

**TOWN OF ORLEANS  
TOWN MEETING WARRANTS**

for use at

**MONDAY, May 7, 2007  
ANNUAL TOWN MEETING - 6:30 PM  
&  
SPECIAL TOWN MEETING – 6:30 PM  
Nauset Middle School Gymnasium**



**ANNUAL ELECTION  
TUESDAY, May 15, 2007  
7:00 AM - 8:00 PM  
Former American Legion Hall**

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***Please bring this copy of the warrant to town  
meeting.***

**COPIES OF THIS WARRANT ARE AVAILABLE  
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PLEASE CALL 240-3700 EXTENSION 415**

# INDEX

<b>MOTION CHART.....</b>	<b>3</b>
<b>TOWN MEETING BYLAWS.....</b>	<b>4</b>
<b>TOWN ADMINISTRATOR'S FINANCIAL SUMMARY.....</b>	<b>7</b>
<b>FINANCIAL PLAN.....</b>	<b>8</b>
<b>TAX RATE INFORMATION.....</b>	<b>9</b>
<b>FINANCING SOURCES.....</b>	<b>10</b>
<b>MUNICIPAL FINANCIAL TERMS.....</b>	<b>11</b>
<b>REPORT OF THE FINANCE COMMITTEE.....</b>	<b>15</b>
<b>ANNUAL TOWN MEETING WARRANT</b>	
<b>INDEX.....</b>	<b>18</b>
<b>PROPOSED OPERATING BUDGET.....</b>	<b>20</b>
<b>CAPITAL OUTLAY REQUESTS.....</b>	<b>26</b>
<b>CAPITAL IMPROVEMENTS PLAN 2009 - 2013.....</b>	<b>28</b>
<b>COMPREHENSIVE PLAN</b>	
<b>IMPLEMENTATION PROGRAM DESCRIPTIONS.....</b>	<b>32</b>
<b>SPECIAL TOWN MEETING WARRANT</b>	
<b>INDEX.....</b>	<b>79</b>
<b>ELECTION BALLOT.....</b>	<b>83</b>

## ***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 (Majority if not specified)	May Reconsider	Cannot Reconsider
1. Point of Order		X				X	N/A		
2. Previous Question Terminate Debate		X		X	X		4/5		
3. Postpone Indefinitely	X			X	X			X	
4. Lay on Table		X		X	X			X	
5. Amendment	X		X		X			X	
6. Accept & Adopt	X		X		X			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				X
10. Adjourn to Time Uncertain	X		X		X			X	
11. Adjourn		X		X	X				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 BY-LAWS

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:

1. Procedural Rules: The Moderator shall enforce procedural rules in accordance with general laws, the Charter, and these By-Laws.
2. 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 Orleans Town Meeting if the Charter had not been adopted shall apply.
3. 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.
4. Quorum: For all Town Meetings, both annual and special, there shall be required a quorum of a least five (5) percent of the registered voters of the Town.
5. 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.
6. Moderator: Participation in Discussions: The Moderator, when acting as such, shall not participate in any discussions.
7. Method of Voting: Except as otherwise specified by law, the Moderator shall have full authority to specify a voice vote, a standing vote counted by him or by tellers appointed by him, or a written ballot. The Moderator may conduct all votes requiring a two-thirds (2/3) majority by statute in the same manner in which the Moderator conducts the vote when a majority vote is required.
8. Motions in Writing: All motions shall be submitted in writing.
9. Withdrawal of Motions: A motion moved, seconded and stated may be withdrawn by the mover and the seconder.
10. Precedence of Motions: When a question is under debate, motions shall have precedence in the order of their arrangement shown on the attached chart.

11. Changing Order of Articles: The order of consideration of the articles as printed in the warrant may be changed only by a two-third (2/3) vote of the Town Meeting.
12. 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 Town Meeting; 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 under any article.
13. 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.
14. 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.
15. Move the Question: Requires a second. Not debatable. Four-fifths (4/5) Vote. Terminates debate.
16. 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.
17. Amendments to Motions: The first amendment to a motion may be amended (secondary amendment). This secondary amendment may not itself be amended.
18. Article for Capital Improvement: In accordance with Charter clause 8-7-1, an article for capital improvements not in compliance with the Capital Improvement Plan shall require a three-quarter (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 capital improvement plan and budget, provided that any article for capital improvements not in compliance with clause 8-5-1 shall require a three-fourth majority vote of the town meeting.”

Clause 8-5-1 of the Charter reads:

“The Town Administrator shall prepare a five-year capital improvement plan, which shall be designed to deal with unmet long-range needs, and to implement the goals and objectives of the official town plan.”

19. 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.”

## FINANCIAL SUMMARY

### TO THE VOTERS:

The Annual Town Meeting warrant includes a number of articles that have an impact on the financial condition of the town, as well as on individual voters in terms of local property taxes. To assist you in your deliberations, each funding article contains a fiscal year 2008 tax rate impact per thousand dollars of assessed valuation, and a number of schedules and charts are included in the warrant to provide additional information that may be helpful at Town Meeting.

The “Financial Plan” compares revenues and expenditures as adopted in FY 2007 with those proposed in FY 2008. The plan assumes adoption of all funding articles as printed in the Annual Town Meeting warrant. Included under Capital Expenditures is \$150,000 for the Wastewater Management Plan Pre-Design Engineering Feasibility Study (Article 6) which, as proposed, would be a contingent appropriation subject to a general override. As presented, the total expenditures proposed for FY 2008 amount to \$26,029,000, an increase of \$1,504,000 or 6% over FY 2007. The tax rate of \$4.60 per thousand dollars of assessed valuation represents an increase of \$0.33 or 8% over fiscal year 2007.

A “Tax Rate Information” schedule shows the relationship between tax rate increases, municipal revenue, and the annual tax impact on a property valued at \$500,000. For example, the total dollar amount of special articles in the Annual Town Meeting Warrant is \$295,000. Included in this amount is \$145,000 for the Nauset Beach Dune Restoration (Article 21) which, as proposed, would be a contingent appropriation subject to a general override. The financial impact of the special articles, based upon the schedule, would be 8 cents on the tax rate or \$40 annually. Using non-school debt payments as another example, we are scheduled to make \$2,272,000 in payments in FY 2008. Based on the schedule, this amount represents 59 cents on the tax rate or \$295 annually.

The “Proposed Operating Budget” for fiscal year July 1, 2007 – June 30, 2008 compares the 2007 adopted and 2008 proposed budgets, and includes the schedule “Capital Outlay Requests,” which identifies capital expenditures of \$10,000 or greater by individual department, line item, description and amount. For FY 2008, the proposed budget, inclusive of all non-school and school operating costs is \$25,391,436, and includes a contingent appropriation of \$171,000 for Town Departmental Expenses which, as proposed, will be subject to a general override. The total operating budget as proposed for FY 2008 represents an increase of 5.35% over FY 2007.

Additional charts summarize the Town’s “Financing Sources” and “Expenditure Comparison By Organizational Group” for both fiscal years 2007 and 2008.

John F. Kelly, Town Administrator

**FINANCIAL PLAN**  
**FOR THE FISCAL YEARS 2007 & 2008**  
**(\$000)**

<b>REVENUES</b>	<b>ADOPTED FY 2007</b>	<b>PROPOSED FY 2008</b>	<b>DOLLAR CHANGE</b>	<b>PERCENT CHANGE</b>
<b>Property Tax</b>				
Property Tax (Base)	14,432	15,019	587	4%
Statutory Increase	361	375	15	4%
Growth	226	171	(56)	-25%
Debt/Capital Expenditure Exclusions	1,288	1,670	382	30%
Cape Cod Commission Act	128	132	3	2%
General Override	-	466	466	
Unused Levy Capacity	(7)	0	7	-100%
Community Preserv. Surtax	483	525	41	9%
Total Property Tax	<u>16,911</u>	<u>18,358</u>	<u>1,447</u>	<u>9%</u>
Provision for Abate/Exempt	(192)	(200)	(8)	4%
<b>Non-Property Tax</b>				
State Aid	754	773	19	2%
Motor Vehicle Excise	1,145	1,145	-	0%
Local Receipts	3,932	4,087	155	4%
Free Cash	773	659	(115)	-15%
Funds Resv. Appr./Other Avail.	1,009	1,014	5	1%
Hotel Tax	193	193	-	0%
Total Non Property Tax	<u>7,806</u>	<u>7,871</u>	<u>65</u>	<u>1%</u>
Assessed Value (as of 1/1/05)	3,847,209	3,879,209	32,000	1%
Tax Rate	4.27	4.60	0.33	8%
<b>Total Revenues</b>	<b>24,525</b>	<b>26,029</b>	<b>1,504</b>	<b>6%</b>
<b>EXPENDITURES</b>				
<b>Operating Expenses</b>				
<b>Non-School</b>				
Salaries and Wages	8,165	8,518	353	4%
Fringe Benefits	1,472	1,541	69	5%
Pensions	909	949	41	4%
General Expenses	3,134	3,320	185	6%
Capital Exp.-Oper. Budget	336	622	287	85%
Debt	1,884	2,272	388	21%
State/County Assessments	458	466	8	2%
Sub Total - Non School	<u>16,357</u>	<u>17,688</u>	<u>1,331</u>	<u>8%</u>
<b>Schools</b>				
Nauset Regional	3,154	3,237	82	3%
Capital Outlay-NRSD Agreement	91	91	(1)	-1%
Nauset Regional Debt	126	77	(49)	-39%
Orleans Elementary	2,843	2,912	69	2%
Capital Proj./Spec. Arts.	-	-	-	
Fringe Benefits	511	559	48	9%
Pensions	66	71	6	8%
C.C. Technical High	310	240	(70)	-23%
Sub Total - Schools	<u>7,102</u>	<u>7,186</u>	<u>84</u>	<u>1%</u>
<b>Other</b>				
Community Preserv. Expenses	709	705	(4)	-1%
Community Preserv. Fund	(226)	(181)	45	-20%
Special Articles	457	295	(163)	-36%
Sub Total - Other	<u>941</u>	<u>820</u>	<u>(121)</u>	<u>-13%</u>
<b>Capital Expenditures</b>				
Non-School	125	335	210	168%
Total Capital Expenditures	<u>125</u>	<u>335</u>	<u>210</u>	<u>168%</u>
<b>Total Expenditures</b>	<b>24,525</b>	<b>26,029</b>	<b>1,504</b>	<b>6%</b>

**TAX RATE INFORMATION**  
**ESTIMATED FOR FISCAL YEAR 2008**

**Per tax rate increments:**

<b>TAX RATE INCREASE</b>	<b>MUNICIPAL REVENUE RAISED</b>	<b>TAX IMPACT ON \$500,000.00 PROPERTY</b>
\$ 0.01	\$ 38,792.00	\$ 5.00
\$ 0.05	\$ 193,960.00	\$ 25.00
\$ 0.10	\$ 387,920.00	\$ 50.00
\$ 0.20	\$ 775,840.00	\$ 100.00
\$ 0.30	\$ 1,163,760.00	\$ 150.00
\$ 0.40	\$ 1,551,680.00	\$ 200.00
\$ 0.50	\$ 1,939,600.00	\$ 250.00
\$ 0.60	\$ 2,327,520.00	\$ 300.00
\$ 0.70	\$ 2,715,440.00	\$ 350.00
\$ 0.80	\$ 3,103,360.00	\$ 400.00
\$ 0.90	\$ 3,491,280.00	\$ 450.00
\$ 1.00	\$ 3,879,200.00	\$ 500.00

**Per revenue raised increments:**

\$ 0.0003	\$ 1,000.00	\$ 0.13
\$ 0.0013	\$ 5,000.00	\$ 0.64
\$ 0.0026	\$ 10,000.00	\$ 1.29
\$ 0.0129	\$ 50,000.00	\$ 6.44
\$ 0.0258	\$ 100,000.00	\$ 12.89
\$ 0.1289	\$ 500,000.00	\$ 64.45
\$ 0.2578	\$ 1,000,000.00	\$ 128.89

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

The above calculations are based on the Town's total valuation for Fiscal Year 2007. These figures should be considered as estimates only, since valuations can change annually.

**FINANCING SOURCES**  
**Adopted Fiscal Year 2007 vs. Proposed Fiscal Year 2008**

<b><u>FINANCING SOURCES</u></b>	<b><u>FY 2008 PERCENT OF TOTAL</u></b>	<b><u>FY 2007 ADOPTED</u></b>	<b><u>FY 2008 PROPOSED</u></b>	<b><u>PERCENT INCR/DECR</u></b>	<b><u>DOLLAR INCR/DECR</u></b>
Property Tax	70%	16,718,359	18,157,571	9%	1,439,212
Local Receipts	16%	3,931,646	4,086,968	4%	155,322
Motor Vehicle Excise	4%	1,145,295	1,145,295	0%	-
Other Available Funds	4%	1,008,816	1,014,024	1%	5,208
State Aid	3%	754,059	772,910	2%	18,851
Free Cash	3%	773,280	658,545	-15%	(114,735)
Hotel Tax	1%	193,195	193,195	0%	-
<b>Total</b>	<b>100%</b>	<b>24,524,650</b>	<b>26,028,508</b>	<b>6%</b>	<b>1,503,858</b>

**EXPENDITURE COMPARISON BY ORGANIZATIONAL GROUP**  
**Adopted Fiscal Year 2007 vs. Recommended Fiscal Year 2008**

<b><u>ORGANIZATIONAL UNIT</u></b>	<b><u>FY 2008 PERCENT OF TOTAL</u></b>	<b><u>FY 2007 ADOPTED</u></b>	<b><u>FY 2008 PROPOSED</u></b>	<b><u>PERCENT INCR./DECR.</u></b>	<b><u>DOLLAR INCR./DECR.</u></b>
Education (1)	28%	7,101,533	7,185,752	1%	84,219
Public Safety	20%	4,786,440	5,177,371	8%	390,931
General Government	8%	1,917,033	2,043,597	7%	126,564
Public Works	9%	2,215,461	2,225,162	0%	9,701
Debt	9%	1,883,891	2,272,372	21%	388,481
Culture & Recreation	7%	1,636,160	1,692,527	3%	56,367
Fringe Benefits	6%	1,557,562	1,639,839	5%	82,277
Pensions	4%	908,967	949,497	4%	40,530
Human Services	3%	701,234	759,336	8%	58,102
Land Bank Expenses	3%	709,356	705,496	-1%	(3,860)
State & County Assess.	2%	458,411	466,260	2%	7,849
Special Articles	1%	457,446	294,891	-36%	(162,555)
Insurance	1%	226,720	274,227	21%	47,507
Capital Expenditure	1%	125,000	335,000	168%	210,000
<b><u>OTHER</u></b>					
Community Preserv. Fund	-1%	(226,043)	(180,834)	-20%	45,209
Potential Contract Settlements	1%	65,479	188,015	187%	122,536
<b>Total</b>	<b>100%</b>	<b>24,524,650</b>	<b>26,028,508</b>	<b>6%</b>	<b>1,503,858</b>

(1) Includes Capital Outlay Items per NRSD Agreement.

## ***MUNICIPAL FINANCE TERMS***

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

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

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

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

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

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

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

**Debt Exclusion** - A vote by a community at an election to exclude debt service payments for a particular capital project from the levy limit. The amount necessary to cover the annual debt service payment is added to the levy limit for the life of the debt only. A debt exclusion may temporarily increase the levy above the levy ceiling.

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

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

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

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

**Fiscal Year** – Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. For example, the 2006 fiscal year is July 1, 2005 to June 30, 2006. Since 1876, the federal government has had a fiscal year that begins October 1 and ends September 30.

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

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

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

**Levy Limit** – The maximum amount a community can levy in a given year. The limit can grow each year by 2 ½ percent of the prior year's levy limit plus new growth and any overrides. (MGL Ch. 59 § 21C[f & g]. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, a debt exclusion, or a special exclusion

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

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

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

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

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

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

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

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

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

## **REPORT OF THE FINANCE COMMITTEE**

### **IMPORTANT ISSUES**

Although the FY 08 Budget is within the defined growth limits the Finance Committee has seen large expense increases in Health Insurance costs, Contractual Wages and Utility (Energy) costs, it is expected that these costs will continue to grow in future years.

This past fall the Superintendent held a number of public forums on “sustainable budgets” for the Nauset Regional School. A panel of School Committee, Selectmen, and Finance Committee members, as well as Representative Cleon Turner and Senator Rob O’Leary comprised the panel to discuss the various aspects of what and how the member towns can sustain school budgets in the coming years. The Finance Committee agrees with the majority of the panelists that the school’s budget is not sustainable into the foreseeable future, and that we are on a collision course between available resources (revenues) and the school’s program requirements (cost). School budgets over the past few years of 3% or more in an environment of declining enrollment reinforces our view that the school’s budget is not sustainable. As such the Finance Committee believes that in the coming years hard choices will have to be made – increase revenues (over-rides), program cuts (costs), or some combination of the two.

Similar to the sustainability of the Nauset Regional School budget we believe Orleans will face the same issues, with costs for current level of services increasing at a rate higher than the proposition 21/2 cap will support. Specific examples of items that will exacerbate this problem include:

- Maintenance for Town Buildings
- Highway maintenance program
- Fire Department Building size

We urge all citizens to become educated on these issues and to let your Selectmen and other elected public officials know your concerns.

