. 40 – PERSONNEL AND FUND NON-UNION EMPLOYEE COLA**

To see if the Town will vote to approve a 2% cost of living wage increase for the period of July 1, 2018 to June 30, 2019 (FY19) for those employees who are covered by the Personnel Bylaw Compensation Plans and those employees covered by individual contracts and employment agreements; or take any action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article provides for a 2% percent cost of living wage increase for those non-union employees covered by the Personnel Bylaw Compensation Plans and employees covered by individual contracts and employment agreements. Funding for the COLAs is included in the FY19 operating budget.

**BOS:** Recommendations to be made at Town Meeting

**FC:** Recommendations to be made at Town Meeting

**ARTICLE 54. FUND ORLEANS POLICE FEDERATION CONTRACT (FY19)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to be added to the FY19 Salaries Account for the Police Department budget for employees covered under the collective bargaining agreement

between the Town and the Orleans Police Federation, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article will fund contract obligations with the Orleans Police Federation, for the period July 1, 2018 – June 30, 2019 (FY19). At the time warrant went to press the negotiations have not been completed.

**BOS:** Recommendations to be made at Town Meeting

**FC:** Recommendations to be made at Town Meeting

**ARTICLE 55. FUND ORLEANS PERMANENT FIREFIGHTERS ASSOCIATION CONTRACT (FY19)**

To see if the Town will vote to transfer from available funds a sufficient sum of money to be added to the FY19 Salary Accounts for the Fire Department budget for employees covered under the collective bargaining agreement between the Town and the Orleans Permanent Firefighters Association, Local 2675 I.A.F.F., or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article funds the contract obligations with the Orleans Permanent Firefighters Association, Local 2675 I.A.F.F for the period July 1, 2018 – June 30, 2019 (FY19). At the time warrant went to press the negotiations have not been completed.

**BOS:** Recommendations to be made at Town Meeting

**FC:** Recommendations to be made at Town Meeting

**ARTICLE 56. FUND ORLEANS MANAGERS UNION CONTRACT (FY19)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to be added to the FY19 Salaries Accounts for various Town departments with employees covered under the collective bargaining agreement between the Town and the Orleans Managers Union, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article funds contract obligations with the Orleans Managers Union for the period July 1, 2018–June 30, 2019 (FY19). At the time warrant went to press the negotiations have not been completed.

**BOS:** Recommendations to be made at Town Meeting

**FC:** Recommendations to be made at Town Meeting

**ARTICLE 57. FUND CLERICAL AND TECHNICAL UNION CONTRACT (FY 19)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to be added to the FY19 Salaries Accounts for various Town departments with employees covered under the collective bargaining agreement between the Town and the United Steelworkers Local Union 9158 Unit #2, Clerical and Technical Union, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article funds the contract obligations with the United Steelworkers Local Union 9158 Unit #2, Clerical and Technical Union for the period July 1, 2018 – June 30, 2019 (FY19). At the time warrant went to press the negotiations have not been completed.

**BOS:** Recommendations to be made at Town Meeting

**FC:** Recommendations to be made at Town Meeting

**ARTICLE 58. FUND STEELWORKERS UNION CONTRACT (FY 19)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to be added to the FY19 Salaries Accounts for various Town departments with employees covered under the collective bargaining agreement between the Town and the United Steelworkers Local Union 13507, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant.

**SUMMARY**

This article funds the contract obligations with the United Steelworkers Local Union 13507 for the period July 1, 2018 – June 30, 2019 (FY19). At the time warrant went to press the negotiations have not been completed.

**BOS:** Recommendations to be made at Town Meeting

**FC:** Recommendations to be made at Town Meeting

**ARTICLE 59. CLOSING ARTICLE**

And to act on any other business that may legally come before the meeting. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this meeting be adjourned.

Given under our hands this EIGHTEENTH day of APRIL in the year of our Lord TWO THOUSAND EIGHTEEN

A true copy.  
Attest:  
Cynthia S. May  
Town Clerk

Jon R. Fuller, Chairman  
Mark Mathison  
Alan McClennen  
Mefford Runyon  
David Currier.

