

**TOWN OF ORLEANS  
TOWN MEETING WARRANTS**

for use at

**SATURDAY, October 31, 2020  
(Rain date Sunday, November 1, 2020)**

**SPECIAL TOWN MEETING – 11:00 AM  
Nauset Beach Parking Lot**



**SPECIAL ELECTION  
TUESDAY, December 1, 2020  
11:00 AM - 6:00 PM  
Council on Aging Senior Center**

Published as a supplement of  
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***Please bring this copy of the warrant  
to Town Meeting.***

**COPIES OF THIS WARRANT ARE AVAILABLE FOR REVIEW  
AND DOWNLOAD ON THE TOWN WEBSITE:  
<https://www.town.orleans.ma.us/town-administrator>**

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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 or by electronic voting. 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 Select Board 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 Select Board 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.”

## 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 used to fund capital projects and approval requires a two-thirds (2/3) vote of town meeting.

**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 2021 fiscal year is July 1, 2020 to June 30, 2021. 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 2½ Overrides/Underrides** - General Override to permanently increase the amount of property taxes the Town can raise. This requires a majority vote by the Select Board 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 Select Board 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 Select Board 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 Select Board 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 (2/3) vote of town meeting is required to appropriate money from the Stabilization Fund.

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 Beach Parking Lot in said Orleans on SATURDAY, the THIRTY FIRST day of OCTOBER in the year TWO THOUSAND TWENTY at 11:00 A.M. to act on the following:

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

To see if the Town will vote to transfer from Free Cash 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. (Select Board)

(9/10 Vote Required)

### **PROPOSED MOTION**

The motion will be made at Town Meeting and will include the total as of October 31, 2020, 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.

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

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

## **ARTICLE 2. FY 21 BUDGET ADJUSTMENTS**

To see if the Town will vote to amend the action taken under Article 9 of the June 20, 2020 Annual Town Meeting (TOWN/SCHOOL BUDGET) by reducing the appropriations under various line items and/or transferring from various line items within current appropriations, such sums of money as necessary in the operating budgets of the various Town departments for FY21 as follows:

1. Reduce the appropriation for Council on Aging Salary and Expense Accounts by rescinding the sum of Forty-Nine Thousand Seven Hundred Forty and 00/100 Dollars (\$49,740.00), or any other sum;
2. Reduce the appropriation for Employee Health and Medicare Account by rescinding the sum of Fifty Five Thousand and 00/100 Dollars (\$55,000.00), or any other sum;
3. Transfer from the Employee Health and Medicare Account the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00) to the Police/Communications Salary and Expense Accounts;
4. Transfer from the Employee Health and Medicare Account the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, to the Select Board/Town Administrator Expense Account;
5. Reduce the appropriation for Highway Department Salary Account by rescinding the sum of One Hundred Fifty Four Thousand and 00/100 Dollars (\$154,000.00), or any other sum;
6. Transfer from the Highway Department Salary Account the sum of Thirty Six Thousand and 00/100 Dollars (\$36,000.00), or any other sum, to the Natural Resources Department Salaries Account and the Fringe Benefit Accounts;

7. Reduce the appropriation for the Windmill Salary Account by rescinding the sum of Four Thousand Seven Hundred Fifty and 00/100 Dollars (\$4,750.00), or any other sum;

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

(Simple Majority Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant, and the reductions in appropriations be made from the various accounts by rescinding those amounts and the transfers from the various accounts be made for the purpose(s) set forth in the article.

### **SUMMARY**

The list of budget adjustments include reductions to help offset the estimated projected loss in revenues from local receipts in FY21 due to the pandemic resulting in an estimated budget deficit, along with the transfer of funds to address high priority initiatives that the Select Board deferred from the original FY21 budget approved in June. The total amount being reduced is \$263,490 and the total amount being transferred is \$81,000 for the following reasons:

1. Reduction of funds resulting from reduced operations during the pandemic and position vacancies due to retirements.
2. Reduction of funds resulting from current health plan enrollments.
3. Transfer of funds to implement a new seasonal parking enforcement program.
4. Transfer of funds to retain outside consultant services to assist regulatory boards and committees in their technical review of development applications.
5. Reduction of funds resulting from position vacancies due to retirements and freezing two of the open positions.
6. Transfer of funds to hire a full-time Natural Resources Officer - Beach Director instead of relying on multiple seasonal positions.
7. Reduction of funds resulting from being closed for the summer.

**SB:**            5 – YES        0 – NO        0 – ABSTAIN

**FC:**            0 – YES        0 – NO        0 – ABSTAIN

### **ARTICLE 3. AMEND CAPITAL IMPROVEMENTS PLAN FOR FY22**

To see if the Town will vote to amend the Capital Improvements Plan by adding the following items for FY 2022:

1. Nauset Estuary Dredging Project Environmental Permitting and Engineering Design Services in the amount of One Hundred Sixty Thousand and 00/100 Dollars (\$160,000.00);
2. Pleasant Bay Dredging Project Construction in the amount of Seven Hundred Fifty Thousand and 00/100 Dollars (\$750,000.00);

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

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article will add two projects that are being proposed in FY22 to the Capital Improvements Plan.

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

**ARTICLE 4. ESTABLISH ENTERPRISE FUND – SEWER OPERATIONS**

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F1/2 of the Massachusetts General Laws and to establish sewer operations as an enterprise fund for FY22, effective July 1, 2021; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article will establish an enterprise fund for the Town’s new sanitary sewer operations, including the treatment of septage, that are currently starting construction on the new treatment plant and collection system. Once established, a separate operating budget will be developed and presented as a warrant article at the annual town meeting in May. The budget information will include a breakdown of the revenues and expenditures proposed for FY22 and provide transparency as to the overall cost of the sanitary sewer operations.

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

**ARTICLE 5. ESTABLISH ENTERPRISE FUND – BEACH OPERATIONS**

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F1/2 of the Massachusetts General Laws and to establish beach operations as an enterprise fund for FY22, effective July 1, 2021; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article will establish an enterprise fund for the Town’s beach operations at both Nauset and Skaket Beaches, including the bathing beaches and over sand programs.

Once established, a separate operating budget will be developed and presented as a warrant article at the annual town meeting in May. The budget information will include a breakdown of the revenues and expenditures proposed for FY22 and provide transparency as to the overall cost of the beach operations. Since the enterprise fund budget will be separate, the general fund budget will no longer include the beach operations and will be reduced accordingly.

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

## **ARTICLE 6. ESTABLISH ENTERPRISE FUND – MOORING OPERATIONS**

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F1/2 of the Massachusetts General Laws and to establish mooring operations as an enterprise fund for FY22, effective July 1, 2021; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

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

### **SUMMARY**

This article will establish an enterprise fund for the Town’s mooring operation that manages over 1,300 moorings town-wide. Once established, a separate operating budget will be developed and presented as a warrant article at the Annual Town Meeting in May. The budget information will include a breakdown of the revenues and expenditures proposed for FY22 and provide transparency as to the cost of the mooring operation. Since the enterprise fund budget will be separate, the general fund budget will no longer include the mooring operations and will be reduced accordingly.

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

## **ARTICLE 7. ESTABLISH ENTERPRISE FUND – TRANSFER STATION**

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F1/2 of the Massachusetts General Laws and to establish transfer station operations as an enterprise fund for FY22, effective July 1, 2021; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

### **PROPOSED MOTION**

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

### **SUMMARY**

This article will establish an enterprise fund for the Town’s Transfer Station operations. Once established, a separate operating budget will be developed and presented as a

warrant article at the Annual Town Meeting in May. The budget information will include a breakdown of the revenues and expenditures proposed for FY22 and provide transparency as to the cost of the Transfer Station operations. Since the enterprise fund budget will be separate, the general fund budget will no longer include the Transfer Station operations and will be reduced accordingly.