### **INTRODUCTION**

It is the responsibility of the Finance Committee to advise Orleans taxpayers on the financial justification and desirability of Warrant Articles and Capital Improvement Plan items in the Town Budget. Our vote on individual Warrant Articles appears at the end of each Article in the Warrant itself.

A goal of no more than a 3% increase in the total Town and Schools Budget, excluding Debt, was established for FY 08 and, for the most part, adhered to by all Town Departments, with total projected Operating expenditures, including debt, increasing by \$1,057K from FY 07. Continuing increases in Health Insurance costs and employee salary increases are a major concern for FY08 and beyond. The Committee has suggested the Town take a hard look at where additional reductions in expenses might be made, such as, shifting to Medicare

for qualified personnel, outsourcing various services and/or reorganizing departmental staff.

### **BUDGET AND CAPITAL PLAN REVIEW PROCESS**

In accordance with a Charter specified schedule, we reviewed and held public hearings on the Operating Budget, Capital Budget and Capital Improvement Plan. We organized two-person teams to review and understand department operations and related budgets. Our members monitored key committees, commissions and Board of Selectmen meetings, with the objective of understanding plans and decisions with significant fiscal impact for the Orleans taxpayer.

In preparation for the May 2007 Annual town Meeting, we reviewed all articles for fiscal significance. In addition, we invited selected department managers and committee chairpersons to meet with the Committee to clarify specific fiscal issues.

We have continued to identify specific areas for potential cost savings. They are as follows:

- Analyze growing tax revenue disparity between commercial property and residential property.
- Develop a financial baseline for various Waste Water Management options.
- Analyze options regarding Wind Energy Program for related expenses and potential revenue.
- Analyze school expenses within current environment of declining enrollment and increasing labor and health costs.
- Recommended that Town Departments develop written Business Plans for use in Budget development.
- Analyze possibilities of outsourcing tasks currently performed by the Highway Department.
- Analyze and review opportunities for savings through reorganization.

The analyses are particularly important during these times of increased expenses. The Committee will continue to identify new areas for review.

Additionally the Committee continued a Community Outreach Program to introduce ourselves, explain our responsibilities, and listen to feedback on critical Budget issues.

### **TOWN EXPENDITURES OVERVIEW**

The \$25,673,000 FY08 projected expense represents a 5% increase from FY07. For the total FY08 budget, the real estate tax rate will increase by 6% for a \$4.53 per \$1,000 valuation. Property valued at \$500,000 will experience a tax increase of \$130.00.

### **NON-SCHOOL BUDGET**

The FY08 non-school budget is \$17,414,000 representing a 6% increase over FY07's \$16,357,000. Existing/New debt increased by \$358,000 and the Operating Budget capital expenses increased by \$232,000. State and County assessments increased 2% to \$466,000.

### **SCHOOL BUDGET**

The FY08 school budget is \$7,293,000 representing a 3% increase over FY07's \$7,102,000. The Nauset Region operating budget assessment increased over FY 07 by 2.7%. Cape Cod Tech decreased by 3% due to enrollment shifts. The Orleans Elementary School (OES) Budget increased by 2%, meeting the Town's Budget Goal.

### **CAPITAL IMPROVEMENT PLAN**

The purpose of the Capital Improvement Plan (CIP) is to advise both Town Government and taxpayers of how planned projects' costs and timing will affect future spending and future taxes. Effective capital planning prevents projects from entering the Capital Budget without previously having arisen for consideration and discussion. The CIP must provide taxpayers with appropriate cost and timing estimates of capital projects that the Town is considering for implementation over the five-year time frame that constitutes the Plan.

Taxpayers must understand that the CIP is only a plan, and its approval is NOT a commitment to spend. Financing for projects from the CIP that ultimately find their way into the Capital Budget must always be approved by Town Meeting. Projects in the CIP may be eliminated or postponed to facilitate keeping tax rates within the desired range. It should be recognized that project cost estimates contained in the CIP are often only rough estimates. All such estimates imply a spending range from zero to the indicated dollar amount. The accuracy of such estimates can be improved, and figures adjusted, in succeeding years' CIPs as the town acquires more knowledge about each project.

The Finance Committee voted 9-0-0 to accept the Capital Improvement Plan as published in the Warrant.

Respectfully submitted

Alfred R. Turner IV, Chairman

Peter Monger, Vice Chairman

Linde MacLeod, Secretary

Mark Fiegel

Walter Bennett

Robert Donath

Rick Sigel

Stuart de Lima

Cynthia Suonpera

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

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

IN THE NAME OF The Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the NAUSET MIDDLE SCHOOL GYMNASIUM in said ORLEANS on MONDAY, the SEVENTH day of MAY in the year TWO THOUSAND SEVEN at 6:30 P.M. to act on the following:

**INDEX**

Article 1. Report of the Selectmen, Town Officers & Special Committees..... 20

Article 2. Town/School Budget (FY08).....20

Article 3. Capital Improvements Plan ..... 28

Article 4. Community Preservation Act Program Budget (FY08) ..... 44

Article 5. Fund Town-Wide Wastewater Management Plan (FY08).....48

Article 6. Fund Wastewater Management Plan Pre-Design Engineering Feasibility Study .....49

Article 7. Fund Aerial Ladder Truck ..... 49

Article 8. Fund Rock Harbor Bulkhead Replacement Design ..... 50

Article 9. Fund Police Station Renovation/Addition Feasibility Study .... 51

Article 10. Accept Transportation Bond Bill Funds ..... 52

Article 11. Holding State Harmless for Work ..... 52

Article 12.. Authorization to Sell Surplus Equipment & Accept Gifts..... 53

Article 13. Adopt M.G.L. Ch. 44, Sec. 53E ½ Revolving Accounts.....53

Article 14. Adopt M.G.L. Ch. 71 § 16B – Assessment Formula Nauset Regional Schools .....55

Article 15. Fund Non-Union Employee COLA (FY08) .....55

Article 16. Fund Elected Officials Compensation (FY08)..... 56

Article 17. Fund Orleans Permanent Firefighters Association Contract (FY08)..... 56

Article 18. Fund Visitor Management Services by Orleans Chamber of Commerce/Orleans Improvement Association ..... 57

Article 19. Fund Human Services Agencies Agreements (FY08) ..... 57

Article 20. Fund July 4 Celebration..... 61

Article 21. Fund Nauset Beach Dune Restoration ..... 61

Article 22. Amend Zoning Bylaw – Ch. 164-32, Dwellings in Commercial Structures ..... 62

Article 23. Amend Zoning Bylaw – Ch. 164-19.1, Village Center District VC ..... 64

Article 24. Amend Zoning Bylaw – Ch 164-3, Applicability ..... 65

Article 25.	Amend Zoning Bylaw – Ch 164-22, Modifications .....	68
Article 26.	Amend Zoning Bylaw – Ch 164-31, Apartment Development .....	69
Article 27.	Transfer Water Service Connection.....	69
Article 28.	Accept Collins Lane Layout as a Public Way .....	70
Article 29.	Authorize Lease of Nauset Beach Concession Stand .....	70
Article 30.	Change of Use for Former Composting Building at Tri-Town Septage Treatment Facility.....	71
Article 31.	Modify Wind Turbine Lease Location in Watershed .....	71
Article 32.	Authorize Intermunicipal Agreement – Nauset Beach Management Agreement .....	73
Article 33.	Adopt M.G.L. Ch. 32B §18 – Retiree Medicare Option.....	74
Article 34.	Acquire Land Owned by Sparrow Family – 58 Namequoit Road.....	74
Article 35.	Fund “In From The Streets” Program (By Petition).....	76
Article 36.	Rescind Selectmen’s Policy Statement Regarding Temporary Sign Permits (By Petition) .....	77
Article 37.	Solar Energy for Town Hall (By Petition) .....	77
Article 38.	Free Cash.....	78
Article 39.	Closing Article .....	78

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

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

(Simple Majority Vote Required)

**SUMMARY**

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

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

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

**ARTICLE 2. TOWN / SCHOOL BUDGET (FY08)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund and pay departmental expenses for the fiscal year commencing July 1, 2007 and ending June 30, 2008 and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town, The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or service as the case may be, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**TOWN OF ORLEANS  
PROPOSED OPERATING BUDGET  
FOR THE FISCAL YEAR JULY 1, 2007 - JUNE 30, 2008**

<u>LINE #</u>		<u>2007 ADOPTED</u>	<u>2008 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>GENERAL GOVERNMENT</b>				
	<b>122 SELECTMEN/TOWN ADMINISTRATOR</b>				
1	SALARY	306,654	276,875	(29,779)	-9.71%
2	EXPENSE	119,670	133,850	14,180	11.85%
	TOTAL SELECTMEN/TOWN ADMINISTRATOR	426,324	410,725	(15,599)	-3.66%
	<b>123 TELEPHONE/COMMUNICATIONS</b>				
3	EXPENSE	28,140	32,065	3,925	13.95%
	TOTAL TELEPHONE/COMMUNICATIONS	28,140	32,065	3,925	13.95%
	<b>124 MEDIA OPERATIONS</b>				
4	SALARY	38,400	45,000	6,600	17.19%
5	EXPENSE	5,000	16,000	11,000	220.00%
6	CAPITAL OUTLAY	17,500	17,500	-	0.00%
	TOTAL MEDIA OPERATIONS	60,900	78,500	17,600	28.90%
	<b>131 FINANCE COMMITTEE</b>				
7	EXPENSE	950	950	-	0.00%
8	RESERVE FUND	85,000	85,000	-	0.00%
	TOTAL FINANCE COMMITTEE	85,950	85,950	-	0.00%
	<b>135 FINANCE DIRECTOR</b>				
9	SALARY	187,584	188,691	1,107	0.59%
10	EXPENSE	20,860	23,930	3,070	14.72%
	TOTAL FINANCE DIRECTOR	208,444	212,621	4,177	2.00%
	<b>141 ASSESSING</b>				
11	SALARY	143,980	147,438	3,458	2.40%
12	EXPENSE	63,419	76,019	12,600	19.87%
	TOTAL ASSESSING	207,399	223,457	16,058	7.74%
	<b>145 TREASURER/COLLECTOR</b>				
13	SALARY	180,373	180,219	(154)	-0.09%
14	EXPENSE	36,705	35,496	(1,209)	-3.29%
	TOTAL TREASURER/COLLECTOR	217,078	215,715	(1,363)	-0.63%
	<b>155 MANAGEMENT INFORMATION SYSTEMS</b>				
15	SALARY	68,794	68,843	49	0.07%
16	EXPENSE	62,197	70,507	8,310	13.36%
17	CAPITAL OUTLAY	36,000	52,435	16,435	45.65%
	TOTAL MANAGEMENT INFORMATION SYSTEMS	166,991	191,785	24,794	14.85%
	<b>161 TOWN CLERK/ELECTIONS/VOTER REG.</b>				
18	SALARY	97,757	98,416	659	0.67%
19	EXPENSE	13,750	16,175	2,425	17.64%
20	CAPITAL OUTLAY	-	-	-	
	TOTAL TOWN CLERK	111,507	114,591	3,084	2.77%
	<b>171 CONSERVATION</b>				
21	SALARY	93,567	97,004	3,437	3.67%
22	EXPENSE	7,150	7,150	-	0.00%
	TOTAL CONSERVATION	100,717	104,154	3,437	3.41%
	<b>175 PLANNING</b>				
23	SALARY	170,624	171,995	1,371	0.80%
24	EXPENSE	5,870	7,500	1,630	27.77%
	TOTAL PLANNING	176,494	179,495	3,001	1.70%

	<b>176</b>	<b>ZONING BOARD OF APPEALS</b>					
25		SALARY	7,004	7,004	-	0.00%	
26		EXPENSE	2,600	2,600	-	0.00%	
	TOTAL	ZONING BOARD OF APPEALS	9,604	9,604	-	0.00%	
	<b>192</b>	<b>TOWN OFFICE BUILDING</b>					
27		SALARY	36,154	46,526	10,372	28.69%	
28		EXPENSE	49,531	92,605	43,074	86.96%	
29		CAPITAL OUTLAY	-	12,500	12,500		
	TOTAL	TOWN OFFICE BUILDING	85,685	151,631	65,946	76.96%	
	<b>195</b>	<b>TOWN REPORTS/TOWN MEETING</b>					
30		EXPENSE	11,820	12,070	250	2.12%	
	TOTAL	TOWN REPORTS/TOWN MEETING	11,820	12,070	250	2.12%	
	<b>198</b>	<b>COMMUNITY CENTER</b>					
31		EXPENSE	19,980	21,234	1,254	6.28%	
32		CAPITAL OUTLAY	-	-	-		
	TOTAL	COMMUNITY CENTER	19,980	21,234	1,254	6.28%	
		<b>GENERAL GOVERNMENT</b>	1,917,033	2,043,597	126,564	6.60%	
		<b>PUBLIC SAFETY</b>					
	<b>210</b>	<b>POLICE/COMMUNICATIONS</b>					
33		SALARY	1,832,653	1,883,538	50,885	2.78%	
34		EXPENSE	148,550	153,210	4,660	3.14%	
35		CAPITAL OUTLAY	29,000	70,000	41,000	141.38%	
	TOTAL	POLICE/COMMUNICATIONS	2,010,203	2,106,748	96,545	4.80%	
	<b>211</b>	<b>POLICE BUILDING</b>					
36		SALARY	15,765	16,440	675	4.28%	
37		EXPENSE	41,876	49,667	7,791	18.60%	
38		CAPITAL OUTLAY	-	-	-		
	TOTAL	POLICE BUILDING	57,641	66,107	8,466	14.69%	
	<b>213</b>	<b>FUEL</b>					
39		EXPENSE	127,928	155,789	27,861	21.78%	
40		CAPITAL OUTLAY	-	-	-		
	TOTAL	FUEL	127,928	155,789	27,861	21.78%	
	<b>220</b>	<b>FIRE/RESCUE</b>					
41		SALARY	1,682,065	1,765,710	83,645	4.97%	
42		EXPENSE	242,764	243,913	1,149	0.47%	
43		CAPITAL OUTLAY	18,000	185,000	167,000	927.78%	
	TOTAL	FIRE/RESCUE (see note 1)	1,942,829	2,194,623	251,794	12.96%	
	<b>221</b>	<b>FIRE BUILDING</b>					
44		EXPENSE	51,761	50,354	(1,407)	-2.72%	
45		CAPITAL OUTLAY	10,000	12,000	2,000	20.00%	
	TOTAL	FIRE BUILDING	61,761	62,354	593	0.96%	
	<b>241</b>	<b>BUILDING</b>					
46		SALARY	138,646	144,328	5,682	4.10%	
47		EXPENSE	77,677	77,591	(86)	-0.11%	
	TOTAL	BUILDING	216,323	221,919	5,596	2.59%	
	<b>242</b>	<b>BUILDING CODE BOARD OF APPEALS</b>					
48		SALARY	187	187	-	0.00%	
49		EXPENSE	75	75	-	0.00%	
	TOTAL	BUILDING CODE BOARD OF APPEALS	262	262	-	0.00%	
	<b>244</b>	<b>SEALER OF WEIGHTS &amp; MEASURES</b>					
50		EXPENSE	500	500	-	0.00%	
	TOTAL	SEALER OF WEIGHTS & MEASURES	500	500	-	0.00%	

	<b>291</b>	<b>CIVIL DEFENSE</b>					
51		SALARY	1,500	2,250	750	50.00%	
52		EXPENSE	5,840	5,935	95	1.63%	
	TOTAL	CIVIL DEFENSE	7,340	8,185	845	11.51%	
	<b>294</b>	<b>TREE WARDEN</b>					
53		SALARY	61,576	63,286	1,710	2.78%	
54		EXPENSE	24,011	24,011	-	0.00%	
55		CAPITAL OUTLAY	-	-	-		
	TOTAL	TREE WARDEN	85,587	87,297	1,710	2.00%	
	<b>295</b>	<b>SHELLFISH/HARBORMASTER</b>					
56		SALARY	195,209	189,944	(5,265)	-2.70%	
57		EXPENSE	50,857	53,643	2,786	5.48%	
58		CAPITAL OUTLAY	30,000	30,000	-	0.00%	
	TOTAL	SHELLFISH/HARBORMASTER	276,066	273,587	(2,479)	-0.90%	
		<b>PUBLIC SAFETY</b>	4,786,440	5,177,371	390,931	8.17%	
		<b>EDUCATION</b>					
	<b>300</b>	<b>ORLEANS ELEMENTARY SCHOOL</b>					
59		SALARY	576,551	629,706	53,155	9.22%	
60		EXPENSE	2,843,113	2,912,132	69,019	2.43%	
	TOTAL	ORLEANS ELEMENTARY SCHOOL	3,419,664	3,541,838	122,174	3.57%	
	<b>310</b>	<b>NAUSET REGIONAL ASSESSMENT</b>					
61		EXPENSE	3,280,908	3,313,527	32,619	0.99%	
62		CAPITAL OUTLAY - NRS D AGREEMENT	91,268	90,713	(555)	-0.61%	
	TOTAL	NAUSET REGIONAL ASSESSMENT	3,372,176	3,404,240	32,064	0.95%	
	<b>330</b>	<b>CAPE COD TECHNICAL ASSESSMENT</b>					
63		EXPENSE	309,693	239,674	(70,019)	-22.61%	
	TOTAL	CAPE COD TECHNICAL ASSESSMENT	309,693	239,674	(70,019)	-22.61%	
		<b>EDUCATION</b>	7,101,533	7,185,752	84,219	1.19%	
		<b>PUBLIC WORKS AND FACILITIES</b>					
	<b>421</b>	<b>HIGHWAY</b>					
64		SALARY	435,036	454,115	19,079	4.39%	
65		EXPENSE	162,553	160,523	(2,030)	-1.25%	
66		CAPITAL OUTLAY	29,000	75,000	46,000	158.62%	
	TOTAL	HIGHWAY	626,589	689,638	63,049	10.06%	
	<b>423</b>	<b>SNOW REMOVAL</b>					
67		SALARY	26,999	31,202	4,203	15.57%	
68		EXPENSE	57,079	57,079	-	0.00%	
	TOTAL	SNOW REMOVAL	84,078	88,281	4,203	5.00%	
	<b>424</b>	<b>STREET LIGHTS</b>					
69		EXPENSE	23,016	28,700	5,684	24.70%	
	TOTAL	STREET LIGHTS	23,016	28,700	5,684	24.70%	
	<b>431</b>	<b>TRANSFER STATION</b>					
70		SALARY	156,225	164,886	8,661	5.54%	
71		EXPENSE	415,425	318,770	(96,655)	-23.27%	
72		CAPITAL OUTLAY	-	30,000	30,000		
	TOTAL	TRANSFER STATION	571,650	513,656	(57,994)	-10.15%	
	<b>450</b>	<b>WATER</b>					
73		SALARY	468,763	445,808	(22,955)	-4.90%	
74		EXPENSE	337,365	367,079	29,714	8.81%	
75		CAPITAL OUTLAY	104,000	92,000	(12,000)	-11.54%	
	TOTAL	WATER-SRF (see note 2)	910,128	904,887	(5,241)	-0.58%	