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 7, 2018 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

To either of the Constables of the Town of Orleans in the County of Barnstable  
GREETINGS:

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 Town affairs, to meet at the MIDDLE SCHOOL GYMNASIUM in said ORLEANS on MONDAY, the SEVENTH day of MAY in the year TWO THOUSAND EIGHTEEN at 6:30 P.M. to act on the following:

**ARTICLES**

Article 1. Pay Bills of Prior Years .....	101
Article 2. Transfer Article(s) .....	101
Article 3. Application of Bond Premium.....	102
Article 4. Home Rule Petition for Special Legislation to Exempt Seasonal Facilities	103
Article 5. Fund Unanticipated Employee Retirement Buyouts .....	104
Article 6. Fund Nauset Beach Retreat Master Plan & Design.....	104
Article 7. Closing Article .....	105

**ARTICLE 1. PAY BILLS OF PRIOR YEARS**

To see if the Town will vote to transfer from available funds a sum of money to pay bills of prior years under the provisions of Chapter 179, Acts of 1941, as amended, or to take any other action relative thereto. (Board of Selectmen)

(9/10 Vote Required)

**PROPOSED MOTION**

The motion will be made at Town Meeting and will include the total as of May 7, 2018, and a breakdown by Town department, vendor and amount.

**SUMMARY**

This article requests funding to pay outstanding bills from the previous fiscal year. According to Massachusetts General Law, a town cannot pay a bill of a previous year from the current fiscal year’s appropriations. A 9/10 vote is required for passage of this article.

**BOS:** Recommendation to be made at Town Meeting

**FC:** Recommendation to be made at Town Meeting

**ARTICLE 2. FY 18 BUDGET ADJUSTMENTS**

To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within current appropriations, such sums of money as necessary

to supplement the operating budgets of the various Town departments for Fiscal Year 2018 as follows:

1. Transfer from the Water Surplus Account the sum of Twelve Thousand and 00/100 Dollars (\$12,000.00), or any other sum, to the Water Department Electricity Account for the purpose of paying Eversource electric bills.
2. Transfer from the Water Surplus Account the sum of Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00), or any other sum, to the Water Department Chemical Account for the purpose of purchasing water treatment chemicals.
3. Transfer from Water Surplus Account the sum of Nine Thousand Five Hundred and 00/100 Dollars (\$9,500.00), or any other sum, to the Water Department Overtime Account for the purpose of funding additional overtime for storm repair.
4. Transfer from the Water Surplus Account the sum of Six Thousand and 00/100 Dollars (\$6,000.00), or any other sum, to the Water Department Heating Account for the purpose of paying for additional propane for generators due to storm.
5. Transfer from Overlay Surplus the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, to the Veterans Benefits Account for the purpose of paying veterans benefits due to residents.
6. Transfer from Overlay Surplus the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, to the Police Department Overtime Salary Account.

Or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted as read, and the transfers be made from available funds for the purpose(s) set forth in the article.

### **SUMMARY**

1. This transfer will cover the cost of Eversource electric bills.
2. This transfer will cover the cost of purchasing water treatment chemicals.
3. This transfer will cover the cost of additional overtime needed for storm repair.
4. This transfer will cover the cost of paying for additional propane for generators due to storm.
5. This transfer will cover the cost of paying for veterans benefits due to residents.
6. These funds will be used to provide new facility overtime training and required overtime coverage related to both injured-on-duty and off-duty leave of absences and the resulting shift vacancies that have to be filled.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         7 – YES        0 – NO        0 – ABSTAIN

### **ARTICLE 3. APPLICATION OF BOND PREMIUM**

To see if the Town will vote to appropriate the premium paid to the Town upon the sale of bonds issued on November 16, 2017 to pay costs of capital projects and to reduce the

amounts appropriated for such projects by the same amount; or to take any other action relative thereto

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

I move that the article be accepted and adopted and that the sum of Six Thousand One Hundred Sixty One and 42/100 Dollars (\$6,161.42) be appropriated from the premium paid to the Town upon the sale of the bonds issued on November 16, 2017 to pay costs of improving heating and ventilation systems at the Orleans Elementary School authorized by vote of the Town on May 8, 2017(Article 13); and to reduce the amount authorized to be borrowed for such project, but not yet permanently financed by the Town, by the same amount.

#### **SUMMARY**

This article permits the usage of undesignated bond premiums to pay project costs, and thereby reduces the amount of funds to be borrowed to pay for this project.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	7 – YES	0 – NO	0 – ABSTAIN

#### **ARTICLE 4. HOME RULE PETITION TO EXEMPT SEASONAL FACILITIES AT NAUSET BEACH FROM CERTAIN STATE PLUMBING CODE PROVISIONS**

To see if the Town will vote to authorize the Board of Selectmen to petition the Great and General Court for Special Legislation exempting Municipal Seasonal Facilities for Beach Administration, Restrooms, Showers and for Food Service, from the applicable provisions of the State Plumbing Code which require the use of cast iron piping for waste disposal, drains and ventilation and instead authorize the Town to use PVC piping as a replacement for the required cast iron piping, and further authorize the Board of Selectmen to approve the final language of any such special legislation or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

I move Article be accepted and adopted as printed.