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

**ARTICLE 8. ESTABLISH ENTERPRISE FUND – ROCK HARBOR BOAT BASIN**

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F1/2 of the Massachusetts General Laws and to establish Rock Harbor Boat Basin operations as an enterprise fund for FY22, effective July 1, 2021; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article will establish an enterprise fund for the Rock Harbor Boat Basin operations. Once established, a separate operating budget will be developed and presented as a warrant article at the annual town meeting in May. The budget information will include a breakdown of the revenues and expenditures proposed for FY22 and provide transparency as to the cost of Rock Harbor Boat Basin operations. Since the enterprise fund budget will be separate, the general fund budget will no longer include Rock Harbor Boat Basin operations and will be reduced accordingly.

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

**ARTICLE 9. RESCIND STABILIZATION FUNDING OF MOTOR VEHICLES AND EQUIPMENT**

To see if the Town will vote to amend the action taken under Article 31 of the June 20,2020 Annual Town Meeting by reducing the appropriation for FY21 for the Motor Vehicle and Equipment Stabilization Fund by rescinding the sum of Two Hundred Sixty Five Thousand and 00/100 Dollars (\$265,000.00), or any other sum, or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

The Town Meeting in June voted to appropriate \$570,000 be raised and appropriated for the purpose of funding Motor Vehicles and Equipment. The reduction of that appropriation by rescinding the sum of \$265,000 is necessary to help offset the estimated projected loss in revenues from local receipts in FY21 due to the pandemic resulting in an estimated budget deficit. The Town maintains a 10-year replacement schedule and the amount rescinded includes reserves for future purchases. The purchases of motor vehicles and equipment planned in FY21 will be made using the remaining fund balance in the account.

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

**ARTICLE 10. RESCIND STABILIZATION FUNDING OF MAINTENANCE OF BUILDINGS AND FACILITIES**

To see if the Town will vote to amend the action taken under Article 30 of the June 20, 2020 Annual Town Meeting by reducing the appropriation for FY21 for the Maintenance of Buildings and Facilities Stabilization Fund by rescinding the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00), or any other sum; or to take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

The Town Meeting in June voted that \$350,000 be raised and appropriated for the purpose of funding the Maintenance of Buildings and Facilities. The reduction of that appropriation by rescinding the sum of \$250,000 is necessary to help offset the estimated projected loss in revenues from local receipts in FY21 due to the pandemic resulting in an estimated budget deficit. The Town maintains a 6-year schedule of projects and the amount rescinded is based on a revised list of projects to be completed in FY21.

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

**ARTICLE 11. ESTABLISH NEW REVOLVING FUND FOR ELECTRIC CHARGE STATIONS**

To see if the Town will vote to authorize a revolving fund under M.G.L. c.44, §53½ and Chapter 82 of the Code of the Town of Orleans for the Revolving Fund for Electric Charge Stations, said fund not to exceed five-thousand and 00/100 Dollars (\$5,000.00). The Account will be used to fund the electricity and subscription service for the program. All funds to be spent under the direction of the Department Manager and the Town Administrator; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This account will be used to pay for the electricity and subscription service to manage the new charging stations in service in the parking lot at Depot Square Park and other potential locations.

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

**ARTICLE 12. FUND WATER SURPLUS ARTICLE FOR EMERGENCY EXPENDITURE AUTHORIZED BY THE MASSACHUSETTS DEPARTMENT OF REVENUE**

To see if the Town will vote to transfer the sum of Forty Seven Thousand and 00/100 Dollars (\$47,000.00), or any other sum, from the Water Surplus Fund to fund the emergency expenditure authorized by the Massachusetts Department of Revenue to make repairs at the Water Treatment Plant; or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article will pay for the emergency repairs that were completed at the Town's water treatment plant that we received special permission from the Massachusetts Department of Revenue to deficit spend in order to make the necessary repairs prior to the busy summer season.

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

**ARTICLE 13. FUND FEASIBILITY STUDY FOR FIRE STATION RENOVATION/ ADDITION**

To see if the Town will vote to borrow the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00), or any other sum, for the purpose of funding a feasibility study for renovation of and/or addition to the existing Fire Station, 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 Select Board 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. (Select Board)

(3/4 Vote Required)

### **PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00) 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**

The Fire Station on Eldredge Park Way was constructed in 1988 and does not meet the current and future staffing, equipment and storage needs of the Department. This study will focus on the existing conditions of the facility and the options available to address the deficiencies through either renovation and/or addition.

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

### **ARTICLE 14. FUND REPLACEMENT OF FIRE DEPARTMENT PUMPER TRUCK**

To see if the Town will vote to borrow the sum of Six Hundred Seventy Five Thousand and 00/100 Dollars (\$675,000.00), or any other sum, for the purpose of purchasing a new pumper truck for the Fire Department, 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 Select Board 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 Town Administrator to sell, trade, lease or exchange or otherwise dispose of the old fire pumper truck 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 pumper truck, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

### **PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Six Hundred Seventy Five Thousand and 00/100 Dollars (\$675,000.00) be raised and appropriated for this purpose and for costs incidental and related thereto, to raise such appropriation the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Six Hundred Seventy Five Thousand and 00/100 Dollars (\$675,000.00), pursuant to Massachusetts General Laws Chapter 44, Section 7 Clause (9), 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, 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 item involves the replacement of the 2001 KME Fire Pumper. By FY21 this pumper will be 20 years old with an anticipated construction phase of about 12+ months. With the problems that we have had to date with this pumper, as well as the current front-line engine that is 10 years old that has also had significant mechanical problems, it is critical to have a replacement. An appropriate replacement truck would have equal capabilities, 1250 to 1500 gpm pump, 750 gallon water tank, seating for 5 or 6 firefighters inside the cab, and a rear body capable of carrying equipment that would be transferred, with the radios and associated electronic equipment, from the old pumper to the new pumper.

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

### **ARTICLE 15. FUND MILL POND LANDING RESTORATION**

To see if the Town will vote to borrow the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00), or any other sum, for the purpose of funding the Mill Pond Landing Restoration project, 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 Select Board 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. (Select Board)

(3/4 Vote Required)

### **PROPOSED MOTION**

I move that 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 appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) 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**

This project will fund the restoration of the landing and related bank on Mill Pond Road. Years of storm erosion have reduced the size of the landing and parking area along with making the landing extremely vulnerable to more erosion and putting both the Town infrastructure at risk and the potential loss of access to three private properties. This project stabilizes the erosion in the landing area.

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

### **ARTICLE 16. FUND ENGINEERING DESIGN AND PERMITTING SERVICES FOR NAUSET ESTUARY DREDGING PROJECT**

To see if the Town will vote to borrow the sum of One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00), or any other sum, for the purpose of funding engineering design and permitting services for the Nauset Estuary Dredging Project, 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 ½) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Select Board 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. (Select Board)

(3/4 Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted and that the sum of One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) 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**

This project will fund the fourth phase of work on the Nauset Estuary dredging project. This phase involves environmental permitting work related to local, state and federal review of the proposed channel dredging project in Nauset Estuary to improve navigation and public safety. The environmental permitting process will take two years and this article will fund the additional \$120,000 to complete the scope of work needed in FY21.

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

**ARTICLE 17. FUND ENGINEERING SERVICES FOR POTENTIAL PURCHASE OF DREDGING EQUIPMENT**

To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Dollars (\$30,000.00), or any other sum, for the purpose of funding engineering design services for the potential purchase of dredging equipment, or to take any other action relative thereto. (Select Board)

(3/4 Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00) be transferred from Free Cash for this purpose.

**SUMMARY**

This article will fund the cost of engineering design services to be used in the event the Town decides to pursue the purchase of its own dredge and related capital equipment

following completion of the Orleans Dredge Purchase Feasibility Study in October 2020.

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

**ARTICLE 18. FUND ENGINEERING FOR DREDGE DISPOSAL SITES IN PLEASANT BAY & DREDGE A CHANNEL TO MILL POND IN NAUSET ESTUARY**

To see if the Town will vote to borrow the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00), or any other sum, for the purpose of funding the engineering design and permitting for dredge disposal/dewatering sites to support maintenance dredging in Pleasant Bay and determine the feasibility of dredging a navigational channel from Mill Pond to Nauset Estuary, 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 ½) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Select Board 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. (Select Board)

(3/4 Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant and that the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00) 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**

This article will fund the design and permitting necessary to secure dredge disposal/dewatering sites to support maintenance dredging of navigational channels in Pleasant Bay at the Narrows, along with Quanset, Pah Wah, Arey's and Lonnie's Ponds. The article also includes funding to determine the feasibility of dredging a navigational channel to Mill Pond in Nauset Estuary.

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

**ARTICLE 19. FUND COMMUNITY CENTER FEASIBILITY STUDY**

To see if the Town will vote to borrow the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00), or any other sum, for the purpose of funding a feasibility study for purchasing existing property or renovating current town property, for the construction of a Community Center, 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 ½) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Select Board 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. (Select Board)

(3/4 Vote Required)

**PROPOSED MOTION**

I move that this article be accepted and adopted as printed in the warrant and that the sum of Seventy Five and 00/100 Dollars (\$75,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00) 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**

This article will fund a feasibility study for a proposed community center for the Town. The study will include the development of the proposed programming and uses for the new facility, along with preliminary design of the building size, parking and other site requirements, along with cost projections that can be used for capital planning purposes.

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

**ARTICLE 20. FUND FEASIBILITY STUDY – ROUTE 6A PROPERTY**

To see if the Town will vote to transfer from Free Cash the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, for the purpose of funding a feasibility study of the potential reuses of the Governor Prence Properties on Route 6A, including affordable housing and other compatible uses; or to take any other action relative thereto. (Select Board)

(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 Fifteen Thousand and 00/100 Dollars (\$15,000.00) be transferred from Free Cash for this purpose.

**SUMMARY**

This article will fund a feasibility study for the potential reuse of the two Governor Prence properties on Route 6A for affordable housing and other compatible uses as part of the Town’s due diligence in exploring the opportunity to purchase this 5 acre property. The Select Board, Affordable Housing Committee and Affordable Housing Trust Fund Board have expressed mutual interest in acquiring the property to meet the current and future needs of the Town and the Trust Fund Board will be considering supplemental funding to complete the feasibility study.

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

**ARTICLE 21. FUND UNANTICIPATED EMPLOYEE BUYOUTS**

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Eighty Five Thousand and 00/100 Dollars (\$185,000.00), or any other sum, to fund unanticipated employee related buyouts, or to take any other action relative thereto. (Select Board)

(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 Eighty Five Thousand and 00/100 Dollars (\$185,000.00) be transferred from Free Cash 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.

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

**ARTICLE 22. FUND ELECTRONIC VOTING AT TOWN MEETING**

To see if the Town will vote to transfer from Free Cash the sum of Twenty Five Thousand Dollars (\$25,000.00), or any other sum, for the purpose of leasing or purchasing electronic voting equipment, or to take any other action relative thereto. (Select Board)

(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 Five Thousand and 00/100 Dollars (\$25,000.00) be transferred from Free Cash for this purpose.

**SUMMARY**

This article will fund the cost for electronic voting at the annual town meeting in May 2021.

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

**ARTICLE 23. FREE CASH TRANSFER TO GENERAL STABILIZATION FUND**

To see if the Town will vote to transfer from Free Cash the sum of Four Million Two Hundred Forty Nine Thousand Two Hundred Twenty Nine and 00/100 Dollars (\$4,249,229.00), or any other sum, to the Town’s General Stabilization Fund, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant, and the transfer from Free Cash the sum of Four Million Two Hundred Forty Nine Thousand Two Hundred Twenty Nine and 00/100 Dollars (\$4,249,229.00) to the Town’s General Stabilization Fund for this purpose.

**SUMMARY**

The General Stabilization Fund is the Town’s main reserve fund designed to provide financial stability for the Town, while improving the Town’s credit worthiness, liquidity, and flexibility. The provisions of this fund are dictated by Massachusetts General Law (MGL), Chapter 40, Section 5B. Transfers requested into this fund comply with the Town’s Reserve Policy adopted by the Select Board on September 23, 2020 which states that the Town will endeavor to maintain a target minimum balance in the General Stabilization Fund of 12% – 14% of the annual general fund operating budget.

**SB:**            5 – YES        0 – NO        0 – ABSTAIN  
**FC:**            0 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 24. AUTHORIZE CHANGES IN FEE SCHEDULES FOR ASSESSING, BUILDING AND WATER DEPARTMENTS**

To see if the Town will vote, pursuant to the Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Assessing, Building and Water Departments as set forth in the following schedule, effective December 1, 2020, or take any other action relative thereto. (Select Board)

<b>Department</b>		<b>Current</b>	<b>Proposed</b>
<b>144 Assessing Department</b>			
Certified Abutter's List - Mailing Labels		\$0	<b>\$1/sheet</b>
Printed Materials		\$0.05pp	<b>\$0.05pp if &gt; 20 pages</b>
<b>241 Building Department</b>			
<b>Building Fees</b>			
<i>Residential 1 &amp; 2 Family</i>			
New construction per sq. ft.		\$0.54	<b>\$0.70</b>
Additions per sq. ft.		\$0.54	<b>\$0.70</b>
Alterations per sq. ft		\$0.42	<b>\$0.70</b>
Decks per sq. ft		\$0.28	<b>\$0.40</b>
Gar./ Acc. Building per sq. ft		\$0.44	<b>\$0.50</b>
Min. fee for above		\$50	<b>\$75</b>
<i>Other Permits</i>			
Retaining wall		\$35	<b>\$50</b>
Foundation only		\$40	<b>\$50</b>
Tennis courts		\$60	<b>\$75</b>
Demolition permit		\$90	<b>\$100</b>
Mechanical permit		\$40	<b>\$50</b>
Cert. of occupancy		\$40	<b>\$45</b>
Sign permit		\$40	<b>\$45</b>
<i>Commercial</i>			
New industrial per sq.ft		\$0.60	<b>\$0.75</b>
New multifamily per sq.ft		\$0.58	<b>\$0.75</b>
Commerical/ business per sq.ft		\$0.60	<b>\$0.75</b>
Commerical addition per sq.ft		\$0.60	<b>\$0.75</b>
Alteration/ repair per sq.ft		\$0.42	<b>\$0.65</b>
Min Fee commercial		\$80	<b>\$85</b>
Re-roofing		\$40	<b>\$75</b>
Awning		\$35	<b>\$80</b>
Reinspection 1st.		\$35	<b>\$50</b>
Reinspection 2nd		\$50	<b>\$60</b>
Reinspection 3rd		\$65	<b>\$70</b>
<b>Plumbing/Gas Fees</b>			
1st	Reinsp.	\$40	<b>\$50</b>
2nd	Reinsp.	\$50	<b>\$60</b>
3rd	Reinsp.	\$65	<b>\$70</b>