	<b>PUBLIC WORKS AND FACILITIES</b>	2,215,461	2,225,162	9,701	0.44%
	<b>HUMAN SERVICES</b>				
	<b>510 HEALTH</b>				
76	SALARY	193,680	200,726	7,046	3.64%
77	EXPENSE	56,547	57,127	580	1.03%
	TOTAL HEALTH	250,227	257,853	7,626	3.05%
	<b>541 COUNCIL ON AGING</b>				
78	SALARY	315,228	361,028	45,800	14.53%
79	EXPENSE	100,231	99,031	(1,200)	-1.20%
80	CAPITAL OUTLAY	-	6,800	6,800	
	TOTAL COUNCIL ON AGING	415,459	466,859	51,400	12.37%
	<b>543 VETERANS BENEFITS</b>				
81	EXPENSE	35,548	34,624	(924)	-2.60%
	TOTAL VETERANS BENEFITS	35,548	34,624	(924)	-2.60%
	<b>HUMAN SERVICES</b>	701,234	759,336	58,102	8.29%
	<b>CULTURE AND RECREATION</b>				
	<b>610 SNOW LIBRARY</b>				
82	SALARY	328,835	338,185	9,350	2.84%
83	EXPENSE	116,664	125,008	8,344	7.15%
84	CAPITAL OUTLAY	5,000	-	(5,000)	-100.00%
	TOTAL SNOW LIBRARY	450,499	463,193	12,694	2.82%
	<b>630 RECREATION</b>				
85	SALARY	107,854	107,716	(138)	-0.13%
86	EXPENSE	17,285	17,206	(79)	-0.46%
87	CAPITAL OUTLAY	-	-	-	
	TOTAL RECREATION	125,139	124,922	(217)	-0.17%
	<b>649 WINDMILL</b>				
88	SALARY	3,606	3,606	-	0.00%
89	EXPENSE	4,911	3,560	(1,351)	-27.51%
90	CAPITAL OUTLAY	3,000	-	(3,000)	-100.00%
	TOTAL WINDMILL	11,517	7,166	(4,351)	-37.78%
	<b>650 PARKS &amp; BEACHES</b>				
91	SALARY	803,321	827,391	24,070	3.00%
92	EXPENSE	184,409	218,578	34,169	18.53%
93	CAPITAL OUTLAY	54,000	39,000	(15,000)	-27.78%
	TOTAL PARKS & BEACHES	1,041,730	1,084,969	43,239	4.15%
	<b>690 OLD KINGS HIGHWAY REG DISTRICT</b>				
94	SALARY	1,167	1,169	2	0.17%
95	EXPENSE	615	615	-	0.00%
	TOTAL OLD KINGS HIGHWAY REG DISTRICT	1,782	1,784	2	0.11%
	<b>692 MEMORIAL &amp; VETERANS DAY</b>				
96	EXPENSE	2,493	2,493	-	0.00%
	TOTAL MEMORIAL & VETERANS DAY	2,493	2,493	-	0.00%
	<b>699 SPECIAL EVENTS &amp; INFORMATION</b>				
97	EXPENSE	3,000	8,000	5,000	166.67%
	TOTAL SPECIAL EVENTS & INFORMATION	3,000	8,000	5,000	166.67%
	<b>CULTURE AND RECREATION</b>	1,636,160	1,692,527	56,367	3.45%
	<b>DEBT SERVICE</b>				
	<b>710 PRINCIPAL - NOTES &amp; BONDS</b>				
98	EXPENSE	1,572,408	1,834,000	261,592	16.64%
	TOTAL PRINCIPAL - NOTES & BONDS	1,572,408	1,834,000	261,592	16.64%

	<b>751</b>	<b>INTEREST - NOTES &amp; BONDS</b>					
99		EXPENSE	1,020,839	1,143,868	123,029	12.05%	
	TOTAL	INTEREST - NOTES & BONDS	1,020,839	1,143,868	123,029	12.05%	
		<b>DEBT SERVICE</b>	2,593,247	2,977,868	384,621	14.83%	
		<b>INTERGOVERNMENTAL/INSURANCE</b>					
	<b>820</b>	<b>STATE ASSESSMENTS</b>					
100		EXPENSE	159,004	163,100	4,096	2.58%	
	TOTAL	STATE ASSESSMENTS	159,004	163,100	4,096	2.58%	
	<b>830</b>	<b>COUNTY ASSESSMENTS</b>					
101		SALARY	908,967	949,497	40,530	4.46%	
102		EXPENSE	258,757	262,010	3,253	1.26%	
	TOTAL	COUNTY ASSESSMENTS	1,167,724	1,211,507	43,783	3.75%	
	<b>840</b>	<b>OTHER STATE &amp; COUNTY CHARGES</b>					
103		EXPENSE	40,650	41,150	500	1.23%	
	TOTAL	OTHER STATE & COUNTY CHARGES	40,650	41,150	500	1.23%	
	<b>912</b>	<b>INSURANCE NOTES AND BONDS</b>					
104		EXPENSE	312,728	373,476	60,748	19.43%	
	TOTAL	INSURANCE NOTES AND BONDS	312,728	373,476	60,748	19.43%	
	<b>913</b>	<b>UNEMPLOYMENT COMPENSATION</b>					
105		EXPENSE	6,344	10,034	3,690	58.17%	
	TOTAL	UNEMPLOYMENT COMPENSATION	6,344	10,034	3,690	58.17%	
	<b>914</b>	<b>EMPLOYEE HEALTH &amp; MEDICARE</b>					
106		SALARY	1,465,210	1,530,556	65,346	4.46%	
	TOTAL	EMPLOYEE HEALTH & MEDICARE	1,465,210	1,530,556	65,346	4.46%	
		<b>INTERGOVERNMENTAL/INSURANCE</b>	3,151,660	3,329,823	178,163	5.65%	
	<b>TOTAL</b>		24,102,768	25,391,436	1,288,668	5.35%	
		TOTAL-OPERATING BUDGETS	24,102,768	25,391,436	1,288,668	5.35%	
		POTENTIAL CONTRACT SETTLEMENTS	65,479	188,015	122,536	187.14%	
		SPECIAL ARTICLES/SNOW DEFICIT	457,446	294,891	(162,555)	-35.54%	
		COMMUNITY PRESERVATION FUND	(226,043)	(180,834)	45,209	-20.00%	
		CAPITAL PLAN	125,000	335,000	210,000	168.00%	
		<b>GRAND TOTAL</b>	24,524,650	26,028,508	1,503,858	6.13%	

Note 1 \$614,000 of appropriations for the FY 2008 Fire/Rescue budget are offset by revenues from ambulance billings.

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

**NON-SCHOOL OPERATING BUDGET  
CAPITAL OUTLAY REQUESTS  
\$10,000 OR GREATER**

<u>DEPARTMENT</u>	<u>LINE ITEM NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Media Operations	6	Broadcast Equipment	\$17,500
Computer	17	Upgrade Computer Hardware and Software	\$52,435
Town Office Building	29	Replace Shared Vehicle	\$12,500
Police/Communications	35	Replace Two Cruisers	\$58,000
		Mobile Data Terminals	\$12,000
			<u>\$70,000</u>
Fire/Rescue	43	Replace Ambulance	\$185,000
Fire/Rescue Building	45	Repair Attic Furnaces	\$12,000
Shellfish/Harbormaster	58	Repair Parking, Portanimitcut & River	\$25,000
Highway	66	Replace Dump Truck	\$60,000
		Sander	\$15,000
		<b>Sub Total - Highway</b>	<u>\$75,000</u>
Transfer Station	72	Replace Tractor (Used)	30,000
Water	75	Replace Water Meters	\$54,000
		Replace Truck	\$18,000
		Water Main Replacement	\$20,000
		<b>Sub Total - Water</b>	<u>\$92,000</u>
Parks & Beaches	93	Replenish Sand Skaket	\$16,000
		Repair Tennis Court	\$12,000
		Replace Mule ATV	\$11,000
		<b>Sub Total - Parks &amp; Beaches</b>	<u>\$39,000</u>
<b>Total</b>			<u><u>\$610,435</u></u>

**NAUSET REGIONAL SCHOOL DISTRICT - CAPITAL OUTLAY REQUESTS  
PER N.R.S.D. AGREEMENT**

<u>LOCATION</u>	<u>LINE ITEM NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<b>HIGH SCHOOL</b>		Replace Lab Stations - E Building	\$75,000
		Auditorium Lights	\$90,000
		Technology	\$130,000
		Locker Replacement	\$51,000
		<b>Sub Total - High School</b>	<u>\$346,000</u>
<b>MIDDLE SCHOOL</b>		Upgrade Telephone System	\$25,000
		Replace Mullions	\$10,000
		Paint Exterior Pipes, Stairs, Cupola	\$10,000
		Replace Carpet with Tile	\$28,000
		<b>Sub Total - Middle School</b>	<u>\$73,000</u>
<b>CENTRAL OFFICE</b>		Relocate Central Office to Middle School	\$40,000
<b>TOTAL</b>			<u>\$459,000</u>
<b>ORLEANS SHARE OF TOTAL @ 19.76%</b>	<b>62</b>		<u>\$90,713</u>

**SUMMARY**

This article would set and fund the operational budgets for the normal operation for all Town functions in the amount of \$25,391,436 for the fiscal year beginning July 1, 2007 and ending June 30, 2008. Of the total operating amount, \$171,000 is recommended for appropriation contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Law Chapter 59 §21C (Proposition 2 ½) paragraphs (g) and (m).

**BOS:**            4 – YES            1 – NO            0 – ABSTAIN  
**FC:**             7 – YES            2 – NO            0 – ABSTAIN

The Finance Committee has concerns about building maintenance planning, insurance/unemployment costs, and cost of maintaining existing levels of service.

**ARTICLE 3. CAPITAL IMPROVEMENTS PLAN**

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

(Simple Majority Vote Required)

**FIVE-YEAR CAPITAL IMPROVEMENTS PLAN  
FY 2009 – FY2013**

ITEM	ADOPTED		NON-CIP		PROPOSED				
	FY08	FY08	FY08	FY08	FY09	FY10	FY11	FY12	FY13
<b>COMMUNITY PRESERVATION ACT</b>									
Program Activity Funding	486,000				(1)	(1)	(1)	(1)	(1)
<b>FIRE DEPARTMENT</b>									
Replace Pumper Truck							450,000		
Replace Ladder Truck	575,000								
Fire Station Renovation/Addition									
Feasibility Study							40,000		
Architectural & Engineering Design									
Construction									
<b>HARBORMASTER/SHELLFISH</b>									
Rock Harbor Bulkhead Reconstruction (CF-19)	930,000								
<b>HIGHWAY DEPARTMENT</b>									
Water Quality Drainage Improvements (NR-6)(NR12)					750,000				
(NR-13)									
Town Pavement Management Program (T-7)			500,000		2,000,000				
<b>Town Highway Facilities Renovation/Addition (CF-11)</b>									
Architectural & Engineering Design					50,000				
Construction						300,000			
Replace Front End Loader							160,000		
Replace Street Sweeper									170,000

**FIVE-YEAR CAPITAL IMPROVEMENTS PLAN  
FY 2009 – FY2013**

ITEM	ADOPTED		NON-CIP		PROPOSED				
	FY08	FY08	FY08	FY08	FY09	FY10	FY11	FY12	FY13
<b>PROPERTY ACQUISITION</b>									
General Municipal Purchases (CF-1)	101,500				(2)	(2)			
Open Space Purchases (OS-2)(NR-20)(NR-21)(NR-23)	1,500,000				(3)	(3)			
Affordable Housing Development (AH-1)	350,000				(4)	(4)			
Wastewater Management Purchases (CF-27)						1,500,000	(5)	(5)	
<b>PARKS AND BEACHES</b>									
Nauset Beach Off-Site Parking Lot (CF-13)									
Nauset & Skaket Beach Snack Bar Renovation Feasibility Study			20,000						
Eldredge Park Music Shell Renovation Feasibility Study					20,000				
<b>PLANNING DEPARTMENT</b>									
Affordable Housing Project Development (AH-1)	625,000								
Town-Wide Wastewater Management (CF-27)									
Comprehensive Wastewater Plan	125,000								
Pre-Design Engineering Feasibility	150,000				150,000	175,000			
Village Center Master Plan (ED-6)(OS-19)(HC-7) (HC-8)							125,000		
(T-13)									
Village Center Municipal Parking Lot Development (ED-6)									425,000

**FIVE-YEAR CAPITAL IMPROVEMENTS PLAN  
FY 2009 – FY2013**

ITEM	ADOPTED		NON-CIP		PROPOSED				
	FY08		FY08		FY09	FY10	FY11	FY12	FY13
<b>POLICE DEPARTMENT</b>									
Police Station Renovation/Addition									
Feasibility Study			40,000						
Architectural & Engineering Design					250,000				
Construction						3,200,000			
<b>SNOW LIBRARY</b>									
Library Renovation/Addition									
Feasibility Study					40,000				
Architectural & Engineering Design									
Construction									
<b>WATER DEPARTMENT</b>									
Development of New Well #8 (CF-21)(CF-22)					250,000				
<b>TOTALS</b>		<b>4,842,500</b>	<b>560,000</b>		<b>3,510,000</b>	<b>5,175,000</b>	<b>2,775,000</b>	<b>425,000</b>	<b>170,000</b>

**Special Notation:** The Orleans Comprehensive Plan implementation program items are shown in parenthesis and described in the addendum.

- (1) Community Preservation Act program activities will be supported through the existing 3% tax levy surcharge and any state matching funds and may be made to the extent funding is available. The balance available as of 12/15/06 is \$468,000.
- (2) General Municipal Purchases under the five year capital plan will be made up to \$101,500. The balance available in FY09-10 will be determined based upon expenditures made during the previous years.
- (3) Open Space Purchases under the five year capital plan will be made up to \$1,500,000. The balance available in FY09- FY10 will be determined based upon expenditures made during the previous years.
- (4) Affordable Housing Development purchases under the five year capital plan will be made up to \$350,000. The balance available in FY09 - FY10 will be determined based upon expenditures made during the previous years.
- (5) Wastewater Management purchases under the five year capital plan will be made up to \$1,500,000. The balance available in FY11-12 will be determined based upon expenditures made during the previous years.

Original Submission Date: December 15, 2006  
Revision Date: February 5, 2007; March 5, 2007  
Board of Selectmen Approval: March 14, 2007  
Town Meeting Approval:

## ADDENDUM

ITEM	ORLEANS COMPREHENSIVE PLAN IMPLEMENTATION PROGRAM DESCRIPTIONS
AH-1	Develop 35 new units of affordable housing for families over the next twenty years, and support this activity by scheduling it in the capital improvement plan.
CF-1	Conduct an analysis of near and distant future land acquisition needs in order to accommodate future town facilities.
CF-11	Construct office, storage and maintenance facility(ies) for Highway Department, Parks & Beaches, and Water Department.
CF-13	Develop a plan to deal with beach erosion at Nauset Beach.
CF-21	Continue development, to the point of licensing, of potential site for Well #8.
CF-22	Bring Well #8 on-line based on water demand.
CF-27	Develop a wastewater management plan for the entire town.
ED-6	Develop a cohesive Village Center Plan to address such issues as traffic, parking, signs, streetscape, pedestrian linkages, and building facades.
HC-8	Develop a plan for pedestrian-friendly improvements in village areas including the addition of traditional street lighting that is consistent with the area's history and character.
NR-6	Prevent direct discharge of untreated stormwater into coastal embayments and ponds.
NR-12	Prevent direct discharge of untreated stormwater into fresh water bodies.
NR-13	Develop and implement a program of water quality monitoring for the Town's fresh waters.
NR-20	Continue to protect Zones of Contribution of the public water supply through programs of land acquisition.
NR-21	Permanently protect lands containing endangered or threatened species as identified by the Massachusetts Natural Heritage Program and the Endangered Species Act.
NR-23	Continue to make preservation of wildlife corridors a consideration of programs of land acquisition and conservation.
T-7	Fund the Highway Department at an appropriate level to support the maintenance and replacement of new and existing roads.
T-13	Conduct a comprehensive traffic study of the area serving the Industrial District, from Skaket Corners to Route 28.
OS-2	Using Land Bank ( <i>sic</i> ) and budget appropriated funding, plus private funding, preserve 400 or more acres of high priority parcels for ground and surface water protection, conservation, recreation and other environmental purposes.
OS-19	Plan and design a Town Cove Waterfront Park incorporating recommendations of the 1991 Town Cove Landscape Preservation Project, and coordinate this effort with the Village Center improvement project.