#### **SUMMARY**

Since the damage to the facilities at Nauset Beach resulting from recent storms has resulted in the demolition or relocation of certain structures the Board of Selectmen has been considering whether to recommend the construction of replacement facilities. A significant cost in any such replacement is the requirement under the State Plumbing code to use cast iron piping. This article seeks authorization for special legislation to use PVC piping in any such replacement thereby realizing a significant cost saving.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	7 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 5. FUND UNANTICIPATED EMPLOYEE BUYOUTS**

To see if the Town will vote to transfer from available funds the sum of Twenty Seven Thousand and 00/100 Dollars (\$27,000.00), or any other sum, to fund unanticipated employee related buyouts, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Twenty Seven Thousand and 00/100 Dollars (\$27,000.00) be transferred from Overlay Surplus for this purpose.

**SUMMARY**

This article will set aside funding for unanticipated employee related buyouts of unused sick leave and vacation leave in accordance with existing collective bargaining agreements.

Fiscal Year 2019 tax rate impact of \$0.0 per thousand valuation.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	7 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 6. FUND NAUSET BEACH RETREAT MASTER PLAN AND DESIGN**

To see if the Town will vote to borrow the sum of One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00), or any other sum, for the preparation of a Nauset Beach Retreat Master Plan and Design, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21 C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(3/4 Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted and that the sum of One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 7 (1), or any other enabling authority, and to issue bonds or notes of the

Town therefor, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

### **SUMMARY**

This project will develop a Master Plan for the phased retreat at Nauset Beach due to the accelerated rate of dune erosion that has occurred which now threatens the administration building, restrooms and 900 car parking lot. The Town has been working on a phased retreat with our consultants for the past two years. As a result of the damage from the March storms, the timeline must be accelerated and a Master Plan will allow the Town to look at the options to maximize the reuse of the former Hubler Property, along with the potential use of the Nauset Knoll Motor Lodge owned by the National Seashore, to offset the loss of parking, administration building, bathrooms and gazebo at Nauset Beach. Upon completion of the Master Plan, the remaining funds will be used for design services for the municipal facilities that will need to be constructed.

<b>BOS:</b>	4 – YES	1 – NO	0 – ABSTAIN
<b>FC:</b>	7 – YES	0 – NO	0 – ABSTAIN

### **ARTICLE 7. CLOSING ARTICLE**

And to act on any other business that may legally come before the meeting. (Board of Selectmen)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

I move this meeting be adjourned.

Given under our hands this EIGHTEENTH day of APRIL in the year of our Lord TWO THOUSAND EIGHTEEN

A true copy.  
Attest:  
Cynthia S. May  
Town Clerk

Jon R. Fuller, Chairman  
Mark Mathison  
Alan McClennen  
Mefford Runyon  
David Currier.

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 7, 2018 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

Barnstable SS:

To either of the Constables of the Town of Orleans in the County of Barnstable  
GREETINGS:

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 in Town affairs, to meet at Precinct #1, in the Council on Aging Senior Center in said Orleans on Tuesday the FIFTEENTH day of MAY in the year TWO THOUSAND EIGHTEEN from 7:00 am to 8:00 pm to vote on the following.

To Vote for the Election of the following Town Officers and Questions:

- 1 Moderator (one year term)
- 1 Selectman (three year term)
- 2 Board of Health (three year terms)
- 1 Orleans Elementary School Committee (three year term)
- 1 Housing Authority (five year term)
- 3 Snow Library Trustees (three year terms)
- 1 Nauset Regional School Committee (three year term)

**QUESTION 1.**

Shall the Town of Orleans be allowed to assess an additional \$450,000.00 in real estate and personal property taxes for the purpose of funding and paying Other Post-Employment Benefits for the fiscal year beginning July 1, 2018?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 2.**

Shall the Town of Orleans be allowed to assess an additional \$275,000.00 in real estate and personal property taxes for the purpose of funding and paying an Affordable Housing Trust Fund for the fiscal year beginning July 1, 2018?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 3.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the implementation of the Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 4.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the construction of the Skaket Beach Administration Building and Restrooms, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 5.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, its allocable share of the amounts required to pay for the bond issued by the Cape Cod Regional Technical High School District (the "District") in order to fund designing, constructing, originally equipping and furnishing a new District high school, which was approved by the voters at a District election held on October 24, 2017, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 6.**

Shall the Town approve the Charter Amendment proposed by Article 39 of the May 2017 Annual Town Meeting as summarized below?  
This amendment changes the term of the Moderator from one to three years.

