

SPECIAL TOWN MEETING
"DOINGS"
October, 24, 2016

The Special Town Meeting was held on Monday, October 24, 2016 in the Nauset Regional Middle School Gym. The Special Town Meeting was opened at 6:45 p.m. when a quorum of 200 voters was declared by the Town Clerk. Election workers were: Patricia Bradley, Mary Walker, Ken Rowell, Elizabeth Peters, Molly Hidden, Megan Fates. Tellers sworn in were: Patricia Bradley, Elizabeth Peters, Ken Rowell, Cathy Southworth. Constables on duty were Paul Kelly and Mary Stevens. A total of 472 voters were in attendance.

PROCEDURAL MOTION

To dispense with the reading of the Warrant except the Preamble, conclusion and Attestation thereof.

ACTION: Voice voted, carries unanimously.

PROCEDURAL MOTION

That all Town Officials or department managers or their duly designated representative, required to attend Town Meeting pursuant to Section 2-7-3 of the charter, and Mike Domenica, Water Resources Associates, all of whom are not residents of the Town of Orleans be permitted to address the Special Town Meeting on matters affecting their office, department or organization, or projects for which they have performed services for the Town.

ACTION: Voice voted, carries by the necessary majority.

ARTICLE 1. PURCHASE PROPERTY AT 61 NAMEQUOIT ROAD

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Two Hundred Seventy Five Thousand and 00/100 Dollars (\$275,000.00), or any other sum, for the purpose of funding the purchase of the property located at 61 Namequoit Road, Orleans, MA consisting of approximately 1.96 acres, shown on the Orleans Assessor's Map 69 as Parcel 75-1 and also shown as Lot 4 on a plan recorded in the Barnstable Registry of Deeds in Plan Book 585 Page 93 and described in the deed recorded in the Barnstable Registry of Deeds in Book 27757 Page 3; including all expenses incidental and related thereto; and to further authorize and direct the Board of Selectmen to acquire the property by gift, by purchase, by eminent domain or otherwise, which property shall be held under the care, custody, control and management of the Conservation Commission for conservation purposes pursuant to Section 8C of Chapter 40 of the General Laws, and to transfer from Community Preservation Act funds the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) for such acquisition; and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00); and/or transfer from the Conservation Fund Two Hundred Thousand and 00/100 Dollars (\$200,000.00) to offset the total appropriation authorized herein; and to

further authorize the Board of Selectmen and the Conservation Commission to execute any and all documents as may be necessary on behalf of the Town to carry out the provisions of this article, or to take any other action relative thereto. Provided, however, that any borrowing authorized hereunder shall be repaid upon receipt by the Town of funds due the Town from Snow Realty Trust pursuant to Chapter 205 of the Acts of 2016, or to take any other action relative thereto. (2/3 Vote Required)

MOTION: To accept and adopt Article #1 and that the Board of Selectmen be authorized to acquire the property by purchase, and that the sum of Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00) be transferred from the Community Preservation Fund Undesignated Fund Balance, and that the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) be transferred from funds to be received in the Conservation Fund for this purpose; and that the Board of Selectmen and the Conservation Commission be authorized to take all actions necessary to carry out the acquisition of the property described in the article.

ACTION: Voice voted, motion carries by necessary 2/3 majority.

ARTICLE 2. FUND COMPREHENSIVE WATER RESOURCE MANAGEMENT PLANNING, ENGINEERING AND MANAGEMENT ACTIVITIES

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Three Million Two Hundred Twenty-Eight Thousand Two Hundred and 00/100 Dollars (\$3,228,200.00), or any other sum, for the purpose of funding an Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (2/3 Vote Required)

MOTION: To accept and adopt Article #2 and that the sum of Three Million Two Hundred Twenty-Eight Thousand Two Hundred and 00/100 Dollars (\$3,228,200.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Three Million Two Hundred Twenty Eight Thousand Two Hundred and 00/100 Dollars (\$3,228,200.00) pursuant to Massachusetts General Laws, Chapter 29C and Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefor, provided however that this vote shall not take effect until the Town

votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ACTION: Call to move the question. Motion passed by necessary majority.