## **SUMMARY**

In accordance with Chapter 8-5-1 of the Charter, the Town Administrator shall prepare a five year Capital Improvements Plan (CIP), which shall be designed to deal with the unmet long-range needs, and to implement the goals and objectives of the official town plan.

The purpose of the CIP is to systematically plan, schedule, and finance capital projects over a five year period. The plan is to include, but not necessarily be limited to, major infrastructure projects involving roads, storm drainage, water and sidewalks; public building or facility renovation or replacement; and property acquisitions.

Wherever possible, to emphasize project planning, the CIP will incorporate the progression of a project through the various phases, beginning first with a feasibility study, after which final design plans and specifications are developed, followed by construction to complete the project.

Proposed project financing for CIP projects may include bonding, a proposition 2.5 override or exclusion, or other available funds.

Non-capital plan projects or expenditures budgeted in excess of \$10,000, including motor vehicle and equipment purchases, facility repairs, or materials and supplies will continue to be presented in the annual operating budget as capital outlay requests summarized by department.

As presented, the Capital Improvements Plan includes all proposed projects to be undertaken for the period beginning July 1, 2008 (FY09) through June 30, 2013 (FY13), the five fiscal years following the proposed capital budget (FY08).

The Capital Budget authorizes the appropriation of funds necessary to complete projects proposed in the capital improvement plan as adopted by the May 2006 town meeting for the fiscal year beginning July 1, 2007 (FY08). In accordance with the Orleans Home Rule Charter, any capital improvement projects that are not in compliance with the plan must receive a favorable three-fourths majority vote of the town meeting for approval.

**CAPITAL BUDGET  
FY 2008**

<b>PROJECT DESCRIPTION</b>	<b>AMOUNT</b>	<b>FUNDING SOURCE</b>
<b>COMMUNITY PRESERVATION ACT</b>		
Program Activity Funding	\$486,000	Available Funds (CPA)
<b>FIRE DEPARTMENT</b>		
Replace Ladder Truck	\$575,000	Bonding
<b>HARBORMASTER/SHELLFISH DEPARTMENT</b>		
Rock Harbor Bulkhead Reconstruction	\$50,000	Bonding
<b>HIGHWAY DEPARTMENT</b>		
Town Pavement Management Program	\$500,000	Bonding
<b>PLANNING DEPARTMENT</b>		
Town-Wide Wastewater Management Plan	\$125,000	Available Funds
Town-Wide Wastewater Management Pre-Design Engineering Feasibility	\$150,000	Prop 2 ½ Override
<b>POLICE DEPARTMENT</b>		
Police Station Renovation/Addition Feasibility Study	40,000	Available Funds
<b>TOTAL</b>	<b>\$1,926,000</b>	

**Note:** There are a number of changes being proposed to the Capital Improvements Plan since its adoption at Town Meeting in May 2005 as follows:

Project start date changes: The Fire Station Renovation/Addition and Nauset Beach Parking Off-Site Parking Lot have been moved from FY10 to FY11; Water Quality Drainage Improvements from FY12 to FY09; the Town Pavement Management Program from FY11 to FY09; the Town Maintenance Facility (Highway Garage Renovation/Addition) Design from FY08 to FY09 and Construction from FY09 to FY10; and the Village Center Master Plan from FY09 to FY11.

Projects added to the Plan: The Town Pavement Management Program and Nauset & Skaket Beach Snack Bar Renovation Feasibility Study in FY08; the Snow Library Renovation/Addition Feasibility Study and Eldredge Park Music Shell Renovation Feasibility Study in FY09.

Projects deleted from the Plan: The Skaket Beach Snack Bar Replacement from FY08; the Nauset Beach Snack Bar Replacement and Music Shell Replacement – Eldredge Park from FY09; and the Rt. 28/Finlay and Pond Road Upgrades, Pathways Study and Road Layout Program Development from FY12.

## FISCAL YEAR 2009 PROJECT DESCRIPTIONS

### **COMMUNITY PRESERVATION ACT – PROGRAM ACTIVITY FUNDING**

Under the CPA, Orleans annually receives matching funds to its current CPA 3% surtax from the Commonwealth's CPA Trust Fund. The projected amount available for appropriation in FY08 is \$486,000. State matching funds are dependant on state receipts from Registry of Deeds fees. As the number of communities that adopt the CPA increases, state receipts may not be adequate to fully match the Town's surtax. Current estimates indicate that full funding will continue for at least the next few years. As required under the CPA, a Town Community Preservation Committee has been formed to review applications for funding, and a minimum of 10% of the Town's annual Community Preservation proceeds are allocated to each of the three primary purposes: open space, affordable housing and historic preservation. Town Meeting approval is necessary for all Community Preservation Committee funding recommendations.

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

### **HIGHWAY DEPARTMENT – WATER QUALITY DRAINAGE IMPROVEMENTS**

This project seeks funding for the design and construction of improvements to the town's drainage infrastructure systems, in an effort to address water quality issues resulting from storm water runoff that adversely affects the health of various town coastal embayments and ponds, along with the town's fresh water bodies. Addressing these drainage issues will bring the town into compliance with U.S. EPA Storm Water Quality Permits and Massachusetts DEP Water Quality requirements. Various state and federal agencies offer grants to address storm water issues; however, funding for many of these programs has been reduced and/or eliminated over the past number of years. Currently, the town maintains a list of projects that need to be addressed town-wide, and a multi-year completion schedule has been developed with a total estimated cost in excess of \$500,000. As new projects are identified they will be added to the list and scheduled for completion.

Total Estimated Cost:	\$750,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	60 Months
Estimated Annual Cost O/M:	To be developed during project design
Average Annual P&I	\$91,500

**HIGHWAY DEPARTMENT – TOWN PAVEMENT MANAGEMENT PROGRAM**

This project proposes funding for the local share of the town’s ongoing pavement management program to repair, resurface, and reconstruct town roadways. Also included under this program is work related to roadway drainage and sidewalk projects. The Town currently maintains approximately 56 miles of public roadways and maintains an inventory of roadway conditions in order to address, on a priority basis, the long term maintenance needs of the town. As proposed, the funding will enable the town to move forward with the completion of projects over a five year period beginning in FY09. In addition to local funding of roadway projects, the town receives State Aid Chapter 90 funds each year, totaling \$229,000 for FY08.

Total Estimated Cost:	\$2,000,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	60 Months
Estimated Annual Cost O/M:	N/A
Estimated Annual P & I	\$448,000

**HIGHWAY DEPARTMENT – TOWN HIGHWAY MAINTENANCE FACILITIES RENOVATION/ADDITION DESIGN**

This project proposes the design and preparation of plans for renovation/addition to the existing Town Highway maintenance facilities on Bay Ridge Lane and on Giddiah Hill Road, based upon the findings of the proposed feasibility study to be conducted in FY08. The existing facilities include operations and maintenance garages, administration office and shared warehouse/storage facility. Combined, these facilities total approximately 4,000 square feet and are inadequate to meet the current and future needs of the department.

Total Estimated Cost:	\$50,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months for Completion
Estimated Annual Cost O/M:	To be developed during design
Average Annual P&I	\$11,200

**PROPERTY ACQUISITION - GENERAL MUNICIPAL PURCHASES**

Adoption of this item as part of the capital plan will facilitate the presentation to Town Meeting of property purchases, including easements, that may arise during the fiscal year (subject to the 2/3 vote required for land purchases). Proposed purchases for general municipal purposes would typically include acquisitions ineligible for CPA funding. Examples of possible acquisitions include property needed to accommodate future Town facilities, improvements to roadways, parking areas or storm water drainage projects.

Total Estimated Cost:	\$101,500
Method of Financing:	Available Funds or Bonding (10 years)
Recommended Schedule:	Open

Estimated Annual Cost O/M: If Bonded, Average Annual P&I	N/A – Dependent upon purpose \$12,383
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**PROPERTY ACQUISITION – OPEN SPACE PURCHASES**

This item provides supplementary support for possible future open space purchases if CPA funds are depleted to the point that they will not fund additional acquisitions. By including this item in the capital plan, it will facilitate the presentation to Town Meeting of property purchases or conservation easements for protection of public drinking water supplies, open space and conservation; and passive recreation during future years (subject to the 2/3 vote required for land purchases). This provides future planning support for the goals of the Official Town Plan/Local Comprehensive Plan.

Total Estimated Cost:	\$1,500,000
Method of Financing:	Bonding (Staggered over 14 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M: Average Annual P&I	N/A – Dependent upon purpose \$134,000

**PROPERTY ACQUISITION – AFFORDABLE HOUSING DEVELOPMENT**

Including this item in the capital plan will facilitate the presentation to Town Meeting of possible property purchases that may arise during the fiscal year (subject to the 2/3 vote required for land purchases). This item is intended to cover non-CPA acquisitions specifically for affordable housing. As adopted in the Orleans Comprehensive Plan, the goal is to develop 35 new units of affordable housing for families over the next twenty years.

Total Estimated Cost:	\$350,000
Method of Financing:	Bonding (Staggered over 14 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M: Average Annual P&I	N/A – Dependent upon purpose \$31,300

**PARKS & BEACHES – ELDREDGE PARK MUSIC SHELL RENOVATION FEASIBILITY STUDY**

This project proposes to study the renovation options that may be available to address the existing conditions of the Music Shell at Eldredge Field. Presently, the continued use of the building is contingent upon an annual inspection by an engineer to certify that it is structurally sound. The existing 2,400 square foot building includes a music shell, office space, locker room and restrooms.

Total Estimated Cost:	\$20,000
Method of Financing:	Available Funds
Recommended Schedule:	6 Months for completion

Estimated Annual Cost O/M:  
Average Annual P&I

Currently \$2,500  
N/A

**PLANNING DEPARTMENT – WASTEWATER MANAGEMENT PRE-DESIGN  
ENGINEERING FEASIBILITY**

This project is being funded over a three year period to ensure an orderly transition from the planning phase of wastewater management to the design and construction phases. As proposed, funding in the second year would be used to extend subsurface geological testing for sites identified for wastewater disposal facilities. The outcome will be detailed report of the suitability of each site that will enable the Town to proceed toward facility design.

Total Estimated Cost:	\$150,000
Method of Financing:	Available Funds
Recommended Schedule:	12 Months for completion
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	N/A

**POLICE DEPARTMENT – POLICE STATION RENOVATION/ADDITION  
DESIGN**

This project proposes the design and preparation of plans for the renovation/addition to the existing Police Station on South Orleans Road based upon the findings of the proposed feasibility study to be conducted in FY08. The feasibility study will seek to address the current and future needs of the Police Department. A partial renovation of the existing Police Station to address the most immediate needs will be completed in June 2007.

Total Estimated Cost:	\$250,000
Method of Financing:	Bonding
Recommended Schedule:	12 Months for completion
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$18,400

**SNOW LIBRARY – LIBRARY RENOVATION/ADDITION FEASIBILITY STUDY**

This project proposes to fund a feasibility study of the existing library. Since the last expansion of Snow Library in 1991, several factors warrant an investigation into another expansion and renovation of the existing site. The most notable factors are a) space needs for service to an older population (both print materials and computer equipment for those with visual impairments); b) space requirements for meetings, archival/special collections, community activities and art (both visual and performance); c) space needs for print materials and increase in items in other formats such as audio books, music and films (general circulation increased from 98,000 in FY 95 to 174,000 in FY 06); and d) community expectations for general computer use. Since the existing building is now over fifteen years old, several renovation/maintenance items which were

listed in previous Capital Plans (waterproofing/painting of the existing exterior, review/update of climate control systems) would also be included in this project.

Total Estimated Cost:	\$40,000
Method of Financing:	Available Funds
Recommended Schedule:	12 Months for Completion
Estimated Annual Cost O/M:	N/A

#### **WATER DEPARTMENT – DEVELOPMENT OF NEW WELL #8**

This project proposes to develop a new well #8 at the current pumping test site. The well has shown a capacity of 350 gallons per minute or 504,000 gallons per day. The report has been submitted to the Department of Environmental Protection and we are awaiting their approval. The process to bring a new well on line must be completed within five years of DEP approval or the pumping test must be performed again. Once on line, the new well will increase our overall pumping capacity and hopefully would add another source of low iron water to our system.

Total Estimated Cost:	\$250,000
Method of Financing:	Water Reserve Funds
Recommended Schedule:	18 Months for Completion
Estimated Annual Cost O/M:	\$11,200

### **FISCAL YEAR 2010 PROJECT DESCRIPTIONS**

#### **HIGHWAY DEPARTMENT – TOWN HIGHWAY MAINTENANCE FACILITIES RENOVATION/ ADDITION CONSTRUCTION**

This project proposes the construction of the renovation/addition to the existing Town Highway maintenance facilities on Bay Ridge Lane and Giddiah Hill Road based on the outcome of the project design.

Total Estimated Cost:	\$300,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months for completion
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$67,200

#### **PROPERTY ACQUISITION – WASTEWATER MANAGEMENT PURCHASES**

This project proposes the acquisition of property upon completion of the Comprehensive Wastewater Management Plan in order to site sewer collection, treatment, and disposal facilities. It is expected that the Town will need to purchase land, but there may also be opportunity to obtain easements as an alternative. This activity identifies potential expenditures of up to \$1.5 million over a three-year period for land acquisition associated with wastewater management.

Total Estimated Cost:	\$1,500,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon purpose
If Bonded, Average Annual P&I	\$183,000

**PLANNING DEPARTMENT – WASTEWATER MANAGEMENT PRE-DESIGN ENGINEERING FEASIBILITY**

This project will be funded over a three year period to ensure an orderly transition from the planning phase of wastewater management to the design and construction phases. As proposed, funding in the third year would be used for field surveying, preliminary design, and early permitting of selected high priority facilities. Additional funding will support legal services related to management district formation, regulations, and land acquisition as needed. Other funding will be used to coordinate with other utilities.

Total Estimated Cost:	\$175,000
Method of Financing:	Available Funds
Recommended Schedule:	12 Months for completion
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	N/A

**POLICE DEPARTMENT – POLICE STATION RENOVATION/ADDITION CONSTRUCTION**

This project proposes the construction of the renovation/addition to the existing Police Station on South Orleans Road based upon the outcome of the project design.

Total Estimated Cost:	\$3,200,000
Method of Financing:	Bonding
Recommended Schedule:	12 Months for completion
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$235,600

**FISCAL YEAR 2011 PROJECT DESCRIPTIONS**

**FIRE DEPARTMENT – REPLACE PUMPER TRUCK**

This project proposes the replacement of the 1994 KME Fire Pumper. By FY10 this pumper will be 16 years old with an anticipated construction phase of about 12 months. With the problems that we have had to date with the newer KME pumper, this Engine, #177, has been used as a front line piece longer than was originally anticipated. We could replace this truck with one of equal capabilities, 1250 to 1500 gpm pump, 750 gallon water tank, foam system, seating for 5 or 6 firefighters inside the cab, and a rear body capable of carrying our compliment of equipment that would be transferred, along with the radios and associated electronic equipment, from the old truck to the new truck.

Total Estimated Cost:	\$450,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	6 Months for completion
Estimated Annual Cost O/M:	\$ 3,000
Average Annual P&I	\$54,900

**FIRE DEPARTMENT – FIRE STATION RENOVATION/ADDITION FEASIBILITY STUDY**

This project proposes to fund a study of the existing fire station to address departmental space needs. The fire station was originally constructed in 1987. Since that time, the full time staff has nearly doubled. In addition, many major pieces of fire apparatus have been added to the department. As a result, the current operations have outgrown the space available in the existing fire station. The purpose of the study will be to identify the various options that may be available to renovate and/or add on to the existing fire station to meet the future needs of the department and the town.

Total Estimated Cost:	\$40,000
Method of Financing:	Available funds
Recommended Schedule:	9 Months for Completion
Estimated Annual Cost O/M:	To be developed during study
Average Annual P&I	N/A

**HIGHWAY DEPARTMENT – REPLACE FRONT END LOADER**

This project proposes the replacement of a Front End Loader in the Highway Department. The purchase will replace the existing loader that was purchased new and put into service in 1996. The loader is utilized for varied tasks in the Highway as well as several other Town departments, including the loading and off loading of various equipment, materials and supplies, re-grading of public gravel roads and removing windblown sand from coastal roads. In the winter it is used for snow removal in the downtown area, plowing the larger town parking lots, and plowing some main roads in heavier snow storm events. The loader is a valuable piece of equipment used in maintenance and upkeep of the Town.