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 7.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the preparation of a Nauset Beach Retreat Master Plan and Design, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

And you are directed to serve this Warrant, by posting up attested copies thereof at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE in said Town, seven (7) days at least before the time of holding said Election.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the Election, as aforesaid.

Given under our hands this EIGHTEENTH day of APRIL in the year of our Lord TWO THOUSAND EIGHTEEN

A true copy.

Attest:

Cynthia S. May  
Town Clerk

Jon R. Fuller, Chairman

Mark Mathison

Alan McClennen

Mefford Runyon

David Currier.

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the said Warrant for the Annual Town Election to be held on Tuesday, May 15, 2018 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE seven (7) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

## **TOWN OF ORLEANS BOARDS AND COMMITTEES**

**Affordable Housing Committee** – Works to create and maintain affordable housing stock which is equal to at least 10% of Orleans’ year-round occupied dwelling units. Seven members.

**Agricultural Advisory Council** – Represents the town’s agricultural community with regard to sustainable agriculture-based economic activities in Orleans. Five members.

**Architectural Review Committee** – Promotes the continuation of attractive building and landscaping styles, with a good blending of the old and the new. Five members and two associates.

**Bike and Pedestrian Committee** – Advocates and supports the use of bicycling as transportation and recreation and makes recommendations to encourage and facilitate safe cycling within the Town. Seven members.

**Board of Assessors** – Sets policies regarding property valuation; sets tax rates; administers motor vehicle excise and boat excise; hears assessment appeals and abatements; reviews exemption applications; and administers betterments. Three members.

**Board of Health** - Elected board that through the Massachusetts General Laws and state regulations, is responsible for protecting the public health, safety and environment of the community accomplished through enforcement of state laws, the sanitary and environmental code, adopting reasonable local health regulations and by implementing preventive programs. Five members.

**Board of Trustees for Snow Library** – Acts as the governing body of Snow Library. Sets policies regarding use of the building; determines the days and hours of operation; approves, promotes and participates in functions, displays, and exhibitions held in the library; and oversees all financial matters pertaining to the library. Seven members.

**Board of Selectmen** – Serves as the chief executive goal-setting and policy making agency of the Town. Among other responsibilities as outlined in the Orleans Home Rule Charter, the Board enacts rules and regulations establishing town policies, acts as the licensing authority for the Town, and appoints certain personnel, board and committee members. Five members.

**Board of Water & Sewer Commissioners** – Develops rules and regulations and sets policies governing the operation of the municipal water system. Oversees the watershed properties. 3 members and 2 associates appointed by the Selectmen, 1 member appointment each from the Planning Board and 1 from the Board of Health.

**Building Code Board of Appeals** – Reviews appeals made by builders and individuals from the requirements of the Massachusetts State Building Code. Five members.

**Cape Cod Commission** – One person appointed by Board of Selectmen to represent the Town at the Cape Cod Commission, dealing with issues of regional significance.

**Cape Cod Regional Tech High School Committee** – Formulates and adopts policy for the Regional Tech School system and hires a superintendent. 1 Orleans resident to act as Representative and 1 resident to act as alternate appointed by the Town Moderator.

**Charter Review Committee** – In accordance with Chapter 6-9-1 of Town of Orleans Home Rule Charter, every seven years, commencing in the year 1999, the Board of Selectmen shall appoint a Charter Review Committee of seven members. The Board shall charge the Committee to review the provisions of the Charter and report any amendments deemed advisable. Seven members.

**Commission on Disabilities** – Coordinates and carries out programs designed to meet the problems of persons with disabilities; ensures appropriate accessibility and compliance with Americans with Disabilities Act and regulations of the State and Town as related to the needs of persons with disabilities. Five members and two associates.

**Community Preservation Committee** - The Community Preservation Committee implements the requirements of the Community Preservation Act and makes recommendations to the Town Meeting for the use of monies in the Community Preservation Fund. Eligible projects involve opens space, historic preservation, community housing, and recreation that are consistent with a Community Preservation Plan based upon the Local Comprehensive Plan. Nine members.