<b>Electrical Fees</b>			
Emergency Afterhours		\$100	<b>\$110</b>
<b>450 Water Department</b>			
Backhoe with Operator (per hour)		\$60	<b>\$80</b>
5/8" Meter (annual bid price)		\$242	<b>\$270</b>
3/4" Meter (annual bid price)		\$268	<b>\$300</b>
1" Meter (annual bid price)		\$344	<b>\$400</b>

(Simple Majority Vote Required)

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

**SB:**            5 – Yes            0 – No            0 – Abstain  
**FC:**            7 – Yes            0 – No            0 – Abstain

**ARTICLE 25. AUTHORIZE CHANGES IN FEE SCHEDULES FOR SHELLFISH AND HARBORMASTER**

To see if the Town will vote, pursuant to the Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Shellfish and Harbormaster Department as set forth in the following schedule, effective December 1, 2020, or take any other action relative thereto. (Select Board)

<b>295 Shellfish/Harbormaster</b>			
<b>Dockage (per foot)</b>			
Resident Back in		\$46	<b>\$50</b>
Non-resident Back in		\$62	<b>\$70</b>
Resident Commercial/Private Pier		\$10	<b>\$15</b>
Non-resident Commercial/Private Pier		\$12	<b>\$20</b>

(Simple Majority Vote Required)

**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 Select Board, the Board is recommending increases or new fees in a number of departments. Increasing user

fees, permits and licenses so that they cover more of the total cost of providing these services will reduce the share of the cost paid by property taxes. In accordance with the Orleans Code, the Select Board may not increase user fees, license fees or permit fees more than 5%, or set new fees, without Town Meeting approval.

**SB:**            5 – Yes            0 – No            0 – Abstain  
**FC:**            7 – Yes            0 – No            0 – Abstain

**ARTICLE 26. AUTHORIZE CHANGES IN FEE SCHEDULE FOR PARKS AND BEACHES**

To see if the Town will vote, pursuant to the Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Parks and Beaches Department as set forth in the following schedule, effective December 1, 2020, or take any other action relative thereto. (Select Board)

<b>650 Parks and Beaches</b>			
<b><i>Parks</i></b>			
<b><i>Beaches</i></b>			
Beach Parking - daily		\$20	<b>\$25</b>
Replacement sticker		\$0	<b>\$5</b>
Visitor Beach Parking - weekly		\$75	<b>\$100</b>
Visitor Beach Parking - seasonal resident		\$220	<b>\$250</b>
Resident Taxpayer Beach Parking-first sticker		\$0	<b>\$25</b>
Resident Taxpayer Beach Parking-addtl sticker		\$0	<b>\$25</b>
<b><i>ORV</i></b>			
Resident - Off season		\$40	<b>\$50</b>
Resident - Yearly		\$60 or \$70	<b>\$70 or \$80</b>
Non-Resident - Off Season		\$100	<b>\$110</b>
Non-Resident - Yearly		\$190	<b>\$200</b>
Self-Contained - Off Season		\$135	<b>\$145</b>
Self-Contained - Yearly		\$260	<b>\$270</b>
Camp Owner		\$60 or \$190	<b>\$70 or \$200</b>
Pochet		\$10	<b>\$20</b>
		by mail / in-person	

(Simple Majority Vote Required)

**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 Select Board, the Board is recommending increases or new fees in a number of departments. Increasing user fees, permits and licenses so that they cover more of the total cost of providing these

services will reduce the share of the cost paid by property taxes. In accordance with the Orleans Code, the Select Board may not increase user fees, license fees or permit fees more than 5%, or set new fees, without Town Meeting approval.

**SB:**            5 – Yes            0 – No            0 – Abstain  
**FC:**            7 – Yes            0 – No            0 – Abstain

**ARTICLE 27. ACCEPT MGL CH. 59, SEC 5K - PROPERTY TAX LIABILITY REDUCED IN EXCHANGE FOR VOLUNTEER SERVICES; PERSONS OVER AGE 60**

To see if the Town will vote to accept the provisions of General Laws Chapter 59 § 5K authorizing the Select Board to reduce the property tax liability of persons over the age of 60 in exchange for volunteer services rendered to the Town. The Select Board shall have the power to create local rules and procedures for implementing this section in any way consistent with the intention of the statute. Such reduction shall be provided in addition to any exemption or abatement the person is otherwise entitled to but in no instance shall the reduction of the real property tax bill exceed \$1,500 in a given tax year, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article is to accept the provisions of state law that will enable the Select Board to set up an annual program for eligible persons over the age of 60 to reduce their property tax liability in exchange for volunteer services to the Town. The maximum amount of the reduction is \$1,500 a year per taxpayer. If accepted, the Select Board can implement the program to begin in FY22.

**SB:**            5 – Yes            0 – No            0 – Abstain  
**FC:**            7 – Yes            0 – No            0 – Abstain

**ARTICLE 28. ACCEPT MGL CH. 59, SEC 57A – REAL ESTATE & PERSONAL PROPERTY COLLECTION**

To see if the Town will vote to accept Chapter 59, Section 57A (real estate and personal property bills totaling \$100.00 and under due in one installment), and further to rescind the vote on Article 15 from May 10, 1993, acceptance of Chapter 59, Section 57B (real estate and personal property bills totaling \$50.00 and under due in one installment) beginning in FY21, or take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

The Town must accept Chapter 59, Section 57A in order to provide greater flexibility in making small property tax bills payable in a single installment. At present that allowable amount is \$50.00 and under as per prior acceptance of Chapter 59, Sect 57B that occurred as Article 15 at ATM May 10, 1993. Rescinding the prior vote on Ch.59 Sec. 57B and acceptance of Ch.59, Sec. 57A will allow this dollar amount to move from \$50.00 and under to \$100.00 and under. Any Real Estate or Personal Property tax bill that is issued for \$100.00 or less can then be billed on a single installment, saving future processing efforts and costs associated with issuance of tax bills.

**SB:**            5 – Yes            0 – No            0 – Abstain  
**FC:**            7 – Yes            0 – No            0 – Abstain

**ARTICLE 29. AUTHORIZE SPECIAL ACT TO PERMIT SWIMMING AT BAKERS POND FROM STATE OWNED PROPERTIES**

To see if the Town will vote to authorize and direct the Select Board to file special legislation to authorize and instruct the State Office of Fishing and Boating Access to issue an annual general permit to the Town of Orleans to permit swimming from the state owned properties located on Bakers Pond Road, or to take any other action relative there to. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the Select Board be authorized to approve the final wording of any such Special Act.

**SUMMARY**

This article would authorize the Select Board to file special legislation to secure a general permit to allow for swimming during the months of June – September at the state’s public access facility on Bakers Pond Road. The Town was denied a permit in April 2019 to restore the historical use of this facility by local residents who enjoyed access to the pond not only for fishing and boating but for swimming off of the property’s sandy beach.

**SB:**            5 – Yes            0 – No            0 – Abstain  
**FC:**            No Significant Fiscal Implication

**ARTICLE 30. AUTHORIZE SPECIAL ACT FOR SEWER BETTERMENT ALLOCATION METHOD & RESCIND CH. 381 OF THE ACTS OF 2008**

To see if the Town will vote to authorize the Select Board, to the extent necessary, to petition the Great and General Court of the Commonwealth of Massachusetts for special

legislation to rescind Chapter 381 of the Acts of 2008 which authorized the town to lay out sewers and assess betterments in accordance with the Town's Comprehensive Wastewater Management Plan (CWMP) approved by the Department of Environmental Protection as of 2008 and further special legislation to authorize the Town, notwithstanding the provisions of Chapters 80 and 83 of the General Laws or any other general or special law to the contrary, to adopt a sewer assessment bylaw, based on the following uniform unit method:

The Town of Orleans, acting through its Board of Sewer and Water Commissioners ("Commission"), shall be authorized when assessing betterment assessments to assess the owners of land abutting a public sewer installed by the Town by a rate based upon the following uniform unit method:

Sewer assessments shall be determined utilizing sewer unit values.

A single Sewer Unit shall be equal to the residential water usage for the residential properties abutting the wastewater system. For the purpose of any such bylaw such single Sewer Unit shall be considered "a single family residence" as that term is used in MGL c. 83, §15; however, based on the average daily water usage of a single family residence, as calculated in accordance with paragraphs 1-5 set out below, a single family residence may be assessed one or more Sewer Units.

- 1) The Commission shall assess sewer betterments based upon water usage. An average daily water usage for the residential properties shall be calculated based upon the prior three (3) year average ending with the most recent billed water cycle immediately preceding the date of the project's substantial completion.
- 2) Residential and Non-Residential properties shall be assigned a sewer unit(s) based on their daily water usage relative to the average residential use, provided that the number of sewer units for any residential or non-residential property shall not be less than one (1) sewer unit.
- 3) Residential undeveloped. Sewer units shall be calculated on the basis of the highest and best use permitted as of right of the zoning then in effect. Potential single family, multifamily, and condominiums and other similar uses shall be converted into sewer units on the basis of residential equivalents using volume calculations.
- 4) Non-Residential, undeveloped. Sewer units shall be calculated on the basis of the highest and best use permitted as of right of the zoning then in effect. Potential non-residential, commercial, industrial, semipublic and other similar uses shall be converted into sewer units on the basis of residential equivalents using volume calculations.
- 5) If a property abuts a private or unaccepted way within which a public sewer has been installed, the Commission shall assess the betterment assessment against said property.

Or take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

### PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the Select Board be authorized to approve of the final language of the Special Legislation.

### SUMMARY

Chapter 381 of the Acts of 2008 applies to the CWMP in effect in 2008. The CWMP has been modified and as a result the provisions of Chapter 381 are outdated and need to be rescinded. Accordingly, this article seeks authorization to file special legislation to rescind Chapter 381. Further, the Board of Water and Sewer Commissioners intends to propose a Sewer Assessment Bylaw for adoption by Town Meeting that utilizes a uniform unit method of assessment based upon average daily water usage of a single family residence. Therefore, this article also seeks authorization for the Select Board to petition the State Legislature for special legislation, as needed, to insure that such a method of assessment is authorized before submitting the proposed Sewer Betterment Bylaw to a Town Meeting for adoption by the voters.

<b>SB:</b>	5 – Yes	0 – No	0 – Abstain
<b>FC:</b>	6 – Yes	0 – No	0 – Abstain

### ARTICLE 31. AMEND GENERAL BYLAW CH. 140 - RIGHT TO FARM

To see if the Town will vote to amend Chapter 140. Right to Farm, to read as follows:

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

Chapter 140. Right to Farm **and Fish**

§ 140-1 Legislative purpose and intent.

- A. The purpose and intent of this bylaw is to state with emphasis the right to farm accorded to all citizens of the commonwealth under Article 97 of the Constitution, and all state statutes and regulations thereunder, including but not limited to MGL c. 40A, § 3, paragraph 1; MGL c. 90, § 9, MGL c. 111, § 125A and MGL c. 128, § 1A. **This bylaw includes the right to fish commercially in accordance with applicable federal, state, and local regulations.** We the citizens of Orleans restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution ("Home Rule Amendment").
- B. This general bylaw encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Orleans **by; this bylaw also protects the town's historical agricultural and maritime**

**heritage and traditional employment by** allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This bylaw shall apply to all jurisdictional areas within the Town.

§ 140-2 Definitions.

- A. The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.
- B. The words "farming" or "agriculture" or their derivatives shall include, but not be limited to, the following:
  - 1) Farming in all its branches and the cultivation and tillage of the soil;
  - 2) Dairying;
  - 3) Production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
  - 4) Growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
  - 5) Raising of livestock, including horses;
  - 6) Keeping of horses as a commercial enterprise; and
  - 7) Keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.
- C. "Farming" shall encompass activities including, but not limited to, the following:
  - 1) Operation and transportation of slow-moving farm equipment over roads within the Town;
  - 2) Control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
  - 3) Application of manure, fertilizers and pesticides;
  - 4) Conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
  - 5) Processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
  - 6) Maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
  - 7) On-farm relocation of earth and the clearing of ground for farming operations.

§ 140-3 Right to farm **and fish** declaration.

The right to farm is hereby recognized to exist within the Town of Orleans. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming **and fishing** to the neighborhood, community, and society in general. The benefits and protections of this bylaw are intended to apply exclusively to those commercial **or non-commercial** agricultural, **aquacultural, and fishing** and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this ~~Right to Farm~~ **Bylaw** shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

§ 140-4 Disclosure notification.

Copies of the disclosure notification shall be prepared by the Town and included on a one-time basis with the mail out of Town real estate tax bills. Following the initial mail out, copies of the disclosure notification will be included on a continuing basis with the mail out of municipal lien certificates.

DISCLOSURE NOTIFICATION:

It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural, and aquacultural, **and fishing** resources for the production of food and other agricultural products and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause attendant incidental noise, dust and odors associated with normally accepted agricultural practices. Buyers or occupants are also informed that any property within the Town may be impacted by commercial agriculture, aquaculture, and **fishing** other farming activities.

§ 140-5 Resolution of disputes.

~~**A.** Any person who seeks to complain about the operation of a farm **any farming or fishing operation** may, notwithstanding pursuing any other available remedy, file a grievance with the **Agricultural Advisory Council or the Shellfish & Waterways Committee which will review and facilitate the resolution of the grievance and report its recommendations to the appropriate town authority.** Board of Selectmen, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or the Board of Selectmen may forward a copy of the grievance to the Agricultural Advisory Council or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.~~

~~**B.**~~

~~The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Advisory Council or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.~~

§ 140-6 Severability clause.

If any part of this bylaw is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this bylaw. The Town of Orleans hereby declares the provisions of this bylaw to be severable.

§ 140-7 Relationship to existing Bylaws, rules and regulations.

Notwithstanding anything contained herein to the contrary, nothing in this bylaw shall supersede any existing Town bylaw, zoning bylaw, rule or regulation and all such existing bylaws, rules and regulations shall continue in full force and effect.

Or take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

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

#### **SUMMARY**

In 2013, the Town adopted a Right to Farm bylaw that acknowledges the importance of agricultural uses in the Town and encourages their continued viability. Commercial fishing is also a traditional occupation, one that is supported in the Orleans Comprehensive Plan. This article would adopt the protections of the bylaw that are given to farms to fishing uses as well. Sometimes, fishermen maintain their gear on their residential properties, an activity which currently requires a Special Permit from the Zoning Board of Appeals. The Shellfish Advisory Committee and the Agricultural Commission have worked together to incorporate fishing into the Bylaw. The proposal is a statement of the value of fishing as traditionally conducted in the Town. The Bylaw contains a dispute resolution section to hear and resolve any issues that may arise with neighbors.

**SB:**            5 – Yes        0 – No        0 – Abstain

**FC:**            No Significant Fiscal Implication

#### **ARTICLE 32. AMEND ZONING BYLAW CH. 164-4. DEFINITIONS AND CH. 164-13. SCHEDULE OF USE REGULATIONS**

To see if the Town will vote to amend the Zoning Bylaws, Section 164-4 Definitions to read as follows:

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

**Customary or Self-Employed Home Occupation:** This term shall include carpenters, electricians, painters, plumbers, paper-hangers, and shellfish opening, ~~and the storage of fishing equipment~~ as customarily carried on in the Town, masons, radio and TV repairs, dressmaking, hand laundering, home handicrafts, home cooking, lawn mower and bicycle repairs, the practice of any recognized profession and any others of similar nature, which may be approved on Special Permit by the Board of Appeals, provided it is not injurious, noxious and offensive to the neighborhood, and provided there is no outside display of goods. This definition does not include a home office which has no non-occupant employees, on-site sales, or any other external evidence of the occupation.

And further, amend Section 164-13. Schedule of Use Regulations, as follows:

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

<u>DISTRICTS</u>									
<b>AGRICULTURAL</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>
Agricultural, horticultural, floricultural, or aquaculture use, <u>storage of fishing gear</u> and uses customarily necessary thereto except piggeries on parcels of less than five acres.	P	P	P	P	P	P	P	P	P

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 amendment would remove storage of Fishing Equipment from the definition of a Customary Home Occupation, and adds the use to the Schedule of Use Regulations Table. Fishing Equipment storage would be treated like agriculture uses. The Amendment should be considered by Town Meeting in conjunction with the proposed Right to Farm and Fish Bylaw, which provides a mechanism to mediate any issues that may affect abutting properties.

**SB:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**            0 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 33. AMEND ZONING BYLAW CH. 164-31. APARTMENT DEVELOPMENT**

To see if the Town will vote to amend the Town's Zoning Bylaw Section 164-31. Apartment Development, subsection B. to read 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:      0 ~~30,000~~ s.f. of contiguous buildable upland  
VC District:                      0 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**

This amendment would eliminate the required Minimum Lot Size for apartment development in the General Business and Limited Business Districts. This article will allow smaller lots to be considered for apartment development, based on lot size and allowable density.

**SB:**              5 – YES              0 – NO              0 – ABSTAIN  
**FC:**              0 – YES              0 – NO              0 – ABSTAIN

**ARTICLE 34. AMEND ZONING BYLAW CH. 164-4. DEFINITIONS**

To see if the Town will vote to amend the Town's Zoning Bylaw Section 164-4. Definitions, by amending the following definition, to read as follows:

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

**Apartment:** A structure **or lot**, regardless of form of tenure, containing three (3) of more dwelling units or a mixed-use structure containing three (3) or more dwelling units having a majority of floor area devoted to non-residential use, except that up to four (4) dwelling units may be contained in a commercial structure in the Village Center District without being considered an apartment (See section §164-32 and §164-19.1).

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 amendment defines an apartment as three (3) or more dwellings units either in a building or on a lot. This would allow developers to build detached multifamily housing on a parcel. The change will eliminate the construction of false connections between buildings and will allow for apartment development of smaller scale developments that fit with the scale of existing buildings.

**SB:**            5 – YES        0 – NO        0 – ABSTAIN  
**FC:**            0 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 35. AMEND ZONING BYLAW CH. 164-34 A.(1). OFF-STREET PARKING REGULATIONS**

To see if the Town will vote to amend the Zoning Bylaws, Section 164-34 Off-Street Parking Regulations, subsection A.(1) to read as follows:

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

**§164-34      Off Street Parking Regulations**

**A.      General Provisions**

**(1)**      Off street parking space shall be provided as specified in this By-law and shall be furnished with necessary passageways and driveways. All such space shall be deemed to be required space on the lot on which it is situated and shall not be encroached upon or reduced in any manner. All parking areas, passageways, and driveways (except when provided in connection with one-family residences) shall be surfaced with a dustless, durable, all-weather pavement, clearly marked for car spaces and shall be adequately drained, all subject to the approval of the Building Inspector. An area of three hundred (300) square feet of appropriate dimensions for the parking of an automobile, including maneuvering area and aisles, shall be considered as one (1) off-street parking space. **Designated parking spaces shall be not less than ten (10) feet in width.** Except in the VC District, in no case shall a driveway, maneuvering area, aisle or parking space, except loading or service area, be closer than ten feet (10') to a building in any business district. Said ten-foot setback area is to be used only for green area and pedestrian walkways, raised or lowered or otherwise protected. Landscaping, consisting of attractive trees, shrubs, plants and grass lawns shall be required and planted in accordance with the site plans. Special buffer planting shall be provided along the side and rear property lines so as to provide protection to adjacent properties when such lot lines abut residential districts or 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**

This amendment adds a paragraph to the existing section to require parking spaces to be a minimum of 10 feet in width. The amendment will ensure that in a community of high median age, with many large vehicles, there will adequate space or maneuvering vehicles into parking process.

**SB:**            5 – YES        0 – NO        0 – ABSTAIN  
**FC:**            0 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 36. AMEND ZONING BYLAW CH. 164-32. DWELLINGS IN COMMERCIAL STRUCTURES OR ACCESSORY TO COMMERCIAL USES**

To see if the Town will vote to amend the Zoning Bylaws, Section 164-32 Dwellings in Commercial Structures or Accessory to Commercial Uses, subsection 3. Other Business Districts, to read as follows:

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

3. Other Business Districts

No more than two (2) dwelling units may be allowed on a lot within a structure used for commerce through new construction, addition, or conversion. The following criteria must be met:

- a. ~~The principal use of the structure must be devoted to the commercial use.~~ **At least 30% of the floor area on the parcel shall be used for commercial purposes.**
- b. ~~Lot area shall equal at least two thousand two hundred (2,200) square feet for each dwelling unit in addition to the area required for the commercial use.~~
- c. Off-street parking shall be provided for the dwelling units as per requirements of this chapter.
- d. For each dwelling unit having in excess of one (1) bedroom, unpaved open space of at least four hundred fifty (450) square feet shall be provided.

<sup>1</sup>Up to four (4) units may be allowed, see Section 164-19.1.E.

And further, to amend Section 164-4. Definitions, to read as follows:

Commercial Structures with Dwelling Units: A structure with mixed uses, containing a ~~maximum of two (2) dwelling units, but having a majority of the gross floor area devoted to non-residential use;~~ includes **including** buildings containing office, retail or other non-residential use together with the dwelling units. **Any mixed use containing more than 2**

**dwelling units, or 4 dwelling units in the Village Center District, shall be regulated as Apartment Development under Section 164-31.**

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 amendment reduces the required percentage of commercial floor area to 30%, and clarifies the definition to correct an inconsistency. By requiring less commercial floor area, a mixed-use building can provide more residential space and help meet housing needs.

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

**ARTICLE 37. AMEND ZONING BYLAW CHAPTER 164-40.4. MARIJUANA ESTABLISHMENTS**

To see if the Town will vote to amend the Town's Zoning Bylaw Section 164-40.4 Marijuana Establishments, as follows:

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

**164-40.4. Marijuana Establishments**

**C. Applicability**

- (2) ~~Marijuana retailers as defined herein shall be prohibited in all zoning districts.~~ **Pursuant to MGL c. 94G, §3(a)(2), the number of Marijuana Retailers shall be limited to two (2) establishments in Orleans, each required to be an unrelated, licensed entity.**

**D. General Requirements for Marijuana Establishments**

- (3) ~~(Reserved)~~ **The hours of operation of a Marijuana Retailer shall not exceed the Alcoholic Beverages Control Commission (ABCC) maximum hours of operation for liquor licenses not to be drunk on premises pursuant to MGL c. 138 §15, but may be limited by conditions of the special permit.**

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

Section 164 Attachment 1

**DISTRICTS**

[O = Prohibited, A = Board of Appeals approval required (Special Permit)]

COMMERCIAL	R	RB	LB	GB	VC	I	CD#	SC	MB
Marijuana Cultivator, up to 5,000 s.f. <sup>10</sup>	O	O	A	A	O	A	O	O	O
Marijuana Cultivator, more than 5,000 s.f. <sup>10</sup>	O	O	A	A	O	A	O	O	O
Craft Marijuana Cooperative	O	O	A	A	O	A	O	O	O
Marijuana Product Manufacturer	O	O	A	A	O	A	O	O	O
Marijuana Retailer	O	O	<del>OA</del>	<del>OA</del>	O	<del>OA</del>	O	O	O
Marijuana Transporter	O	O	A	A	O	A	O	O	O
Marijuana Research Facility	O	O	A	A	A	A	O	O	O
Marijuana Testing Laboratory	O	O	A	A	A	A	O	O	O
Marijuana Microbusiness	O	O	A	A	O	A	O	O	O

<sup>10</sup> Area limitation refers to canopy as defined in 935 CMR 500.02

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

(2/3 Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

The Town Meeting has previously voted to prohibit Marijuana Retailers in all zoning districts. This article seeks to amend the Zoning Bylaw to allow up to two establishments in Orleans by Special Permit and only in the limited business, general business and industrial zoning districts.

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

**ARTICLE 38. RESCIND GENERAL BYLAW CH. 64 PROHIBITING MARIJUANA RETAILS SALES**

To see if the Town will vote to amend the General Bylaw of the Town by deleting Ch. 64 of the Orleans Town Code which prohibits Marijuana Retailers in Orleans, in its entirety:

(The strike through below denotes the Chapter being deleted.)

~~Chapter 64 Prohibition of Marijuana Retailer(s)~~

~~The operation of a Marijuana Retailer, as defined in M.G.L. c. 94G, §1 and the Cannabis Control Commission Regulations 935 CMR 500.000 et seq. governing the Adult Use of Marijuana, 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. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

The Town Meeting has previously voted to add a new Chapter 64 to the General Bylaws to ban only Marijuana Retailers. This article seeks to delete the entire Chapter.

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

**ARTICLE 39. NAMING VETERANS MEMORIAL PARK AT ACADEMY PLACE**

To see if the Town will vote to name the triangular shaped property located at the intersections of Main Street, South Orleans Road and Academy Place as Veterans Memorial Park at Academy Place; or to take any other action relative thereto. (Select Board).

(2/3 Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article proposes to formally name the property in accordance the procedures outlined under General By-Laws Chapter 52A Naming/Dedication of Town Property.

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

**ARTICLE 40. AMEND GENERAL BYLAW CH. 94. FEES, ARTICLE V. NONPAYMENT OF FEES AND TAXES**

To see if the Town will vote to amend the General Bylaws, Section 94-6. Non-Payment of Fees and Taxes as follows:

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

(a) The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall annually furnish to each department, board, or commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges ~~for not less than a twelve month period~~, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

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

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

This article proposes to bring the Bylaw Code directly in line with Massachusetts General Laws Chapter 40, Section 57, which no longer requires the 12-month period as a requirement of the law for any Massachusetts communities. This will allow for more expedient collection of delinquent taxes and fees.

**SB:** Recommendation to be made at Town Meeting  
**FC:** 7 – YES      0 – NO      0 – ABSTAIN

**ARTICLE 41. COMMERCIAL USE – SINGLE USE PLASTIC WATER BOTTLE BAN**

To see if the Town will vote to adopt the following as a General Bylaw and to insert it into the Code of the Town of Orleans, Massachusetts, Chapter 129 Section 129-2.

Section 1. Sale of Single-Use Plastic Water Bottles

Effective on September 1, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Orleans. Enforcement of this regulation will begin September 1, 2021.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency

Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

#### Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Board of Health or its designee. The Board of Health shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate. Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G. L. Chapter 40 § 21D. The following penalties apply:

- First violation: Written warning
- Second violation: \$150 fine
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Orleans.

All businesses will be routinely inspected until the Board of Health deems the inspection to no longer be required.

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

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

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

#### **SUMMARY**

Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal. Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Orleans, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

**SB:** 5 – YES 0 – NO 0 – ABSTAIN

**FC:** No Significant Fiscal Implication

#### **ARTICLE 42. CLIMATE CRISES RESPONSE RESOLUTION**

To see if the Town will vote to direct the Select Board to develop a Comprehensive Climate Action Plan for Orleans in 2020 in response to the global climate emergency and identify a focal point in Town Government for managing the process. The plan should have two main pillars; one related to mitigation (reducing carbon emissions) and the other

directed to adaptation (managing the impacts from legacy and ongoing carbon emissions).

The mitigation element would start with a green-house gases inventory (an estimation of the 'carbon footprint' of the town). This would become the base line for measuring reductions to reach a net carbon neutral outcome with net zero greenhouse gas emission by 2035. It would then lay out a set of actions to reach that goal.

Similarly, the adaptation plan would undertake an integrated review of the vulnerabilities the Town faces and recommend necessary actions.

All aspects of the process should include an active program of public outreach and education.

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

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

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

#### **SUMMARY**

This article seeks a vote to direct the Select Board to develop a Comprehensive Climate Action Plan for Orleans in 2020. No appropriation of funds is requested for this purpose.

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

### **ARTICLE 43. PERMIT AND DREDGE FRESHWATER LAKES & PONDS**

To see if the Town will vote to take the necessary steps to permit and dredge the freshwater lakes and ponds. Scientific studies have shown that thick accumulations of sediment on the bottom of freshwater lakes and ponds are the dominant source of phosphorous in the water column which is the cause of algae blooms. In addition, the loaded sediment is smothering the springs and seepage on the bottom of these water bodies and is impacting the health of fish and aquatic life. Clearing Orleans' freshwater lakes and ponds of this poor sediment would improve the water quality significantly and restore the natural levels of their marine life.

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

(Simple Majority Vote Required)

#### **PROPOSED MOTION**

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

#### **SUMMARY**

This article seeks a vote to support the dredging of freshwater lakes and ponds to improve water quality and restore natural levels of marine life. No appropriation of funds is requested for this purpose.