Total Estimated Cost:	\$160,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	3 Months for Completion
Estimated Annual Cost O/M:	\$1,500
Average Annual P&I	\$35,800

**PARKS & BEACHES – NAUSET BEACH OFF SITE PARKING LOT**

This project proposes the purchase of land for the development of future off site parking for Nauset Beach. The existing 925 space parking lot at Nauset Beach could be lost within the next twenty years due to ongoing beach erosion and would result in a significant financial loss to the Town. In fiscal year 2006,

parking revenues generated from Nauset Beach amounted to \$480,000.

Total Estimated Cost:	\$2,000,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 Months for Completion
Estimated Annual Cost O/M:	To be developed during design
Average Annual P&I	\$244,000

### **PLANNING DEPARTMENT – VILLAGE CENTER MASTER PLAN**

This project will provide the funding to complete a long-range master plan for the Village Center District. The plan will identify public infrastructure and regulatory changes needed to bring the community's articulated vision of its Village Center to reality. Aspects of the Village Center which need to be addressed in the plan include: overall streetscape and design considerations, traffic safety & movement, parking, meeting pedestrian needs, appropriate lighting, and addressing wastewater treatment needs that presently impede investment in the district. The outcome will set the foundation for a thriving, resident-oriented village center that will be inviting to visitors and economically vibrant.

Total Estimated Cost:	\$125,000
Method of Financing:	Available Funds
Recommended Schedule:	18 Months for Completion
Estimated Annual Cost O/M:	N/A

## **FISCAL YEAR 2012 PROJECT DESCRIPTIONS**

### **PLANNING DEPARTMENT – VILLAGE CENTER PARKING LOT DEVELOPMENT**

This project proposes the purchase and improvement of property in the Main Street area of the downtown for a new municipal parking lot in support of Town goals for the Village Center. Studies have demonstrated a lack of parking spaces available in the immediate area, which limits potential development. Lack of parking options in the Village Center is an impediment to future commercial and residential investment in the district. Currently, there are two viable locations that may become available in the future and this article would provide the necessary funding to develop additional public parking in the Village Center.

Total Estimated Cost:	\$425,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 Months for Completion
Estimated Annual Cost O/M:	To be developed during project design
Average Annual P&I	\$51,900

**FISCAL YEAR 2013 PROJECT DESCRIPTIONS**

**HIGHWAY DEPARTMENT – REPLACE STREET SWEEPER**

This project proposes the replacement of the street sweeper in the Highway Department that was purchased in 2004. The sweeper is used to clean the 56 miles of public roads and the town owned parking lots.

Total Estimated Cost:	\$170,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	3 Months for Completion
Estimated Annual Cost O/M:	\$5,000
Estimated Annual P & I	\$38,100

<b>BOS:</b>	4 – YES	1 – NO	0 – ABSTAIN
<b>FC:</b>	8– YES	0 – NO	0 – ABSTAIN

**ARTICLE 4. COMMUNITY PRESERVATION ACT PROGRAM BUDGET (FY08)**

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund’s Annual Revenues and/or available funds for the payment of debt service, the undertaking of Community Preservation projects, the Administrative Expenses of the Community Preservation Committee and all other necessary and proper expenses for FY08, or to take any other action relative thereto. (Community Preservation Committee)

(Simple Majority Vote Required)

**PROPOSED FISCAL YEAR 2008 COMMUNITY PRESERVATION BUDGET**

The Community Preservation Committee recommends that the following amounts be appropriated and/or reserved from fiscal year 2008 Community Preservation Fund revenues, unless otherwise specified, for fiscal year 2008 community preservation purposes with each item considered a separate appropriation:

<u>PURPOSE</u>	<u>RECOMMENDED AMOUNT AND SOURCE</u>			
	<u>FY08 Est. Surtax</u>	<u>FY 08 Est. State Share</u>	<u>Fund Balance</u>	<u>Total</u>
<i>Appropriations:</i>				
1) Debt service expenses (Note 1)	\$ 517,000		\$ 188,496	\$ 705,496
2) Project #1 Restore Sea Call Farm		\$ 17,095		\$ 17,095
3) Project #2 Odd Fellows Conservation Restriction			\$ 50,000	\$ 50,000
4) Project #3 Create Skateboard Park		\$ 65,936		\$ 65,936
5) Project #4 OHS Meetinghouse Master Plan		\$ 25,000		\$ 25,000
6) Project #5 Preserve OHS Museum Artifacts & Books		\$ 6,086		\$ 6,086
7) Project #6 Restore Academy Heating System		\$ 44,500		\$ 44,500
8) Project #7 Restore Jonathan Young Windmill		\$ 18,100		\$ 18,100
9) Committee Expenses		\$ 49,000		\$ 49,000
<i>Reserves:</i>				
Open Space				\$ -
Historic Resources				\$ -
Community Housing		\$ 230,000		\$ 230,000
Unallocated		\$ 24,283		\$ 24,283
<b>Grand Total</b>	<b>\$ 517,000</b>	<b>\$ 480,000</b>	<b>\$ 238,000</b>	<b>\$ 1,235,496</b>

Note 1: Debt service previously voted in the operating budget (Article 2).

	<u>Historic Resources</u>	<u>Community Housing</u>	<u>Unallocated</u>
<b>ENDING BALANCE OF RESERVES</b>	<b>74,963</b>	<b>505,093</b>	<b>27,805</b>

## SUMMARY

### Project 1: Sea Call Farm Restoration

Applicant: Sea Call Supporters, Inc.

Amount: Asking \$17,095      Voted \$17,095

Summary: The Farm is a historically significant structure in Orleans. Application is being made to obtain a listing on the National Register of Historic Places. Work began in August 2005 to stabilize and restore the farmhouse following the completion of the de-leading. Funds from the October 2006 CPA grant were used for interior and exterior work. During the work, closer observation brought to light the need for additional repairs to complete the restoration. These final repairs need to be done to finish the project to restore the farmhouse to a sound condition.

### Project 2: Odd Fellows Hall Conservation Restriction

Applicant: Community Preservation Committee

Amount: Asking \$50,000      Voted \$50,000

Summary: The Hall is a historically significant structure in Orleans. Use of the building dates back for 110 years when it served as the Town's schoolhouse. Funds from an October CPA grant will be used to replace the unstable old fieldstone foundation with poured concrete and to complete all associated structural repairs. These additional funds will be used to purchase a conservation restriction on 1.84 acres of the property. The Odd Fellows will apply the funds to building restoration projects which will further the preservation of the historic structure.

### Project 3: Skateboard Park Creation

Applicant: Nauset Together We Can Prevention Council

Amount: Asking \$65,936      Voted \$65,936

Summary: The Finch Skateboard Park on Eldredge Parkway has served hundreds of skaters since its inception as a recreational activity in 1997. The Park was constructed with private funds on its current site in 1999 with wooden ramps. These ramps have deteriorated to the point where they are a safety hazard and all structures need to be removed. These funds will be used to create

a new facility by purchasing and installing modular concrete ramps that will better withstand the elements of the weather and remain usable for many years. This grant is subject to the Town procuring long-term access to the land through lease or in fee from the Nauset Regional School District and to agreement on a policy of access to the Park by the general public.

#### Project 4: Meeting House Needs Assessment & Master Plan

Applicant: Orleans Historical Society

Amount: Asking \$25,000 Voted \$25,000

Summary: The Meeting House Museum is the center of the historic preservation activities of the Orleans Historical Society. Funds from an October 2006 CPA grant were used to replace a badly damaged roof. The re-roofing was the initial step in a restoration program for the Meeting House that is intended to restore the building to its original appearance and to allow for future uses. These funds will be used to assess the condition of this historic building and to identify and prioritize needed restoration projects. Funds will also be used to develop a plan for the Museum on its present site in the context of the re-energized Town Hall area.

#### Project 5: Meeting House Museum Artifacts & Books Preservation

Applicant: Orleans Historical Society

Amount: Asking \$6,086 Voted \$6,086

Summary: The OHS Meeting House Museum contains artifacts and books of considerable historic significance to the Town. Many of these require repair along with adequate display cases and UV light protection materials to preserve these items. Funds will be used to assure that these historic items will continue to be enjoyed by town residents and visitors.

#### Project 6: Academy of Performing Arts Heating System Restoration

Applicant: Academy of Performing Arts, Inc.

Amount: Asking \$89,000 Voted \$44,500 which will serve as a match for the other required \$44,500 to be first raised through Academy fundraising efforts

Summary: The first phase of the Playhouse restoration was funded with CPA funds in May 2006 and called for installation of a sprinkler system. Phase II was funded with CPA funds in October 2006 and calls for excavating the basement and constructing a new foundation. This Phase II project will serve to stabilize and reinforce the structure of a building that dates back to 1873 when completed. Funds from this third Academy application will be used to install a modern heating system that will replace the old steam system. This new hot water system will serve the theatre via heat exchangers in the attic and will be zoned for maximum efficiency. The building has been certified an historic structure by the Orleans Historical Commission and has an historic preservation restriction negotiated by the CPC attached to its deed.

#### Project 7: Jonathan Young Windmill Restoration and Repair

Applicant: Town of Orleans

Amount: Asking \$18,100 Voted \$18,100

Summary: The Jonathan Young Windmill, a historic structure located on Town land and featured on the Orleans Town Seal, needs repair, preservation and restoration work. These funds will be used for the replacement or repair of cracked and rotten wood and the preservation and protection of structural material. Some of the improvements may also allow the structure to become a working windmill in the future. Specifically during this phase, the dragger pole will be replaced and the third floor will undergo preservation work.

Committee Expenses (Maximum Allowable \$49,000; CP Committee voted \$49,000)

The Community Preservation Act mandates that the CP Committee “study the needs, possibilities, and resources of the town regarding community preservation.” The Act also permits the Committee to allocate up to 5% of CPA funds for administrative and operating expenses. In FY08 the Committee anticipates using funds for legal consultation, financial analysis, recordkeeping, and various studies directed toward effectively realizing Orleans possibilities concerning open space, community housing, historic preservation, and recreation. Any and all unused funds revert to the unallocated reserve for funding future projects.

Reserves-Community Housing (CP Committee voted \$230,000)

Funds are allocated to the Reserve to support future project applications that involve adding to the Town’s inventory of Community Housing. Total reserves in excess of \$505,000 would be available to aid in financing significant projects,

such as the proposed construction of an eight-unit rental apartment structure on the Route 6A property. Concerning the Route 6A project, various funding alternatives and construction costs remain under discussion while design work needs to be completed to initiate the bid process to determine actual costs. Additional CPA grant funds for the project will be evaluated at a later date.

Reserves-Unallocated (CP Committee voted \$24,283)

All CPA funds not allocated to projects, specific reserves, and Committee expenses are voted to the Unallocated Reserve for use in funding future projects.

**BOS:**            2 – YES            3 – NO            0 – ABSTAIN  
**FC:**             6 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 5. FUND TOWN-WIDE WASTEWATER MANAGEMENT PLAN (FY08)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Twenty-Five Thousand and 00/100 (\$125,000.00) Dollars, or any other sum, for the purpose of funding the study of the current wastewater disposal practices to adequately protect the town’s fresh water (public drinking water) and salt water resources, including all expenses incidental and related thereto and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will provide the funding required to finalize and adopt the comprehensive wastewater management plan (CWMP) and proceed toward implementation of infrastructure. The final plan will utilize the chosen planning alternative developed under funding in FY07. Decisions on management strategies for each groundwater basin will be finalized, including alternatives for pumping stations, treatment plant locations, and effluent disposal areas. The final CWMP will be a prioritized facilities plan to address the level of treatment necessary to protect marine and fresh surface waters. A full public approval process will be followed to ensure that the plan is reflective of the concerns of residents and in the best overall interests of the community.

*Fiscal Year 2008 tax rate impact of \$0.032 per thousand.*

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

**ARTICLE 6. FUND WASTEWATER MANAGEMENT PLAN PRE-DESIGN  
ENGINEERING FEASIBILITY STUDY**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) for the purpose of funding a feasibility study for pre-design engineering relative to the implementation of the comprehensive wastewater management plan (CWMP), provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Law Chapter 59 §21C (Proposition 2 ½) paragraphs (g) and (m), and authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This project will be funded over a three year period to ensure an orderly transition from the planning phase of wastewater management to the design and construction phases. As proposed, funding in the first year would be used to undertake several actions that need to be completed before facilities can be constructed. An Environmental Impact Report will likely be required for the CWMP. Preliminary soils investigation and other subsurface geological testing of selected facility sites will be needed to ensure they are suitable for proposed facilities. Funding is also included to support public understanding of the CWMP, which may include the mailing of public education materials. Conceptual design of high priority recommendations will be completed to identify “fatal flaw” issues and ensure that a project is feasible prior to expending significant funds on formal design.

*Fiscal Year 2008 tax rate impact of \$0.039 per thousand.*

<b>BOS:</b>	4 – YES	0 – NO	1 – ABSTAIN
<b>FC:</b>	6 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 7. FUND AERIAL LADDER TRUCK**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds a sufficient sum for the purpose of purchasing an aerial ladder 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 ½) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town, the proceeds from any such disposition to be applied toward the cost of acquiring said ladder truck, or to take any other action relative thereto. (Board of Selectmen)

(2/3/ Vote Required)

### **SUMMARY**

The new ladder truck will be equipped with an aerial ladder device, fire pump, water tank, a hose compartment, and a five-man cab and designated as a “quint.” This will replace the 1974 Maxim 85’ aerial ladder and the 1966 Mack fire pumper currently operated by the department. The aerial ladder enables the department to perform search and rescue, ventilation, and elevated water stream tasks with minimal manpower as well as transporting large and long pieces of equipment to the scenes of emergencies. It will take approximately one year to complete its construction and will serve the Town for twenty to thirty years.

**BOS:**        3 – YES        2 – NO        0 – ABSTAIN  
**FC:**        6 – YES        2 – NO        0 – ABSTAIN

Dissenting Finance Committee members note that ladder trucks from neighboring towns are available through fire department mutual aid agreements.

### **ARTICLE 8. FUND ROCK HARBOR BULKHEAD REPLACEMENT DESIGN**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Fifty Thousand and 00/100 Dollars (\$50,000), or any other sum, for the purpose of preparing design plans for replacement of the bulkhead at Rock Harbor, 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 Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3/ Vote Required)

**SUMMARY**

This project proposed the design and preparation of plans for the installation of approximately 275 linear feet of steel sheeting outside of the existing concrete bulkhead within the inner portion of the harbor and replacement of the existing concrete sidewalk and guard rails. At present, we are experiencing undermining of the sidewalk as a result of loss of sediment from underneath the existing concrete bulkhead. As this void expands, stability of the sidewalk and integrity of the adjacent roadway will be compromised. The most cost effective solution consists of total bulkhead replacement versus a “piece-meal” repair approach.

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

**ARTICLE 9. FUND POLICE STATION RENOVATION / ADDITION  
FEASIBILITY STUDY**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Forty Thousand and 00/100 Dollars (\$40,000.00), or any other sum, for the purpose of funding a feasibility study for renovation of and/or addition to the existing Police Station and authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(3/4 Vote Required)

**SUMMARY**

During 2006 the Police Station was thoroughly examined by Architects and Engineers and significant needs were identified. At the fall 2006 Town Meeting, funds were appropriated to address the most urgent of these needs. Before further design and construction moves forward to address the remainder of the needs, a Feasibility Study will be conducted to look at the evolution of Law Enforcement over the next few decades, and the demands that will put on the Police Headquarters building. That will assure the long range needs are properly addressed in the further renovation/addition to the building, to accommodate the Orleans Police Department of the future.

*Fiscal Year 2008 tax rate impact of \$0.010 per thousand.*

**BOS:**        4 – YES        0 – NO        1 – ABSTAIN  
**FC:**         8 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 10. ACCEPT TRANSPORTATION BOND BILL FUNDS**

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

(Simple Majority Vote Required)

**SUMMARY**

This article will allow the Town to accept money from the state to perform work under the provisions of Massachusetts General Law Chapter 90, Section 34(2)(a). At the time the warrant went to press, the State Legislature was still discussing funding and allocations of Chapter 90 funds for FY08.

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

**ARTICLE 11. HOLDING STATE HARMLESS FOR WORK**

To see if the Town will vote to assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, as most recently amended by Chapter 5 of the Acts of 1955, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Management for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tide-waters, foreshores and shores along a public beach, in accordance with Section 11 of Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

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

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

**ARTICLE 12. AUTHORIZATION TO SELL SURPLUS EQUIPMENT & ACCEPT GIFTS**

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

(Simple Majority Vote Required)

**SUMMARY**

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

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

**ARTICLE 13. ADOPT M.G.L. CHAPTER 44, SECTION 53E ½ - REVOLVING ACCOUNTS**

To see if the Town will vote to authorize the establishment of the following Revolving Accounts, in accordance with Massachusetts General Law Chapter 44, § 53E ½;

- 1) The Home Composting Bin/Recycling Containers Account, said account not to exceed Fifteen Thousand and 00/100 Dollars (\$15,000.00). The Account will be used to purchase additional composting bins and recycling containers. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 2) The Council on Aging Account, said account not to exceed Seventy-Five Thousand and 00/100 Dollars (\$75,000.00). Monies on hand in the Account will be used to fund programs, class instructor fees, fees for reservations and tickets related to trips and functions, and an annual volunteer appreciation function. All funds to be spent under the direction of the department manager and the Town Administrator.
- 3) The Conservation Properties Account, said account not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00). The Account will be used to pay utility bills and other necessary expenses associated with the rental of

the Town owned properties under the jurisdiction and control of the Conservation Commission. Said funds to be spent under the direction of the Conservation Commission and the Town Administrator.