**Conservation Commission** – Administers the Massachusetts Wetlands Protection Act (Mass. General Law Chapter 131, Section 40) and the Orleans Wetlands By-Law (Code of the Town of Orleans, Chapter 160); manages conservation properties. Seven members and three associates.

**Council on Aging Board of Directors** – Directs the Council on Aging, which is the designated agency to evaluate, promote and encourage new and existing activities and services for the older residents of the community. Seven members.

**Cultural Council** – Promotes the arts and humanities in the Town of Orleans; reviews Arts Grants Applications and makes grant awards, administers the Town Hall Art Gallery. Five to twenty-two members.

**DPW Building Committee** – develops a timeline for the completion of work; assists the Town Administrator in the designer selection process; maintains the project scope as outlined in the new January 2016 New Public Works & Natural Resources Facility Schematic Design Report recommending the 37,242 sq. ft. facility; works with the architect to refine the schematic design and develop information materials about the proposed project and conduct a public information program in advance of public hearings; works with the architect to prepare the Design Development Documents and present the final project design plans and construction budget to the Selectmen for approval; works with the architect to prepare the Construction Documents and present final plans to the Selectmen for approval so that the bid process can begin; if funding is approved, the Committee will continue to review and report on the progress of the project until its completion, serving in an advisory capacity to the Selectmen and Town Administrator.

**Finance Committee** – Reviews proposed budget, capital plan and warrant articles and provides residents with information and recommendations resulting from their in depth review and investigation. Nine members appointed by Town Moderator.

**Fourth of July Committee** – Responsible for planning, organizing, and overseeing the annual Fourth of July parade and fireworks. Seven members and three associates.

**Historical Commission** – Transmits the Historical Property Survey to the Massachusetts Historical Commission. Nominates properties and districts for historical designation by the State Historical Commission. Seven members.

**Human Services Advisory Committee** – Reviews funding requests from human services agencies in order to determine which requests and what amounts may be presented to the Annual Town meeting for consideration. Five members.

**Marine & Fresh Water Quality Task Force** – Studies water quality issues; devises alternatives to current practices to protect marine water resources; conducts and analyzes Town's water quality monitoring program; operates water quality laboratory. Seven members.

**Memorial Day & Veteran's Day Committee** – The Committee shall plan, organize and oversee ceremonies and events honoring our veterans on Memorial Day and Veteran's Day.

**Old King's Highway Regional Historic District Commission** - The purpose of the Old King's Highway Regional Historic District Act is to promote the preservation and protection of buildings, settings and places within the boundaries of the District. Each application shall be judged on the criteria set forth in the Act under Section 10 including therein, but not limited to, historic value and significance, general design, arrangement, texture, material, color, relative size and settings. Five members with at least three members residing in the district.

**Open Space/Land Bank Committee** – Assists the Town in the acquisition and preservation of open space; revises and updates the Conservation, Recreation and Open Space Plan; prepares grant applications, assists property owners in keeping private lands preserved as open space. Five members.

**Personnel Advisory Board** – Responsible for the administration of the Town Personnel Classification Plan. Also, conducts inter-town studies of wage rates and employee benefits, mediates disputes over the interpretation of grievance procedure; factors new positions for placement in the classification schedule, and re-factors existing positions when the responsibilities have changed. Three members.

**Planning Board** – Oversees subdivision of land, considers long range planning and initiates changes to zoning by-laws. Five regular members and two associates.

**Police Station Building Committee** – The FY CIP includes a design project for the renovation, addition or replacement of the existing Police Station on South Orleans Road based on the operational and space needs of the department. The Committee members will be responsible for planning, design and implementation of the project in accordance with the requirements of the M.G.L. Ch. 149, Section 44 ½. Five members.

**Renewable Energy/Wind Committee** – Shall identify and review renewable energy options that meet the goals and objectives established by the Board of Selectmen and that build upon work of prior committees. The Committee shall explore and analyze topics such as energy production facilities and infrastructure, efficiency and conservation measures, regional opportunities, funding sources, business costs and revenues, and public outreach and education. Five regular and two associate members.

**Revenue Committee** will make report and recommendations to the Selectmen or the Finance Committee of potential sources of non-property tax revenue that the Town may be able to raise, so that the Selectmen may make a decision on which sources of such potential revenue to pursue.

**Shellfish and Waterways Improvement Advisory Committee** – Serves as an advisory committee to the Board of Selectmen on all matters relating to the Town's shellfish beds. 7 regular members and 2 associate members with priority given to those possessing varied and related backgrounds in marine science, boating, shellfishing, fishing, dealers and aquaculture both commercial and recreational. At least 2 commercial fishermen, if possible.