ACTION: Paper Ballot per decision of the Moderator. YES = 369, NO = 98, article passes by necessary 2/3 majority.

ARTICLE 3. FUND CONSULTANT SERVICES FOR DEVELOPMENT OF COMPREHENSIVE DOWNTOWN ZONING AMENDMENT

To see if the Town will vote to transfer from available funds the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) for the purpose of securing the services of a land use professional to review and advise the Planning Board on a comprehensive zoning amendment which would allow and encourage appropriate development in the downtown districts, or to take any action relative thereto. (Simple Majority Vote Required)

MOTION: To accept and adopt Article #3 and that the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) be transferred from free cash for this purpose.

ACTION: Voice voted, carries unanimously

ARTICLE 4. FY 17 BUDGET ADJUSTMENTS

To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within current appropriations, such sums of money as necessary to supplement the operating budgets of the various Town departments for Fiscal Year 2017 as follows:

1. Transfer from the DPW Capital Outlay Account the sum of Eighty Four Thousand and 00/100 Dollars (\$84,000.00) to the DPW Salary Account for the purpose of paying actual costs for Beach personnel.
2. Transfer from the DPW Capital Outlay Account the sum of Seven Thousand and 00/100 Dollars (\$7,000.00) to the DPW Expense Account for the purpose of expanding the shark education program.
3. Transfer from the DPW Capital Outlay Account the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) to the Employee Health and Medicare Account to fund estimated costs for Natural Resources personnel.
4. Transfer the sum of Four Thousand Five Hundred and 00/100 Dollars (\$4,500.00), or any other sum, from the Building Department Salaries Account to the Building

Department Expense Account to provide for additional contracted services.

5. Transfer from Free Cash the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), or any other sum, to the Insurance Notes and Bonds Account.

Or to take any other action relative thereto. (Simple Majority Vote Required)

MOTION: To accept and adopt Article #4, and that the transfers be made from available funds for the purpose(s) set forth in the article.

ACTION: Voice voted, carries unanimously.

ARTICLE 5. 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. (9/10 Vote Required)

MOTION: To accept and adopt Article #5 and that the sum of Ninety–seven and 39/100 Dollars (\$97.39) be transferred from free cash to pay the following unpaid bills:

<u>DEPT.</u>	<u>VENDOR</u>	<u>AMOUNT</u>
DPW – Transfer Station	UniFirst Corp.	\$43.77
DPW – Harbormaster	Cape & Vineyard Electric Cooperative, Inc.	<u>\$53.62</u>
	TOTAL	\$97.39

ACTION: Voice vote carries unanimously.

ARTICLE 6. FUND ENGINEERING STUDY FOR DREDGING - BY PETITION

To see if the Town will vote to raise and appropriate Two Hundred Thousand Dollars (\$200,000) for the purpose of funding the engineering study needed to obtain permits to dredge the Narrows along with the channels and rivers into the following ponds in Nauset and Pleasant Bay estuaries: Mill, Quanset, Pah Wah, Lonnie's, Aries, and Meetinghouse or to take any other action relative thereto. (3/4 Vote Required)

MOTION: To accept and adopt Article #6 and that the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) pursuant to Massachusetts General Laws, Chapter 44 Sec. 7

(17A), or any other enabling authority, and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ACTION: Standing vote, YES = 299, NO = 8, article passes by necessary 3/4 majority.

ARTICLE 7. CLOSING ARTICLE

And to act on any other business that may legally come before the meeting.
(Simple Majority Vote Required)

MOTION: To adjourn Town Meeting.

ACTION: Voice vote carries unanimously.

Town Meeting was adjourned at 8:47 p.m.

A True Copy, Attest:

Cynthia S. May, Town Clerk