- 4) The Gavigan Property Account, said account not to exceed Eighteen Thousand and 00/100 Dollars (\$18,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property located on Wildflower Lane. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 5) The Cultural Council Awards Account, said account not to exceed Two Thousand and 00/100 Dollars (\$2,000.00). The Account will be used for awarding of cash prizes for participants and reception expenses for special art gallery showings. Said funds to be spent under the direction of the Cultural Council and the Town Administrator.

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

(Simple Majority Vote Required)

### **SUMMARY**

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

- 1) A revolving fund for the purchase of composting bins and recycling containers. These bins and containers are sold to the general public and the funds collected are placed in a special revolving account that allows for the purchase of additional composting bins and recycling containers.
- 2) A revolving fund for the specific receipts, fees and charges for particular programs, services and activities of the Council on Aging. The Town Accountant shall account for all funds separately from all other monies of the Town and credit will include only departmental receipts received in connection with the programs supported by such revolving funds.
- 3) A revolving fund for the properties managed by the Conservation Commission. Monies collected as rent will be placed in the account for use to pay utility bills and other necessary expenses associated with the rental of the properties.
- 4) A revolving fund for the Gavigan property. Rent from seasonal Town employees will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.
- 5) A revolving fund for use by the Cultural Council to award cash prizes for selected juried shows. The funds for cash prizes would be generated by the entry fee that artists pay to show their work.

This article authorizes the establishment of revolving accounts and must be voted on annually.

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

**ARTICLE 14. ADOPT M.G.L. CH. 71, § 16B – ASSESSMENT FORMULA –  
NAUSET REGIONAL SCHOOLS**

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

(Simple Majority Vote Required)

**SUMMARY**

This article will apportion the Nauset Regional School Assessments for FY09 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last eight years by town meeting vote.

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

**ARTICLE 15. FUND NON-UNION EMPLOYEE COLA (FY08)  
(PERSONNEL BYLAW PLANS A, B, D & E & CONTRACT  
EMPLOYEES)**

To see if the Town will vote to approve a general cost of living wage increase for the period July 1, 2007 to June 30, 2008 for those employees who are covered by the Personnel Bylaw Compensation Plans A, B, D and E and the Town Administrator, Director of Municipal Finance, and Police Chief, and to raise and appropriate and/or transfer the sum of Forty-Eight Thousand Four Hundred Seventy and 00/100 Dollars (\$48,470.00), or any other sum, to fund such increase, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will fund a 3% percent cost of living wage increase for those full-time and part-time employees covered by the Personnel Bylaw Compensation Plans A, B, D & E and the Town Administrator, Director of Municipal Finance, and Police Chief.

*Fiscal Year 2008 tax rate impact of \$0.012 per thousand.*

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

**ARTICLE 16. FUND ELECTED OFFICIALS COMPENSATION (FY08)**

To see if the Town will vote to fix the salaries of elected officials for the twelve month period beginning July 1, 2007 as follows:

- 1) Board of Selectmen (5)        \$1,000.00 each
- 2) Moderator (1)                \$ 150.00
- 3) Constables (2)                \$ 100.00 each

and to raise and appropriate and/or transfer from available funds the sum of Five Thousand Three Hundred Fifty and 00/100 Dollars (\$5,350.00), or any other sum, for this purpose, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will provide funding for the Board of Selectmen, Moderator and Constables compensation for Fiscal Year 2008.

*Fiscal Year 2008 tax rate impact of \$0.001 per thousand.*

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

**ARTICLE 17. FUND ORLEANS PERMANENT FIREFIGHTERS ASSOCIATION CONTRACT (FY08)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to be added to the FY08 Salaries Accounts for the Fire Department budget for employees covered under the collective bargaining agreement between the Town and the Orleans Permanent Firefighters Association, Local 2675 I.A.F.F., or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will fund the contract obligations with the Orleans Permanent Firefighters Association, Local 2675 I.A.F.F for the period July 1, 2007 – June 30,

2008. Contract negotiations were ongoing at the time the warrant went to the printer.

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

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

**ARTICLE 18. FUND VISITOR MANAGEMENT SERVICES BY ORLEANS CHAMBER OF COMMERCE / ORLEANS IMPROVEMENT ASSOCIATION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty-Four Thousand Seven Hundred Fifty and 00/100 Dollars (\$24,750.00), or any other sum, to be spent under the direction of the Orleans Chamber of Commerce, Inc. and the Board of Selectmen for the purposes of managing summer visitors, making the Town more user-friendly and improving the visual image of the Town, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The Orleans Chamber of Commerce, Inc. is requesting \$24,750.00, which represents 12% of the 4% room tax collected by Orleans Hotel/Motel/B&B owners in Fiscal Year 2007. The Chamber is requesting these funds for projects including management of the Town's Visitor Information Center staffing, printed materials, displays and fixtures; and projects and functions designed to make the Town of Orleans more user-friendly and safe for residents and visitors. Further, \$3,000.00 of the requested \$24,750.00 is designated specifically for the Orleans Improvement Association for their use as they continue with their town-wide beautification projects.

*Fiscal Year 2008 tax rate impact of \$0.006 per thousand valuation.*

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

**FC:**             8 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 19. FUND HUMAN SERVICES AGENCIES AGREEMENTS (FY08)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Sixty-Nine Thousand Seven Hundred Ninety-One and 00/100 Dollars (\$69,791.00), or any other sum, to fund the following human services organizations for the period July 1, 2007 to June 30, 2008.

<b>GROUP NAME</b>	<b>AMOUNT</b>
AIDS Support Group of Cape Cod	2,000
Big Brothers/Big Sisters of Cape Cod	5,000
Cape Cod Child Development	2,500
Cape Cod Human Services	5,000
capeAbilities	5,827
Consumer Assistance Council	120
Elder Services of Cape Cod and the Islands	2,500
Gosnold, Inc.	7,500
Independence House, Inc.	4,500
Interfaith Council for the Homeless	3,524
Legal Services	3,020
Lower Cape Outreach Council	6,180
NAMI	500
Nauset Together We Can/Juice Bar	5,000
Orleans After School Activities Program	10,500
Outer Cape Health Services	5,320
Sight Loss Services, Inc.	800
<b>TOTAL</b>	<b>\$69,791</b>

Said funds to be expended under the direction of the Board of Selectmen, or to take any other action relative thereto. (Board of Selectmen).

(Simple Majority Vote Required)

### **SUMMARY**

**Aids Support Group of Cape Cod** provides services to persons living with HIV and AIDS within Cape Cod communities. The Support Group also helps clients to maintain and enhance their quality of life while providing health education/prevention/harm reduction outreach to the residents of Barnstable County via timely and accurate information about HIV/AIDS, STDs and Viral Hepatitis.

- FY07 funding \$2,048.
- The projected number of Orleans' residents to be served in FY08 is 10.

**Big Brothers Big Sisters of the Cape and Islands** is a non-profit volunteer mentoring organization whose mission is to match children from disadvantaged home lives, with responsible adult role-model mentors who provide nurturing one to one friendships, which are supported by trained professional staff. Orleans funding is provided for the Big Brother Big Sisters' Outer Cape Program.

- This is the first year that we have funded the Big Brother Big Sister program
- The projected number of Orleans children to be served in FY08 is 10, and is limited by the availability of volunteer mentors.

**Cape Cod Child Development** provides childcare, education and developmental intervention, and family support services. The primary mission is to offer child centered, family focused programs that are affordable, accessible, and of the highest quality.

- FY07 funding \$2,497
- The projected number of Orleans' residents to be served in FY08 is 15.

**Cape Cod Human Services** provides a wide range of quality assured human services (outpatient mental health, psychiatric evaluation and medication follow up, and substance abuse and education) and clinical care by professional personnel to promote the health and well being of individuals, couples and families.

- FY06 funding \$5,091
- The projected number of Orleans' residents to be served in FY08 is 124.

**capeAbilities, Inc.** (formerly Nauset Inc.) provides vocational rehabilitation services to residents who have disabilities and can benefit from such services but have no other means of support.

- FY07 funding \$5,827
- The projected number of Orleans' residents to be served in FY08 is 8.

**Consumer Assistance Council, Inc.** assists consumers by providing information so they are aware of their legal rights should they have difficulties dealing with a business.

- FY07 funding \$112
- The projected number of Orleans' residents to be served in FY08 is 150.

**Elder Services of Cape Cod and the Islands** provides many programs including Meals-on-Wheels, a Home Care Program, Protective Services, Elder At Risk Program, Family Caregiver Support, Long Term Care Screening, Nursing Home Ombudsman Program, Senior AIDES Program, Retired and Senior Volunteer Program, Money Management Program, Community Grants, Information and Referral Program and Senior Nutrition Program.

- FY07 funding \$2,547
- The projected number of Orleans' residents to be served in FY08 is 65.

**Gosnold, Inc.** provides inpatient care and offer outpatient services for all aspects of substance abuse and mental health treatment to those affected with addiction, substance abuse and/or mental health illness.

- FY07 funding \$4,672
- The projected number of Orleans' residents to be served in FY08 is 95.

**Independence House** is the only comprehensive resource center for victims of domestic violence, their children and sexual assault survivors on Cape Cod.

- FY07 funding \$4,504
- The projected number of Orleans' residents to be served in FY08 is 349.

**Interfaith Council for the Homeless of Lower Cape Cod** serves Orleans residents who are homeless or at risk of homelessness.

- FY07 funding \$3,146
- The projected number of Orleans' residents to be served in FY08 is 201.

**South Coastal Counties Legal Services, Inc.** (formerly Legal Services for Cape Cod and Islands, Inc.) provides free legal advice and representation to Orleans residents over the age of sixty, despite income, through the Elder Law Project.

- FY07 funding \$3,043
- The projected number of Orleans' residents to be served in FY08 is 55.

**Lower Cape Outreach Council, Inc.** provides emergency assistance of free food, clothing, and financial support to individuals and families, which will lead to health, productive and self-sustaining lives as part of the Cape Cod Community

- FY07 funding \$5,704
- The projected number of Orleans' residents to be served in FY08 is 156.

**NAMI of Cape Cod** is a non-profit, grassroots, self-help support and advocacy organization of families and friends of people who have serious mental illness.

- (NAMI did not apply for funding in FY07, FY06 funding \$547)
- The projected number of Orleans' residents to be served in FY08 is 150.

**Nauset Together We Can Prevention Council, Inc.** operates The Juice Bar, which is an alcohol, tobacco and other drug free club for teenagers.

- FY07 funding \$5,094
- The projected number of Orleans' residents to be served in FY08 is 40.

**Orleans After School Activities Program** provides safe, quality after school care for Orleans Elementary School students after school, during vacations and in the summer

- FY07 funding \$7,613
- The projected number of Orleans' residents to be served in FY08 is 85.

**Outer Cape Health Services, Inc.** is a federally qualified 501(3) not for profit, JCAHO-accredited community health center that provides high quality primary care to those living in or visiting the Lower and Outer Cape, regardless of their financial circumstances.

- FY07 funding \$5,094
- The projected number of Orleans' residents to be served in FY08 is 550.

**Sight Loss Services, Inc.** provides assistance to Orleans residents who are newly blind, visually impaired or affected with progressive eye disease.

- FY07 funding \$751
- The projected number of Orleans' residents to be served in FY08 is 478.

*Fiscal Year 2008 tax rate impact of \$0.018 per thousand.*

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

**FC:**         6 – YES        2 – NO        0 – ABSTAIN

Dissenting Finance Committee members want the agencies' needs reevaluated and priority given to local organizations supporting mostly Orleans residents.

**ARTICLE 20. FUND JULY 4 CELEBRATION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), or any other sum, for the purpose of funding a July 4<sup>th</sup> Celebration within the Town of Orleans. Said funds to be expended under the direction of the Town Administrator, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article would fund a July 4<sup>th</sup> fireworks display and/or parade in the Town of Orleans. The funding request could be reduced by private fund raising activities in support of the events. The Town has received \$18,000 in donations since last year's event.

*Fiscal Year 2008 tax rate impact of \$0.003 per thousand.*

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

**FC:**         8 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 21. FUND NAUSET BEACH DUNE RESTORATION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Forty Five Thousand and 00/100 Dollars (\$145,000.00), for the purpose of funding dune restoration north of the parking lot at Nauset Beach, including all expenses incidental and related thereto, provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Law Chapter 59 §21C (Proposition 2 ½) paragraphs (g) and (m), or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The Town of Orleans funded a study in 2006 by Woods Hole Group Inc. to analyze physical changes of the shoreline and dune system in the Nauset Beach

Area and to recommend management alternatives. One of the recommendations was to complete a dune restoration and enhancement program at the North end of the Nauset Beach Parking lot. By increasing the elevations of the dunes in this area by five to seven feet it will decrease the possibility of flooding occurring in the parking lot and an over-wash being created by a 25 or 50 year storm. If an over-wash is created it would then be potential habitat for Piping Plovers. If birds nested in this area it could create the need to close a portion of the Public Beach to Pedestrian traffic, drastically affecting beach revenues and tourism in Orleans.

*Fiscal Year 2008 tax rate impact of \$0.037 per thousand.*

**BOS:**        3 – YES        2 – NO        0 – ABSTAIN  
**FC:**         3 – YES        4 – NO        0 – ABSTAIN

**ARTICLE 22. AMEND THE ZONING BYLAWS SECTION 164-32, Dwellings In Commercial Structures**

To see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-32 to read as follows:

§ 164-32. Dwellings in commercial structures or accessory to commercial uses.

Dwellings in commercial structures or accessory to commercial uses may be permitted where allowed under § 164-13, subject to the following conditions:

1. General Requirements
  - a. A site plan shall be submitted and reviewed as provided in § 164-33.
  - b. Architectural Review Committee approval is required, as provided in § 164-33.1
  - c. Prior to occupancy of any dwelling unit in a commercial structure, screening as described in § 164-34D(1) and as required under Site Plan approval must be installed along side and rear lot lines, except in the Village Center District.
  
2. Village Center District

Up to three (3) units may be permitted on a lot either within the commercial structure or in a separate structure located on the same lot<sup>1</sup>. The following criteria must be met:

  - a. In mixed use buildings, first floor units fronting on streets shall be reserved for commercial uses.
  - b. Any building used exclusively for residential purposes must be located behind other buildings that have frontage on the street. In no case shall any building used exclusively for residential purposes front the street.

- c. In the event of a corner lot the Site Plan Review Committee shall determine which street frontage will be the primary street frontage.
- d. At least 30% of the floor area on the parcel shall be used for commercial purposes.
- e. One (1) off-street parking space will be required for each dwelling unit. When units with two (2) or more bedrooms are proposed parking must be provided that meets the requirements of § 164-34 or an affidavit must be supplied to the building commissioner indicating the provision, through a shared parking agreement or other means, of the off-street parking spaces.

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.
- 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.

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

(2/3 vote required)

**SUMMARY**

The article seeks to re-organize the regulations concerning Dwellings in Commercial Structures. In order to encourage housing opportunities within the Village Center, the article would allow dwelling units to be detached from the commercial building, removes a minor open space requirement, and requires business use to occupy 30% of the structure or lot, down from the current 50%. Finally, the article requires this type of development to be consistent with good planning principles, and requires the residential use to be behind or above the commercial use. The amendment is consistent with the goal of the Orleans Comprehensive Plan to encourage housing in the Village Center District.

<b>BOS:</b>	4 – YES	1 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 23. AMEND THE ZONING BYLAWS SECTION 164-19.1, Village Center District VC**

To see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-19.1 to add a new subsection E. to read as follows:

§ 164-19.1. Village Center District VC.

Within the Village Center District, the following use and dimensional limitations shall apply, regardless of the provisions of § 164-13, Schedule of Use Regulations:

E. Third Floor Housing. The purpose of this subsection is to allow increased building height in the Village Center District for the development of accessory dwelling units within commercial buildings. Up to four (4) dwelling units shall be allowed on lots when a portion of the units are located on the third floor of a commercial building. The following shall apply:

1. The vertical distance from the average undisturbed natural grade at the foundation on the street side of the building to the mean height between the bottom of the eave and the highest point of each ridge on a pitched roof shall not exceed 30 feet. In no instance shall the height to the top of the ridge exceed 42 feet.
2. Roof pitch. In accordance with this subsection, the roof must have a pitch greater than or equal to 8/12 (rise of eight for every twelve inch run). Flat roofs are prohibited under this section. No utility equipment may be placed on the roof other than that for solar collection.
3. Finished space on the third floor of the structure shall be used for residential purposes and in no case shall it be used for commercial purposes other than storage of goods.
4. Gabled and eyebrow dormers are permitted but the face of the dormer shall be set back at least 2 feet from the eave.
5. A site plan shall be submitted and reviewed as provided in § 164-33.
6. Architectural Review Committee approval is required, as provided in § 164-33.1
7. Where detached residential dwellings exist or are proposed on a lot, this third floor housing provision shall not be applicable for further development, unless authorized by the Zoning Board of Appeals through the issuance of a Special Permit.

And furthermore – to see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-21, Schedule of Lot, Yard and Bulk Requirements, to add a footnote under the Maximum Building Height column in the VC row to read:

<sup>1</sup> - See Section 164-19.1 E for alternative building height in the Village Center.