**Site Plan Review Committee** - Reviews commercial development projects involving new construction, significant additions, and changes of use and is authorized by the Zoning Bylaw to ensure that all development plans meet the review criteria and are in compliance with Town regulations.

**Zoning Board of Appeals** – Hears applications and petitions for Special Permits and Variances and makes determinations for granting or denying same under the constraints of the Zoning By-Laws of the Town and Mass. General Laws, Chapter 40A. Hears and decides appeals from decisions of the zoning administrator. Five regular members and three associate members.

**Zoning Bylaw Task Force** – Reviews the Orleans Zoning Bylaw on an ongoing basis to identify areas for improvement, resolve discrepancies, draft new sections as needed and expand and clarify definitions. Five members and two ex officios.

**TOWN OF ORLEANS**  
**Town Administrator's Office**  
**19 School Road**  
**Orleans, MA 02653**

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**CITIZEN INTEREST FORM**

<b>Date</b>	<b>Name</b>		
<b>Street Address</b>			
<b>Mailing Address (including Zip Code)</b>			
<b>Home Phone</b>	<b>Bus. Phone</b>	<b>Fax</b>	<b>E-Mail</b>

Thank you for your interest in serving the Town. Please prioritize your interest in the committees that you wish to serve on the back of this form.

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**EXPERIENCE** which might be helpful to the Town:

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**EDUCATIONAL BACKGROUND** which might be useful to the Town:

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Are you available to serve on a Town committee/commission on a year-round basis?       yes       no

If not, what is your availability? \_\_\_\_\_

How did you become interested in serving the Town?

newspaper       friend       personal interest       \_\_\_\_\_

We suggest that you be aware of the time commitment you will need to make to the committee/board of your choice. For more information, please contact the Selectmen & Town Administrator's Office at 508-240-3700, ext. 415.

<b>PLEASE RETURN THIS FORM TO:</b>
<b>TOWN ADMINISTRATOR'S OFFICE</b>
<i>19 School Road</i>
<i>Orleans, MA 02653</i>

## TOWN OF ORLEANS COMMITTEES, BOARDS AND COUNCILS

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I would like to serve Orleans and am interested in the following committees (please indicate your preference(s) as #1, 2, 3)

- |   |   |
|---|---|
| <input type="checkbox"/> Affordable Housing Committee         | <input type="checkbox"/> Human Services Advisory Committee                    |
| <input type="checkbox"/> Agricultural Advisory Council        | <input type="checkbox"/> Insurance Advisory Committee                         |
| <input type="checkbox"/> Architectural Review Committee       | <input type="checkbox"/> Marine & Fresh Water Quality Task Force              |
| <input type="checkbox"/> Bike & Pedestrian Committee          | <input type="checkbox"/> Memorial & Veterans Day Committee                    |
| <input type="checkbox"/> Board of Assessors                   | <input type="checkbox"/> Open Space Committee                                 |
| <input type="checkbox"/> Board of Water & Sewer Commissioners | <input type="checkbox"/> Ombudsman Task Force                                 |
| <input type="checkbox"/> Building Code Board of Appeals       | <input type="checkbox"/> Personnel Advisory Board                             |
| <input type="checkbox"/> Commission on Disabilities           | <input type="checkbox"/> Pleasant Bay Steering Committee                      |
| <input type="checkbox"/> Community Preservation Committee     | <input type="checkbox"/> Renewable Energy Committee                           |
| <input type="checkbox"/> Conservation Commission              | <input type="checkbox"/> Shellfish & Waterways Improvement Advisory Committee |
| <input type="checkbox"/> Council on Aging                     | <input type="checkbox"/> Zoning Board of Appeals                              |
| <input type="checkbox"/> Cultural Council                     | <input type="checkbox"/> Zoning Bylaws Task Force                             |
| <input type="checkbox"/> Finance Committee                    | <input type="checkbox"/> Other (please list)                                  |
| <input type="checkbox"/> Fourth of July Committee             |   |
| <input type="checkbox"/> Historical Commission                |   |
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If you would like to learn more about a specific committee, please check the Town website at [www.town.orleans.ma.us](http://www.town.orleans.ma.us) under the "Volunteer" tab, or contact the Selectmen & Town Administrator's Office at 508-240-3700 Ext. 415. In the event there is not an opening on the committee that interests you, the Town does maintain a waiting list and will keep your name on file for one year and we will notify you if an opening becomes available.