**SB:**            3 – YES        1 – NO        1 – ABSTAIN  
**FC:**            3 – YES        3 – NO        1 – ABSTAIN

**ARTICLE 44. AFFIRM SUPPORT FOR DIVERSITY & JUSTICE**

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

WHEREAS, the Town of Orleans acknowledges and deplores the history of systematic racism in the United States; and,

WHEREAS, the Town of Orleans strongly condemns all racist acts of violence; and,

WHEREAS, the Town of Orleans strongly condemns the killing of George Floyd, Breonna Taylor, Ahmaud Arbery, and others, as evidence of the nation’s failures to recognize the systematic racism that underlies such violations of human rights and dignity; and,

WHEREAS, on June 5, 2020, a large group of citizens of the Town of Orleans, marched during a non-violent protest to bring an end to the long history of discrimination, violence and inequity endured by people of color, and others discriminated against, in our country; and,

WHEREAS, the Town of Orleans code, bylaws and policies encourage, among other things, peace and good order in any public place in Town, a responsive government to all citizens through effective communications and written policies; and,

WHEREAS, the Town of Orleans recognizes that discriminatory practices are detrimental to its citizens and to its future, and will take all necessary action to remedy the effects of discrimination and prevent the continuation of such practices; and,

NOW THEREFORE BE IT RESOLVED, that the Town of Orleans supports the work of our Police Department, Fire-Rescue Department, our Town government and our schools to make them more diverse, equitable and inclusive, and commits to present a Resolution on Diversity and Justice in Orleans for adoption by votes at the October 31, 2020 Special Town Meeting.

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

(Simple Majority Vote Required)

**PROPOSED MOTION**

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

**SUMMARY**

The Select Board unanimously approved this resolution at their meeting on August 5, 2020 and the article seeks Town support of the work of our Police Department, Fire-

Rescue Department, our Town government and our schools to make them more diverse, equitable and inclusive.

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

**ARTICLE 45. CLOSING ARTICLE**

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

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this meeting be adjourned.

Given under our hands this SEVENTH day of OCTOBER in the year of our Lord TWO THOUSAND TWENTY

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

Kevin Galligan, Chairman.  
Mefford Runyon  
Mark Mathison  
Cecil Newcomb  
Andrea S. Reed

ORLEANS SELECT BOARD

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 Special Town Meeting to be held on Saturday, October 31, 2020 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

**DECEMBER 1, 2020  
BALLOT QUESTIONS**

**QUESTION 1.**

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 a feasibility study for renovation of and/or addition to the existing Fire Station, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 2.**

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 purchase of a new pumper truck for the Fire Department, including all expenses incidental and related thereto?

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 Mill Pond landing restoration project, 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 engineering design and permitting services for the Nauset Estuary dredging project, 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, the amounts required to pay for the bond issued in order to fund engineering design and permitting for dredge disposal/dewatering sites to support maintenance dredging in Pleasant Bay and determine the feasibility of dredging a navigational channel from Mill Pond to Nauset Estuary, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 6.**

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 feasibility study for purchasing existing property or renovating current town property, for the construction of a Community Center, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

## **TOWN OF ORLEANS BOARDS AND COMMITTEES**

**Affordable Housing Committee** – Works to create and maintain affordable housing stock, with a goal of having at least 10% of Orleans’ year-round occupied dwelling units being designated as affordable. Seven members.

**Affordable Housing Trust Fund Board** – Works 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. Nine 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 regular and two associate members.

**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. Five regular and two associate 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** – Elected board that 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.

**Select Board** – Elected board that 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. Five regular and two associate members; with three regular and two associates appointed by the Selectmen, one regular member appointment by the Planning Board and one regular member appointed by 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.

**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 regular and two associate members.

**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; with three members appointed by the Board of Selectmen and six members appointed by specific committees.

**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 regular and three associate members.

**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.

**Dredge Advisory Committee** – Develops a town-wide dredging improvement and maintenance plan to promote improved navigation, boater safety, water quality and protection of natural resources in our saltwater estuaries and freshwater ponds. Seven regular and three associate members.

**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. Five regular and two associate 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 Committee** – 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. Five members.

**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 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** – Serves primarily in an advisory role to the Town Administrator in accordance with the policies and procedures contained under the Town's Personnel Bylaw (Code of the Town of Orleans, Chapter 40) that covers a limited number of non-union full-time, part-time and all seasonal employee positions. Board meets infrequently on an as needed basis. Three members.

**Planning Board** – Oversees subdivision of land, considers long range planning and initiates changes to zoning by-laws. Five regular and two associate members.

**Recreation Advisory Committee** - Serves as an advisory to the Recreation Director, Town Administrator and Board of Selectmen on ways to improve and/or expand recreational programming and facilities for all age groups in the Town of Orleans. Seven regular and two associate 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.

**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. Seven regular and two 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.

**Village Center Cultural District** – Promotes fine arts and culture and fosters the endeavors of artists and arts supporters through enhanced opportunity and innovative collaboration, embracing an environment supportive to the creative economy. Five to fifteen members.

**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 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 regular and two ex-officio members.

*Date: June 23, 2020*

**TOWN OF ORLEANS**  
**Town Administrator's Office**  
**19 School Road**  
**Orleans, MA 02653**

**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>Cell Phone</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.*

**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 Select Board Office at 508-240-3700, x 2415.**

PLEASE RETURN THIS FORM TO:  
TOWN ADMINISTRATOR'S OFFICE  
19 School Road  
Orleans, MA 02653

## TOWN OF ORLEANS COMMITTEES, BOARDS AND COUNCILS

*I would like to serve Orleans and am interested in the following committee(s):  
(please indicate your preference(s) as #1, 2, 3)*

- |   |  |
|---|--|
| <input type="checkbox"/> Affordable Housing Committee         | <input type="checkbox"/> Finance Committee                   |
| <input type="checkbox"/> Affordable Housing Trust Fund Board  | <input type="checkbox"/> Fourth of July Committee            |
| <input type="checkbox"/> Agricultural Advisory Council        | <input type="checkbox"/> Historical Commission               |
| <input type="checkbox"/> Architectural Review Committee       | <input type="checkbox"/> Human Services Advisory Comm.       |
| <input type="checkbox"/> Barnstable County Home Consortium    | <input type="checkbox"/> Marine & Fresh Water Quality Comm.  |
| <input type="checkbox"/> Barnstable County Human Rights Comm. | <input type="checkbox"/> Memorial & Veterans Day Committee   |
| <input type="checkbox"/> Bike & Pedestrian Committee          | <input type="checkbox"/> Open Space Committee                |
| <input type="checkbox"/> Board of Assessors                   | <input type="checkbox"/> Personnel Advisory Board            |
| <input type="checkbox"/> Board of Water & Sewer Commissioners | <input type="checkbox"/> Planning Board                      |
| <input type="checkbox"/> Building Code Board of Appeals       | <input type="checkbox"/> Pleasant Bay Alliance Steering Comm |
| <input type="checkbox"/> Cape Cod Commission                  | <input type="checkbox"/> Recreation Advisory Committee       |
| <input type="checkbox"/> Cape Cod Light Compact JPE           | <input type="checkbox"/> Renewable Energy/Wind Committee     |
| <input type="checkbox"/> Commission on Disabilities           | <input type="checkbox"/> Shellfish & Waterways Advisory Comm |
| <input type="checkbox"/> Community Preservation Committee     | <input type="checkbox"/> Village Center Cultural District    |
| <input type="checkbox"/> Conservation Commission              | <input type="checkbox"/> Zoning Board of Appeals             |
| <input type="checkbox"/> Council on Aging                     | <input type="checkbox"/> Zoning Bylaws Task Force            |
| <input type="checkbox"/> Cultural Council                     | <input type="checkbox"/> Other (please list)                 |
| <input type="checkbox"/> Dredge Advisory Committee            | _____  |

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 Town Administrator's Office at 508-240-3700 Ext. 2415. 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.