And furthermore - to see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-4, Definitions, to include the following new language (new language is underlined):

**Building Height:** The vertical distance from the average undisturbed existing natural grade at the foundation on the street side of the building to the top of the ridge. Except as otherwise provided in Section 164-40-2-B, the only portions of a structure permitted above the ridge line shall be chimneys, air conditioning equipment, skylights, ventilators and antennae and other like features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy and which in no event shall exceed 5 feet above the ridge line. **See Section 164-19.1 E for third floor housing allowance in the Village Center District.**

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

(2/3 vote required)

### SUMMARY

This amendment will allow third floor housing in the Village Center District. The amendment redefines how building height is measured. The proposed bylaw would allow property owners take advantage of this provision for residential purposes only. Under this section up to 4 dwelling units would be allowed, accessory to the commercial structure. Peaked roofed structures would be required, producing a desirable form of architecture. The Planning Board hopes this type of housing development will fill a workforce housing need and create a more vibrant Village Center.

Under this section, flat roofed buildings are not allowed and a minimum roof pitch of 8-over-12 is required. All proposals for housing under this section shall require approval by the Site Plan Review Committee and the Architectural Review Committee. The amendment pertains only to mixed use development within the Village Center District, and is consistent with action item HC-10 of the Orleans Comprehensive Plan.

<b>BOS:</b>	4 – YES	1 – NO	0 – ABSTAIN
<b>FC:</b>	9 – YES	0 – NO	0 – ABSTAIN

### ARTICLE 24. AMEND THE ZONING BYLAWS SECTION 164-3, Applicability

To see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-3 to remove 164-3.C.1.iv (*strikethrough language appears below to show the proposed deletion*).

§ 164-3. Applicability.

A. Noninterference. This chapter shall not interfere with or annul any other town bylaw, rule, regulation or permit, provided that, unless specifically excepted or where a conflict exists within the chapter itself, where this chapter is more stringent, it shall control.

B. Conformance. Construction or operations under a building or Special Permit shall conform to any subsequent amendment of this chapter unless the use or construction is commenced within a period of six (6) months after the issuance of the permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

C. Nonconforming Structures and Uses. Legally preexisting, nonconforming structures or uses may be continued, in accordance with G.L. c. 40A, §6, subject to the following:

1. Alteration, Reconstruction (which shall include raze and replacement), Extension or Structural Change (collectively "alteration") to Nonconforming Single or Two Family Residential Structures. Nonconforming single or two family residential structures may be altered, reconstructed, extended or structurally changed provided that such alteration does not increase the nonconforming nature of such structure.

(a) In the following circumstances alteration to a nonconforming single or two family residential structure shall not be considered an increase in the nonconforming nature of the structure and shall be allowed as of right:

- i. Alteration to a structure which complies with all current setbacks, yard, lot coverage and building height requirements but is located on a lot with insufficient area, where the alteration will also comply with all of said current requirements.
- ii. Alteration to a structure which complies with all current setbacks, yard, lot coverage and building height requirements but is located on a lot with insufficient frontage, where the alteration will also comply with all of said current requirements.
- iii. Alteration to a structure which encroaches upon one or more required yard or setback areas, where the alteration will comply with all current setback, yard, lot coverage and building height requirements; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements.
- ~~iv. Alteration to a structure which will not increase the footprint of the existing structure provided that existing height requirements shall not be exceeded.~~

(b) Except as otherwise set forth in (c) below, alteration to a nonconforming single or two family residential structure that increases the nonconforming nature of the structure may be allowed on Special Permit from the Board of Appeals provided the Board of Appeals finds that such alteration will not

be substantially more detrimental to the neighborhood than the existing nonconforming structure.

- (c) Alteration to a nonconforming single or two family residential structure in such a manner as to:
- i. create a new dimensional nonconformity, or
  - ii. intensify an existing nonconformity by extending further into a required setback area, or
  - iii. increase the height of the structure greater than the allowed height,

shall require the issuance of a variance by the Board of Appeals and the Special Permit finding required under subsection (b). Provided, however, the extension of an exterior wall or surface of an existing structure at or along the same nonconforming distance within a required setback area shall not require the issuance of a variance.

2. Alteration, Reconstruction, Extension or Structural Change (collectively "alteration") to Nonconforming Structures Other than Single and Two Family Structures. Other nonconforming structures or uses may be altered, reconstructed, extended or structurally changed on Special Permit from the Board of Appeals if the Board of Appeals finds that such alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use. The alteration of a nonconforming structure in such manner as to create a new dimensional nonconformity or to intensify an existing dimensional nonconformity, shall require the Special Permit finding and the issuance of a variance by the Board of Appeals.
3. Restoration. A nonconforming structure or use may be reconstructed or reinstated if destroyed by fire or other casualty if reconstructed or reinstated within a period of two (2) years from the date of the catastrophe, or else such reconstruction must comply with this chapter.
4. Abandonment. A nonconforming use or structure which has been abandoned or otherwise discontinued for a period of two years (2) years shall not be reestablished, and any future use of the premises shall conform to this chapter.
5. Reversion. Once changed to be conforming, no structure or use shall be permitted to revert to a nonconforming structure or use.

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

(2/3 vote required)

**SUMMARY**

The May 2006 Annual Town Meeting approved a comprehensive re-write of this section of the bylaw. At that time a change was made to allow nonconforming residential structures to expand without the need for a Special Permit. This was a change from the manner in which the Zoning Board of Appeals historically reviewed such expansions. The Board of Appeals believes that the original requirement for a Special Permit is appropriate, and the Planning Board concurs. The amendment would strike the more liberal allowance from the bylaw.

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

**ARTICLE 25. AMEND THE ZONING BYLAWS SECTION 164-22, Modifications**

To see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-22 to amend the following subsection:

164-22.D Projections. The projection of steps eaves, chimneys, cornices, bay windows, and other building elements into any required yard shall be allowed to the degree that the State Building Code allows them. In no event shall the projection of steps and stoops exceed 30 square feet in area nor shall it be covered by a structure.

And furthermore to amend 164-4 Definitions

YARD -- An area open to the sky, located between a structure or other property line and any principal structure or element thereof. ~~other than p~~ Projections allowed to encroach on building lines and yards shall only be allowed under 164-22.D, under the State Building Code. ~~Depth is to be measured perpendicular to the street or property line.~~

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

(2/3 vote required)

**SUMMARY**

Currently, there is a conflict between the Zoning Bylaw and the State Building Code, concerning the encroachment of minor building projections into required setback areas on residential lots. This proposal resolves the conflict, but limits the size and type of such encroachments.

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

**ARTICLE 26. AMEND THE ZONING BYLAWS SECTION 164-31, Apartment Development**

To see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-31 B. to read as follows: (proposed new text is underlined)

**B. Lot Area.** Minimum lot area shall equal sixty thousand (60,000) square feet contiguous buildable upland area. Seven Thousand (7,000) square feet of contiguous buildable upland area shall be provided per dwelling unit, except that in the Rural Business District fourteen thousand (14,000) square feet of contiguous buildable upland area shall be provided per dwelling unit. Alternatively, in each structure in which the floor area devoted to dwellings is less than that devoted to business, minimum lot area shall equal three thousand five hundred (3,500) square feet contiguous buildable upland area per dwelling unit, plus the area covered by the building, plus the area required for parking servicing the business use.

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

(2/3 vote required)

**SUMMARY**

The purpose of this amendment is to lower the allowable density for multifamily residential development in the Rural Business Districts. Presently multifamily development in the Rural Business Districts is allowed at the same level of density as it is in all other business districts in Town. The Orleans Comprehensive Plan recognizes the Rural Business Districts as an asset to those areas of Town and as unique business nodes that provide convenience and goods to those area residents. By lowering the allowable density in the Districts whole parcels will not be lost to residential development, and business opportunities in the area will be preserved. Multifamily development will still be an allowed use by Special Permit but will be more in scale with the smaller Rural Business Districts.

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

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

**ARTICLE 27. TRANSFER WATER SERVICE CONNECTION**

To see if the Town will vote to transfer the sum of Forty Thousand and 00/100 Dollars (\$40,000.00), or any other sum, from the Water Service Connection Funds Reserved for Appropriation Account to the Water Service Connection Account, or to take any other action relative thereto. (Board of Water Commissioners)

(Simple Majority Vote Required)

**SUMMARY**

This article would transfer funds that have been received, from a reserve account to the working account of the Water Department for the purpose of funding supplies, materials and equipment associated with the installation, maintenance and improvements of water service connections and associated capital investments.

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

**ARTICLE 28. ACCEPT COLLINS LANE LAYOUT AS A PUBLIC WAY**

To see if the Town will vote to accept the doings and report of the Selectmen filed with the Town Clerk on March 22, 2007, relative to the layout of Collins Lane as a town road, and instruct the Selectmen to accept as a gift or to purchase or take by eminent domain on behalf of the Town of Orleans the land and/or any interest in the land within the sidelines of said layout for this purpose, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**SUMMARY**

The residents of Collins Lane have petitioned the Town to lay out this road and make it a town way. The petition has received a favorable recommendation by both the Highway Manager and the Planning Board. This article will authorize the Board of Selectmen to make Collins Lane a town way.

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

**ARTICLE 29. AUTHORIZE LEASE OF NAUSET BEACH CONCESSION STAND**

To see if the Town will vote to authorize the Board of Selectmen to lease on such terms as they deem appropriate, the Nauset Beach Concession stand for a period not to exceed five (5) years, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The current agreement to operate the concession stand at Nauset Beach expired in November 2006. This Article would allow the Board of Selectmen to enter into a new contract to operate the concession stand for up to 5 years.

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

**ARTICLE 30. CHANGE OF USE FOR FORMER COMPOSTING BUILDING AT TRI-TOWN SEPTAGE TREATMENT FACILITY**

To see if the Town will vote to transfer care, custody and control of the Town land together with buildings located thereon, formerly used as the composting building at the Tri-Town Septage Treatment Facility, from the Board of Selectmen for the purpose of a municipal septage treatment plant and recreational facilities to the Board of Selectmen for a municipal septage treatment facility and Highway Department purposes, or take any other action relative thereto.

(2/3 Vote Required)

**SUMMARY**

When the Tri-Town Septage Treatment Agreement with Brewster and Eastham was extended in 2004, the compost building and approximately 3 acres of Town land was deleted from the land made subject to the continuing agreement. The compost building is vacant and the Board of Selectmen seeks the Town’s approval to permit the building to be used for Highway Department purposes, while continuing to hold the land and buildings for the additional use of septage treatment plant purposes while the Town moves forward with its wastewater planning. The land was acquired by the Town in 1981 for septage treatment plant and recreational purposes. Town Meeting approval is required for any change in the use of the building and land.

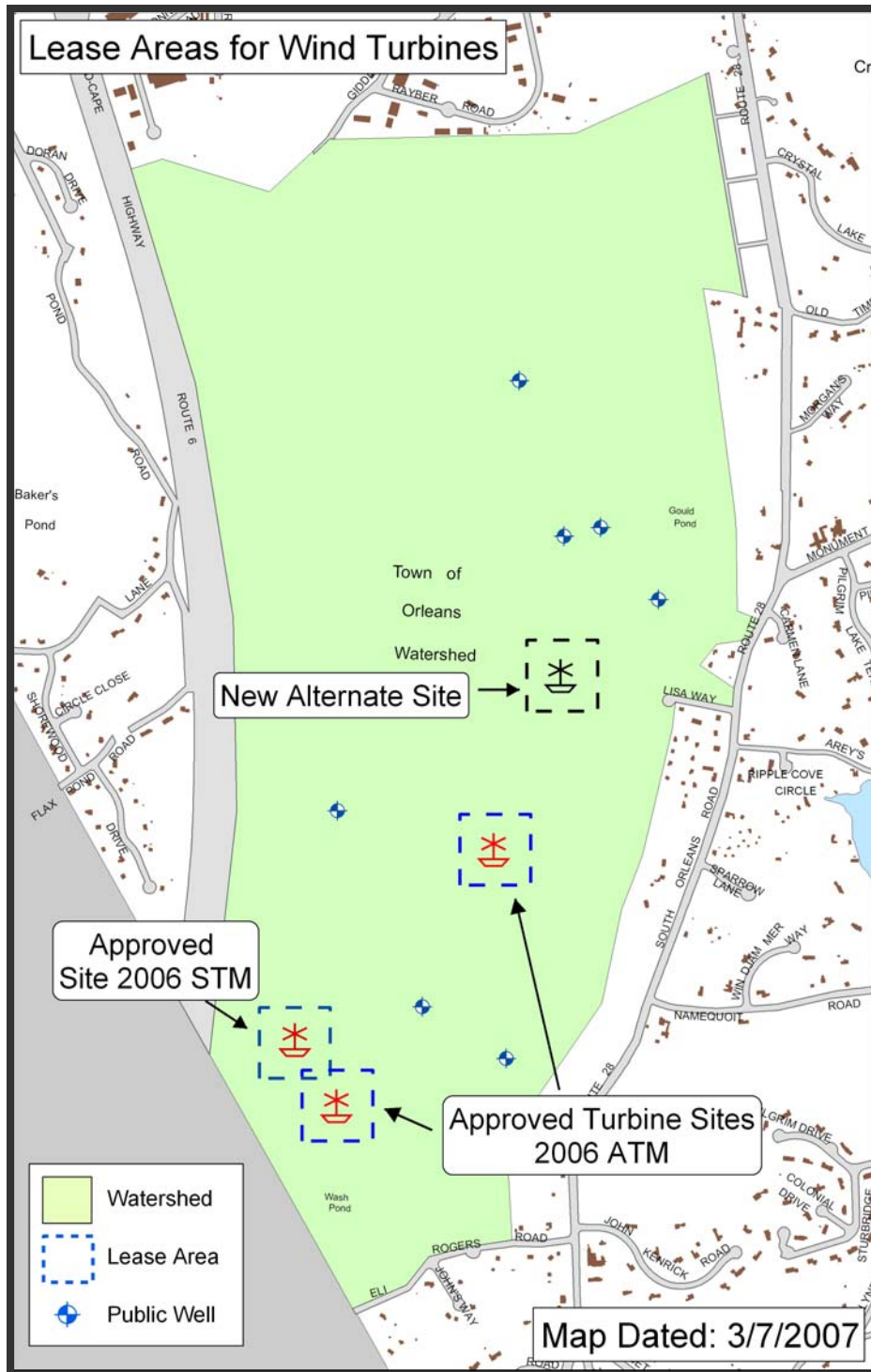
**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         6 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 31. MODIFY WIND TURBINE LEASE LOCATION IN WATERSHED**

To see if the Town will vote to further amend the action taken under Article 28 of the 2005 Annual Town Meeting which authorized the location(s) for the installation of two wind turbines in the Town Watershed, which action was previously amended under Article 29 of the 2006 Annual Town Meeting to authorize an alternative location, by further authorizing an alternative location as shown on a sketch plan entitled “Revised Lease Area for Wind Turbines”, dated March 16, 2006, on file with the Town Clerk, provided however that not more

than two wind turbines are located in the Watershed, and to ratify and confirm in all other respects the vote taken under Article 28 of the 2005 Annual Town Meeting, including without limitation petitioning the state legislature for special legislation exempting the lease so authorized from the provisions of M.G.L. Ch. 30B and Article 97 of the Amendments to the Massachusetts Constitution if required, or to take any other action relative thereto.

(Simple Majority Vote Required)



**SUMMARY**

In the course of planning for the installation of two wind energy turbines in the Town Watershed, a feasibility study determined that there were six potential turbine locations within the parcel. Upon a more detailed review and in order to minimize physical disturbance of the Watershed, it is now proposed that an alternative site be used instead of the site voted at the May 2006 Town Meeting. The alternate site would minimize cutting and filling of the existing dirt roads and costs associated with water main replacement. In addition, the energy estimate for turbine production would increase approximately 2.4%.

**BOS:** 4 – YES 1 – NO 0 – ABSTAIN

The Board of Selectmen vote is subject to final approval of the Lease and Request for Proposal by the Board of Selectmen.)

**FC:** 6 – YES 0 – NO 0 – ABSTAIN

The Finance Committee vote is subject to final approval of the Lease and Request for Proposal by the Board of Selectmen.

**ARTICLE 32. AUTHORIZE INTERMUNICIPAL AGREEMENT  
NAUSET BEACH MANAGEMENT AGREEMENT**

To see if the Town will vote pursuant to Chapter 3, Section 3-5-3 of the Orleans Home Rule Charter to authorize the Board of Selectmen, acting as the Park Commissioners, to enter into an Intermunicipal Agreement with the Town of Chatham. The Agreement sets forth the terms and conditions for the joint management of Nauset Beach (South of the Nauset Beach parking Lot) for the period May 1, 2007 through April 30, 2012. A copy of said Agreement is on file with the Town Clerk, or to take any other action relative thereto. (Park Commissioners)

(Simple Majority Vote Required)

**SUMMARY**

This article would authorize the Board of Selectmen, acting as Park Commissioners, to enter into a management agreement with the Town of Chatham for the joint management of Nauset Beach (South of the Nauset Beach Parking Lot) for the period May 1, 2007 through April 30, 2012. The Agreement provides that the Town of Orleans shall act by and through its' duly elected Park Commissioners in managing Nauset Beach and sets out the revenue disbursement and financial obligations of each Town in the joint operation of Nauset Beach.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN

**FC:** 8 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 33. ADOPT M.G.L. Ch. 32B §18 – RETIREE MEDICARE OPTION**

To see if the Town will vote to accept the provisions of MG.L. Chapter 32B §18, an act which would require that all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to the retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to transfer to a medicare extension plan offered by the town.

(Simple Majority Vote Required)

**SUMMARY**

The Board of Selectmen, in an effort to better manage rising health care costs, seeks Town Meeting approval to require municipal retirees, their spouses and dependents who are currently covered under Chapter 32B §18 and enrolled in Medicare Part A, to transfer to a medicare extension plan offered by the Town. In the event of such a transfer, acceptance of this provision requires that the benefits under the Town plan and Medicare Parts A and B together shall be at comparable actuarial value to those under the retiree’s existing coverage.

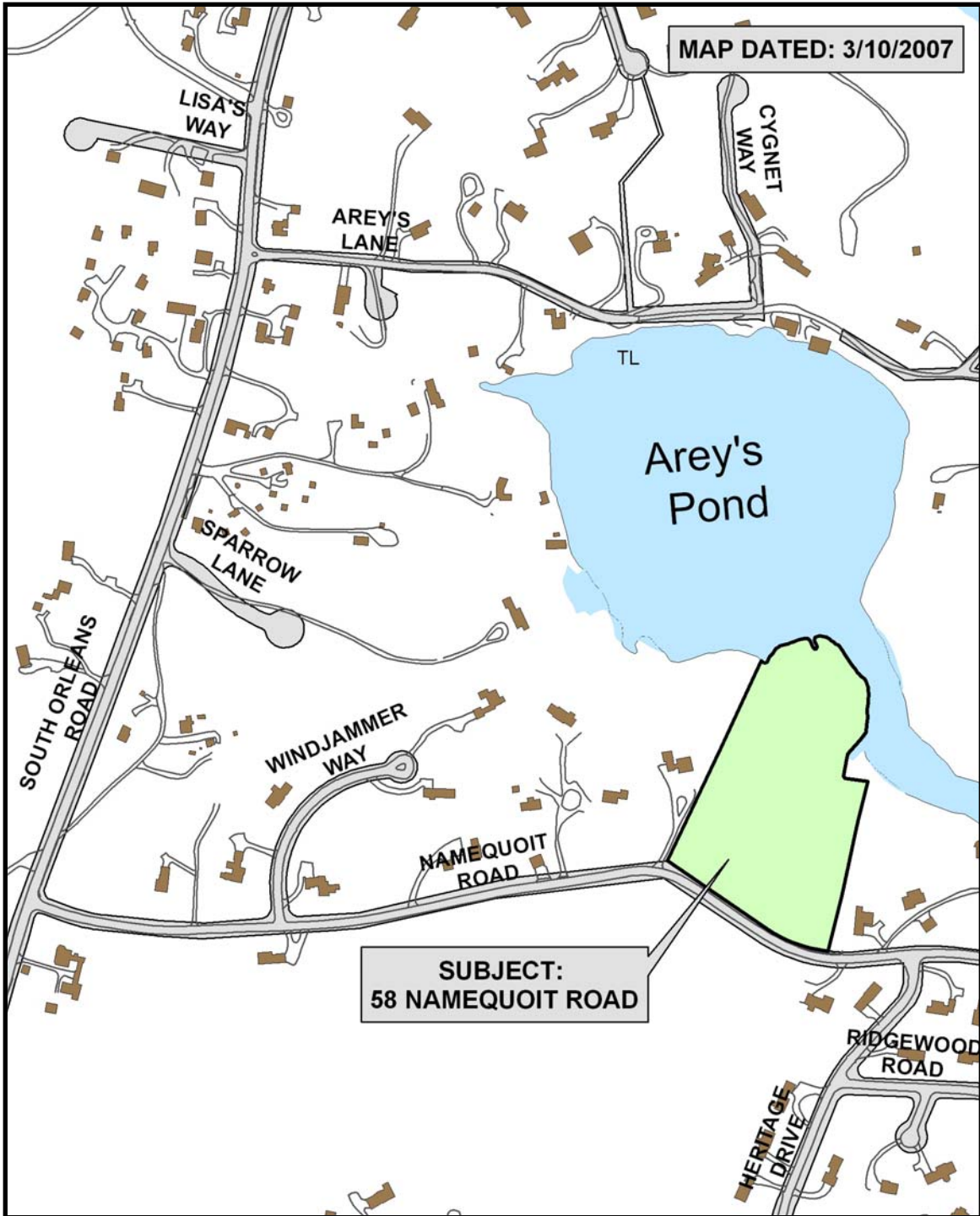
**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            1 – ABSTAIN

**ARTICLE 34. ACQUIRE LAND OWNED BY SPARROW FAMILY –  
58 NAMEQUOIT ROAD**

To see if the Town will vote to authorize and direct the Board of Selectmen to acquire by gift, by purchase, by eminent domain or otherwise, for conservation, open space, and passive recreation, all or a portion of the land located at 58 Namequoit Road, South Orleans, MA consisting of approximately 6.45 acres, shown on the Orleans Assessor’s Map 69 as Parcel 34; and being also shown as Lot 5 on plan recorded in the Barnstable Registry of Deeds in Plan Book 535 Page 43; and to raise and appropriate or transfer from available funds, or borrow a sum of money for such acquisition, provided, however, that no funds, shall be borrowed hereunder unless the Town shall have voted at an election to exempt the amounts required to pay for the bond from the limitations of Proposition 2 ½ so-called, if required; and, such land shall be under the control and management of the Conservation Commission and, further, to authorize the Board of Selectmen and/or the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursement from the Commonwealth of Massachusetts deemed necessary under the Self-Help Act (Chapter 132A, §11) and/or any others in any way connected with the scope of this article, and, further, to authorize the Board of Selectmen to negotiate the purchase of the land and to make the decision to enter into any agreement to

purchase the land and to execute any and all instruments as may be necessary on behalf of the Town, including the grant of a conservation restriction, or to take any other action relative thereto. (Open Space/CPC Committee)

(2/3 Vote Required)



**SUMMARY**

This article recommends the purchase of 6.45 acres of land fronting on Arey’s Pond and the Namequoit River for conservation, open space and passive recreation. The land extends from Namequoit Road, northerly down to the river and the pond. Approximately 50 percent of the parcel is in the Pleasant Bay Area of Critical Environmental Concern (ACEC). The land is directly across the road from John Kendrick Woods, which was purchased by the town several years ago. It is directly across the Namequoit River from the Peck property, which was purchased by the town in 2006. The area will provide public walking trails and access to the river. In addition, it will complete the protection of a wildlife corridor running from Arey’s Lane at the Peck property on the north to the Orleans Watershed on the south near John Kendrick Road. The purchase price of \$1,275,000 will be appropriated from a mitigation grant, now valued at \$540,000, received from the new Shaw’s Market at Skaket Corners, from a state grant of \$500,000 received after the purchase of the Peck property, and a local appropriation of \$235,000 subject to a debt exclusion ballot question. Thus, over 80 percent of the purchase price will come from outside grant assistance.

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

**ARTICLE 35. FUND “IN FROM THE STREETS” PROGRAM – BY PETITION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, the sum of Two Thousand and 00/100 Dollars (\$2,000.00) to fund the “In From the Streets” program sponsored by the Cape Cod Council of Churches, HAC, and Duffy health Care in Fiscal Year 2007. (By Petition)

(Simple Majority Vote Required)

**SUMMARY**

The operation "In from the Streets" shelters chronically homeless individuals living on the streets of Hyannis. The homeless people are screened and found "supported housing". They are linked to supportive services, since the goal is to help people become contributing members of society. Only 22% of these people are from the Town of Barnstable. The majority come from other Cape towns. To date, Chatham, Eastham, Harwich and Barnstable have made contributions to support this program.

*Fiscal Year 2008 tax rate impact of \$0.001 per thousand as petitioned.*

**BOS:**            3 – YES            2 – NO            0 – ABSTAIN  
**FC:**             0 – YES            6 – NO            0 – ABSTAIN

The Finance Committee recommends that human services agencies go through the established funding process, which verifies their service to Orleans residents.

**ARTICLE 36. RESCIND SELECTMEN'S POLICY STATEMENT REGARDING TEMPORARY SIGN PERMITS – BY PETITION**

To see if the Town will vote to rescind the action of the Board of Selectmen taken at their meeting of August 30, 2006 in approving a Policy Statement regarding Temporary Sign permits; said rescission would restore the Temporary Sign regulations in force under the Town of Orleans Zoning By-Laws, Article V, Section 164-35; or take any other action relative thereto. (By Petition)

(Simple Majority Vote Required)

**SUMMARY**

The Selectmen's policy went into effect after Columbus Day, October 9, 2006, and affects not-for-profit and civic organizations. Their signs are now limited in size to 2' high by 3' wide, and must fit into slots on display fences located only at Depot Square on Old Colony Way and at the intersection of Rote (*sic*) 6A and Eldredge Park Way. There are only four slots on each fence, so that Orleans organizations must vie for a spot on a first-come, first served basis; they may post only one sign on any given day, and may display the sign for ten days only. This creates a hardship for these organizations who wish to advertise their events to visitors and residents alike by limiting the public areas they can use and requiring them to incur the costs of making new signs. Further, the dimensions of the signs are inadequate and such that they cannot be read from a distance without constituting a traffic hazard.

**BOS:**            0 – YES        5 – NO        0 – ABSTAIN  
**FC:**            No significant fiscal impact

**ARTICLE 37. SOLAR ENERGY FOR TOWN HALL – BY PETITION**

To see if the Town will appropriate \$50,000 for the installation of a solar energy system on Orleans Town Hall. (By Petition)

(Simple Majority Vote Required)

**SUMMARY**

This article asks if the town will vote to appropriate \$50,000 to install a solar energy system on Orleans Town Hall.

*Fiscal Year 2008 tax rate impact of \$0.013 per thousand as petitioned.*

**BOS:**            0 – YES        4 – NO        1 – ABSTAIN  
**FC:**            0 – YES        6 – NO        0 – ABSTAIN

The Finance Committee finds insufficient analysis of specifications, cost estimates, visual impacts and other information needed to evaluate this request.

**ARTICLE 38. FREE CASH**

To see if the Town will vote to transfer from Free Cash in the Town’s Treasury a sum of money to be used for the reduction of taxes, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article would transfer from Free Cash a sum of money to reduce the taxes for Fiscal Year 2008.

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

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

**ARTICLE 39. CLOSING ARTICLE**

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

(Simple Majority Vote Required)

Given under our hands this TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND SEVEN.

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

Jon R. Fuller, Chairman  
John P. Hinckley, Jr.,  
David M. Dunford  
Mark E. Carron  
Margie Fulcher,  
ORLEANS BOARD OF SELECTMEN

Barnstable SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the said at ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

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

IN THE NAME OF The Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the MIDDLE SCHOOL GYMNASIUM in said ORLEANS on MONDAY, the SEVENTH day of MAY in the year TWO THOUSAND SEVEN at 6:30 P.M. to act on the following:

**INDEX**

Article 1.	Pay Bills of Prior Years.....	79
Article 2.	Transfer Article.....	80
	1) Fire Department Ambulance Billing Account to Fire Department Overtime Salary Account	
	2) Park and Beaches Salary Account to Parks & Beaches Expense Account	
	3) Available funds to Contingency Self-Insurance Account	
Article 3.	Fund FY08 Pavement Management Program.....	80
Article 4.	Closing Article .....	81

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

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

(9/10 Vote Required)

**SUMMARY**

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

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

**FCR:** Recommendation to be made at Town Meeting.

**ARTICLE 2. TRANSFER ARTICLE**

To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within current appropriations, such sums of money as necessary to supplement the operating budgets of the various Town departments for Fiscal Year 2007 as follows:

- 1) transfer Seventeen Thousand and 00/100 Dollars (\$17,000.00), or any other sum, from the Fire Department Ambulance Billing Account to the Fire Department Overtime Salary Account;
- 2) transfer Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), or any other sum, from the Parks and Beaches Salary Account to the Parks and Beaches Expense Account;
- 3) transfer Twenty-Eight Thousand and 00/100 Dollars (\$28,000.00), or any other sum, from available funds to the Contingency Self-Insurance Account;

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

(Simple Majority Vote Required)

**SUMMARY**

- 1) Due to the unanticipated long-term medical leave of department staff and mandatory EMS and firefighting training, overtime costs have significantly increased to cover shifts and multiple emergency calls.
- 2) This transfer will fund hiring outside contractors to perform maintenance and landscaping work, due to unanticipated medical leave of department staff and difficulty in hiring seasonal laborers.
- 3) This transfer will fund unanticipated medical costs, not covered by insurance, for public safety personnel injured-on-duty, as required by M.G.L. Ch. 41 §100.

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

**FC:**    1)        6 – YES            1 – NO            0 – ABSTAIN

The Finance Committee believes that the ambulance billing account is not the appropriate funding source for overtime, an operating expense.

2)        8 – YES            0 – NO            0 – ABSTAIN

3)        6 – YES            1 – NO            1 – ABSTAIN

Dissenting Finance Committee member believes that this item has been historically underfunded and should be addressed in the operating budget.

**ARTICLE 3. FUND FY08 PAVEMENT MANAGEMENT PROGRAM**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Five Hundred Thousand and 00/100 Dollars

(\$500,000.00) for the purpose of funding the local share of the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways, including all expenses incidental and related thereto; 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 Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

### **SUMMARY**

This article will provide the local share of the funding for the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways. The program also includes work related to roadway drainage and sidewalk projects. The town currently maintains approximately 56 miles of public roadways and uses an inventory of roadway conditions to address, on a priority basis, the long term maintenance needs of the town. Funding from this article will supplement existing appropriations, enabling the town to move forward with the completion of projects already scheduled through FY08 that may otherwise be delayed. In addition to local funding of roadway projects, the Town receives State Aid Chapter 90 funds each year; our apportionment for FY08 is \$229,000

**BOS:**            3 – YES        2 – NO        0 – ABSTAIN  
**FC:**            7 – YES        1 – NO        0 – ABSTAIN

Dissenting Finance Committee member believes the past record for this program leaves doubt about the town's ability to execute the plan that is now in place.

### **ARTICLE 4. CLOSING ARTICLE**

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

(Simple Majority Vote Required)

Given under our hands this TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND SEVEN.

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

Jon R. Fuller, Chairman  
John P. Hinckley, Jr.,  
David M. Dunford  
Mark E. Carron  
Margie Fulcher,  
ORLEANS BOARD OF SELECTMEN

Barnstable SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the said at ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

Barnstable SS:

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at Precinct #1 and Precinct #2, in the Former American Legion Building in said Orleans on Tuesday the FIFTEENTH of MAY in the year TWO THOUSAND and SEVEN from 7:00am to 8:00pm to vote on the following.

To Vote for the Election of the following Town Officers and Questions:

- 1 Moderator (1 year term)
- 2 Selectmen (3 year terms)
- 1 Board of Health (3 year term)
- 2 Constable (3 year terms)
- 1 Nauset Regional School Committee (3 year term)
- 2 Orleans Housing Authority (5 year terms)
- 2 Orleans Elementary School Committee (3 year terms)
- 2 Trustees for Snow Library (3 year terms)
- 1 Trustee for Snow Library (2 year unexpired term)

**QUESTION 1.**

Shall the Town of Orleans be allowed to assess an additional one hundred seventy-one thousand and 00/100 dollars (\$171,000.00) in real estate and personal property taxes for the purpose of funding and paying Town departmental expenses for the fiscal year beginning July 1, 2007?

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

**QUESTION 2.**

Shall the Town of Orleans be allowed to assess an additional one hundred fifty thousand and 00/100 dollars (\$150,000.00) in real estate and personal property taxes for the purpose of funding a feasibility study for pre-design engineering relative to the implementation of the comprehensive wastewater management plan (CWMP), for the fiscal year beginning July 1, 2007?

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

**QUESTION 3.**

Shall the Town of Orleans be allowed to assess an additional one hundred forty-five thousand and 00/100 dollars (\$145,000.00) in real estate and personal property taxes for the purpose of funding dune restoration north of the parking lot at Nauset Beach, including all expenses incidental and related thereto, for the fiscal year beginning July 1, 2007?

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

**QUESTION 4.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2 ½, so-called, the amounts required to pay for the bond issued in order to fund the purchase of an aerial ladder truck for the Fire Department, 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 2 ½, so-called, the amounts required to pay for the bond issued in order to fund the preparation of design plans for replacement of the bulkhead at Rock Harbor, 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 2 ½, so-called, the amounts required to pay for the bond issued in order to fund a portion of the purchase of all or a portion of the land located at 58 Namequoit Road, South Orleans, MA consisting of approximately 6.45 acres, shown on the Orleans Assessor's Map 69 as Parcel 34; and being also shown as Lot 5 on plan recorded in the Barnstable Registry of Deeds in Plan Book 535 Page 43, including all expenses incidental and related thereto?

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

**QUESTION 7.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2 ½, so called, the amounts required to pay for the bond issued in order to fund the local share of the town's ongoing pavement management program to repair, resurface and reconstruct town roadways, including all expenses incidental and related thereto?

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

And you are directed to serve this Warrant, by posting up attested copies thereof at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE in said Town, seven (7) days at least before the time of holding said Election.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the Election, as aforesaid.

Given under our hands this TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND SEVEN.

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

Jon R. Fuller, Chairman  
John P. Hinckley, Jr.,  
David M. Dunford  
Mark E. Carron  
Margie Fulcher,  
ORLEANS BOARD OF SELECTMEN

Barnstable SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the said Election Warrant at ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, EAST ORLEANS POST OFFICE seven (7) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable