

**TOWN OF ORLEANS
TOWN MEETING WARRANTS**

for use at

**MONDAY, May 8, 2017
ANNUAL TOWN MEETING - 6:30 PM
&
SPECIAL TOWN MEETING – 6:30 PM
Nauset Middle School Gymnasium**



**ANNUAL ELECTION
TUESDAY, May 16, 2017
7:00 AM - 8:00 PM
Council on Aging Senior Center**

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

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MOTION CHART

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

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

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

ORLEANS TOWN MEETING BYLAWS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Clause 8-5-1 of the Charter reads:

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

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

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

Clause 2-7-8 of the Charter reads:

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

FINANCIAL SUMMARY

TO THE VOTERS:

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

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

The “Financial Plan” for Fiscal Years 2017 & 2018 compares revenues and expenditures adopted in FY 2017 with those proposed in FY 2018. The Plan assumes approval of all funding articles as recommended in the Annual Town Meeting warrant.

As presented for FY 2018, the total expenditures amount to \$36,843,000, an increase of \$2,174,000 or 6.3%. The total property tax levy increase would be 8.0% resulting in a tax rate of \$6.71 per thousand dollars of assessed valuation, an increase of \$0.38 or 6.0% over FY 2017.

A “Tax Rate Information” table shows the estimated tax rate increase and tax impact on a property valued at \$500,000 for articles that are funded by property taxes. Each funding article in the warrant includes a notation showing the FY 2018 tax rate impact per thousand dollars of assessed valuation.

The warrant also includes two charts that summarize the Town’s “Financing Sources” and “Expenditure Comparison By Organizational Group” adopted in FY 2017 and Proposed/Recommended for FY 2018.

Finally, the “Proposed Operating Budget” for the Fiscal Year July 1, 2017 – June 30, 2018 includes the 2017 adopted and 2018 proposed budgets and is broken down by department, line item description and dollar amounts.

For FY 2018, the total proposed operating budget is \$33,527,010 inclusive of all non-school and school expenditures. This amount represents an overall increase of \$1,998,772 or 6.3% over FY 2017. Excluding debt, non-school operating expenditures are up 2.9% and school (Orleans Elementary, Nauset Regional and Cape Cod Tech) expenditures are up 2.7% next year.

Respectfully,

John F. Kelly
Town Administrator

**FINANCIAL PLAN
FOR THE FISCAL YEARS 2017 & 2018
(\$000)**

REVENUES	ADOPTED FY 2017	PROPOSED FY 2018	DOLLAR CHANGE	PERCENT CHANGE
Property Tax				
Property Tax (Base)	21,739	22,504	765	3.5%
Statutory Increase	543	563	19	3.5%
Growth	221	158	(63)	-28.5%
Debt/Capital Exp. Exclusions	2,394	3,752	1,358	56.7%
Cape Cod Commission Act	166	170	4	2.5%
Stabilization Fund Override	509	522	13	2.5%
General Override	-	-	-	
Unused Levy Capacity	(1,294)	(1,421)	(127)	9.8%
Community Preserv. Surtax	698	724	26	3.7%
Total Property Tax	24,977	26,971	1,994	8.0%
Provision for Abatement/Exempt	(205)	(200)	5	-2.4%
Non-Property Tax				
State Aid	585	585	-	0.0%
Motor Vehicle Excise	1,123	1,145	22	2.0%
Local Receipts	2,850	2,963	113	4.0%
Water Fees	2,077	2,114	37	1.8%
Hotel/Meals Tax	572	590	17	3.0%
Free Cash	987	1,063	76	7.7%
Funds Resv. Appr./Other Avail.	1,415	1,579	164	11.6%
Community Preserv. Reserves	106	33	(73)	-69.0%
Community Preserv. State Match	181	-	(181)	-100.0%
Total Non Property Tax	9,897	10,072	175	1.8%
Total Revenues	34,669	36,843	2,174	6.3%
<i>Assessed Value (est. as of 9/27/2016)</i>	<i>3,835,374</i>	<i>3,912,081</i>	<i>76,707</i>	<i>2.0%</i>
<i>Tax Rate</i>	<i>6.33</i>	<i>6.71</i>	<i>0.38</i>	<i>6.0%</i>
EXPENDITURES				
Non-School				
Salaries and Wages	10,702	10,933	232	2.2%
Fringe Benefits	2,314	2,568	254	11.0%
Pensions	1,671	1,812	141	8.5%
General Expenses	3,641	3,548	(93)	-2.5%
State/County Assessments	581	590	9	1.6%
Sub Total - Non Sch Operating	18,907	19,451	543	2.9%
Capital Expenditures	254	167	(86)	-34.0%
Debt - Excluded (no Wastewater)	2,179	2,996	818	37.5%
Debt - Excluded (Wastewater Only)	215	755	540	250.6%
Debt - Not Excluded	110	9	(101)	-91.5%
Debt - Water Dept.	563	599	36	6.5%
Sub Total - Non Sch Capital/Debt	3,320	4,528	1,207	36.4%
Total - Non School	22,228	23,978	1,751	7.9%
School				
Nauset Regional	4,222	4,284	63	1.5%
Debt	52	49	(2)	-4.6%
NRS Capital Outlay	98	101	2	2.5%
Sub Total - NRS	4,371	4,434	63	1.4%
Orleans Elementary	3,683	3,721	39	1.1%
Fringe Benefits	865	925	61	7.0%
Pensions	112	158	45	40.3%
OES Capital Outlay/Spec. Articles	20	20	-	0.0%
Sub Total - OES	4,680	4,824	145	3.1%
C.C. Technical High	249	290	41	16.4%
Total - Schools	9,301	9,549	248	2.7%
Other Expenses				
Community Preserv. Debt	490	488	(1)	-0.3%
Community Preserv. Fund Expenses	496	268	(228)	-45.9%
Special Articles	2,155	2,559	404	18.8%
Sub Total - Other Expenses	3,141	3,316	175	5.6%
Total Expenditures	34,669	36,843	2,174	6.3%

TAX RATE INFORMATION
ESTIMATED FOR FISCAL YEAR 2018

Per tax rate increments:

TAX RATE INCREASE	MUNICIPAL REVENUE RAISED	TAX IMPACT ON \$500,000.00 PROPERTY
\$ 0.01	\$ 39,120.81	\$ 5.00
\$ 0.05	\$ 195,604.07	\$ 25.00
\$ 0.10	\$ 391,208.15	\$ 50.00
\$ 0.20	\$ 782,416.30	\$ 100.00
\$ 0.30	\$ 1,173,624.44	\$ 150.00
\$ 0.40	\$ 1,564,832.59	\$ 200.00
\$ 0.50	\$ 1,956,040.74	\$ 250.00
\$ 0.60	\$ 2,347,248.89	\$ 300.00
\$ 0.70	\$ 2,738,457.04	\$ 350.00
\$ 0.80	\$ 3,129,665.18	\$ 400.00
\$ 0.90	\$ 3,520,873.33	\$ 450.00
\$ 1.00	\$ 3,912,081.48	\$ 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	\$ 1.28
\$ 0.0128	\$ 50,000.00	\$ 6.39
\$ 0.0256	\$ 100,000.00	\$ 12.78
\$ 0.1278	\$ 500,000.00	\$ 63.90
\$ 0.2556	\$ 1,000,000.00	\$ 127.81

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 estimated valuation for Fiscal Year 2018. These figures should be considered as estimates only, since valuations can change annually.

FINANCING SOURCES
Adopted Fiscal Year 2017 vs. Proposed Fiscal Year 2018

FINANCING SOURCES	FY 2018 PERCENT OF TOTAL	FY 2017 ADOPTED	FY 2018 PROPOSED	PERCENT INCR./DECR	DOLLAR INCR./DECR
Property Tax	73%	24,771,994	26,771,019	8%	1,999,025
Water Fees	6%	2,076,836	2,113,956	2%	37,120
Local Receipts	8%	2,850,244	2,963,237	4%	112,993
Motor Vehicle Excise	3%	1,123,000	1,145,460	2%	22,460
Other Available Funds	4%	1,702,734	1,611,850	-5%	(90,884)
Free Cash	3%	986,524	1,062,832	8%	76,308
Hotel/Meals Tax	2%	572,456	589,630	3%	17,174
State Aid	2%	584,982	584,982	0%	-
Total	100%	34,668,770	36,842,966	6%	2,174,196

EXPENDITURE COMPARISON BY ORGANIZATIONAL GROUP
Adopted Fiscal Year 2017 vs. Recommended Fiscal Year 2018

ORGANIZATIONAL UNIT	FY 2017 PERCENT OF TOTAL	FY 2017 ADOPTED	FY 2018 PROPOSED	PERCENT INCR./DECR.	DOLLAR INCR./DECR.
Education (1)	26%	9,300,521	9,548,595	3%	248,074
Public Safety	15%	5,523,585	5,612,011	2%	88,426
Public Works	13%	4,821,003	4,801,958	0%	(19,045)
Debt/Capital Outlay	12%	3,066,581	4,360,106	42%	1,293,525
Fringe Benefits	7%	2,313,923	2,567,662	11%	253,739
General Government	6%	2,281,551	2,199,593	-4%	(81,958)
Special Articles	7%	2,154,798	2,559,291	19%	404,493
Pensions	5%	1,670,600	1,812,055	8%	141,455
Human Services	3%	984,646	1,022,350	4%	37,704
Culture & Recreation	2%	605,028	619,146	2%	14,118
State & County Assess.	2%	580,650	589,860	2%	9,210
Insurance	1%	380,150	393,674	4%	13,524
OTHER					
Community Preserv. Fund	2%	985,734	756,665	-23%	(229,069)
Total	100%	34,668,770	36,842,966	6%	2,174,196

(1) Includes Capital Outlay Items per NRSD Agreement.

MUNICIPAL FINANCE TERMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Fiscal Year 2017 Annual Report and Letter to the Town

Introduction

The Town of Orleans Finance Committee (“the Committee”) is charged by the Town Charter to provide an independent review of issues affecting the financial position of the Town and the taxpayers. This responsibility includes publishing an annual report and letter to the town and the taxpayers highlighting the work that the Committee has conducted during the current fiscal year. In recent years, the Committee has focused its efforts on the budgeting process, the capital budget, and new sources of revenue. During this fiscal year, the Committee has spent much of its effort on reviewing many of the financial risks that the Town faces, and some of the potential consequences of those risks. This letter is a review of those risks and the Committee’s view on how the Town may address them, as well as the Committee’s advice to the Town, the taxpayers, and the Orleans Board of Selectmen (“the Selectmen”) regarding those risks.

The Town of Orleans historically has managed its budget with a view to maintaining a property tax rate believed to be “affordable” for the average Orleans taxpayer. This has principally been achieved through spending cuts and deferred spending exclusively. The proof-point is that Orleans enjoys one of the lowest tax rates per assessed value in the Commonwealth. While any budget management strategy carries its own set of risks, the Orleans Finance Committee believes that using near-term low taxes as a strategic budget management goal, and spending cuts and deferrals as the only tools to achieve this strategy, results in material financial risks to the Town and its taxpayers. Please note that this is not an exhaustive list of all risks the Town and its taxpayers face, but an overview of the risks that the Committee considers the most critical and the most likely to be realized under current policy.

Risks Related to the Operating Budget

The Selectmen have made it a matter of policy to shape each new fiscal year’s operating budget with a view to limiting property tax increases to no more than 1.4%, below the limits imposed by Proposition 2½. It is the Selectmen’s policy that the budget itself should generally increase no more than 2.5% per year. This budget policy is meant to be operative without regard to spending needs as they may be estimated by Town officials. Since the proposed zero-based budget approach recommended by the Committee and recognized as a priority by the Selectmen has not been adopted in a materially effective way, this compounds and perpetuates existing budgets without regard for the underlying assumptions that drive them.

The Town also lacks:

1. A consistent and overarching policy on fees for services and facilities.
2. Any meaningful analysis of the actual costs of delivering a number of services to allow it to determine the level of fees that would allow various departments to pay for themselves through the application of fees.

3. Efforts to maximize potential revenue streams from revenue-generating assets, and has foregone potentially significant operating revenue opportunities over a period of many years.

The Committee has identified one major risk related to this strategy of managing for the tax rate using spending cuts and deferred spending.

Risk of Service Denial: The Town offers a wide array of services to its taxpayers. Many of these services are of a critical nature for the well-being of its taxpayers; many others are critical for the upkeep of the Town itself. Managing the operating budget specifically oriented to the tax rate ignores the fact that cuts in the operating budget to meet that goal will sooner or later result in the denial of some of these services.

Risks Related to the Capital Improvement Plan

One way that the Selectmen have, over the past several decades, sought to manage the budget with a view to minimizing taxes is to defer capital spending. The Committee has identified a number of risks associated with the deferral of capital spending.

Risk of Increased Taxes: As noted in the Committee's letter to the Selectmen dated March 23rd, 2016, deferral of capital spending does not result in lower spending over time. Inflation in the costs of goods, services, and labor generally result in a higher net cost to taxpayers once a deferred capital project is eventually executed. Deferring a significant capital cost does not lower the impact to the tax rate if that project is eventually executed. The only way to mitigate the property tax impact of a major capital project is to either: a) cancel it entirely; or b) find a non-property-tax source of revenue to help pay for it. Moving it into the future creates the almost certain risk of greater property tax increases to pay for increased costs.

Risk of Affordability to Taxpayers: Although there is no consensus on specifically what the term "affordability" means for Orleans taxpayers, there does appear to be a general consensus among participants in the discussion on the CIP that bringing the costs of the CIP forward would make the tax rate unaffordable to many Orleans taxpayers. There is a significant risk that, if the Town executes the CIP in a five-year time frame, and at the same time does not find new, non-property-tax sources of revenue, the property tax rate would increase significantly and could indeed become unaffordable for many taxpayers.

One suggestion to manage this risk is to space the spending recommended in the CIP over a longer period of time. The Committee recognizes that this alternative might be able to lower the risk of increased spending on the property tax rate in any one year. However, it does nothing to mitigate the risk of overall increased costs to taxpayers and, as noted elsewhere in this letter, risks significant overall increases in total property taxes.

The Committee would also like to note that the risk of increased property taxes is unlikely to be made up for by investment gains for anyone who, at the margin, will be materially affected by

such increased taxes. Statistics indicate that individuals and families living on retirement savings withdrawals and fixed incomes such as Social Security and pensions do not have sufficient value in their investments and savings to offset significant increases in property tax rates.¹

Risk of Increased Financing Cost: The United States economy remains for the moment in a historically low interest rate environment. The Town can currently finance its capital projects for up to five years through Bond Anticipation Notes (“BANs”) at an interest rate of approximately 0.4%. Municipal bonds issued by a AAA borrower such as the Town currently carry an annual interest rate of approximately 2.75%, well below historic rates. There is no certainty that these low rates will be maintained. Any material increase in interest rates will have a negative impact on the cost of borrowing to finance capital projects, which will lead to higher taxes for Town property owners.

Risk of Losing Other Wastewater Revenue Sources: Federal and state government agencies currently offer a number of low-cost revenue sources to fund wastewater spending. Examples include the State Revolving Fund, the Department of Agriculture, and others. These low, or in some cases, no-cost funding sources are limited in both time and amount. Deferring wastewater capital spending means that the Town may lose its eligibility for these programs, that the programs may become oversubscribed, or that the programs themselves may expire or run out of funds. Should the Town defer wastewater spending to the point where any of these funding opportunities are unavailable, and then decide to undertake that spending, the outcome would materially increase the cost to Orleans taxpayers.

A further risk of lost revenue of long-term deferral of wastewater spending is the loss of septage revenue. The current wastewater capital plan includes the construction of a septage treatment facility, which is projected to generate significant revenues to offset system operating costs. If this treatment facility is delayed too long, there is a risk that the Cape Cod septage market will permanently change and make the construction of such a facility unviable. This would increase the wastewater system’s operating costs, which increased costs would be passed on to Orleans residents.

Risk of Workplace Health and Safety Deficiencies: The Town is aware of a significant number of health and safety violations at a number of Town facilities, including Department of Public Works (“DPW”) garages, maintenance facilities, storage spaces, and other buildings and facilities. Despite being aware of these deficiencies, many of which have been publicly recognized by relevant county or state bodies, the Town has not generally taken affirmative steps to remediate or cure these deficiencies. If there is an accident or incident in which a person or private property is injured, and such incident can be attributed to one or more of these deficiencies, the Town could be found liable for any damages suffered as a result.

¹ The average saver over 60 years of age has approximately \$172,000 in savings:
<http://www.fool.com/investing/general/2015/10/03/the-average-americans-retirement-savings-by-ageand.aspx>.

Risk of Denial of Services: Many Town assets and personnel that provide critical services to the Town are, when not in active service, located in facilities inadequate for their minimum maintenance needs, and the Town is aware of these deficiencies. Should the Town be unable to render a critical service that results in an injury, death, or property damage, the Town may be held liable for any damages suffered as a result.

Risk of Facilities Failure: The Town owns and operates a number of facilities used by the public. Many of these facilities are deteriorating and in need of investment to maintain their physical plant. Should the Town continue to defer investment in these capital needs, there is a risk of significantly greater cost in the near- to medium-term if there is a critical failure in any of these facilities that would cost significantly more to fix on an emergency basis than if preventive investment been prudently maintained.

Risk of Beach Erosion: Nauset and Skaket beaches are significant revenue sources for the Town. Scientific studies indicate that there is an erosion problem at Nauset Beach that will cause it to shrink in the coming years. The Selectmen have chosen to defer investment in the proposed Nauset Beach retreat program over approximately 10 years. If erosion at Nauset Beach exceeds the projected rate, there is the risk of losing significant amounts of revenue from Nauset Beach, not only for beach parking, but, perhaps more significantly, from the related impact on businesses throughout the Town that depend on tourism that the Town presently enjoys. Deferment also carries the risk of incurring greater than anticipated investment costs for critical needs. The realization of this risk would be significant as it represents both lost revenue and increased costs, both of which would have to be borne by property tax payers.

Risk of Deferred Water Quality Investment: Orleans' waterways and water access are generally recognized as the Town's most valuable assets and one of the primary reasons that the Town has so many visitors and non-resident taxpayers. The Town has recognized that water quality has been deteriorating over many years, in some cases making some of our waterways unusable, impaired, or materially less attractive for residents and visitors. If the Town does not address its water quality issues, there is a risk that many of our water bodies will become less attractive for residents and visitors (including commercial fishermen), and generate less direct and indirect revenue than they currently do, with any revenue decrease borne by property tax payers.

Risk of Foregone Revenue: The Town relies heavily on residential taxpayers for revenue: in FY2016, approximately 92% of Town revenues came from residential property taxes. The Town has not, as a rule, sought revenue from non-property-tax sources other than the beaches and passive revenue collection from such items as excise, meals, and hotel taxes, despite the potential for significant non-tax revenue sources. There is material financial risk to taxpayers that, if the Town does not pursue additional, non-property-tax revenue sources, residential taxpayers will continue to bear an inequitable portion of town expenses.

Conclusions

The Town of Orleans faces significant financial risks in the coming years. The Finance Committee is charged with advising the Town on matters of significant financial impact. Based on our analysis of the risks outlined in this memorandum, the Committee sees five alternatives for managing the cost of increased capital spending to taxpayers, some of which might be used in combination:

- Bring the costs of the Capital Improvement Plan forward, taking the pain of a significant increase in taxes sooner rather than later, but keeping the overall cost of the CIP lower than if the spending is delayed.
- Delay the CIP over a period of years, potentially lowering the cost of property tax increases in any one year, but recognizing that this will increase the overall costs of CIP implementation over time.
- Cancel one or more projects in the CIP permanently.
- Seek non-property-tax sources of revenue to offset the cost of CIP implementation to taxpayers.
- Establish methods for tax-abatement and tax-deferral for those resident taxpayers where “affordability” can be systemically and fairly demonstrated.

In addition, the Committee recommends that the Town begin to manage its revenue-producing departments (with the exception of Fire and Rescue) on a cost basis, and that all departments that collect fees for their services determine and set their fees to cover 100% of their costs.

Finally, the Committee would recommend that the Board of Selectmen make a firm commitment that, regardless of what choice they make with regard to the Capital Improvement Plan and the property tax consequences of that choice, they commit to making further policy choices that will, under all circumstances, make those spending choices “affordable”. The Committee recommends that the Selectmen not limit themselves to using the property tax rate either as the sole source of revenue to fund the CIP, or as a simple justification for not making the critical infrastructure investments that the Town needs to continue to be a vibrant and sustainable community.

To that end, the Committee recommends that the Town pursue any and all policies to ensure the CIP’s affordability, which policies may include (but not be limited to) some of the following:

- Adopting a fee structure for the beaches as recommended in the Committee’s March 23rd, 2016 letter to the Board of Selectmen.
- Seeking grants from the Commonwealth of Massachusetts for beach stabilization.
- Setting fees for Town services to cover 100% of the costs of the delivery of such services.
- Supporting the work of the Revenue Committee and committing to implementing its recommendations to the extent they are consistent with supporting the Town’s financial goals.

- Reviewing and considering the work of the Renewable Energy Committee and supporting its recommendations to the extent that they are consistent with supporting the Town's financial goals.
- Working with private entities and investors to bring appropriate capital investment projects to the Town.
- Supporting financing structures for wastewater spending such as forty-year financing, equitable betterment charges and user fees, implementation of Property Assessed Wastewater Obligations, and other alternative sources and structures to ensure the affordability of CWRMP implementation.
- Identifying other sources of funding and financing not currently contemplated by the Town, including sources that may require changes in local or state legislation.
- Establishing meaningful tax abatement and tax-deferral policies that will ensure that necessary capital expenditures can proceed while permitting lower-income residents the ability to remain in Orleans.

Respectfully submitted,

The Orleans Finance Committee

Lynn Bruneau, Chair
Joe Cardito, Vice Chair
Joshua Larson
Peter O'Meara
George Malloy
Peter Monger
Robert Hartwell
Roger Pearson

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 EIGHTH day of MAY in the year TWO THOUSAND SEVENTEEN at 6:30 P.M. to act on the following:

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Article 2. Accept Transportation Bond Bill Funds

Article 3. Hold State Harmless for Work

Article 4. Authorization to Sell Surplus Equipment & Accept Gifts

Article 5. Adopt M.G.L. Ch. 71, Section 16B, Assessment Formula - Nauset Regional Schools

Article 6. Amend Ch. 40, Personnel Bylaw

Article 7. Adopt M.G.L. Ch. 44, Section 53E ½, Revolving Accounts

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CONSENT CALENDAR ARTICLES

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

To act upon the Annual Report of the Board of Selectmen, Town Officers and other Town Committees, Commissions and Boards as published in the 2016 Annual Town Report, and hear the report(s) of any other Town Committees reporting to Town Meeting. (Board of Selectmen)

MOTION (IF NEEDED)

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

SUMMARY

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

BOS: Voted 5-0 to recommend entire consent calendar
FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 2. ACCEPT TRANSPORTATION BOND BILL FUNDS

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

MOTION (IF NEEDED)

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

SUMMARY

This article will allow the Town to accept money from the state to perform work under the provisions of Massachusetts General Law Chapter 90, Section 34(2)(a). The Town's apportionment for FY18 is \$287,520.

BOS: Voted 5-0 to recommend entire consent calendar
FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 3. HOLD STATE HARMLESS FOR WORK

To see if the Town will vote to assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, as most recently amended by Chapter 5 of the Acts of 1955, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Management for the improvement, development,

maintenance and protection of tidal and non-tidal rivers and streams, harbors, tide-waters, foreshores and shores along a public beach, in accordance with Section 11 of Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, or to take any other action relative thereto. (Board of Selectmen)

MOTION (IF NEEDED)

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

SUMMARY

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

BOS: Voted 5-0 to recommend entire consent calendar
FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 4. AUTHORIZATION TO SELL SURPLUS EQUIPMENT & ACCEPT GIFTS

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

MOTION (IF NEEDED)

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

SUMMARY

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

BOS: Voted 5-0 to recommend entire consent calendar
FC: 5 – YES 1 – NO 0 – ABSTAIN

ARTICLE 5. ADOPT M.G.L. CH. 71, § 16B, ASSESSMENT FORMULA – NAUSET REGIONAL SCHOOLS

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

MOTION (IF NEEDED)

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

SUMMARY

This article will apportion the Nauset Regional School Assessments for FY18 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 eighteen years by town meeting vote.

BOS: Voted 5-0 to recommend entire consent calendar

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 6. AMEND CH. 40, PERSONNEL BYLAW

To see if the Town will vote to approve a 2% cost of living wage increase for the period of July 1, 2017 to June 30, 2018 (FY18) for those employees who are covered by the Personnel Bylaw Compensation Plans and those employees covered by individual contracts and employment agreements; and to approve a new seasonal Pay Plan D, which includes the position of Beach Safety Supervisor, and to approve a new section 14-1-3 which allows for high deductible PPO and HMO plans, as set forth in the amendment on file with the Town Clerk; or take any action relative thereto. (Board of Selectmen)

MOTION (IF NEEDED)

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

SUMMARY

This article provides for a 2% percent cost of living wage increase for those non-union employees covered by the Personnel Bylaw Compensation Plans and employees covered by individual contracts and employment agreements. Funding for the COLAs is included in the FY18 operating budget. The article also provides for a new seasonal Pay Plan D, which combines the current D and E plans and includes the new position of Beach Safety Supervisor. Finally, a new section 14-1-3 would allow for high deductible PPO and HMO plans with Health Savings Accounts, with the Town’s contribution funded by savings from lower plan premiums.

BOS: Voted 5-0 to recommend entire consent calendar

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 7. ADOPT M.G.L. CH. 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 Sixty Thousand and 00/100 Dollars (\$60,000.00). Monies on hand in the Account will be used to fund programs, class instructor fees, fees for reservations and tickets related to trips and functions, and an annual volunteer appreciation function. All funds to be spent under the direction of the department manager and the Town Administrator.
- 3) The Council on Aging Transportation Account, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to fund driver salaries, vehicle maintenance and other necessary expenses related to the transportation program. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 4) The Conservation Properties Account, said account not to exceed Twenty Five Thousand and 00/100 Dollars (\$25,000.00). The Account will be used to pay utility bills and other necessary expenses associated with the rental of the Town owned properties under the jurisdiction and control of the Conservation Commission. Said funds to be spent under the direction of the Conservation Commission and the Town Administrator.
- 5) The Seasonal Housing Properties Account, said account not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property on Wildflower Lane and the former Hubler property located on Beach Road. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 6) 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 the depositing of entry fees, expense reimbursements, and for awarding of cash prizes to participants in special exhibits and cultural events. Said funds to be spent under the direction of the Cultural Council and the Town Administrator.
- 7) The H.K. Cummings Collection Account, said account not to exceed Five Thousand and 00/100 Dollars (\$5,000.00). The account will be used for costs associated with reproduction and digitization of prints. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 8) The Community Building Account, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property at 44 Main Street. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 9) The Solar Credits Account, said account not to exceed Thirty Five Thousand and 00/100 Dollars (\$35,000.00). The Account will be used to pay the Town's utility bills. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 10) The Beach Inventory Account, said account not to exceed Seventy Five Thousand and 00/100 Dollars (\$75,000.00) The account will be used to purchase items for resale at Nauset Beach. Said funds to be spent under the direction of the department manager and the Town Administrator.

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

(Simple Majority Vote Required)

MOTION (IF NEEDED)

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

SUMMARY

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

- 1) A revolving fund for the 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.
- 3) A revolving fund for use by the Council on Aging to offset expenses related to the transportation program with monies collected through donations and gifts.
- 4) 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.
- 5) A revolving fund for the Gavigan and Hubler properties. Monies collected as rent from seasonal employees will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.
- 6) A revolving fund for use by the Cultural Council to award cash prizes for selected juried shows and reimburse expenses. The funds for cash prizes would be generated by the entry fee that artists pay to show their work.
- 7) A revolving fund for use by Snow Library to fund the reproduction and digitization of prints in the H.K. Cummings special collection. The funds would be transferred from an existing special revenue account and additional funding would be generated by the sale of the prints.
- 8) A revolving fund for the Community Building, also known as the Old Firehouse. Monies collected as rent from organizations using the property will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.
- 9) A revolving fund for use by the Town to pay electric bills. Eversource will not apply our net metering credits directly to our accounts, so the revolving account allows for the funds they provide to be used for that purpose.
- 10) A revolving account for use by the Natural Resources Department to collect inventory sales revenue and to purchase items for resale at Nauset Beach.

BOS: Voted 5-0 to recommend entire consent calendar
FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 8. AMEND ORLEANS MARINE AND FRESH WATER QUALITY TASK FORCE CHARGE

To see if the Town will vote to amend the actions taken under Article 40 of the May 8, 2000 Annual Town Meeting, which created the Marine and Fresh Water Quality Task Force, as follows:

The Board of Selectmen is authorized to appoint a Marine and Fresh Water Quality Task Force **Committee**, charged with protecting the Town's marine and fresh water resources by:

- ~~1. Identifying problem areas and recommending steps for remediation.~~
- ~~2. Prioritizing marine and fresh water problems with respect to environmental and economic criteria.~~
- ~~3. Devising alternatives to current practices where indicated.~~
- ~~4. Ensuring effective communication among all Town employees and agencies concerned with marine and fresh water resource management.~~
- ~~5. Development and maintenance of a database on the condition of Orleans marine resources since 1988 as a foundation for pertinent decisions at all levels of Town government.~~
- ~~6. Identifying sources of external funds and resources for protecting marine and fresh water resources and acting in concert with the Town Administrator making applications for program support.~~
- ~~7. Developing and maintaining a database of water quality in the fresh water Ponds and Lakes of Orleans and notifying all levels of Town government of problem areas.~~
- 1. Monitoring the factors that impact the ecosystem health of Orleans marine and fresh waterbodies.**
- 2. Recruiting and training a cadre of volunteers to conduct monitoring activities in accordance with established scientific procedures.**
- 3. Maintaining, repairing and updating equipment used for water sampling.**
4. Identifying problem areas, **researching solutions, reviewing external reports, and recommending steps for remediation.**
- 5. Providing technical information, data and field research to support the Town's efforts to design and carry out master planning for wastewater and stormwater disposal in an ecologically sound manner.**
- 6. Providing communications to BOS, town departments and committees to advocate for clean waterways and resolve issues.**
- 7. Alerting the Town to outside funding opportunities.**
- 8. Coordinating activities with Pleasant Bay Alliance, nearby towns, and local environmental non-profit organizations.**

- 9. **Providing liaison with consultants or contractors working on Town water quality issues, when requested.**
- 10. **Providing education and outreach to the Orleans public on the importance of improving water quality.**
- 11. **Maintaining a repository of water quality data.**

The Town further authorizes the Board of Selectmen to appoint seven (7) persons to the Marine and Fresh Water Quality ~~Task Force~~ **Committee. Members will serve three-year overlapping terms and be eligible for reappointment. The Committee will hold monthly meetings at Orleans Town Hall. Members are asked to actively contribute a minimum of 2-4 hours per month to the work of the Committee. The Committee will submit minutes of meetings to the Town Clerk within 30 days of each meeting and submit an annual report to the Town Administrator's office by January 1 each year.** No member of the ~~Task Force~~ **Committee** shall be an employee of the Town of Orleans but the appointed body shall be authorized to call upon Town employees for information and recommendations for management of Orleans' marine and fresh water resources subject to the order of the Town Administrator. **Future revisions to this charge will not have to be approved by Town Meeting but instead may be made by vote of the Board of Selectmen.**

Or to take any other action relative thereto. (Marine and Fresh Water Quality Task Force)

(Simple Majority Vote Required)

MOTION (IF NEEDED)

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

SUMMARY

With many changes occurring in the Town's pursuit of water quality in our estuaries and freshwater ponds, the Task Force feels that this is an appropriate time to update the wording in their charge to best reflect the ongoing work of this group. This article also allows any future updates to the charge to be made by the Selectmen, who are the appointing authority.

BOS: Voted 5-0 to recommend the entire consent calendar
 FC: 6 – YES 0 – NO 0 – ABSTAIN

CONSENT CALENDAR - PROPOSED MOTION

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

CONSENT CALENDAR - SUMMARY

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

BOS: 5 – YES 0 – NO 0 – ABSTAIN
FC: Voted on individual articles within the consent calendar

ARTICLE 9. TOWN / SCHOOL BUDGET

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, 2017 and ending June 30, 2018 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, 2017 - JUNE 30, 2018

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2017 ADOPTED</u>	<u>2018 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
GENERAL GOVERNMENT						
	122	<u>SELECTMEN/TOWN ADMINISTRATOR</u>				
1		SALARY	372,268	389,841	17,573	4.7%
2		EXPENSE	192,760	157,815	(34,945)	-18.1%
	TOTAL	SELECTMEN/TOWN ADMINISTRATOR	565,028	547,656	(17,372)	-3.1%
	123	<u>TELEPHONE/COMMUNICATIONS</u>				
3		EXPENSE	30,960	29,720	(1,240)	-4.0%
	TOTAL	TELEPHONE/COMMUNICATIONS	30,960	29,720	(1,240)	-4.0%
	124	<u>MEDIA OPERATIONS</u>				
4		SALARY	73,774	77,214	3,440	4.7%
5		EXPENSE	16,490	14,990	(1,500)	-9.1%
6		CAPITAL OUTLAY	17,500	17,938	438	2.5%
	TOTAL	MEDIA OPERATIONS	107,764	110,142	2,378	2.2%
	131	<u>FINANCE COMMITTEE</u>				
7		SALARY	2,314	1,500	(814)	-35.2%
8		EXPENSE	900	500	(400)	-44.4%
9		RESERVE FUND	117,875	80,000	(37,875)	-32.1%
	TOTAL	FINANCE COMMITTEE	121,089	82,000	(39,089)	-32.3%
	135	<u>FINANCE</u>				
10		SALARY	229,822	225,712	(4,110)	-1.8%
11		EXPENSE	33,118	34,033	915	2.8%
	TOTAL	FINANCE DIRECTOR	262,940	259,745	(3,195)	-1.2%
	141	<u>ASSESSING</u>				
12		SALARY	156,774	153,354	(3,420)	-2.2%
13		EXPENSE	75,990	73,550	(2,440)	-3.2%
	TOTAL	ASSESSING	232,764	226,904	(5,860)	-2.5%
	145	<u>TREASURER/COLLECTOR</u>				
14		SALARY	213,207	214,102	895	0.4%
15		EXPENSE	31,292	35,342	4,050	12.9%
	TOTAL	TREASURER/COLLECTOR	244,499	249,444	4,945	2.0%
	155	<u>MANAGEMENT INFORMATION SYSTEMS</u>				
16		SALARY	88,649	90,496	1,847	2.1%
17		EXPENSE	115,113	119,855	4,742	4.1%
18		CAPITAL OUTLAY	52,250	20,550	(31,700)	-60.7%
	TOTAL	MANAGEMENT INFORMATION SYSTEMS	256,012	230,901	(25,111)	-9.8%
	161	<u>TOWN CLERK/ELECTIONS/VOTER REG.</u>				
19		SALARY	137,597	138,222	625	0.5%
20		EXPENSE	16,915	18,245	1,330	7.9%
	TOTAL	TOWN CLERK	154,512	156,467	1,955	1.3%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2017 ADOPTED</u>	<u>2018 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	171	CONSERVATION				
21		SALARY	120,825	117,310	(3,515)	-2.9%
22		EXPENSE	4,200	3,935	(265)	-6.3%
	TOTAL	CONSERVATION	125,025	121,245	(3,780)	-3.0%
	175	PLANNING				
23		SALARY	150,273	153,305	3,032	2.0%
24		EXPENSE	14,100	13,695	(405)	-2.9%
	TOTAL	PLANNING	164,373	167,000	2,627	1.6%
	176	ZONING BOARD OF APPEALS				
25		SALARY	5,000	5,105	105	2.1%
26		EXPENSE	3,800	3,800	-	0.0%
	TOTAL	ZONING BOARD OF APPEALS	8,800	8,905	105	1.2%
	195	TOWN REPORTS/TOWN MEETING				
27		EXPENSE	7,785	9,464	1,679	21.6%
	TOTAL	TOWN REPORTS/TOWN MEETING	7,785	9,464	1,679	21.6%
	TOTAL	GENERAL GOVERNMENT	2,281,551	2,199,593	(81,958)	-3.6%
		PUBLIC SAFETY				
	210	POLICE/COMMUNICATIONS				
28		SALARY	2,257,472	2,289,503	32,031	1.4%
29		EXPENSE	219,282	215,716	(3,566)	-1.6%
30		CAPITAL OUTLAY	-	-	-	
	TOTAL	POLICE/COMMUNICATIONS	2,476,754	2,505,219	28,465	1.1%
	213	FUEL				
31		EXPENSE	99,909	114,718	14,809	14.8%
	TOTAL	FUEL	99,909	114,718	14,809	14.8%
	220	FIRE/RESCUE				
32		SALARY	2,264,423	2,332,467	68,044	3.0%
33		EXPENSE	392,788	333,338	(59,450)	-15.1%
34		CAPITAL OUTLAY	-	-	-	
	TOTAL	FIRE/RESCUE (see note 1)	2,657,211	2,665,805	8,594	0.3%
	241	BUILDING				
35		SALARY	166,766	184,141	17,375	10.4%
36		EXPENSE	78,675	79,255	580	0.7%
	TOTAL	BUILDING	245,441	263,396	17,955	7.3%
	242	BUILDING CODE BOARD OF APPEALS				
37		SALARY	395	404	9	2.3%
38		EXPENSE	50	50	-	0.0%
	TOTAL	BUILDING CODE BOARD OF APPEALS	445	454	9	2.0%
	291	EMERGENCY MANAGEMENT				
39		SALARY	28,000	46,594	18,594	66.4%
40		EXPENSE	15,825	15,825	-	0.0%
41		CAPITAL OUTLAY	-	-	-	
	TOTAL	CIVIL DEFENSE	43,825	62,419	18,594	42.4%
	TOTAL	PUBLIC SAFETY	5,523,585	5,612,011	88,426	1.6%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2017 ADOPTED</u>	<u>2018 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
EDUCATION						
	300	<u>ORLEANS ELEMENTARY SCHOOL</u>				
42		BENEFITS	977,142	1,082,999	105,857	10.8%
43		OPERATIONS	3,682,694	3,721,373	38,679	1.1%
44		CAPITAL OUTLAY	20,000	20,000	-	0.0%
	TOTAL	ORLEANS ELEMENTARY SCHOOL	4,679,836	4,824,372	144,536	3.1%
	310	<u>NAUSET REGIONAL ASSESSMENT</u>				
45		EXPENSE	4,273,290	4,333,446	60,156	1.4%
46		CAPITAL OUTLAY - NRSD AGREEMENT	98,145	100,599	2,454	2.5%
	TOTAL	NAUSET REGIONAL ASSESSMENT	4,371,435	4,434,045	62,610	1.4%
	330	<u>CAPE COD TECHNICAL ASSESSMENT</u>				
47		EXPENSE	249,250	290,179	40,929	16.4%
	TOTAL	CAPE COD TECHNICAL ASSESSMENT	249,250	290,179	40,929	16.4%
	TOTAL	EDUCATION	9,300,521	9,548,595	248,074	2.7%
PUBLIC WORKS AND FACILITIES						
	420	<u>DEPARTMENT OF PUBLIC WORKS</u>				
48		SALARY	2,573,365	2,577,370	4,005	0.2%
49		EXPENSE	915,056	946,135	31,079	3.4%
50		CAPITAL OUTLAY	59,000	-	(59,000)	-100.0%
	TOTAL	HIGHWAY	3,547,421	3,523,505	(23,916)	-0.7%
	423	<u>SNOW REMOVAL</u>				
51		SALARY	47,024	47,024	-	0.0%
52		EXPENSE	124,976	124,976	-	0.0%
	TOTAL	SNOW REMOVAL	172,000	172,000	-	0.0%
	450	<u>WATER</u>				
53		SALARY	590,287	606,809	16,522	2.8%
54		EXPENSE	386,295	370,644	(15,651)	-4.1%
55		CAPITAL OUTLAY	125,000	129,000	4,000	3.2%
	TOTAL	WATER-SRF (see note 2)	1,101,582	1,106,453	4,871	0.4%
	TOTAL	PUBLIC WORKS AND FACILITIES	4,821,003	4,801,958	(19,045)	-0.4%
HUMAN SERVICES						
	510	<u>HEALTH</u>				
56		SALARY	238,244	244,304	6,060	2.5%
57		EXPENSE	52,643	50,200	(2,443)	-4.6%
	TOTAL	HEALTH	290,887	294,504	3,617	1.2%
	541	<u>COUNCIL ON AGING</u>				
58		SALARY	541,509	580,084	38,575	7.1%
59		EXPENSE	94,650	90,289	(4,361)	-4.6%
60		CAPITAL OUTLAY	-	-	-	
	TOTAL	COUNCIL ON AGING	636,159	670,373	34,214	5.4%
	543	<u>VETERANS BENEFITS</u>				
61		EXPENSE	57,600	57,473	(127)	-0.2%
	TOTAL	VETERANS BENEFITS	57,600	57,473	(127)	-0.2%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2017 ADOPTED</u>	<u>2018 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	TOTAL	HUMAN SERVICES	984,646	1,022,350	37,704	3.8%
		CULTURE AND RECREATION				
	610	SNOW LIBRARY				
62		SALARY	441,804	456,510	14,706	3.3%
63		EXPENSE	158,313	157,963	(350)	-0.2%
64		CAPITAL OUTLAY	-	-	-	
	TOTAL	SNOW LIBRARY	600,117	614,473	14,356	2.4%
	690	OLD KINGS HIGHWAY REG DISTRICT				
65		SALARY	1,711	1,748	37	2.2%
66		EXPENSE	800	975	175	21.9%
	TOTAL	OLD KINGS HIGHWAY REG DISTRICT	2,511	2,723	212	8.4%
	692	MEMORIAL & VETERANS DAY				
67		EXPENSE	1,500	1,500	-	0.0%
	TOTAL	MEMORIAL & VETERANS DAY	1,500	1,500	-	0.0%
	699	SPECIAL EVENTS & INFORMATION				
68		EXPENSE	900	450	(450)	-50.0%
	TOTAL	SPECIAL EVENTS & INFORMATION	900	450	(450)	-50.0%
	TOTAL	CULTURE AND RECREATION	605,028	619,146	14,118	2.3%
		DEBT SERVICE				
	710	PRINCIPAL - NOTES & BONDS				
69		EXPENSE	2,431,713	3,213,504	781,791	32.1%
	TOTAL	PRINCIPAL - NOTES & BONDS	2,431,713	3,213,504	781,791	32.1%
	751	INTEREST - NOTES & BONDS				
70		EXPENSE	634,868	1,146,602	511,734	80.6%
	TOTAL	INTEREST - NOTES & BONDS	634,868	1,146,602	511,734	80.6%
	TOTAL	DEBT SERVICE	3,066,581	4,360,106	1,293,525	42.2%
		INTERGOVERNMENTAL/INSURANCE				
	820	STATE ASSESSMENTS				
71		EXPENSE	215,269	218,529	3,260	1.5%
	TOTAL	STATE ASSESSMENTS	215,269	218,529	3,260	1.5%
	830	COUNTY ASSESSMENTS				
72		SALARY	1,670,600	1,812,055	141,455	8.5%
73		EXPENSE	322,487	327,614	5,127	1.6%
	TOTAL	COUNTY ASSESSMENTS	1,993,087	2,139,669	146,582	7.4%
	840	OTHER STATE & COUNTY CHARGES				
74		EXPENSE	42,894	43,717	823	1.9%
	TOTAL	OTHER STATE & COUNTY CHARGES	42,894	43,717	823	1.9%
	912	INSURANCE NOTES AND BONDS				
75		EXPENSE	380,150	393,674	13,524	3.6%
	TOTAL	INSURANCE NOTES AND BONDS	380,150	393,674	13,524	3.6%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2017 ADOPTED</u>	<u>2018 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	913	UNEMPLOYMENT COMPENSATION				
76		EXPENSE	15,000	15,000	-	0.0%
	TOTAL	UNEMPLOYMENT COMPENSATION	15,000	15,000	-	0.0%
	914	EMPLOYEE HEALTH & MEDICARE				
77		SALARY	2,298,923	2,552,662	253,739	11.0%
	TOTAL	EMPLOYEE HEALTH & MEDICARE	2,298,923	2,552,662	253,739	11.0%
	TOTAL	INTERGOVERNMENTAL/INSURANCE	4,945,323	5,363,251	417,928	8.5%
	GRAND TOTAL		31,528,238	33,527,010	1,998,772	6.3%
		TOTAL OPERATING BUDGET	31,528,238	33,527,010	1,998,772	6.3%
		Assessed Value (est. as of 9/27/2016)	3,835,374	3,912,081	2.00%	
		Tax Rate	\$ 6.33	\$ 6.71	5.99%	

Note 1 \$ 500,000 of appropriations for the FY 2018 Fire/Rescue budget are offset by revenues from ambulance billings.

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

PROPOSED MOTION

I move this article be accepted and adopted and that the Town Meeting adopt the Selectmen’s proposed FY 2018 budget as printed in the warrant, and as funding therefore, to raise and appropriate the sum of Twenty Nine Million Seven Hundred Thirty One Thousand Six Hundred and 00/100 Dollars (\$29,731,600.00), appropriate from Water Fees the sum of Two Million One Hundred Thirteen Thousand Nine Hundred Fifty Six and 00/100 Dollars (\$2,113,956.00), transfer from Free Cash the sum of Eight Hundred Eighty Nine Thousand Four Hundred Eighty Nine and 00/100 Dollars (\$889,489.00), transfer from the Ambulance Receipts Reserved for Appropriation account the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), transfer from the Water Ways Improvement account the sum of One Hundred Twenty Six Thousand and 00/100 Dollars (\$126,000.00), transfer from the Cable Fees Receipts Reserved for Appropriation account the sum of One Hundred Thirty Two Thousand and 00/100 Dollars (\$132,000.00), transfer from the Municipal Insurance Fund the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), transfer from the Water Pollution Abatement Trust account the sum of Five Thousand and 00/100 Dollars (\$5,000.00), transfer from the Wetlands Protection Fund the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), and transfer from the EEA Land Grants the sum of Three Thousand Nine Hundred Sixty Five and 00/100 Dollars (\$3,965.00); for a total appropriation of Thirty Three Million Five Hundred Twenty Seven Thousand Ten and 00/100 Dollars (\$33,527,010.00).

SUMMARY

This article would set and fund the operational budgets for the normal operation for all Town functions in the amount of \$33,527,010 for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

BOS: 5 – YES 0 – NO 0 – ABSTAIN
FC: Recommendation to be made at Town Meeting

ARTICLE 10. CAPITAL IMPROVEMENTS PLAN (FY19 – FY23)

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

Project Descriptions	Adopted	Budgeted	Proposed				
	FY18	FY18	FY19	FY20	FY21	FY22	FY23
COMMUNITY PRESERVATION ACT							
Program Activity Funding	232,800	723,779	(1)	(1)	(1)	(1)	(1)
CWRMP IMPLEMENTATION (CF-27) (CF-28)							
Planning, Engineering & Adaptive Management Activities <i>(Funding TBD)</i>	5,860,500	3,733,660	4,048,300	24,040,800	3,624,640	2,166,636	1,795,479
Treatment & Disposal Site Investigations							
Non-Traditional Technologies Design, Demonstration & Implementation							
Wastewater Facilities Design							
Wastewater Facilities Construction							
Update of Amended CWMP							
Water Quality Monitoring, MEP Report & Updates							
Technical Oversight & Projects Management							
Tri-Town Septage Facility & Compost Shed Demolition <i>(Debt Exclusion)</i>	1,535,000	870,000					
DPW & NATURAL RESOURCES							
New Central Maintenance Garage and Facilities (CF-11)							
Construction <i>(Debt Exclusion)</i>	13,590,000	13,575,000					
Water Quality Drainage Improvements (NR-6)(NR-12) <i>(Stabilization Fund)</i>	173,939	173,939	178,288	182,745	187,314	191,997	196,797
Town Pavement Management Program (T-1)(T-7) <i>(Stabilization Fund)</i>	347,899	347,899	356,597	365,512	374,650	384,016	393,617
Water Department Asset Management Plan							
Replace Countryside Drive 6-inch Water Main w/8-inch <i>(Debt)</i>				11,000	115,000		
WTP Membrane Replacement (Rack 1) <i>(Water Reserves)</i>				362,000			
WTP Membrane Replacement (Rack 2) <i>(Water Reserves)</i>					362,000		
WTP Membrane Replacement (Rack 3) <i>(Water Reserves)</i>						362,000	
Chemical Containment and HVAC Improvements <i>(Water Reserves)</i>	320,000	287,000					
Replace Beach Road 8-inch Water Main with 12-inch <i>(Debt)</i>	2,445,000	1,270,000					
Well No. 7 to WTP Raw Water Main Project <i>(Debt)</i>			235,000	2,335,000			
Replace Rock Harbor Road 6-inch Water Main w/8-inch <i>(Debt)</i>						72,000	
Replace Skaket Beach Administration Building and Restrooms							
Construction <i>(Debt Exclusion)</i>	350,000	0	315,000				
Nauset Beach Dune Restoration Project at Main Parking Lot							
Phase 1 - Beach Retreat and Portable Facilities <i>(Debt Exclusion)</i>			1,000,000				
Phase 2 - Beach Retreat and Parking Reconfiguration <i>(Debt Exclusion)</i>						1,000,000	

Project Descriptions	Adopted	Budgeted	Proposed				
	FY18	FY18	FY19	FY20	FY21	FY22	FY23
DPW/NR Replace Streetsweeper (<i>Debt Exclusion</i>)							275,000
Fire Department Replace Pumper Truck (<i>Debt Exclusion</i>)					675,000		
New Ambulances (<i>Ambulance Reserves</i>)	300,000	300,000			330,000		
Water Department - Vehicles & Equipment (<i>Water Reserves</i>)	150,000	150,000	46,000		85,000	130,000	
TOTALS	26,936,738	23,858,177	8,659,185	42,401,157	6,911,804	9,414,074	3,718,793

Proposed					
FY18	FY19	FY20	FY21	FY22	FY23

Proposed Annual Funding by Source:

Community Preservation Funds	723,779						
Water Fees/Funds	1,836,000	425,000	2,856,000	714,000	720,000	160,000	
Ambulance Receipts	300,000	0	0	330,000	0	0	
CATV Fees	17,900	17,900	17,900	17,900	17,900	17,900	
Stabilization Fund - Veh & Equip (Prop. Tax)	510,000	510,000	510,000	510,000	510,000	510,000	
Stabilization Fund - Bldg & Facilities (Prop. Tax)	350,000	350,000	350,000	350,000	350,000	350,000	
Stabilization Fund - Pavement Mgmt. (Prop. Tax)	347,899	356,597	365,512	374,650	384,016	393,617	
Stabilization Fund - Water Quality Drainage (Prop. Tax)	173,939	178,288	182,745	187,314	191,997	196,797	
Wastewater Funding Sources (TBD)	3,733,660	4,048,300	24,040,800	3,624,640	2,166,636	1,795,479	
Debt Exclusions (Prop. Tax)	15,745,000	2,650,000	13,952,500	675,000	4,942,500	275,000	
Raise & Appropriate (Prop. Tax)	120,000	123,100	125,700	128,300	131,025	20,000	
Total	23,858,177	8,659,185	42,401,157	6,911,804	9,414,074	3,718,793	

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

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

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

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

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

Approved: March 29, 2017

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-11	Construct office, storage and maintenance facilities for Highway Department, Parks & Beaches and Water Department.
CF-19	Implement improvements to Town Landings as scheduled.
CF-27	Develop a wastewater management plan for the entire town
CF-28	Implement recommendations of the wastewater management plan
CF-33	Initiate consideration of potential sites for wastewater treatment
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
OS-2	Preserve 400 or more acres of high priority parcels for ground and surface water protection, conservation, recreation and other environmental purposes
T-1	Complete and utilize a Pavement Management System to develop a systematic approach to street maintenance and improvement
T-7	Fund the Highway Department at an appropriate level to support the maintenance and replacement of new and existing roads.

**CAPITAL BUDGET
FY18**

<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
COMMUNITY PRESERVATION ACT		
Program Activity Funding	\$723,779	CPA Funds
CWRMP IMPLEMENTATION		
Planning, Engineering and Adaptive Management Activities	\$3,733,660	Debt Exclusion
New Treatment & Disposal Site Investigations		
Non-Traditional Technologies Demonstration Projects		
Wastewater Facilities Design		
Water Quality Monitoring, MEP Compliance & Project Baselines		
Technical Oversight & Projects Management		
Tri-Town Septage Treatment Facility & Compost Shed Demolition	\$870,000	Debt Exclusion
DPW & NATURAL RESOURCES		
New Central Maintenance Garage Construction	\$13,575,000	Debt Exclusion
Water Quality Drainage Improvements	\$173,939	Stabilization Funds
Town Pavement Management Program	\$347,899	Stabilization Funds
Water Dept. Chemical Containment & HVAC Improvements	\$287,000	Water Reserves
Water Dept. Replace Beach Road 8-inch Water Main	\$1,270,000	Debt
NAUSET REGIONAL SCHOOLS		
5-Year Capital Plan Project Funding	\$100,000	Raise & Appropriate
MSBA CORE Project at High School - Feasibility & Schematic Design	\$1,300,000	Debt Exclusion
TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM		
Building & Facilities Master Plan Projects	\$350,000	Stabilization Funds
Media Operations	\$17,900	CATV Fees
OES Technology Improvements	\$20,000	Raise & Appropriate
Water Department	\$129,000	Water Fees

<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
TOWN VEHICLE & EQUIPMENT REPLACEMENT PROGRAM		
General Fund Departments	\$510,000	Stabilization Funds
Fire/Rescue Department Ambulance	\$300,000	Ambulance Receipts
Water Department Backhoe	\$150,000	Water Reserves
TOTAL	\$23,858,177	

Note: The following changes are being proposed to the Capital Improvements Plan since its adoption at Town Meeting in May 2016:

Projects Added: Fire Station Roof Replacement (FY19); Snow Library Roof Replacement (FY20); Nauset Estuary Dredging (FY19 and FY22); Nauset Beach Retreat Phase 2 (FY22);

Project Start Dates: Replace Skaket Beach Admin. Building (FY19 to FY20); Portanimitcut Bulkhead Replacement (FY19 to FY20); Town Cove Bulkhead Replacement (FY21 to FY22); Treatment Plant Membrane Replacements (FY19 - FY21 to FY20 - FY22);

Projects Removed: Bulkhead Replacement Designs (FY19, FY20 and FY22), OES Heating & Ventilation Design (FY18), New Traffic Signal at Fire Station (FY18), Management Information Systems (FY18 - FY23), Replace Large Dump Truck (FY19) and Replace Front End Loader (FY22). All of these items are now included in

FY19 PROJECT DESCRIPTIONS

COMMUNITY PRESERVATION ACT – PROGRAM ACTIVITY FUNDING

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

Total Project Funding:	\$723,779
Method of Financing:	Available Funds (CPA)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon use

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over the next twenty years (FY18 – FY37). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY19: WWTF – Downtown Area (\$1,762,600); Effluent Disposal (\$1,201,000); Aquaculture Propagation (\$166,000); Permeable Reactive Barriers (\$186,200); Nitrogen Removing Biofilter (\$159,000); and Other (\$573,500).

Total Estimated Cost:	\$4,048,300
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$244,922

DPW & NATURAL RESOURCES – WATER QUALITY DRAINAGE IMPROVEMENTS

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

Total Estimated Cost:	\$178,288
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

DPW & NATURAL RESOURCES – TOWN PAVEMENT MANAGEMENT PROGRAM

This is an annual appropriation for the local share of the town's pavement management program to repair, resurface, and reconstruct town roadways. The town currently maintains approximately 56 miles of public roadways. Also included under this program is work related to roadway drainage and sidewalk projects. Over the past several years the town

has compiled an inventory of the condition of all our roadways in an effort to address, on a priority basis, the long term maintenance needs. Local funding for laid out public roads is also supplemented by State Aid Chapter 90 funds, and the FY18 apportionment was \$287,520. Annual funding for roadway and drainage projects will be based on a proposed project schedule.

Total Estimated Cost:	\$356,597
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

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

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

Total Estimated Cost:	\$235,000
Method of Financing:	Bonding (25 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$5,000
Average Annual P&I	\$15,510

DPW & NATURAL RESOURCES – REPLACE SKAKET BEACH ADMIN & RESTROOMS

This project involves the demolition, removal and replacement of the existing administration building and restrooms at Skaket Beach. A new administration building would be constructed based on the selected option that meets current building codes and has ADA compliant restroom facilities.

Total Estimated Cost:	\$315,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	9 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$24,019

DPW & NATURAL RESOURCES – NAUSET BEACH DUNE RESTORATION (PHASE 1)

This project will fund the first phase of the dune restoration project at the main parking lot for Nauset Beach in accordance with the Woods Hole Group’s Outer Beach Management Plan recommendations in March 2017. Due to the accelerating rate of erosion and rising sea levels, it is estimated that the existing dune that protects the town’s 900-space parking lot will be washed away within 5 years if the town takes no action. As part of the recommended phased retreat, the first phase will involve the demolition and removal of the administration/bathrooms and snack bar buildings and filling in this area with sand, planting beach grass and installation of sand fencing. The buildings would be replaced with mobile facilities beginning in the summer of 2019. The project will be coordinated with the phased Nauset Estuary Dredging Project as a possible source of sand to bolster the back side of the dune. If the dredged sand is not available, then an upland source will be used.

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

NAUSET ESTUARY DREDGING PROJECT (PHASE 1)

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

Total Estimated Cost:	\$735,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I	\$93,713

FIRE/RESCUE DEPARTMENT ROOF REPLACEMENT

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

Total Estimated Cost:	\$350,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	3 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I	\$26,688

NAUSET REGIONAL SCHOOLS – CAPITAL PLAN PROJECT FUNDING

This items covers Orleans share of the annual capital plan project costs that are undertaken by the Nauset Regional Schools as part of their ongoing responsibilities for the maintenance and repairs of the middle school, high school and administration building facilities. Under the intermunicipal agreement for the regional school district, Orleans FY18 assessment is 19.66% of the total based on the student enrollments on October 1, 2016.

Total Estimated Cost:	\$103,100
Method of Financing:	Raise & Appropriate
Recommended Schedule:	TBD
Estimated Annual Cost O/M:	N/A

ORLEANS ELEMENTARY SCHOOL – MSBA CORE PROJECT STUDY & DESIGN

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

Total Estimated Cost:	\$250,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$19,063

TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM

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

Total Estimated Cost:	\$531,900
Method of Financing:	Reserves, Stabilization Fund, R&A or CATV
Recommended Schedule:	12 Months

TOWN VEHICLE & EQUIPMENT REPLACEMENT PROGRAM

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

Total Estimated Cost:	\$556,000
Method of Financing:	Reserves or Stabilization Fund
Recommended Schedule:	12 Months

FY20 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over the next twenty years (FY18 – FY37). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY20: Downtown Area Collection (\$6,621,500); WWTF – Downtown Area (\$14,100,900); Aquaculture Propagation (\$754,500); Permeable Reactive Barriers (\$1,754,900); and Other (\$809,000).

Total Estimated Cost:	\$24,040,800
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$1,454,468

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

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

Total Estimated Cost:	\$11,000
Method of Financing:	Bonding (25 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$2,500
Average Annual P&I	\$726

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

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

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

DPW & NATURAL RESOURCES – WELL NO. 7 TO WTP RAW WATER MAIN PROJECT

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

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

DPW & NATURAL RESOURCES – PORTANIMICUT ROAD BULKHEAD REPLACEMENT

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

Total Estimated Cost:	\$700,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$53,375

NAUSET REGIONAL SCHOOLS – HIGH SCHOOL MSBA CORE PROJECT CONSTRUCTION

The MSBA CORE Project is a very preliminary cost estimate of \$65,000,000 based on square footage and category totals and will change as Nauset progresses through the MSBA process. The MSBA separates their projects into three categories – additions/renovations, new and repairs and a more accurate estimate will result from the study funded in FY18. Under the intermunicipal agreement for the regional school district, all four towns must approve the project funding and assessments are based on school enrollments, which for Orleans results in a 19.66% share of the total based on the student enrollments on October 1, 2016.

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

SNOW LIBRARY ROOF REPLACEMENT

This project will fund the roof replacement at Snow Library.

Total Estimated Cost:	\$350,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	3 months
Estimated Annual Cost O/M:	N/A
Average Annual P&I	\$26,688

FY21 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over the next twenty years (FY18 – FY37). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY21: Aquaculture Propagation (\$250,000); Permeable Reactive Barriers (\$2,687,440); and Other (\$687,200).

Total Estimated Cost:	\$3,624,640
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$219,291

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

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

Total Estimated Cost:	\$115,000
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Estimated Annual Cost O/M:	\$2,500
Average Annual P&I	\$7,590

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

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

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

FY22 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over the next twenty years (FY18 – FY37). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY22: Downtown Area – Collection System (\$14,400); (WWTF – Downtown Area (\$76,900); Aquaculture Propagation (\$1,426,900); Permeable Reactive Barriers (\$150,636); and Other (\$497,800).

Total Estimated Cost:	\$2,166,636
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$131,081

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

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

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

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

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

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

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

This project will fund the second phase of the dune restoration project at the main parking lot for Nauset Beach in accordance with the Woods Hole Group's Outer Beach Management Plan recommendations in March 2017. Due to the accelerating rate of erosion and rising sea levels, it is estimated that the existing dune that protects the town's 900-space parking lot will be washed away within 5 years if the town takes no action. As part of the recommended approach, phase two would complete the dune restoration project that would bring in sand to bolster the back side of the existing dune, remove the first row of parking and pavement from the lot, plant beach grass, and install sand fencing. The project will be coordinated with the Nauset Estuary Dredging Project as a possible source of sand to bolster the back side of the dune. If the dredged sand is not available, then an upland source will be used.

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

NAUSET ESTUARY DREDGING PROJECT (PHASE 2)

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

Total Estimated Cost:	\$1,200,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I	\$276,000

DPW & NATURAL RESOURCES – TOWN COVE BULKHEAD REPLACEMENT

This project provides funds for the construction of the replacement of the east bulkhead and boat ramp located at the Town Cove town landing adjacent to the Goose Hummock.

This landing receives heavy commercial and recreational use from April to December annually.

Total Estimated Cost:	\$700,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$53,375

ORLEANS ELEMENTARY SCHOOL – MSBA CORE PROJECT CONSTRUCTION

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

Total Estimated Cost:	\$1,120,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$85,400

FY23 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT

The Water Quality and Wastewater Planning implementation costs for capital, design and other soft costs have been estimated over the next twenty years (FY18 – FY37). The program components have been identified with estimated costs by fiscal year. The following items are proposed for funding in FY23: Downtown Area – Collection System (\$796,800); WWTF – Downtown Area (\$76,900); Effluent Disposal (\$150,100); Aquaculture Propagation (\$221,043); Permeable Reactive Barriers (\$150,636); and Other (\$400,000).

Total Estimated Cost:	\$1,795,479
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I	\$108,626

DPW & NATURAL RESOURCES – REPLACE STREET SWEEPER

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

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

SUMMARY

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

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

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

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

As presented, the CIP includes all proposed projects for the period beginning July 1, 2018 (FY19) through June 30, 2023 (FY23). Projects that are proposed for funding in FY18 make up the Capital Budget and may be presented in one or more articles in the town meeting warrant for funding consideration. The Capital Budget projects that were included in the CIP at the May 2016 town meeting are shown in the "Adopted" column under FY18 and those projects that are being proposed for funding are shown in the "Budgeted" column under FY18.

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

BOS: 5 – YES 0 – NO 0 – ABSTAIN
FC: Recommendation to be made at Town Meeting

ARTICLE 11: FUND COMMUNITY PRESERVATION ACT PROGRAM BUDGET

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2018 Community Preservation budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund's Annual Revenues and/or available funds for the payment of debt service, undertaking of Community Preservation projects, the Administrative Expenses of the Community Preservation Committee and all other necessary and proper expenses for FY18, or take any other action relative thereto. (Community Preservation Committee)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Seven Hundred Fifty-Six Thousand Six Hundred and Sixty-Five and 00/100 Dollars (\$756,665.00) be transferred from the Community Preservation Fund for the purposes and in the amounts set forth in the article.

SUMMARY

The Community Preservation Committee recommends that the following amounts be appropriated and/or reserved from Fiscal Year 2018 Community Preservation Fund revenues, unless otherwise specified, for Fiscal Year 2018 community preservation purposes with each item considered a separate appropriation.

RECOMMENDED AMOUNT AND SOURCE

<u>PURPOSE</u>	<u>FY18 Est. Surtax</u>	<u>Housing Reserve</u>	<u>Unreserved Fund Balance</u>	<u>Total</u>
Source of Funds	\$723,779	\$ 18,860	\$ 14,026	\$756,665
<i>Appropriations:</i>				
1) Debt Service Expenses	\$488,475			\$488,475
2) Project #1 Conservation Commission Garden Fences	19,000			19,000
3) Project #2 Orleans Conservation Trust Brochure	4,050			4,050
4) Project #3 Nauset Together We Can Skateboard Park Improvements	4,974		14,026	19,000
5) Project #4 Orleans Historical Commission Preservation Consultant	9,500			9,500
6) Project #5 Homeless Prevention Council Affordable Housing Unit	91,140	18,860		110,000
7) Project #6 Historic Reserves	81,640			81,640
8) Committee Expenses	25,000			25,000
Grand Total	\$723,779	\$18,860	\$14,026	\$756,665
	UNRESERVED FUND BALANCE	HISTORIC RESOURCES	COMMUNITY HOUSING	
EST. END FUND BALANCES	\$312,577	\$262,720	\$ 81,140	

Note 1: Given the uncertainty of the State share this year, the CPC elected to not authorize any funding from the prospective annual state funding grant. Funds will be received in November and will be allocated to the Unrestricted Fund Balance and available for appropriation in FY' 19.

Project 1: Replace Fences and Gates at Community Gardens

Applicant: Conservation Commission

Amount: \$19,000

Summary: This application will fund the replacement of the fences and gates at the Community Gardens located at Sea Call Farm and at the Hopkins Gardens. The Community Gardens at Sea Call Farm consist of thirty 20 x 20 plots. The gardens at Hopkins contain 36 20 x 20 plots.

Project 2: Orleans Conservation Trust Brochure

Applicant: Orleans Conservation Trust

Amount: \$4,050

Summary: This application will fund an updated Orleans Conservation Trust Trail Brochure. The Trust has been engaged with town officials since 1970 to provide open space and outdoor recreation opportunities for residents and visitors. The Trust is the second oldest land trust on Cape Cod and the largest private landowner in Orleans. This brochure will guide users to the ten trail systems managed by the Trust.

Project 3: Nauset Together We Can Skateboard Park Improvements

Applicant: Nauset Together We Can

Amount: \$19,000

Summary: This application will fund the addition of three new elements to the Finch Skateboard Park on Eldredge Parkway. A small quarter pipe, a clamshell or corner bowl and a camel hump are currently under consideration along with a park redesign to create a better flow for the users. The budget also includes a small fee for the professional design.

Project 4: Orleans Historical Commission Preservation Consultant

Applicant: Orleans Historical commission

Amount: \$9,500

Summary: The Historical Commission needs funds to hire a historic preservation consultant to assist the Commission in the evaluation and feasibility of proposing one or more local Historic Districts in Orleans. The Commission is currently preparing a complete inventory of over 400 historic properties in Orleans. As that work proceeds, the Commission wants to be ready to consider the possibility of proposing historic districts to Town Meeting if the owners of groups of historic properties wanted to be further protected by historic district designation.

Project 5: Homeless Prevention Council Affordable Housing Unit

Applicant: Homeless Prevention Council

Amount: \$110,000

Summary: The Homeless Prevention Council seeks funding to create a new affordable housing unit at their property at 14 Old Tote Road. The Council received a grant of \$5,600 from the Affordable Housing Trust Fund and determined that a portion of their property at 14 Old tote Road could be converted to an affordable one-bedroom housing unit. This grant will be used to make the conversion and create a new deed restricted affordable unit by 2018.

Project 6: Historic Reserves

Applicant: CPC

Amount \$81,640

Summary: In order for the town to meet the CPC regulatory requirement that not less than 10% of the annual funds be set aside for historic resources, the CPC is recommending that \$81,640 be placed into the Historic Reserve account for future use. This amount is calculated by subtracting the Historic Preservation Consultant grant (\$9,500) from the 10% requirement of \$91,140.

Committee Expenses: CP Committee Voted \$25,000

The Community Preservation Act permits the Committee to allocate up to 5 per cent of annual revenues (surtax and state share) for operating administrative expenses. For FY 2016, the 5% would be \$36,188 (total revenue estimated to be \$723,779). However, the CPC is recommending that only \$25,000 be used for regular expenses including legal consultation, secretarial assistance, maintaining records and, if funding permits, additional studies directed toward realizing the Town's possibilities in the areas of recreation, open space, community housing and historic resources. Any and all unused funds at the end of the fiscal year revert to the fund balance for future projects.

BOS: 5 – YES 0 – NO 0 – ABSTAIN

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 12. FUND NEW DPW & NATURAL RESOURCES CENTRAL GARAGE AND FACILITIES CONSTRUCTION

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Thirteen Million Five Hundred Seventy Five Thousand and 00/100 Dollars (\$13,575,000.00), or any other sum, for the purpose of constructing the new Department of Public Works and Natural Resources Central Garage and Facilities located on land adjacent to the Transfer Station, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21 C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of Thirteen Million Five Hundred Seventy Five Thousand and 00/100 Dollars (\$13,575,000.00) 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 Thirteen Million Five Hundred Seventy Five Thousand and 00/100 Dollars (\$13,575,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 7 (3), or any other enabling authority, and to issue bonds or notes of the Town therefor, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

SUMMARY

In May 2016, voters approved \$900,000 to fund the design of a new Department of Public Works & Natural Resources Central Maintenance Garage and Facilities to be located on Town property adjacent to the landfill. The New DPW Facilities Building Committee has worked with consultant Weston & Sampson to design new facilities that will meet the current and long term needs of the Town and improve operational efficiency by co-locating multiple divisions within the Department, including Highway, Water, Parks & Beaches, Shellfish/Harbormaster, Transfer Station, Tree and Recreation. The new facilities will be centrally located and replace the existing Highway/Parks Department facilities on Bay Ridge Lane and Water Department garage on South Orleans Road that were constructed in the early 1960's and the Harbormaster/Shellfish garage that was behind the police station and demolished last Fall.

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

ARTICLE 13. FUND CWRMP IMPLEMENTATION – PLANNING, ENGINEERING AND ADAPTIVE MANAGEMENT

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Three Million Seven Hundred Thirty Three Thousand Six Hundred Sixty and 00/100 Dollars (\$3,733,660.00), or any other sum, for the purpose of funding implementation of the Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of Three Million Seven Hundred Thirty Three Thousand Six Hundred Sixty and 00/100 Dollars (\$3,733,660.00) 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 Seven Hundred Thirty Three Thousand Six Hundred Sixty and 00/100 Dollars (\$3,733,660.00) 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.

SUMMARY

In order to move the Amended Water Quality Plan and associated Adaptive Management Plan process forward, the Board of Selectmen proposes to fund the following activities in FY18:

1. Continued Planning and Engineering (\$2,956,560): Effluent Disposal – identify and evaluate one new potential WWTF disposal site; NT Technologies – continued demonstration evaluation for aquaculture, and prepare, design and implement a nitrogen response action plan at the landfill; Design and Construction – Collection and WWTF – prepare a preliminary design report (25% design) and utility survey for Meetinghouse Pond; and Installation of utility sleeves as part of Main Street intersection MassDOT project.
2. Adaptive Management Implementation (\$416,000): water quality monitoring for MEP compliance; MEP remodeling and report updates; Cedar Pond and Rock Harbor Creek resolution, and Fresh Water Ponds water quality management plan implementation.
3. Program Management (\$361,100): technical oversight and projects management; public engagement coordination; financial modeling and analysis; and regulatory coordination.

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

ARTICLE 14. FUND TRI-TOWN SEPTAGE FACILITY AND COMPOST SHED DEMOLITION

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Eight Hundred Seventy Thousand and 00/100 Dollars (\$870,000.00), or

any other sum, for the demolition of the Tri-Town Septage Facility and compost shed located on Overland Way, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21 C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of Eight Hundred Seventy Thousand and 00/100 Dollars (\$870,000.00) 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 Eight Hundred Seventy Thousand and 00/100 Dollars (\$870,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 7 (1), or any other enabling authority, and to issue bonds or notes of the Town therefor, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

SUMMARY

This project involves the demolition and removal of the existing septage treatment plant that is owned by the Towns of Orleans, Brewster and Eastham under an intermunicipal agreement that expired on December 31, 2016. Each town is responsible for 1/3 of the cost of removing the treatment plant facilities and Orleans is responsible for the cost of removing the Compost Shed that was conveyed to Orleans in 2005.

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

ARTICLE 15. FUND WATER DEPT. CHEMICAL CONTAINMENT AND HVAC IMPROVEMENTS

To see if the Town will vote to transfer from available funds the sum of Two Hundred Eighty Seven Thousand and 00/100 Dollars (\$287,000.00), or any other sum, for the purpose of renovating the chemical storage area located in the Water Treatment Plant, 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 Water and Sewer Commissioners)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted and the sum of Two Hundred Eighty Seven Thousand and 00/100 Dollars (\$287,000.00), be transferred from the Water Surplus Account for this purpose and for costs incidental and related thereto.

SUMMARY

The chemical storage area in the WTP is open to the main building area and likely does not meet current building codes. The corrosive environment is leading to crazing and corrosion in electrical equipment housed in the main treatment building. This project includes the installation of containment walls and doors to isolate chemical storage area from the main treatment area, installation of a limited area sprinkler system and updating HVAC system to provide code compliant air exchange in the area.

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

ARTICLE 16. FUND BEACH ROAD WATER MAIN REPLACEMENT

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds transfer the sum of One Million Two Hundred Seventy Thousand and 00/100 Dollars (\$1,270,000.00), or any other sum, for the purpose of replacing the water main on Beach Road, 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 Water and Sewer Commissioners)

(2/3 Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted and the sum of One Million Two Hundred Seventy Thousand and 00/100 Dollars (\$1,270,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of One Million Two Hundred Seventy Thousand and 00/100 Dollars (\$1,270,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 8 (5), or any other enabling authority, and to issue bonds or notes of the Town 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.

SUMMARY

This project replaces an 8-inch water main on Beach Road with a 12-inch main to improve fire flows in East Orleans as recommended in the Town's 20 year Asset Management Plan.

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

ARTICLE 17. FUND FEASIBILITY STUDY AND SCHEMATIC DESIGN OF MSBA CORE PROJECT AT NAUSET REGIONAL HIGH SCHOOL

To see if the Town will approve the One Million Three Hundred Thousand and 00/100 Dollars (\$1,300,000.00) borrowing authorized by the Nauset Regional School District, for the purpose of funding the feasibility study and schematic design of the MSBA Core project at Nauset Regional High School, 100 Cable Road, N. Eastham, MA 02651 including all expenses incidental and related thereto; (the "Study"), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the district and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA. The approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21 C (Proposition 2 1/2) its allocable share of the amounts required to pay the principal and interest of the borrowing, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the Town hereby approves the One Million Three Hundred Thousand and 00/100 Dollars (\$1,300,000.00) borrowing authorized by the Nauset Regional School District, for the purpose of paying costs of a feasibility study, for the Nauset High School 100 Cable Road, N. Eastham, Massachusetts, including the payment of all costs incidental or related thereto (the "Study"), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA), said amount to be expended at the direction of the School Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for

the Study shall be set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA. The amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA, provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on total taxes imposed by Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called).

SUMMARY

The MSBA CORE Project is a very preliminary cost estimate of \$65,000,000 for a renovation of the high school based on square footage and category totals and will change as Nauset progresses through the MSBA process. The MSBA separates their projects into three categories – additions/renovations, new and repairs and a more accurate estimate will result from the study funded in FY18. Under the intermunicipal agreement for the regional school district, all four towns must approve the project funding and assessments are based on school enrollments, which for Orleans results in an 19.66% share of the total based on the student enrollments on October 1, 2016.

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

ARTICLE 18. FUND FIRE & RESCUE DEPT. REPLACEMENT OF AMBULANCE

To see if the Town will vote to transfer from available funds the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00), or any other sum, for the purpose of purchasing a replacement ambulance in the Fire and Rescue Department, including all expenses incidental and related thereto; and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town, the proceeds from any such disposition to be applied toward the cost of acquiring said ambulance, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) be transferred from the Ambulance Receipts Reserved For Appropriation Account for this purpose and for costs incidental and related thereto.

SUMMARY

This article will allow for the replacement of an ambulance purchased in 2011 as part of the Town’s Vehicle and Equipment Replacement Program. The new ambulance will be funded by transport fees that are collected and deposited into the Ambulance Receipts Account.

BOS: 5 – YES 0 – NO 0 – ABSTAIN
FC: Recommendation to be made at Town Meeting

ARTICLE 19. FUND WATER DEPARTMENT REPLACEMENT OF BACKHOE

To see if the Town will vote to transfer from available funds the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00), or any other sum, for the purpose of purchasing a new backhoe for the Water Department, including all expenses incidental and related thereto; and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town, the proceeds from any such disposition to be applied toward the cost of acquiring said backhoe, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) be transferred from the Water Surplus Account for this purpose and for costs incidental and related thereto.

SUMMARY

This article will allow for the replacement of a backhoe purchased in 1999 under the Town’s Vehicle and Equipment Replacement Program. The backhoe will be funded through the Water Surplus Account.

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

ARTICLE 20. FUND HABITAT CONSERVATION PLAN (HCP) PERMIT COSTS

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Forty Two Thousand and 00/100 Dollars (\$42,000.00) for the purpose of funding the implementation costs, including all expenses incidental and related thereto, of the Habitat Conservation Plan (HCP) approved by the Federal and State Fish and

Wildlife Services. The HCP provides for limited over sand vehicle use of Nauset Beach south of the bathing beach parking lot during the summer migratory bird nesting season, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

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

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

ARTICLE 21. FUND WATER QUALITY DRAINAGE IMPROVEMENTS

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of One Hundred Seventy Three Thousand Nine Hundred Thirty Nine and 00/100 Dollars (\$173,939.00) into the Stabilization Fund for Water Quality Drainage Improvements, and further to transfer from this Stabilization Fund the sum of One Hundred Seventy Three Thousand Nine Hundred Thirty Nine and 00/100 Dollars (\$173,939.00) for the purpose of funding the design and construction of improvements to the town's drainage infrastructure systems, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Seventy Three Thousand Nine Hundred Thirty Nine and 00/100 Dollars (\$173,939.00) be raised and appropriated to the Stabilization Fund for Water Quality Drainage Improvements, and further to authorize the sum of One Hundred Seventy Three Thousand Nine Hundred Thirty Nine and 00/100 Dollars (\$173,939.00) to be transferred from the Stabilization Fund for Water Quality Drainage Improvements for the purpose of funding the design and construction of improvements to the town's drainage infrastructure systems, including all expenses incidental and related thereto.

SUMMARY

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

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

ARTICLE 22. FUND TOWN PAVEMENT MANAGEMENT PROGRAM

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Three Hundred Forty Seven Thousand Eight Hundred Ninety Nine and 00/100 Dollars (\$347,899.00) into the Stabilization Fund for the Town Pavement Management Program, and further to transfer from this Stabilization Fund the sum of Three Hundred Forty Seven Thousand Eight Hundred Ninety Nine and 00/100 Dollars (\$347,899.00) for the purpose of funding the local share of the town’s ongoing pavement management program to repair, resurface, and reconstruct town roadways, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of Three Hundred Forty Seven Thousand Eight Hundred Ninety Nine and 00/100 Dollars (\$347,899.00) raised and appropriated to the Stabilization Fund for the Town Pavement Management Program, and further to authorize the sum of Three Hundred Forty Seven Thousand Eight Hundred Ninety Nine and 00/100 Dollars (\$347,899.00) to be transferred from the Stabilization Fund for the Town Pavement Management Program for the purpose of funding the local share of the town’s ongoing pavement management program to repair, resurface, and reconstruct town roadways, including all expenses incidental and related thereto.

SUMMARY

This article will provide the local share of the funding for the town’s ongoing pavement management program to repair, resurface, and reconstruct town roadways. The program also includes work related to roadway drainage and sidewalk projects. The town maintains approximately 56 miles of public roadways and uses an inventory of roadway conditions to prioritize the long term maintenance needs of the town. Funding from this article will supplement existing appropriations, enabling the town to move forward with the completion of projects already scheduled through FY18 that may otherwise be

delayed. Funding for this article is an annual appropriation from the stabilization fund established for this purpose. In addition to local funding of roadway projects, the Town receives State Aid Chapter 90 funds each year; our FY18 apportionment is \$287,520.

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

ARTICLE 23. FUND OTHER POST-EMPLOYMENT BENEFITS (OPEB) LIABILITY TRUST FUND

To see if the Town will vote to raise and appropriate, and/or transfer the sum of One Hundred Seventy Three Thousand Three Hundred Forty Three and 00/100 Dollars (\$173,343.00) to be deposited in the Other Post-Employment Benefits (OPEB) Liability Trust Fund to cover the unfunded actuarial liability related to retirees' health care and other post-employment benefits, and further to authorize funds of the Town to be invested and reinvested by the Town Treasurer consistent with the prudent investor rule of M.G.L. Chapter 32B, section 20 as the same may be amended from time to time, or take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Seventy Three Thousand Three Hundred Forty Three and 00/100 Dollars (\$173,343.00) be transferred from Free Cash to be deposited in the Other Post-Employment Benefits (OPEB) Liability Trust Fund, and further to authorize funds of the Town to be invested and reinvested by the Town Treasurer consistent with the prudent investor rule of M.G.L. Chapter 32B, section 20 as the same may be amended from time to time.

SUMMARY

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

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

ARTICLE 24. FUND MAINTENANCE OF BUILDINGS AND FACILITIES

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) into the

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

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

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

ARTICLE 25. FUND PURCHASE OF MOTOR VEHICLES AND EQUIPMENT

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This article adds to the targeted Stabilization Fund under Massachusetts General Law Chapter 40, Section 5B which was established for the sole purpose of funding vehicle and equipment purchases. The Town’s 10-year Motor Vehicle Inventory and Durable Equipment Replacement Schedule identifies, prioritizes and schedules the purchase of new vehicles and equipment for all Town Departments and is updated periodically for review with the Board of Selectmen who has final approval over purchases and funding levels.

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

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

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Two Thousand Six Hundred Sixty and 00/100 Dollars (\$22,660.00), 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 and making the Town more user friendly; or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of Twenty Two Thousand Six Hundred Sixty and 00/100 Dollars (\$22,660.00), be raised and appropriated for this purpose.

SUMMARY

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

Fiscal Year 2018 tax rate impact of \$0.006 per thousand valuation.

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

ARTICLE 27. FUND HUMAN SERVICES AGENCIES

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ninety One Thousand One Hundred Fifty and 00/100 Dollars (\$91,150.00), or any other sum, to fund the following human services organizations for the period July 1, 2017 to June 30, 2018.

AIDS Support Group of Cape Cod	\$ 2,000.00
Alzheimer’s Support Group of Cape Cod	9,000.00
Big Brothers / Big Sisters of Cape Cod	2,000.00
CapeAbilities	5,900.00
Cape Cod Children’s Place	3,250.00
Cape Cod Child Development Program, Inc.	2,500.00
Consumer Assistance Council, Inc.	300.00
Elder Services of Cape Cod and the Islands, Inc.	2,500.00
Gosnold, Inc.	8,000.00
Homeless Prevention Council	9,400.00
Independence House, Inc.	4,800.00
Lower Cape Outreach Council	11,000.00
Nauset Together We Can	7,000.00
Orleans After School Activities Program	20,000.00
Sight Loss Services, Inc.	1,100.00
South Coastal Counties Legal Services, Inc.	<u>2,400.00</u>
	\$91,150.00

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant, and that the sum of Ninety One Thousand One Hundred Fifty and 00/100 Dollars (\$91,150.00) be raised and appropriated for this purpose.

SUMMARY

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

(FY17 funding: No application)

The projected number of Orleans residents to be served in FY18 is 5.

Recommended funding for FY18: \$ 2,000.00

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

(FY17 funded: \$ 8,000.00)

The projected number of Orleans residents to be served in FY18 is 75.

Recommended funding for FY18: \$ 9,000.00

Big Brothers/ Big Sisters of Cape Cod & the Islands, Inc. is an agency which provides help to children in under-resourced families on Cape Cod and Martha's Vineyard thrive by providing transformational, one to one relationships with caring adult members.

(FY17 funded: No application)

The projected number of Orleans residents to be served in FY18 is 10.

Recommended funding for FY18: \$ 2000.00

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

(FY17 funded: \$5827.00)

The projected number of Orleans residents to be served in FY18 is 15.

Recommended funding for FY18: \$ 5,900.00

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

(FY17 funded: \$ 3,000.00)

The projected number of Orleans residents to be served in FY18 is 165 families.

Recommended funding for FY18: \$ 3,250.00

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

(FY17 funded: \$2,500.00)

The projected number of Orleans residents to be served in FY 18 is 9.

Recommended funding for FY18: \$ 2500.00

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

(FY17 funded: \$300.00)

The projected number of Orleans' residents to be served in FY18 is 125.

Recommended funding for FY18: \$ 300.00

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

(FY17 funded: No application)

The projected number of Orleans residents to be served in FY18 is 95.
Recommended funding for FY18: \$ 2,500.00

Gosnold, Inc. is a not for profit Cape based organization helping individuals and families with drug and alcohol addiction and mental health issues.
(FY17 funded: \$7,500.00)

The projected number of Orleans' residents to be served in FY18 is 115.
Recommended funding for FY18: \$ 8,000.00

Homeless Prevention Council's mission is to combat and prevent homelessness with the ultimate goal of empowering individuals and families in crisis to attain and sustain self- sufficiency and preserve their housing.
(FY17 funded: \$ 8,800.00)

The projected number of Orleans' residents to be served in FY18 is 92.
Recommended funding for FY18: \$ 9,400.00

Independence House mission is to help all domestic violence and sexual assault victims and their children by creating opportunities to find safety and become empowered through crisis intervention, advocacy, counseling, referral, prevention, outreach, education and inspiring change in our community.
(FY17 funded: \$4,700.00)

The projected number of Orleans' residents to be served in FY18 is 103.
Recommended funding for FY18: \$4,800.00

Lower Cape Outreach Council, Inc. provides emergency assistance of food, clothing, and financial support to individuals and families on the Lower Cape and to provide follow up services on in the areas of employment and education.
(FY17 funded: \$10,000.00)

The projected number of Orleans' residents to be served in FY18 is 550 households.
Recommended funding for FY18: \$ 11,000.00

Nauset Together We Can mission is to provide programs and activities to support, engage and empower the youth of our community.
(FY17 funded: \$ 7,000.00)

The projected number of Orleans' residents to be served in FY18 is 25.
Recommended funding for FY18: \$ 7,000.00

Orleans After School Activities Program provides working parents quality after school care including school vacations and summer daycare. It offers a safe, nurturing, creative, fun environment for Orleans children.
(FY17 funded \$20,000.00)

The projected number of Orleans' residents to be served in FY18 is 90 families.
Recommended funding for FY18: \$ 20,000.00

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

(FY17 funded: \$ 1,000.00)

The projected number of Orleans residents served in FY18 is 90.

Recommended funding for FY18: \$ 1,100.00

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

(FY17 funded: \$ 2300.00)

The projected number of Orleans' residents to be served in FY18 is 36.

Recommended funding for FY18: \$2,400.00

Fiscal Year 2018 tax rate impact of \$0.023 per thousand valuation.

BOS: 5 – YES 0 – NO 0 – ABSTAIN

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 28. FUND FOURTH OF JULY CELEBRATION

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Eight Thousand Two Hundred and 00/100 Dollars (\$8,200.00), or any other sum, for the purpose of funding the July 4th celebration within the Town of Orleans. Said funds to be expended under the direction of the Town Administrator, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant, and that the sum of Eight Thousand Two Hundred and 00/100 Dollars (\$8,200.00) be raised and appropriated for this purpose.

SUMMARY

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

Fiscal Year 2018 tax rate impact of \$0.002 per thousand valuation.

BOS: 5 – YES 0 – NO 0 – ABSTAIN

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 29. FUND CULTURAL COUNCIL GRANTS

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

expended under the direction of the Town Administrator, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

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

Fiscal Year 2018 tax rate impact of \$0.001 per thousand valuation.

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

ARTICLE 30. FUND ELECTED OFFICIALS COMPENSATION (FY18)

To see if the Town will vote to fix the salaries of elected officials for the twelve month period beginning July 1, 2017 as follows:

- 1) Board of Selectmen (5) \$3,000.00 (each)
- 2) Board of Selectmen Chair \$ 500.00
- 3) Moderator \$ 300.00
- 4) Constables (2) \$ 150.00 (each)

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will provide funding for the Board of Selectmen, Moderator and Constables compensation for Fiscal Year 2018.

Fiscal Year 2018 tax rate impact of \$0.004 per thousand valuation.

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

ARTICLE 31. FUND UNANTICIPATED EMPLOYEE RETIREMENT BUYOUTS

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will set aside funding for unanticipated employee retirement related buyouts of unused sick leave and vacation leave in accordance with existing collective bargaining agreements. Normally, if an employee provides advance notice of their retirement plans, any buyout amount is included as part of the annual operating budget for that department.

Fiscal Year 2018 tax rate impact of \$0.009 per thousand valuation.

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

ARTICLE 32. TRANSFER WATER SERVICE CONNECTION FUNDS

To see if the Town will vote to transfer from available funds the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00), or any other sum, to the Water Special Revenue Fund - Water Services Connection Account for the purpose of maintaining water service connections, or to take any other action relative thereto. (Board of Water and Sewer Commissioners)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00) be transferred from the Water Special Revenue Fund - Fund Balance Reserved for Water Service Connections for this purpose.

SUMMARY

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

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

ARTICLE 33. AMEND GENERAL BYLAW CH. 126 – PUBLIC CONSUMPTION OF MARIJUANA

To see if the Town will vote to amend the General Bylaws of the Town of Orleans as contained in the Town Code Chapter 126 entitled Public Consumption of Marijuana” by deleting §126-2 in its entirety and inserting in place thereof the following new §126-2:

~~§ 126-2. Violations and penalties; enforcement.
This bylaw may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to MGL c. 40, § 21, or by noncriminal disposition pursuant to MGL c. 40, § 21D, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this bylaw shall be three hundred dollars (\$300.00) for each offense. Any penalty imposed under this bylaw shall be in addition to any civil penalty imposed under MGL c. 94C § 32L. For the purposes of enforcing this bylaw, any person charged with a violation of this bylaw shall be required to provide proper identification.~~

§126-2. Violations and penalties; enforcement.

This bylaw may be enforced through any lawful means in law or in equity by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. Violations of this bylaw shall be punished by a civil penalty of one hundred dollars (\$100.00) for each offense. For the purposes of enforcing this bylaw, any person charged with a violation of this bylaw shall be required to provide proper identification. This bylaw shall not be construed to limit the medical use of marijuana.

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

PROPOSED MOTION

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

SUMMARY

This article would amend the Town bylaw to reflect the state legalization of recreational marijuana use in 2016. While public consumption is still prohibited and civil penalties remain in place, all references to criminal penalties are removed.

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

ARTICLE 34. AMEND GENERAL BYLAW TO PROHIBIT MARIJUANA ESTABLISHMENTS

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

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

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

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

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

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article would establish a bylaw to prohibit marijuana establishments from receiving a state license to operate in the Town of Orleans following the passage of the statewide referendum on recreational marijuana.

BOS: Recommendation to be made at Town Meeting
FC: 2 – YES 4 – NO 0 – ABSTAIN

ARTICLE 35. AMEND GENERAL BYLAW CH. 103 – FERTILIZER NITROGEN AND PHOSPHORUS CONTROL

To see if the Town will vote to amend the Fertilizer, Nitrogen and Phosphorus Control Bylaw Chapter 103, Subsection 6 as follows:

- A. The Town of Orleans strongly recommends that nitrogen should be applied to turf and other plants at the lowest rate necessary. Any single application of nitrogen should not exceed 0.5 pounds of nitrogen per 1000 square feet, and the annual aggregate total application of nitrogen should not exceed 1.0 pounds per 1000 square feet. The application of any nitrogen should be of an organic, slow-release, water-insoluble form.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The Town's Fertilizer Nitrogen and Phosphorus Control Bylaw includes a recommendation to use only organic, slow-release nitrogen fertilizers. Such products should be of a water-insoluble form, and this article corrects the mistaken language.

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

ARTICLE 36. AMEND GENERAL BYLAW CH. 159 – WATERWAYS

To see if the Town will vote to amend the Waterways Bylaw, Chapter 159, as follows:

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- 159-1) AUTHORITY, PURPOSE AND APPLICABILITY
- 159-2) DEFINITIONS
- 159-3) NUMBERING OF ~~MOTORBOATS~~ **VESSELS**
- 159-4) ABANDONMENT AND REMOVAL OF VESSELS
- 159-5) BOATING COLLISIONS; REPORTING
- 159-6) EQUIPMENT
- 159-7) OPERATION
 - A. ~~Speed Limit and No Wake Areas~~
 - B. **Waterskiing and towed water sports**
 - C. ~~Sailboards~~ *Town Landings, ramps, floats and bulkheads*
 - D. *Aids to Navigation*
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 - I. *Negligent Operation*
- 159-8) ~~SAFETY~~ **OPERATOR'S CERTIFICATE FOR MINORS**
- 159-9) PERSONAL WATERCRAFT
- 159-10) MOORING/DOCKING REGULATIONS AND POLICIES
- 159-11) ENFORCEMENT/PENALTIES
- 159-12) JURISDICTION
- 159-13) SEVERABILITY

159-1) AUTHORITY, PURPOSE AND APPLICABILITY.

The Orleans Waterways Bylaw is written under the authority of Massachusetts General Laws Chapter 90B, Section 15. The bylaw is intended to promote the protection of public safety and welfare by encouraging voluntary compliance, and by deterring noncompliance through penalties and fines. The bylaw is a compilation of Massachusetts General Laws, CMR's, Harbormaster Regulations, the former Orleans Waterways Regulations, and various existing Orleans General Bylaws. This bylaw shall apply to all persons, vessels or objects on or using the waterways of the Town of Orleans.

159-2) DEFINITIONS.

"Boating Accident", an occurrence in which a waterborne vessel subject to this bylaw is involved, whether or not there has been any actual collision, and which results in damage by or to such vessel or its equipment, or by or to an object or person being towed, pushed or propelled by such vessel, or in which there is an injury to any person, loss of life, or disappearance of any person under circumstances which indicate the possibility of death or injury or disappearance of a vessel other than by theft.

"Certificate of Number", a document issued by the director of the Massachusetts ~~Division of Law Enforcement~~ Division of Environmental Police, upon application therefore, stating the name and address of the owner of, and the **registration** number awarded to, **and properly displayed upon**, a vessel.

"Great Pond", a natural pond the area of which is ten acres or more. **Great Ponds are owned by the Commonwealth of Massachusetts.**

"Headway Speed", the slowest speed at which a ~~personal watercraft~~ **powered vessel** may be operated and **still** maintain steerage way. ~~To be considered operating at headway speed under this bylaw the operator shall be either kneeling or sitting.~~

"Personal Watercraft", a vessel propelled by a water-jet pump or other machinery as its primary source of propulsion that is designed to be operated by a person sitting, standing or kneeling on the vessel rather than being operated in the conventional manner by a person sitting or standing inside the vessel.

"Standup Paddleboard" is a paddleboard commonly known as a SUP.

"Waterskiing", for the purpose of this bylaw, shall include towing or manipulating a surfboard, inner-tube or other similar **watersport** device **towed behind a any or riding the wake behind a** motor vessel.

"Vessel" includes all types of watercraft including non-displacement craft and seaplanes used or capable of being used as a means of transportation on water.

159-3) NUMBERING OF ~~MOTORBOATS.~~ **VESSELS**

No ~~motorboat~~ **vessel powered by machinery as primary or secondary** shall be

operated within the waters of the Town of Orleans unless said ~~boat~~ **vessel displays registration is-numbered** in accordance with Chapter 90B, Section 2, of the Massachusetts General Laws and said valid Certificate Number shall be carried ~~in~~ **onboard** the vessel at all times. **Any vessel not required to be registered must display somewhere on the vessel the owner's name, address and active phone number.**

159-4) ABANDONMENT AND REMOVAL OF VESSELS.

Any vessel, mooring or object constituting a hazard to navigation and any vessel or object improperly secured, swamped, sunk, washed ashore or found in an abandoned condition may be removed or relocated by the Harbormaster or his agent. Any expense or liability incurred therefore shall be the responsibility of the boat owner. The last owner of record of a vessel at the time it was abandoned shall be presumed to be the person who abandoned the boat.

159-5) BOATING COLLISIONS; REPORTING.

The operator of any boat involved in a collision, accident or other casualty shall, so far as he is able without serious danger to his own or other vessels or to any persons, render to other persons affected by the boating accident such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the boating accident.

The operator of any boat involved in a boating accident **where there is any personal injury or property damage greater than \$500.**, shall notify the Harbormaster within twenty-four hours of said accident, in addition to notifying all other appropriate state and federal officials.

159-6) EQUIPMENT.

In addition to any other state or federal requirements, the following equipment shall be carried on all vessels at all times, when within the waters of the Town of Orleans:

- A. U.S.C.G. Approved Personal Flotation Devices as prescribed by M.G.L. Chapter 90B, Section 5.
- B. A valid Certificate of Number, if required by M.G.L. Chapter 90B, Section 2
- C. From sunset to sunrise, lights that comply with M.G.L. Chapter 90B, Section 5.
- D. Anchor and Line adequate to hold the vessel.
- E. Bailer.
- F. Paddle.
- G. ~~Whistle~~ **Sound producing device (eg. whistle, horn) (Boats Powered vessels sixteen feet or over).**
- ~~H. Horn (Boats twenty-six feet or over).~~
- ~~I.H.~~ **Fire Extinguishers as required by M.G.L. Chapter 90B, Section 5.**
- ~~J.I.~~ **Ladder, steps or similar device for reentering the vessel when conducting towed water sports.**

159-7) OPERATION.

- A. ~~Speed Limit and No Wake Areas:~~

- (1) Vessels shall ~~not exceed five (5) miles per hour and shall~~ **operate at only headway speed so as to make no wake** in all areas listed below:
- a. The entrance to Rock Harbor, including the entire inner basin.
 - b. Meetinghouse Pond and Meetinghouse River to a point marked by a no wake buoy. ~~at the mouth of the river.~~
 - c. Lonnie's River, including the entire pond.
 - d. Arey's Pond and Namequoit River to a point marked by a no wake buoy at the mouth of the river.
 - e. Pah Wah River, including the entire pond.
 - f. The buoyed entrance into Quanset Pond, including the entire pond.
 - g. The Snow Shore/Tonset mooring area as marked by no wake buoys.
 - h. The entrance into Pochet Inlet to a point marked by a no wake buoy inside the Payson mooring area.
 - i. The mooring area at the head of the cove known as the "Yacht Club area."
 - j. The mooring area at Goose Hummock Shop.
 - k. The entire area of Mill Pond.
 - l. The mooring area at Route 28 in South Orleans.
 - m. The Narrows, from a point marked by a no wake buoy at the North end to a point marked by a no wake buoy at the South end.
- (2) In other areas, vessels shall make no wake within one hundred fifty (150) feet of: bathers, divers, piers, docks, floats, small vessels propelled by means other than machinery, vessels not underway or the shore.
- (3) No one shall operate or permit to be operated any internal combustion engine on Pilgrim Lake, Crystal Lake, or Baker's Pond in the Town of Orleans, except for the express purposes of aiding and rescue or other emergency situations, or for scientific purposes.

B. Waterskiing and all towed water sports

- (1) **All towed water sports are prohibited in all areas listed in Section 7) A.1) of this bylaw as well as in all marked vessel channels. Vessels towing should cross marked channels when necessary as close to right angles as safely possible.**
- ~~(2) Waterskiing is prohibited on all great ponds within the town, i.e. Crystal Lake and Baker's Pond.~~
- ~~(3)~~**(2) All towed water sports** ~~Waterskiing is~~ **are prohibited between sunset and sunrise or during periods of low visibility such as fog.**
- ~~(4)~~**(3)** No person shall operate any motorboat on the waters of the town towing a person or persons on water skis, a surfboard, a tube or other similar device, unless there is in such motorboat a person who has attained age twelve in addition to the operator in a position to observe the person or persons being towed, and unless such vessel is equipped with a ladder, steps or similar means by which any person being towed can be taken from the water.

~~C. Sailboards~~ **Town landings, ramps, floats and bulkheads**

~~The use of sailboards is prohibited in all marked channels and in restricted~~

~~swimming areas. If to gain access to another area, a sailboarder is to cross a marked channel, he shall do so as nearly as practicable at right angles to the flow in the marked channel.~~

Launching and retrieving facilities are for the use of all. Users are expected to be courteous at all times and wait their turn. Some ramps have designated resident-only parking during seasonal times and are well marked. Main ramp areas are primarily for trailered vessels. Paddle craft are requested to launch/retrieve outside of the main ramp areas. Staging of any kind including loading and unloading of vessels on an active ramp is prohibited during peak seasonal times. Power loading of vessels onto trailers is prohibited at all times. Courtesy docks and bulkheads are for convenient loading and unloading and waiting one's turn to retrieve and not for long-term dockage. They have designated tie-up time limits which are posted.

D. Aids to Navigation

No authorized aid to navigation in the harbors and waterways of the town shall be used as a starting, finishing or turning mark for any formal or informal race, regatta or other competition.

E. Divers; Operating Near Divers

(1) Display of Diver's Flag Required

Every scuba diver or group of scuba divers while swimming on or under the waters of the town shall display for each diver or group of divers as a warning device to boat operators, a diver's flag, so called, constructed of rigidly supported material at least twelve inches by fifteen inches in area of red background with a white diagonal stripe. Such diver's flag shall be displayed on a boat or surface float and shall extend a minimum distance of three feet from the surface of the water. Divers shall remain in an area within one hundred feet of such displayed diver's flag while at or near the surface of the water.

(2) Vessels Operating Near Diver(s)

A boat operator within sight of a diver's flag shall proceed with caution and within a radius of one hundred feet of such flag shall proceed at a **headway** speed ~~not to exceed three miles per hour.~~

F. Pollution

The discharge or disposal of petroleum products, holding tank contents, garbage, waste, rubbish or debris on the waters, shores, beaches is prohibited. The discharge of dead fish, shellfish or fish frames is prohibited in all areas listed in Section 7.A.1.

G. Overloading

No vessel may be operated in an overloaded condition. Overloaded condition means that the number of persons on board and/or the cargo being carried exceeds the manufacturers recommended limit for such vessel or is excessive given wind, water and weather conditions.

*H. ~~Canoeings/Kayakings/~~**Standup Paddleboards/Sailboards/Kite***

Boards/Wakeboards

Operators of these type vessels are encouraged to operate outside of main vessel channels and, when required to cross such channels, to do so to as close to right angles as possible.

Any person aboard a canoe or kayak **one of these vessel types** between September 15 and May 15 shall wear at all times a Coast Guard approved personal flotation device, types 1, 2, or 3.

All such vessels must be clearly marked with owner's name, address and phone number.

I. Negligent Operation

Vessel operators are responsible for their wake at all times and shall not operate in a reckless or negligent manner so as to endanger the life, safety or property of any person. Further, no person shall operate any vessel in a manner that violates Chapter 90B of the Massachusetts General Laws or any regulations thereunder.

159-8) SAFETY OPERATOR'S CERTIFICATE FOR MINORS.

An operator's certificate issued by the Massachusetts Environmental Police to the specific youth operator shall be carried on aboard every motorboat being operated by a person **between the age of thirteen (13)** and under the age of sixteen (16) years old, ~~there shall be a safety certificate issued in the name of such operator unless the operator of the motorboat is accompanied in such motorboat and~~ **when that operator is not being** supervised by a person who is eighteen (18) years old or older.

159-9) PERSONAL WATERCRAFT.

No person shall operate a personal watercraft on the waters of the town:

- A. unless wearing a Coast Guard approved Personal flotation device.
- B. between the hours of sunset and sunrise.
- C. unless the operator is sixteen (16) years of age or older.
- D. towing a waterskier or a person in any other manner.
- E. in any manner other than a safe and prudent manner, having due regard for other waterborne traffic, posted wake and speed restrictions and all other attendant circumstances, so as not to endanger the life, limb or property of any person.
- F. within one hundred and fifty (150) feet of shore except at headway speed.
- G. within one hundred and fifty feet of a swimmer in the water.
- H. on waters of the town less than seventy-five acres.
- I. within **waters contiguous to** the boundaries of the Cape Cod National Seashore **Park** as set forth in Public Law 87-126, 7 August 1961, and as most recently surveyed by the U.S. Department of the Interior.
- J. on the tidal waters of Pleasant Bay, including but not limited to Little Pleasant Bay, Namequoit River, Arey's Pond, Lonnie's/Kescayogansett Pond, Frostfish Cove, the River, Meetinghouse Pond, Pochet, and any adjoining river, inlet, cove, embayment, pond, or harbor.
- K. on the tidal waters of the Nauset estuary, including but not limited to Town Cove, Rachel's Cove, Little Cove, Mill Pond, Robert's Cove, Nauset Harbor, and any adjoining river, inlet, cove, embayment, pond or harbor.

- L. a personal watercraft may be operated in ~~these areas described in paragraphs I., J., and K. above~~ for the purpose of enforcement, search and rescue, training, or other emergency, provided it is under the direction of a duly authorized federal, state, county or local law enforcement or emergency response agency.

159-10) MOORING/DOCKING REGULATIONS AND POLICIES

A. Mooring Permits

(1) Mooring Permit Required

No person shall keep or moor any vessel, float, or raft greater than nine (9) feet in overall length in or on the waters, flats, or shores of the town of Orleans, except when tied to a private pier, without first obtaining a mooring permit and mooring permit sticker from the Harbormaster.

(2) Mooring Permit Types

Type 1: *Individual permit.* A Type 1 permit may be issued to an individual vessel owner for a specific vessel and shall entitle the permit holder to moor their vessel at a location designated by the Harbormaster. **The permit holder must attest to having read in their entirety these bylaws at time of permit issuance and/or renewal.**

Type 2: *Blanket permit.* A Type 2 permit may be issued to a commercial marina, sailing school, or other similar private recreational boating facility or association and shall entitle the permit holder to maintain a mooring field at a location designated by the Harbormaster.

(3) Mooring Permit Sticker and Fee

- a. Mooring permit stickers, issued annually by the Harbormaster, shall be affixed to the port bow of the permitted vessel.
- b. No more than one mooring permit sticker shall be issued for a vessel.
- c. Mooring permit stickers shall be valid for a period of one year terminating on December 31 of each year unless sooner suspended or revoked by the Harbormaster.
- d. The annual fee for a mooring permit sticker shall be as follows:
 - 1) Type 1 Commercial: In order to be eligible for a Resident Commercial mooring permit, an applicant must meet all of the following conditions:
 - Be a resident of Orleans or Eastham.
 - Hold a current commercial license to sell shellfish, finfish, or lobster issued by the Massachusetts Division of Marine Fisheries.
 - If a resident of Eastham, hold a current Orleans commercial shellfish permit.

The annual fee for a Resident Commercial permit shall be thirty dollars (\$30).

- 2) Type 1 Resident or Non-Resident: ~~Beginning July 1, 2008, the annual fee shall be sixty-four dollars (\$64).~~ Beginning July 1, 2009, the annual fee shall be seventy-five dollars (\$75).

- 3) Type 2: Blanket. ~~Beginning July 1, 2008, the annual fee shall be one hundred thirty nine dollars (\$139). Beginning July 1, 2009, the annual fee shall be two hundred dollars (\$200).~~

(4) Mooring Buoys/Tenders and Identification

Mooring buoys shall be of white styrofoam, rubber, or plastic material and shall have the assigned mooring permit number permanently and legibly displayed on the buoy in numbers no less than one (1) inch in height and in a color that contrasts with that of the buoy. **Tenders (*a.k.a. dinghies, prams, etc.*) shall have the assigned mooring permit number permanently and legibly displayed on the tender in numbers no less than one (1) inch in height and in a color that contrasts with that of the tender. Tenders shall only be allowed to be stored at town landings for mooring permit holders specific to that landing.**

(5) Mooring Permit Use

Failure to set and use a mooring and mooring permit annually shall, unless otherwise authorized in writing by the Harbormaster, result in the revocation of said permit.

(6) Mooring Permit Transfer Prohibited

Mooring permits shall be issued by the Harbormaster for a specific vessel owner. No mooring permit shall be transferable to another person, except to a person within the immediate family of the permit holder with the approval of the Harbormaster.

(7) Relocation of Moorings Prohibited

Mooring permits shall be issued by the Harbormaster for a specific location to be designated by the Harbormaster. No mooring permit holder shall relocate his or her mooring to another location without the prior written approval of the Harbormaster.

(8) Vessel and Owner Information

Mooring permits shall be issued for a specific vessel and its owner. All information provided to the Harbormaster pertaining to the vessel and its owner (*Owner's name, address, and phone number, vessel make, length, year, color, state registration number if applicable, vessel name, and engine make and horsepower*) shall be kept current and accurate. It shall be the responsibility of the mooring permit holder to notify the Office of the Harbormaster of any change in the permit holder's address or phone number. No change of vessel information shall be allowed without the prior approval of the Harbormaster.

(9) Mooring and Tender Removal - Annual

Moorings and tenders (*a.k.a. dinghies, prams, etc.*) shall be removed from the waters, flats, or shores of the town of Orleans by no later than November 15th annually, unless otherwise authorized by the Harbormaster.

B. Mooring Permit Issuance and Renewal

(1) Mooring permit issuance

- a. The determination as to whether a Type 1 individual mooring permit will be issued shall be made at the sole discretion of the Harbormaster.

In making that decision, the Harbormaster may consider, but shall not be limited to, one or more of the following factors:

1. A chronological waiting list of mooring permit requests
2. The number of vessels currently moored in the area
3. Physical characteristics of the vessel (*e.g. size and type*)
4. Availability of, and proximity to, parking or lawful access
5. Potential for impact on navigation
6. Potential for impact on any natural resource
7. Purpose of vessel use (*e.g. commercial or recreational*)

b. The determination as to whether a Type 2 blanket-mooring permit will be issued shall be made by the Harbormaster who may seek a recommendation from the Board of Selectmen. In making that decision, the Harbormaster may consider, but shall not be limited to, one or more of the following factors:

1. Purpose of Type 2 permit (*e.g. marina, sailing school, etc.*)
2. Proximity of the area to other mooring fields or public access points
3. A chronological waiting list of mooring permit requests and the potential effect that the issuance of a Type 2 permit would have on said waiting list
4. The number of vessels currently moored in the area in question
5. Physical characteristics of the vessels (*e.g. size and type*)
6. Availability of, and proximity to, parking or lawful access
7. Potential for impact on navigation
8. Potential for impact on any natural resource
9. The interest, needs, or welfare of the public

c. A vessel owner requesting a mooring permit shall complete and submit a "*Town of Orleans Mooring Permit Application*" and provide the necessary fee to the Office of the Harbormaster. Mooring permit applications shall be processed as follows:

1. For Type 1 applications, the Harbormaster shall act upon the application within a period of fifteen (15) days from receipt. The Harbormaster shall not discriminate against any applicant on the basis of residency, race, religion, sex, age, disability, or other illegal distinction.
2. For Type 2 applications, the Harbormaster may request a meeting with the Board of Selectmen to review the application. If at such meeting, the Board of Selectmen recommends that a public hearing be conducted, the Harbormaster shall not act upon the application until such a hearing has been concluded. The Harbormaster may, on his own initiative, conduct a public hearing on any such application. The Harbormaster shall act upon the application within thirty (30) days from receipt unless a public hearing is conducted, in which case the Harbormaster shall act upon the application within ten (10) days of the close of the public hearing. In no event shall the public hearing process exceed a period of ninety (90) days from the date of the completed application

without the written consent of the applicant.

3. If the application is approved, the mooring permit and mooring permit sticker for the appropriate year shall be issued by the Harbormaster.

(2) Mooring permit renewal - Annual

- a. The Harbormaster shall allow, subject to all applicable local and state regulations, by-laws, and statutes, a previous mooring permit holder to renew, on an annual basis, his or her mooring permit for a period of one (1) year or appropriate fraction thereof, terminating on December 31 of each year.
- b. The Harbormaster shall provide a mooring permit holder with an annual "Mooring Permit Renewal" form.
- c. A mooring permit holder who wishes to renew the permit shall:
 1. Ensure that the renewal form is completed and that all information contained therein is accurate.
 2. **Attest to having read these bylaws.**
 3. Return the renewal form with the necessary payment to the Office of the Harbormaster between January 1 and March 31 inclusive.
- d. A mooring permit holder who does not wish to renew his or her mooring permit should so indicate on the renewal form and return said form to the Office of the Harbormaster.
- e. Mooring permits must be renewed annually between January 1 and March 31 inclusive. Failure to renew during this period shall result in the revocation of the mooring permit.

c. Mooring Waiting Lists

(1) Establishment of a Mooring Waiting List

The determination as to whether a mooring waiting list will be established for a specific location shall be made at the sole discretion of the Harbormaster. In making that decision, the Harbormaster may consider, but shall not be limited to, the following factors:

- a. The number, size, and type of vessels currently moored in the area
- b. Availability of, and proximity to, parking or lawful access
- c. Potential for impact on navigation in the area
- d. Potential for impact on any natural resource in the area

(2) Placement on a Mooring Waiting List and Fee

- a. The determination as to whether a mooring waiting list applicant's name will be placed on a waiting list for a mooring shall be made at the sole discretion of the Harbormaster.

In making that decision, the Harbormaster may consider, but shall not be limited to, the following factors:

1. Date of application
2. Physical characteristics of the vessel (*e.g. size and type*)

3. Availability of, and proximity to, parking or lawful access
 4. Purpose of vessel use (*e.g. commercial or recreational*)
- b. The applicant for a mooring waiting list shall complete and submit a "Town of Orleans *Mooring Waiting List Application*" and provide the necessary fee to the Office of the Harbormaster. The fee shall be five dollars (\$5) per mooring waiting list annually.
 - c. The applicant for a mooring waiting list shall provide current and accurate vessel information on their mooring waiting list application. Any subsequent changes to the vessel information contained within the original application must be approved by the Harbormaster. Failure to provide current and accurate vessel information may result in removal from the mooring waiting list.
 - d. Upon receipt by the Harbormaster of a mooring waiting list application, the Harbormaster shall enter the date of receipt on the application and add the name of the applicant and a description of the applicant's vessel to the chronological mooring waiting list for the area requested.
 - e. All mooring waiting lists shall be posted at the Office of the Harbormaster **and online at the Town of Orleans website** and shall be up-dated regularly.
- (3) Mooring Waiting List Renewal
- a. The Harbormaster shall provide those individuals on the mooring waiting lists with an annual "*Mooring Waiting List Renewal*" form.
 - b. If the individual on the mooring waiting list wishes to renew their place on the mooring waiting list, they shall:
 1. Ensure that the information on the renewal form is accurate and sign the renewal form.
 2. Return the renewal form with the necessary payment to the Office of the Harbormaster between January 1 and March 31 inclusive.
- (4) Removal from a Mooring Waiting List
- a. An individual on the mooring waiting list who does not wish to renew their place on a mooring waiting list should so indicate on the renewal form and return said form to the Office of the Harbormaster.
 - b. An individual on the mooring waiting list must renew their place on the mooring waiting list annually between January 1 and March 31 inclusive. Failure to renew during this period shall result in removal of the individual's name from the mooring waiting list.
- (5) Assignment of a Mooring to an Individual from a Mooring Waiting List
- When a mooring location becomes available, the Harbormaster may offer the site to the first individual on the mooring waiting list with a vessel appropriate in size or type as determined by the Harbormaster for the mooring location. If the individual chooses not to accept the location, the Harbormaster shall contact the next individual(s) on the mooring waiting list with a vessel appropriate in size or type as determined by the Harbormaster for the mooring location until the space has been assigned.

D. Mooring Tackle Specifications

All moorings are required to be of the mushroom anchor design unless otherwise authorized by the Harbormaster.

"Double anchoring" (*anchoring bow and stern*) of vessels is prohibited except with the express permission of the Harbormaster.

Please note that the tackle specifications outlined below are minimum standards and are not adequate for storm or hurricane protection:

LENGTH OF VESSEL	PROTECTED AREA	NON-PROTECTED
Under 16'	50lbs.	75lbs.
16'-19'	75lbs.	100lbs.
19'-26'	100lbs.	150lbs.
26'-30'	150lbs.	200lbs.
30'-40'	200lbs.	250lbs.
Over 40'	<i>As specified by Harbormaster</i>	

MUSHROOM SIZE (lbs.)	CHAIN/SHACKLE (inches)	LINE DIAMETER (inches)
50	3/8	1/2
100	3/8	1/2
150	1/2	5/8
200	5/8	5/8
Over 200	<i>As specified by Harbormaster</i>	

MOORING BUOYS shall be of white styrofoam, rubber, or plastic material and shall have the assigned mooring permit number permanently and legibly displayed on the buoy in numbers no less than one inch in height and in a color that contrasts with that of the buoy.

TOTAL LENGTH OF MOORING, CHAIN, AND PENNANT shall be equal to at least three (3) times but, without the permission of the Harbormaster, shall not be more than four (4) times the depth of the water at Mean High Water **plus the vessels freeboard at the bow**, where the mooring is located.

MOORING PENNANTS (HAWSEERS) shall be three-strand nylon or equivalent, shall not float, shall be fitted with thimbles of appropriate size where they are attached to chain or metal fittings and shall be equipped with adequate chaffing gear where they pass through chocks or hawseholes.

SHACKLES AND SWIVELS shall be safety wired or welded to prevent loosening.

E. Mooring Inspection, Relocation, or Removal

(1) Mooring Inspection or Removal

The Harbormaster, Assistant Harbormasters, or their agent may, at any time, inspect any mooring located in the waters of Orleans and may remove or cause to be removed any mooring that fails to meet all of the provisions of the regulations contained herein. Any expense for inspection or removal and any liability incurred therefore shall be the responsibility of the permit holder / owner of said mooring.

(2) Mooring Relocation or Removal

The Harbormaster, Assistant Harbormasters, or their agent may, at any time, relocate, remove, or cause to be relocated or removed, any mooring or vessel whenever, in their judgment, the safety of others vessels is in jeopardy or maximum use of the area requires such action. Any expense for relocation or removal of a mooring or vessel and any liability incurred therefore shall be the responsibility of the mooring permit holder.

F. Use of Town Landings, Bulkheads, Piers, and Docks

(1) Town Landings

Mooring permit holders shall be allowed to access their moorings from town landings. To the extent that sufficient space is available as determined by the Harbormaster, mooring permit holders may keep their tenders at town landings subject to the conditions contained within Section B sub- section 9 herein. This regulation does not authorize the keeping of tenders on private property or trespassing on private property.

(2) Town Bulkheads, Piers, and Docks

Mooring permit holders shall be allowed to access their moorings from town bulkheads, piers, and docks. No vessel may remain tied to a town bulkhead, pier, or dock for a period in excess of one-half (1/2) hour without the express permission of the Harbormaster or Assistant Harbormasters. In addition to any fine for violation of this ordinance, the Harbormaster, Assistant Harbormasters, or their agent may remove or cause to be removed the vessel in violation. Any expense for removal of said vessel and any liability incurred therefore shall be the responsibility of the owner of the vessel.

G. Appeal of Harbormaster Decision

Any mooring permit holder or applicant for a mooring permit or mooring waiting list aggrieved by a decision of the Harbormaster or any condition or restriction imposed relative to such mooring or application, pursuant to Massachusetts General Law Chapter 91, Section 10A and 310 Code of Massachusetts Regulations 9.07, may appeal in writing to the Massachusetts Department of Environmental Protection Waterways Division in accordance with the appeal procedures of that Department.

159-11) ENFORCEMENT/PENALTIES

A. This bylaw shall be enforced by the Harbormaster, Assistant

Harbormasters, Massachusetts Environmental Police, and any other law enforcement agency so empowered.

- B. In addition to any other penalties specified within this bylaw, violations of the following sections contained herein shall be punished by a fine of fifty (\$50.00) dollars: 3, 5A., 5B., 6A. through I., 7A.(1) through (4), 7B.(1) and (2), 7C., 7D., 7E.(1) and (2), 7H., 8, 9A. and B., 10A. and F.
- C. In addition to any other penalties specified within this bylaw, violations of the following sections shall be punished by a fine of one hundred (\$100.00) dollars: 7B.(3) and (4), 7F., 7G., 7I., 9C. through K.
- D. Whoever violates any provision of section 10A. subsections 4,5,6,7, or 8 or section 10E. subsection 1, may be subject to revocation of their mooring permit by the Harbormaster. Furthermore, whoever violates any provision of section 10A. subsection 9 may be subject to a one (1) year suspension of their mooring permit by the Harbormaster.

159-12) JURISDICTION

International Rules of the US Coast Guard Navigation Rules apply to all saltwater bodies of water within the town. Nothing contained herein shall be construed to supersede or conflict with or interfere or limit jurisdiction of the United States government with respect to the enforcement of the navigation, shipping, anchorage or other associated federal laws or regulations or any laws or regulations of the Commonwealth of Massachusetts.

159-13) SEVERABILITY

In the event that any provision, section or clause of this bylaw is hereafter judicially found to be invalid, such decision, invalidity or voidance shall not affect the validity of the remaining portion of these regulations.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will update Chapter 159 of the Orleans General Bylaws, as recommended by the Shellfish and Waterways Improvement Advisory Committee. The last updates were approved by Town Meeting in 2008. The public hearing on this amendment was held by the Board of Selectmen on May 29, 2017.

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

ARTICLE 37. AMEND GENERAL BYLAW CH. 89 - PARKING

To see if the Town will vote to amend the Parking Bylaw Chapter 89, as follows:

Delete §89-2 entitled "Selectmen's authority" in its entirety which reads as follows:

~~§89-2 Selectmen's Authority~~

~~The Board of Selectmen shall be authorized to promulgate reasonable regulations during times of emergency, as defined herein, governing parking and the use of Town ways and Town landings, including, without limitation, the adoption of fines for violations of this Bylaw, said fines not to exceed \$300.00. For the purposes of this Bylaw an emergency shall be deemed to exist upon the joint recommendation of the Fire Chief, the Police Chief and the Harbormaster.~~

and replace it with the following new §89-2:

§89-2 Authority

The Board of Selectmen shall be authorized to promulgate reasonable rules and regulations governing parking and the use of Town ways, Town landings, and Town parking lots. The Park Commissioners shall be authorized to promulgate reasonable rules and regulations governing parking in areas under the control and jurisdiction of the Park Commissioners. Such rules and regulations may include the adoption of fines for violations thereof, said fines not to exceed \$300.00.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article authorizes the Board of Selectmen to promulgate rules and regulations for Town roads and parking areas, including Town landings. The current bylaw only provides for regulation in times of emergency. The public hearing on this amendment was held at the May 29 Board of Selectmen meeting.

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

ARTICLE 38. ADOPT RESIDENT BEACH PARKING FEE

To see if the Town will vote, pursuant to the Orleans Code §94-8 B., to authorize the

Board of Selectmen to set a resident seasonal beach sticker fee, effective May 1, 2018, equal to the cost of the non-resident daily parking fee, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article would create a resident seasonal beach sticker fee, beginning in 2018, to help offset the cost of beach operations. The 2017 non-resident daily parking fee is \$20; therefore, if the new resident seasonal beach sticker fee had been implemented this year, each vehicle sticker would be \$20. Pursuant to the Orleans Code §94-8 B, any new fee must be approved by Town Meeting.

BOS: Recommendation to be made at Town Meeting
FC: 5 – YES 1 – NO 0 – ABSTAIN

ARTICLE 39. ADOPT PROPOSED CHARTER AMENDMENT 5-3-1: TERM OF MODERATOR

To see if the Town will adopt the following proposed order of amendment to the Orleans Home Rule Charter:

Chapter 5, Section 3. Term of Moderator Section 5-3-1.

Bold = new language ~~strikethrough~~ = language removed

5-3-1. A Moderator shall be elected for a ~~one~~**three**-year term. The Moderator shall: (a) preside at all Town Meetings; (b) appoint the members of the Finance Committee; (c) appoint all ad hoc committees of the Town Meeting as provided in clause 2-8-2; (d) preside at any hearing called to discuss the suspension or removal of the Town Administrator; (e) appoint two representatives to the Cape Cod Regional Technical High School Committee; and (f) advertise impending appointments as provided in clause 7-2-2;

or take any other action relative thereto. (Moderator)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant. The amendment shall take effect on May 16, 2018.

SUMMARY

This article would change the term of the Moderator from one to three years. The Towns of Provincetown, Truro, Eastham, Chatham, Harwich, Dennis and Yarmouth all have a term of three years for the position of Moderator.

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

ARTICLE 40. AMEND ZONING BYLAWS 164-31 & 164-34B – APARTMENT DEVELOPMENT

To see if the Town will vote to amend Section 164-31 Apartment Development, by amending the section as follows:

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

§164-31 Apartment Development

A. Applicability. Apartments may be developed only in districts as provided in §164-13. A Special Permit for apartments shall be granted only in accordance with Subsections B through ~~DE~~ of this section and only upon these **specific** findings being made by the Board of Appeals:

- (1) By virtue of its sponsorship, financing, or design, the ~~housing~~**development** will serve an important unmet housing need of the community. ~~such as the need of area residents for year-round housing, and there is enforceable assurance that the housing will continue to meet such need for at least twenty (20) years.~~
Any housing that is deed restricted for individuals or families that earn 80% or less of the Area Median Income (AMI) for Barnstable County shall be so restricted for a minimum of thirty (30) years;
- (2) The ~~housing~~**development** will not adversely affect business operation on that **the subject property** or other premises within the **zoning** district or be detrimentally affected by such uses;
- (3) **The development will provide for adequate traffic circulation on and off-site, including pedestrian safety and convenience;**
- (4) **The development is designed to result in an appropriately lighted neighborhood, and meet the requirements of Chapter 122, Outdoor Lighting;**
- (5) **The development has complied with Sections 164-33 and 164-33.1 with, respectively, the Architectural and the Site Plan Review Committees reporting to the Board of Appeals. Building design shall provide for variation in building height between large buildings and other buildings on the same lot, or adjacent lots;**
- (6) **The development is consistent with the Orleans Comprehensive Plan;**

- (7) The development meets all requirements of a Special Permit under Section 164-44; and
- (8) A copy of any Special Permit application under this section shall be filed with the Planning Board when the application is filed with the Town Clerk, and the Planning Board shall review it and make recommendations to the Board of Appeals within forty-five (45) days of the filing date. The Board of Appeals shall consider any such recommendation in its review of the project.

B. Dimensional Requirements

~~Lot Area. Minimum lot area shall equal sixty thousand (60,000) square feet contiguous buildable upland area, except in the Village Center District, where minimum lot area shall equal twenty thousand (20,000) 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.~~

1. Lot Area and Density

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

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

- b. Residential Density in dwelling units per acre of contiguous buildable upland:

<u>RB District:</u>	<u>3 dwelling units per acre</u>
<u>LB and GB Districts:</u>	<u>8 dwelling units per acre</u>
<u>VC District:</u>	<u>10 dwelling units per acre</u>

- c. In mixed residential and commercial developments in the GB, LB, and VC Districts, one-half (1/2) of the total lot area that is covered by the commercial building plus the parking area required to support the commercial use, shall be subtracted from the lot area for the purposes of calculating allowed density of residential units. Any required parking that is located under or within project buildings shall increase the lot area available for calculating unit density by reducing the parking lot area required to support the commercial use. (In calculating required parking, each space shall be equal to 300 square feet of area).

2. Additional Units for Meeting Community Goals

In addition to the density allowed herein, projects with the following components that support community goals shall be allowed additional dwelling units as follows:

- a. For each (one) 1-bedroom dwelling unit – 1 additional (one) 1-bedroom dwelling unit;
- b. For each Affordable Housing Unit¹ - 1 additional dwelling unit; and
- c. For each 1,500 sq. ft. of preserved Significant Building² - 1 additional dwelling unit.

The above additional units may be permitted, up to a total project density of 14 dwelling units per acre of contiguous buildable upland in the VC District, and 12 dwelling units per acre of contiguous buildable upland in the GB and LB Districts.

¹as defined in Chapter 104, Affordable Housing, of the Orleans Town Code.

²as defined in Chapter 106, Demolition of Historic Structures, of the Orleans Town Code.

3. Affordable Housing Requirement

In order to further Town goals and meet the need for affordable housing, any apartment development with 10 or more dwelling units shall include 1 Affordable Housing Unit, as defined in Chapter 104 of the Orleans Town Code, for each 10 units of housing. Any fraction of a required Affordable Housing Unit shall be rounded up to the nearest whole unit.

- C. Other Dimensional Requirements. The normally applicable district frontage and yard requirements, and building height requirements shall be observed. With third floor housing, the building height provisions of Section 164-19.1. E. 1 through E. 7 may be utilized in the Village Center, General Business, and Limited Business Districts for apartment development. In such instances the mean height measured between the bottom of the eave and the highest point of the ridge on a pitched roof shall not exceed 35 feet.
- D. Design Requirements. No structure shall contain more than twelve (12) fifteen (15) dwelling units, except that in the Village Center District, up to twenty (20) dwelling units in a single structure may be allowed. No dwelling unit shall have its lowest floor below grade at any point within its entire perimeter.
- E. Nitrogen Discharge Limits. No Special Permit shall be issued granted by the Zoning Board of Appeals for an apartment or other multi-family housing development where when the density exceeds two (2) units per acre of buildable upland area unless the Board of Health certifies that the septic system is designed

to can achieve an effluent nitrogen concentration of 19 milligrams per liter (mg/l) or less, as measured at the point of discharge.

F. Master Plan Special Permit.

The Board of Appeals may grant a Special Permit for phased apartment development on one or more adjacent parcels in a coordinated fashion. Review of these proposals shall conform to the requirements for a Special Permit (Section 164-44), Site Plan Review (Section 164-33), and Architectural Review (Section 164-33.1) as applicable. Additionally, the following procedures and standards shall apply:

- 1. The Master Plan Special Permit review shall run concurrently with all Special Permits required for the proposal. The other Special Permits required may include, but are not limited to, Special Permits for parking reduction (Section 164-34 B.3), uses allowed through Special Permit (Schedule of Use Regulations), an increase in the number of units per structure (164-31.D), and exemptions for sidewalks (Section 164-19.1.D). The approval of a Master Plan Special Permit shall include all applicable Special Permits by reference and shall be administered in accordance with subsections 2-4 below.**
- 2. After the initial Master Plan Special Permit is final, subsequent phases of development shall only require Site Plan approval (Section 164-33) if the Building Commissioner determines that the phase is consistent with the terms of the Special Permit, and that no major changes are proposed. For the purposes of this section, a major change is defined as:**
 - a. An increase in the number of residential units such that it would exceed the number of residential units originally approved.**
 - b. A decrease of more than 10% of the aggregate amount of parking that was originally approved.**
 - c. A change that would eliminate elements of the original proposal needed in order to earn incentive housing units under Section 164-31.B.2 (Additional Units for Meeting Community Goals).**

If the Building Commissioner determines that the phase being reviewed qualifies as a major change, a modification to the original Master Plan Special Permit from the Board of Appeals pursuant to Section 164-44 shall be required for the approval of the change.

- 3. Any Master Plan Special Permit granted under this section shall be subject to the expiration provisions of §164-44. Special permits. E.**
- 4. For the purposes of coordinating development across multiple parcels, the Board of Appeals may treat adjacent properties as a single property for measuring setbacks and other dimensional standards. Proposed buildings, travel lanes, parking areas, and other site features may cross interior property lines or be sited closer to those lot lines than what would otherwise**

be allowable. The Board of Appeals shall require that these adjacent parcels be in common ownership as a condition of the Master Plan Special Permit.

And further, to amend Section 164-34 B. (3) to read as follows:

(3) Special Permits Shared Parking

The required number of spaces may be reduced below these standards **upon determination that special circumstances** on Special Permit from the Board of Appeals, upon the Board's determination that special circumstances, such as shared use of a parking lot by activities having different peak demand times, render a lesser provision adequate for all parking needs. **Such written determination may be made by the Building Commissioner for up to 20% reduction of the required number of parking spaces. The Planning Board shall consult with and advise the Building Commissioner if it is requested.**

Parking space reduction of greater than 20% shall require a Special Permit from the Board of Appeals, pursuant to Section 164-44.

Any Special Permit reducing the required number of spaces issued pursuant to this Section in the case of educational, municipal and religious uses shall:

- ~~(a) Be limited to two (2) years, renewable upon demonstration that the reduced parking is still adequate and~~
- ~~(b) Be issued only upon assurances that if the special circumstances change, sufficient land will be available in the future to meet the parking requirements otherwise applicable at the time the Special Permit is issued, such assurances to be in the form of a recorded restriction or other land in the same ownership or other written assurance deemed adequate by the Board of Appeals. The Board of Appeals may, in its discretion, impose similar conditions on Special Permits reducing the number of parking spaces for other uses.~~

~~For uses allowed only on Special Permit, the Special Permit Granting Authority may similarly require a large number of spaces to be provided than indicated below if necessary to service anticipated demand.~~

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

[Note - Table of Minimum Parking Requirements intentionally not included, is intended to remain in bylaw]

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

The amendment is intended to encourage the development of new housing, while providing sufficient review and requirements to preserve community character by allowing apartments under a set of revised conditions. Here, the use of the word "apartments" describes both rental and condo housing. Since there has been virtually no investment in downtown housing in the last twenty years, this amendment allows for the construction of apartments to meet the needs of the community. The need is for more affordable workforce housing, downsizing current housing and conversion of excess commercial properties. Orleans has more land zoned for commercial purposes than needed, and the article encourages the transition of unused commercial land for much needed housing. Having more people residing in the downtown will also serve to stimulate the year-round economy.

In the proposal, the number of units allowed is increased to 10 units per acre in the Village Center District, and 8 units per acre in the General and Limited Business Districts (presently 6). Minimum lot size is reduced, allowing smaller lots to be used for apartments. Incentives are provided for housing units that meet community goals, including one-bedroom and affordable units. A Master Plan Special Permit can be granted for large and phased projects, which requires Site Plan Review for each phase of development.

The amendment also allows a reduction in parking of up to 20% for mixed-use projects in which the uses have distinctly different peak demand times (e.g., a daytime office and a dinner restaurant).

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

ARTICLE 41. AMEND ZONING BYLAW 164-33.1 – ARCHITECTURAL REVIEW

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

To see if the Town will vote to amend Section 164-33.1 Architectural Review, Sections D and E, by amending sections as follows:

164-33.1 Architectural Review.

D. Procedure

- (1) Preliminary Review. The Architectural Review Committee shall provide Preliminary Review of proposed buildings or alterations at their regular meetings **within 30 days** ~~no later than two weeks~~ of receipt of an application. A brief description of the proposed construction or improvements shall be included on the application which shall be available in the Building Department. Plans or sketches are required.

Signs, new or modified, decks, accessory structures such as fences, flagpoles and trellises, and installation of siding or roofing, door and window replacements, and work which does not require a building permit are generally subject only to Preliminary Review. A Plan Review Report will be forwarded to the Building Department. In all other cases, Preliminary Review will be optional, but available at the request of the applicant for exchange of information and ideas before plans for Final Review are submitted.

- (2) Application for Final Plan Review. Application for plan approval under Final Plan Review shall be made by submitting an application and sufficient copies of the Site Plan and other required materials as described below to the Building Department or Committee Recording Secretary. Applications shall be available in the Building Department. Notice of the time, date, and place of review and the location of proposals scheduled for Final Plan Review shall be published in a local newspaper not less than ~~seven (7)~~ **six (6)** days prior to the date of the review.
- (3) Drawings and Materials for Final Plan Review.
 - a. Site Plan. Site plans shall include boundaries and dimensions of the lot; parking areas, driveways, walkways and loading areas; existing and proposed structures; information relating to the intensity and extent of proposed lighting; a landscaping plan showing location of trees 6" or greater in diameter to be removed or retained, and type and location of other existing or proposed plantings; existing or proposed benches, footpaths or other pedestrian amenities; and principle dimensions of signs.
 - b. Architectural Elevations. Building facades, building height, roof pitch, fenestration, doors, floor to floor height shall be shown at a minimum of 1/8" = 1' = 0" scale.
 - c. Photographs. Polaroid or other photographs of the site and abutting properties shall be required.
 - d. Samples. Samples of exterior building materials including color shall be part of the application.
 - e. Historical Information. Information on year built, historical significance, if any, and historic use shall be included in materials for review.
- (4) Final Plan Review Report and Recommendations. Within ~~thirty (30)~~ **sixty (60)** days of their receipt of the application for Final Plan Review, the Architectural Review Committee shall review applications and forward a Final Plan Review Report containing its description and recommendations to the Building Inspector. This deadline may be extended at the request of the applicant. The Final Plan Review Report shall be based on consideration of the design criteria in Subsection E below and shall state in all cases the Committee's decision to approve, approve with modifications or disapprove of the plan and shall contain specific written findings relating to compliance with the design criteria.

The committee may disapprove a proposal if it fails to meet the design criteria in Subsection E and there is a resultant negative visual impact on the town. In the case of disapproval, the committee shall state clearly how the proposal fails to comply and describe the resultant negative impact. A copy of this report shall be hand delivered or mailed ~~by certified mail~~ to the applicant no later than the day it is forwarded to the Building Inspector. If the proposal requires a variance or Special Permit, the Building Inspector shall immediately transmit the Architectural Review Committee's report to the Special Permit Granting Authority.

- (5) Issuance of Building or Special Permits. Neither the Building Inspector nor the Special Permit Granting Authority shall issue a building permit or Special Permit for construction subject to these requirements unless the Architectural Review Committee has approved the plans, the deadline for action has expired, or an appeal of this bylaw or an Exemption from Final Plan Review has been granted. In the event of Architectural Review Committee disapproval of a proposal, the Building Inspector shall not issue a building permit nor shall the Special Permit Granting Authority issue a Special Permit.
- (6) Appeals. Any decision by the Architectural Review Committee under this section may be appealed to the Board of Appeals by any party having standing, including town officials and boards, as provided under M.G.L. Ch. 40A, § 8.

E. Design Criteria

The following criteria shall be used as a guide for the Architectural Review Committee when reviewing applications. No project shall be approved unless the Architectural Review Committee finds that it meets the overall intent of the design criteria described in this bylaw.

1. Character. The proposal shall complement the existing Cape Cod community character that is illustrated by the variety of architectural styles set throughout Orleans. Contemporary or non-traditional designs should not be discouraged if they can be shown to be compatible with the surrounding environment.
2. Distinguishing Features. Original stylistic features or examples of skilled craftsmanship of historic or aesthetic significance on a building shall be preserved and maintained or replaced with similar elements where possible and where desirable.
3. Architectural Details. The architectural details, including signs and use of building materials, should be harmonious with the building's overall architectural style and preserve and enhance the character of the surrounding area.
4. Scale. The proposal demonstrates balanced proportions in relation to height and width, roof shape and pitch, and windows and doors. Scale should be ~~consistent~~ **compatible** with other structures in the surrounding area.

5. Massing and Bulk. There should be an overall relationship between the building size & scale and the lot that is ~~consistent~~ **compatible** with surrounding properties. Nearby structures built in proportion to one another are desirable.
6. Setback. The proposed **building front maintains or builds a street front where possible to reinforce the character of the area wherever possible and desirable.** ~~setback from the street re-enforces the existing building setbacks in the surrounding area where the existing setbacks are desirable. Providing continuity of this set back line maintains the character of the street.~~
7. Height. There should be a relationship between the height of the proposed structure and that of adjacent properties that is ~~consistent~~ **compatible** within the surrounding area.
8. Building Materials. The exterior siding, roof, windows, doors, and trim should be compatible with desirable and traditional materials used in the community. ~~Exterior building materials such as stucco and exposed concrete, though in existence, are not desirable.~~ The use of innovative building materials shall not be discouraged by this criteria provided they are compatible with traditional Cape Cod style.
9. Roof. The shapes and angles of roofs should be ~~consistent~~ **compatible** with surrounding roof shapes and pitches to maintain a visual balance.
10. Fenestration. The patterns of windows and doors should maintain a balance that conveys a sense of function and scale to the structure.
11. Color. Building exteriors, including signs, should have colors consistent with traditional Cape Cod designs and compliment the function of the elements and their locations.
12. Signs. All aspects of signs including but not limited to shape, size, font style, color, design and construction, are subject to the design criteria listed in this bylaw. For buildings containing more than one business, continuity in sign design is desirable (see section 164-35).
13. Lighting. Light shall be contained on site through adequate shielding and downward direction. All outdoor lighting shall comply with Chapter 122 of the Orleans Town Code.
14. Landscaping. Grade changes, plantings, fencing, and other aspects of landscaping, should complement the existing area landscaping as well as integrate buildings with their environment and provide amenities for pedestrians. Plantings on the street-facing side of buildings, window boxes and planters are desirable. Benches or other seating arrangements, distinctive treatment of walkways, and links with other buildings for pedestrians are encouraged. Plants that are native to Cape Cod and provide habitat value are preferred.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

The article amends administrative procedures to streamline the review process. Preliminary review of an application must take place within 30 days of filing; the advertising period is 6 days prior to a meeting to accommodate a Thursday night meeting time; and, a final decision is required within 60 days of filing the application. The amendment also clarifies Design Criteria language to improve the architectural design of projects.

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

ARTICLE 42. AMEND ZONING BYLAW TO ADD TEMPORARY MORATORIUM

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 164-40.4, "Temporary Moratorium on Recreational Marijuana Establishments and Marijuana Retailers" that would provide as follows, and further to amend the Table of Contents to add Section 164-40.4:

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

§1. Purpose.

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law provides that it is effective on December 15, 2016 and the Cannabis Control Commission is required to issue regulations regarding implementation by September 15, 2017. Chapter 351 of the Acts of 2016, approved by the Governor on December 30, 2016 and effective immediately as an emergency law, extends the time period for the issuance of the regulations by six months to March 15, 2018. (See Section 11 of Chapter 351 of the Acts of 2016.)

Currently under the Zoning Bylaw, Recreational Marijuana Establishments and Marijuana Retailers are not permitted uses in the Town and any regulations promulgated by the Cannabis Control Commission are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers.

The regulation of Recreational Marijuana Establishments and Marijuana Retailers raise novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and Marijuana Retailers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments and Marijuana Retailers and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments and Marijuana Retailers so as to allow the Town sufficient time to engage in a planning

process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

§2. Definitions.

"Manufacture", to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

"Marijuana accessories", equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.

"Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

"Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business. (k) "Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

"Marijuana products", products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

"Marijuana testing facility", an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

"Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

§3 Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments and Marijuana Retailers. The moratorium shall be in effect through June 30, 2019. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and Marijuana Retailers and related uses, determine whether the Town shall restrict any, or all, licenses for Recreational Marijuana Establishments and Marijuana Retailers, determine whether the

Town will prohibit on-site consumption at Recreational Marijuana Establishments and Marijuana Retailers and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Recreational Marijuana Establishments and Marijuana Retailers and related uses.

§4 Severability.

The provisions of this Bylaw are severable. In the event that any provision, paragraph, sentence, or clause of this Bylaw is hereafter judicially found to be invalid, such decision, invalidity or voidance shall not affect the validity of the remaining portion of this Bylaw.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This article would place a temporary moratorium on recreational marijuana establishments and marijuana retailers to allow the Town to consider and adopt appropriate regulations for such use. The moratorium would run until June 30, 2019. The Town will study the effects of such structures and uses, engage in a public planning process, and adopt zoning provisions prior to the expiration of the moratorium.

BOS: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

ARTICLE 43. AUTHORIZE HOME RULE PETITION – ENTER INTO CONTRACTS FOR A SEWER WORKS SYSTEM AND OPERATION

To see if the Town will vote to authorize and instruct the Board of Selectmen to petition the Great and General Court (State Legislature) for special legislation to enter into contracts for a sewer works system and operation as follows:

AN ACT AUTHORIZING THE TOWN OF ORLEANS TO ENTER INTO CONTRACTS FOR A SEWER WORKS SYSTEM AND OPERATION

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding any general or special law to the contrary, the town of Orleans may enter into contracts for the lease or sale, operation and maintenance, repair or replacement, financing, design, construction, installation and modifications to the sewer works system (using traditional and non-traditional technologies) necessary to ensure adequate services and ensure the ability of the town's sewer works system, as such terms are defined in Section 9, to operate in full compliance with all applicable requirements of federal, state and local law; provided, however, that such contracts shall not be subject to sections 14-21, inclusive of chapter 149A of the General Laws and the

competitive bid requirements set forth in sections 44-57, inclusive, of chapter 7C (formerly M.G.L. c. 7, §§38½ - O), section 39M of chapter 30 or sections 44A to 44M, inclusive, of chapter 149 of the General Laws; provided, further, that each such contract shall be awarded pursuant to chapter 30B of the General Laws, except for clause (3) of paragraph (b) of section 6, clause (3) of paragraph (e) and paragraph (g) of said section 6 and sections 13 and 16 of said chapter 30B.

(b) The request for proposals for such contracts shall specify the evaluation criteria and method for comparing proposals to determine the proposal offering the lowest overall cost to the town, including, but not limited to, all capital equipment and capital improvement costs, operating and maintenance costs and capital financing costs. If a contract is awarded to an offeror who did not submit the proposal offering the lowest overall cost, the town shall explain the reason for the award in writing.

(c) The request for proposals shall set forth mandatory performance guarantees that the selected offeror will be required to meet in operating the sewer works system, as constructed or improved. The contract which is negotiated with the selected offeror based on the request for proposals shall obligate the selected offeror to meet such mandatory performance guarantees, and shall set forth the minimum design requirements for such construction or improvements and the acceptance tests to be conducted upon the completion of the construction or improvements in order to demonstrate that the system is capable of meeting the performance guarantees.

SECTION 2. (a) Notwithstanding any general or special law to the contrary, contracts awarded pursuant to Section 1 may provide for a term, not exceeding 20 years, and an option for renewal or extension of operation, maintenance, repair and replacement services for 1 additional term not exceeding 5 years. Any renewal or extension shall be at the sole discretion of the town in accordance with the original contract terms and conditions or contract terms and conditions more favorable to and acceptable to the town.

(b) A contract entered into pursuant to this act may provide that, subject to the requisite vote of town meeting, the town shall not be exempt from liability for payment of the costs to lease, finance, permit, design, construct and install modifications, new equipment and systems for the sewer works system and to operate, maintain, repair and replace the sewer works system as necessary to ensure the ability of the sewer works system to operate in full compliance with all applicable requirements of federal, state and local law, provided that any costs relating to leasing, financing, permitting, design, construction and installation of modifications, new equipment and systems shall be amortized over a period that is no longer than the useful life of said modifications, equipment and systems. The town's payment obligations for all operations and maintenance services shall be conditioned on the contractor's performance of such services in accordance with all contractual terms.

(c) A contract entered into pursuant to this act may provide for such activities deemed necessary to carry out the purposes authorized herein, including, but not limited to, equipment purchases, facility or land sale or lease, equipment installation, repair and replacement, performance testing and operation, studies, design and engineering work, construction work, ordinary repairs and maintenance, and the furnishing of all related

material, supplies and services required for the construction, management, maintenance, operation, and repair and replacement of the town's sewer works system.

SECTION 3. The town administrator of the town of Orleans shall solicit proposals through a request for proposals which shall include those items in clauses (1) and (2) of paragraph (b) of section 6 of chapter 30B of the General Laws and the proposed key contractual terms and conditions to be incorporated into the contract, some of which may be deemed mandatory or nonnegotiable; provided, however, that such request for proposals may request proposals or offer options for fulfillment of other contractual terms, and such other matters as may be determined by the town. The request for proposals shall provide for the separate submission of price and shall indicate when and how the offerors shall submit price.

SECTION 4. The town administrator of the town of Orleans shall make a preliminary determination of the most advantageous proposal from a responsible and responsive offeror taking into consideration price, estimated life-cycle costs and the other evaluation criteria set forth in the request for proposals. The town administrator may negotiate all terms of the contract not deemed mandatory or nonnegotiable with such offeror. If after negotiation with such offeror, the town administrator determines that it is in the town's best interests, the town administrator may initiate negotiations with the next most advantageous proposal from a responsible and responsive offeror taking into consideration price, estimated life-cycle costs and the other evaluation criteria set forth in the request for proposals, and may negotiate all terms of the contract not deemed mandatory or nonnegotiable with such offeror. The town administrator shall award the contract to the most advantageous proposal from a responsible and responsive offeror taking into consideration price, estimated life-cycle costs, the evaluation criteria set forth in the request for proposals, and the terms of the negotiated contract. Subject to the approval of the board of selectmen and, to the extent required with respect to any contract in excess of five years, the authorization of the town meeting, the town administrator shall award the contract by written notice to the selected offeror within the time for acceptance specified in the request for proposals. The parties may extend the time for acceptance by mutual agreement.

SECTION 5. Subject to this act, any contract awarded hereunder shall be subject to such terms and conditions as the town administrator and board of selectmen of the town of Orleans shall determine to be in the best interests of the town and shall be authorized by a majority vote of the board of selectmen. Any such contract shall provide that prior to the construction, modification or installation of new equipment and systems, the town shall cause a qualified wastewater engineer to independently review and approve plans and specifications for the modifications, new equipment and systems. Such contract shall further provide that prior to acceptance of any modifications, new equipment or systems, including work undertaken pursuant to Section 6 and estimated to cost more than \$100,000, adjusted in accordance with adjustment factors as determined by the Town, the Town shall cause a qualified wastewater engineer to inspect such modifications, new equipment and systems and certify that the construction or installation has been completed in accordance with the approved plans and specifications.

SECTION 6. The provisions of any general or special law or regulation relating to the advertising, bidding or award of contracts, to the procurement of services or to the design and construction of improvements, except the provisions of sections 26 to 27H, inclusive, of chapter 149 of the General Laws, shall not be applicable to any selected offeror which is awarded a contract as provided in this section. The construction of any new capital improvement or any renovation, modernization, installation, repair or replacement work estimated to cost more than \$100,000, adjusted in accordance with adjustment factors as determined by the town, not specifically included in the initial contract or contracts for the lease or sale, operation or maintenance, financing, design, construction, repair or replacement, and installation of modifications, new equipment and systems necessary for any particular part of the sewer works system, shall be procured on the basis of advertised sealed bids; provided, however, that bids need not be solicited if the contractor causes such construction, renovation, modernization, installation, repair or replacement work to be completed without direct or indirect reimbursement from the town, or other adjustment to the fees paid by the town, including, but not limited to, any adjustment to sewer rates paid by the town users. Bids shall be based on detailed plans and specifications and the contract shall be awarded to the lowest responsible and eligible bidder. The contractor may act as an agent of the town in solicitation of bids for the construction of any new capital improvement or for any renovation, modernization, installation, repair or replacement work pursuant to this section; provided that the town shall cause a qualified wastewater engineer to independently assess the need for such capital improvement, renovation, modernization, installation, repair or replacement work and to review and approve the contractor's proposed plans and specifications prior to advertising for bids. Based on the recommendation of the qualified wastewater engineer, the town may approve, modify, or reject the contractor's proposed plans and specifications.

SECTION 7. Notwithstanding any general or special law or regulation to the contrary, the department of environmental protection may issue project approval certificates with respect to the design/build contract or contracts procured by the town under this act for operation and maintenance, repair or replacement, design, construction, installation and modifications to the sewer works system, and any such design/build services included in such contract or contracts shall be eligible for assistance under the Massachusetts Water Pollution Abatement Trust established by section 2 of chapter 29C of the General Laws, and any future revolving loan fund programs established by the commonwealth or the department of environmental protection.

SECTION 8. The selected offeror shall furnish to the town performance bonds, payment bonds, or other forms of security for the selected offeror's obligations, and insurance, satisfactory to the Town.

SECTION 9. The following words as used in this act shall, unless the context requires otherwise, have the following meanings:

"Sewer works system", the proposed and/or existing sewer works system, including, without limiting the generality of the foregoing, traditional and non-traditional technologies, all works, instrumentalities or parts thereof, all main, trunk, intercepting, connecting, lateral, force mains, private property components (as accepted by the town), and other adjuncts thereto, wastewater treatment facilities, effluent disposal facilities, septage

receiving and treatment facilities, and pump stations and any other property or interests in property, real or personal, incidental to and included in such sewer works system, and all facilities, betterments, extensions, improvements and enlargements thereto.

SECTION 10. All contracts or subcontracts for new construction, renovation, modernization, improvement or capital improvements to the town of Orleans' sewer works system shall be awarded only to persons or entities whose bids or proposals are subject to such persons or entities being signatory to a project labor agreement with the appropriate labor organizations which shall include an obligation for such labor organizations and its constituent members not to strike with respect to the work on such construction project and which shall also establish uniform work rules and schedules for the project. Such project agreement shall be entered into in order to facilitate the timely and efficient completion of the construction of such improvements and to make available a ready and adequate supply of highly trained, skilled craft workers who shall provide a negotiated commitment to assure labor stability and labor peace over the life of this project. The applicable entity responsible for any construction, renovation, modernization, improvement or capital improvement to the town's sewer works system shall designate a general contractor, project manager or similar construction firm which is familiar in the negotiation and administration of project labor agreements to manage and oversee the construction of the project, including the development and implementation of labor relations policies for the project, and to instruct such general contractor, project manager or other construction firm to negotiate a mutually agreeable project labor agreement covering the above described work.

SECTION 11. This act shall take effect upon its passage.

and to further authorize the Board of Selectmen to approve the final language of any such special legislation or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article would authorize the Board of Selectmen to file special legislation to allow the Town to pursue an alternative procurement method to design, build and operate (D-B-O) a new wastewater collection, treatment and disposal system. The D-B-O alternative provides greater flexibility and has the potential to save an estimated twenty percent over the cost of a typical design, bid, build project and an additional seven percent savings in operating expenses by including the operation of the new system into the D-B-O contract that can be negotiated for a period of up to twenty years. The Board of Selectmen continues to evaluate the options that are available and by filing the special legislation in May it allows to Town to proceed along parallel tracks and be in a position to make a make a final decision next year on the best approach for the Town.

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

ARTICLE 44. RE-AUTHORIZE HOME RULE PETITION - EXEMPT OLD FIREHOUSE RESTORATION BY NON-PROFIT FROM PREVAILING WAGES

To see if the Town will vote to authorize and instruct the Board of Selectmen to petition the Great and General Court (State Legislature) for special legislation to exempt the restoration of the Old Firehouse located at 44 Main Street by a non-profit organization from the applicable provisions of the prevailing wage laws, Chapter 149 of the General Laws, and to further authorize the Board of Selectmen to approve the final language of any such special legislation or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will allow the Board of Selectmen to petition the state legislature to pursue the restoration of the Old Firehouse on Main Street by a local non-profit organization and exempt the project from the state's public construction and prevailing wage laws to attempt to reduce the overall cost of the required work to be undertaken. The petition was approved at the May 11, 2015 Annual Town Meeting, but must be re-voted due to inaction by the state legislature.

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

ARTICLE 45. RE-AUTHORIZE HOME RULE PETITION - COMPEL NSTAR (EVERSOURCE) TO MITIGATE CORMORANT PROBLEM ON CEDAR POND

To see if the Town will vote to authorize and instruct the Board of Selectmen to petition the Great and General Court (State Legislature) for special legislation to compel NStar Electric Company (Eversource Energy) to undertake any and all actions necessary to abate the public nuisance caused by cormorants perching on the power lines owned by NStar Electric Company and located over Cedar Pond, a Great Pond, in the Town of Orleans, and to further authorize the Board of Selectmen to approve the final language of any such special legislation or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will allow the Board of Selectmen to petition the State Legislature for support in dealing with NSTAR (Eversource) to solve the long-standing problem of hundreds of cormorants that annually roost over Cedar Pond on power lines owned by NSTAR and the negative impact on water quality that has resulted from the roosting cormorants. The petition was approved at the May 11, 2015 Annual Town Meeting, but must be re-voted due to inaction by the state legislature.

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

ARTICLE 46. TOWN TO REFRAIN FROM ENFORCING FEDERAL IMMIGRATION LAW AND POLICY – BY PETITION

To see if the Town will vote to:

instruct the Orleans selectmen to direct officials and employees to refrain from participating in the enforcement of federal immigration law and policy, unless presented with a criminal warrant or other evidence of probable cause as required by the Fourth Amendment of the U.S. constitution. The selectmen are to report annually to the town about this matter, or to take any other action relative thereto. (By Petition)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article reaffirms the Town's commitment, last expressed at town meeting in May 2003, to enable all residents and visitors to lead lives of peace and dignity, free from fear, harassment, and violence regardless of age, race, ethnicity, ability, sexual and gender identity, marital or economic status, national origin, or citizenship or immigration status. This affirmation was and is viewed as necessary because existing federal legislation such as the U.S.A. Patriot Act, the Patriot Act II, and the Homeland Security Act as well as additional legislation which is now under discussion or which may in the future be considered might otherwise constrain or narrow existing protections under Massachusetts and U.S. law.

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

ARTICLE 47. ESTABLISH A POLICY TO REVIEW AND REVISE ALL TOWN OF ORLEANS USER FEES, PERMITS, AND LICENSES ANNUALLY – BY PETITION

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

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

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

or take any other action relative thereto. (Revenue Committee, By Petition)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

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

~~Hearing prior to establishing or increasing fees established; notice.~~

~~A. Any fee under the control of the Board of Selectmen shall only be established or increased after a publicly advertised hearing allowing a minimum of ten (10) days' notice in a publication of general circulation in the town.~~

~~B. At such public hearing, information shall be gathered concerning the proposed increase and voted by the Board.~~

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

~~Notwithstanding any bylaw to the contrary:~~

~~A. No public facility user fee, license fee or permit fee which is authorized by law or bylaw to be set by the Board of Selectmen shall be valid or collectible if it is increased from the previous year by an amount greater than five percent (5%) unless said increase is approved by a vote of the Town Meeting.~~

~~B. Any said user fee, license fee or permit fee which is authorized by law or bylaw to be set by the Board of Selectmen and is not in effect as of the date of this bylaw initially shall be established by a vote of the Town Meeting.~~

~~C. Nonresident beach parking fees and nonresident ORV beach permit fees shall not be subject to provisions of this bylaw (Article VII). [Added 5-9-1994 ATM, Art. 14]¹⁴~~

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

As proposed, this article requires the Board of Selectmen and other town boards and commissions who have jurisdiction over specific user fees, permits and licenses to annually review the costs of the associated Town services and revise the fees as they deem appropriate, until such time as the costs are fully recovered. The Revenue Committee's analysis indicates that this change in procedures can incrementally raise \$266,232 in additional revenues over time.

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

ARTICLE 48. ACCEPT GENERAL LAWS TO AUTHORIZE ESTABLISHMENT OF ENTERPRISE FUNDS – BY PETITION.

To see if the Town will vote to accept the provisions of G.L. c. 44, § 53F ½ which authorizes the Town to establish separate accounts classified as Enterprise Funds for a utility, health care, recreational, or transportation facility, and its operation, as the town may designate; or take any other action relative thereto. (Revenue Committee, By Petition)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Acceptance of this section of Massachusetts General Law would authorize the Town to establish Enterprise Funds in the future for certain Town operations such as Nauset and Skaket Beaches, moorings, Rock Harbor dockage and Transfer Station. Enterprise Funds have their own operating budgets that separate out revenues and expenses from the Town's General Fund budget and provide visibility and transparency to the taxpayer of all the costs and revenues associated with an activity -- e.g. operation of the beaches, moorings, Rock Harbor and the Transfer Station. Currently, the Towns of Barnstable, Bourne, Chatham, Harwich, Mashpee, Provincetown, Sandwich, Wellfleet, and Yarmouth have one or more Enterprise Funds.

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

ARTICLE 49. ALLOW ENTERPRISE FUNDS TO BE CONSIDERED OUTSIDE OPERATING BUDGET – BY PETITION

To see if the Town will adopt the following proposed order of amendment to the Orleans Home Rule Charter:

Chapter 2, Section 5. Articles having fiscal implications Section 2-5-1.

Bold = new language

2-5-1. **Except for operating expenses associated with any Enterprise Fund established pursuant to M.G.L. c. 44, § 53F ½**, all proposed operating expenditures shall be included in a single, omnibus-type article in the Town Meeting Warrant. In addition, all regular proposed capital improvements expenditures shall also be included in an omnibus-type article in the Annual Town Meeting Warrant, devoted to capital expenditures; or take any other action relative thereto. (Revenue Committee, By Petition)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant. The amendment shall take effect on May 16, 2018.

SUMMARY

Currently, the Orleans Home Rule Charter requires that assets like the Transfer Station, Nauset Beach and Skaket Beach must be operated within the omnibus general operating budget. This article would take the first step to amend the Orleans Home Rule Charter so that these assets could subsequently be treated as Enterprise Funds. Following approval at Town Meeting, the Home Rule Charter amendment must be submitted and approved by the Massachusetts Attorney General and then approved by the voters at the annual Town election in 2018. Thereafter, the Town of Orleans could, by approval of specific articles at subsequent Town Meetings, create Enterprise Funds to oversee and manage these assets. The Revenue Committee’s analysis indicates that creating separate Enterprise Funds for our beaches and the Transfer Station can raise incremental revenues in the amounts of \$283,245 and \$391,284 respectively.

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

ARTICLE 50. CLOSING ARTICLE

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move this meeting be adjourned.

Given under our hands this TWELFTH day of APRIL in the year of our Lord TWO THOUSAND SEVENTEEN

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

Sims McGrath, Jr., Chairman
David M. Dunford
Mark Mathison
Alan McClennen
Jon R. Fuller.

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 8, 2017 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Paul F. Kelly, 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 EIGHTH day of MAY in the year TWO THOUSAND SEVENTEEN at 6:30 P.M. to act on the following:

ARTICLES

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ARTICLE 1. PAY BILLS OF PRIOR YEARS

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

(9/10 Vote Required)

PROPOSED MOTION

The motion will be made at Town Meeting and will include the total as of May 8, 2017, and a breakdown by Town department, vendor and amount.

SUMMARY

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

BOS: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

ARTICLE 2. FY 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 the sum of One Thousand and 00/100 Dollars (\$1,000.00), or any other sum, to the Insurance Notes and Bonds Account for the purpose of paying unanticipated premium increases and deductibles.
2. Transfer the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, to the Transfer Station Recycling/Hauling Account for the purpose of paying increased hauling costs.
3. Transfer the sum of Twelve Thousand and 00/100 Dollars (\$12,000.00), or any other sum, to the Town Office Building Expense Account for the purpose of paying unanticipated repairs to the HVAC systems.
4. Transfer the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00), or any other sum, to the Treasurer/Collector Salary Account for the purpose of funding the budget shortfall due to the unexpected retirement and payout of the previous Town Treasurer/Collector.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

1. This transfer will cover the cost of insurance policy changes during the year.
2. This transfer will cover the increased cost of trucking solid waste from the Transfer Station to the disposal site.
3. This transfer will cover the cost of repairing the Town Hall boiler system.
4. This transfer will cover the cost of the Treasurer/Collector retirement buyout.

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

ARTICLE 3. APPLICATION OF BOND PREMIUM

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount

of any such premium so applied, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that the Town vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

SUMMARY

This article will supplement prior borrowing votes to permit the application of sale premiums to pay project costs.

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

ARTICLE 4. ADOPT M.G.L. CH. 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 Solar Credits Account, said account not to exceed Twenty Five Thousand and 00/100 Dollars (\$25,000.00). The Account will be used to pay the Town's utility bills. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 2) The Beach Inventory Account, said account not to exceed Seventy Five Thousand and 00/100 Dollars (\$75,000.00). The account will be used to purchase items for resale at Nauset Beach. Said funds to be spent under the direction of the department manager and the Town Administrator.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

- 1) A revolving fund for use by the Town to pay electric bills. Eversource will not apply our net metering credits directly to our accounts, so the revolving account allows for the funds they provide to be used for that purpose.
- 2) A revolving account for use by the Natural Resources Department to purchase items for resale at Nauset Beach.

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

ARTICLE 5. FUND BEACH INVENTORY STARTUP COSTS

To see if the Town will vote to transfer from available funds the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, for the purpose of funding the purchase of beach-related items for resale, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant, and that the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00) be transferred from Free Cash for this purpose.

SUMMARY

This article will provide the funding to enable the Town to purchase tee-shirts, sweat shirts and other Nauset Beach related memorabilia that can be sold by staff during the summer season to generate additional revenue for the Town.

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

ARTICLE 6. AUTHORIZE JOINT POWERS AGREEMENT WITH CAPE LIGHT COMPACT

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 to enter into a Joint Powers Agreement (JPA) with other governmental units for the joint exercise of their common powers and duties within Barnstable and Dukes County as the Cape Light Compact Joint Powers Entity (JPE), for the purpose of providing services including power supply procurement; offering of energy efficiency programs, participation in regulatory and legislative proceedings and educational outreach with regard to energy issues, in accordance with the Agreement on file with the Town Clerk, or to take any other action relative thereto. (Board of Selectmen)

PROPOSED MOTION

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

SUMMARY

The Cape Light Compact currently operates a municipal aggregation competitive supply program and energy efficiency services to customers located on Cape Cod and Martha's Vineyard under an Intergovernmental Agreement which expires in 2022. The Compact has determined that it is in the best interests of the members to transfer administrative,

fiscal and operational functions to a new independent legal entity prior to expiration of the IGA. As part of its discussions on transitioning from Barnstable County, the Compact Governing Board has been exploring forming a Joint Powers Agreement to ensure that member towns can be better protected from liability. Initially, the JPE would be responsible for the Compact's administrative affairs and the intent is to have the Compact transition to operating fully through the JPE.

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

ARTICLE 7. RESCIND OLD DEBT AUTHORIZATIONS FOR CLOSED PROJECTS

To see if the Town will vote to rescind the outstanding balances of the authorized and unissued borrowing for the following projects.

	TOWN		AMOUNT	TOTAL	TOTAL
	MEETING	ARTICLE	AUTHORIZED	ISSUED/ RETIRED/ RESCINDED	UNISSUED
EXEMPT DEBT					
OES Boiler	5/13/2013	10	\$ 200,000	\$ 189,141	\$ 10,859
Sub-Total, Schools			\$ 200,000	\$ 189,141	\$ 10,859
Highway Front End Loader	5/11/2015	9	\$ 175,000	\$ 155,269	\$ 19,731
Ambulance	10/27/2014	4	\$ 270,000	\$ -	\$ 270,000
Street Sweeper	5/13/2013	8	\$ 217,166	\$ 211,460	\$ 5,706
Docks Piers Ramps 2	5/9/2011	10	\$ 250,000	\$ 221,927	\$ 28,073
Rock Harbor Dredge	5/12/2014	8	\$ 900,000	\$ 744,381	\$ 155,620
DPW Garage Design	10/24/2014	2	\$ 40,000	\$ 29,750	\$ 1,705
Nauset Estuary Study	05/11/2015	58	\$ 50,000	\$ 49,936	\$ 64
Sub-Total, Gen Debt			\$ 1,457,166	\$ 1,257,454	\$ 480,898
Water Resource Mgmt Plan	5/12/2014	44	\$ 1,045,000	\$ 980,000	\$ 65,000
Sub-Total, CWMP					\$ 65,000
TOTAL EXEMPT DEBT			\$ 1,657,166	\$ 1,446,595	\$ 556,758
NON - EXEMPT DEBT					
Water Mains - Tonset Road	5/11/2015	10	\$ 755,000	\$ 667,750	\$ 70,583
Well #8	5/23/2008	11	\$ 250,000	\$ 240,505	\$ 9,495
Water Tank #2	5/7/2012	5	\$ 750,000	\$ 739,864	\$ 10,136
Sub-Total, Water			\$ 1,755,000	\$ 1,648,119	\$ 90,214
TOTAL NON-EXEMPT DEBT			\$ 1,755,000	\$ 1,648,119	\$ 90,214
TOTAL AUTHORIZED & UNISSUED TO BE RESCINDED					\$ 646,972

The total to be rescinded is Six Hundred Forty Six Thousand Nine Hundred Seventy Two and 00/100 Dollars (\$646,972.00).

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The aforementioned projects have been completed. The Town borrowed/issued debt for the funds needed to pay the actual costs. The unissued funds are amounts that were not needed and need to be rescinded.

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

ARTICLE 8. GRANT EVERSOURCE EASEMENT FOR 4 GIDDIAH HILL ROAD

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to Eversource Energy for utility purposes over the property owned by the Town of Orleans and located at Giddiah Hill Road, Orleans Mass. as described in an Order of Taking recorded with the Barnstable County Registry of Deeds Land Court Division, as Document No. 767361 on such terms and conditions as the Board of Selectmen may determine, and to further authorize the Board of Selectmen to execute any and all instruments and to take such action as may be necessary on behalf of the Town to effectuate this vote; or to take any action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will authorize the easement needed by Eversource to place their utility transformer on Town owned property to support the construction of the new Department of Public Works and Natural Resources Central Maintenance Garage and Facilities on this property.

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

ARTICLE 9. CLOSING ARTICLE

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move this meeting be adjourned.

Given under our hands this TWELFTH day of APRIL in the year of our Lord TWO THOUSAND SEVENTEEN

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

Sims McGrath, Jr., Chairman
David M. Dunford
Mark Mathison
Alan McClennen
Jon R. Fuller.

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 8, 2017 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Paul F. Kelly, Constable

Barnstable SS:

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at Precinct #1, in the Council on Aging Senior Center in said Orleans on Tuesday the SIXTEENTH day of MAY in the year TWO THOUSAND SEVENTEEN from 7:00 am to 8:00 pm to vote on the following.

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

- 1 Moderator (one year term)
- 2 Selectman (three year terms)
- 2 Board of Health (three year terms)
- 2 Orleans Elementary School Committee (three year terms)
- 1 Housing Authority (four year unexpired term)
- 2 Snow Library Trustees (three year terms)
- 1 Nauset Regional School Committee (three year term)
- 1 Constable (three year term)

QUESTION 1.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund the construction of the new Department of Public Works and Natural Resources Central Garage and Facilities on land adjacent to the Transfer Station, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 2.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund implementation of the Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 3.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund the demolition of the Tri-Town Septage Facility and compost shed located at Overland Way, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 4.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town’s allocable share of the bond issued by the Nauset Regional School District in order to fund the feasibility study and schematic design of the MSBA Core project at Nauset Regional High School, 100 Cable Road, North Eastham, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 5.

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

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

YES _____ NO _____

QUESTION 6.

Non-Binding Public Advisory Question for the 2017 Spring Ballot to protect public health and safety, move spent fuel at Pilgrim Nuclear Power Station to secure dry casks as soon as possible.

Whereas, the original design for the Pilgrim Nuclear Power Station (PNPS) spent fuel pool was for 880 assemblies and now holds over 2,822 densely racked and tightly packed assemblies, and;

Whereas, the PNPS spent fuel pool holds over 11 times the amount of cesium released at Chernobyl, and;

Whereas, the MA Attorney General Office 2006 report cited an accident at PNPS could result in 24,000 latent cancers, \$488 billion in damages, and contamination of hundreds of miles downwind, and;

Whereas, 885 Boraflex panels, which prevent criticality and fire, will be susceptible to unacceptable levels of deterioration by September, 2017, and;

Whereas, the PNPS spent fuel pool is vulnerable to terrorist and cyber attack, and;

Whereas, citizens of the Town of Orleans find this to be an unacceptable threat to our health and safety and must be resolved in the most timely manner.

Therefore, Should the people of the Town of Orleans direct the town's government to communicate with Governor Baker to employ all means available to ensure spent nuclear fuel generated by the Pilgrim Nuclear Power Station be placed in secure dry casks as soon as technically feasible and consistent with the highest standards, ready to be moved to a permanent federal facility when available in order to protect the health, welfare, and economic interests of the Town of Orleans and its inhabitants and visitors?

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 TWELFTH day of APRIL in the year of our Lord TWO THOUSAND SEVENTEEN

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

Sims McGrath, Jr., Chairman
David M. Dunford
Mark Mathison
Alan McClennen
Jon R. Fuller.

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the said Warrant for the Annual Town Election to be held on Tuesday, May 16, 2017 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE seven (7) days before the date, time and place of the meeting, as within directed.

Paul F. Kelly, Constable

TOWN OF ORLEANS BOARDS AND COMMITTEES

Affordable Housing Committee – Works to create and maintain affordable housing stock which is equal to at least 10% of Orleans' year-round occupied dwelling units. Seven members.

Agricultural Advisory Council – Represents the town's agricultural community with regard to sustainable agriculture-based economic activities in Orleans. Five members.

Architectural Review Committee – Promotes the continuation of attractive building and landscaping styles, with a good blending of the old and the new. Five members and two associates.

Bike and Pedestrian Committee – Advocates and supports the use of bicycling as transportation and recreation and makes recommendations to encourage and facilitate safe cycling within the Town. Seven members.

Board of Assessors – Sets policies regarding property valuation; sets tax rates; administers motor vehicle excise and boat excise; hears assessment appeals and abatements; reviews exemption applications; and administers betterments. Three members.

Board of Health - Elected board responsible for protecting the public health, safety and environment of the community accomplished through enforcement of state laws, the sanitary and environmental code, adopting reasonable local health regulations and by implementing preventive programs. Five members.

Board of Trustees for Snow Library – Elected board which sets policy for Snow Library, including building use and days and hours of operation; approves, promotes and participates in functions, displays, and exhibitions held in the library; and oversees all financial matters pertaining to the library. Seven members.

Board of Selectmen – Elected board which serves as chief executive goal-setting and policy-making agency of the Town, as outlined in the Orleans Home Rule Charter. Enacts rules and regulations establishing town policies, acts as the Town licensing authority, and appoints certain personnel, board and committee members. Five members.

Board of Water & Sewer Commissioners – Develops rules and regulations and sets policies governing the operation of the municipal water system. Oversees the watershed properties. Three members and two associates appointed by the Selectmen, one member appointed from the Planning Board and one from the Board of Health.

Building Code Board of Appeals – Reviews appeals from builders and individuals from the requirements of the Massachusetts State Building Code. Five members.

Cape Cod Regional Technical High School Committee – Orleans representative member and alternate appointed by the Town Moderator.

Charter Review Committee – In accordance with Chapter 6-9-1 of Town of Orleans Home Rule Charter, appointed every seven years by the Board of Selectmen to review the provisions of the Charter and advise on amendments. Seven members.

Commission on Disabilities – Coordinates and carries out programs designed to meet the problems of persons with disabilities; ensures appropriate accessibility and compliance with Americans with Disabilities Act and regulations of the State and Town as related to the needs of persons with disabilities. Five members and two associates.

Community Preservation Committee - Implements the requirements of the Community Preservation Act and makes recommendations to the Town Meeting for the use of the Community Preservation Fund. Eligible projects involve opens space, historic preservation, community housing, and recreation that are consistent with a Community Preservation Plan based upon the Local Comprehensive Plan. Nine members.

Conservation Commission – Administers the Massachusetts Wetlands Protection Act (Mass. General Law Chapter 131, Section 40) and the Orleans Wetlands By-Law (Code of the Town of Orleans, Chapter 160); manages conservation properties. Seven members and three associates.

Council on Aging – Evaluates, promotes and encourages new and existing activities and services for the older residents of the community. Seven members.

Cultural Council – Promotes the arts and humanities in the Town of Orleans; reviews Arts Grants Applications and makes grant awards, administers the Town Hall Art Gallery. Five to twenty-two members.

Finance Committee – Reviews proposed budget, capital plan and warrant articles and provides residents with information and recommendations resulting from their in depth review and investigation. Nine members appointed by Town Moderator.

Fourth of July Committee – Responsible for planning, organizing, and overseeing the annual Fourth of July parade and fireworks. Seven members and three associates.

Historical Commission – Transmits the Historical Property Survey to the Massachusetts Historical Commission. Nominates properties and districts for historical designation by the State Historical Commission. Seven members.

Human Services Advisory Committee – Reviews funding requests from human services agencies in order to determine which requests and what amounts may be presented to the Annual Town meeting for consideration. Three members.

Marine & Fresh Water Quality [Task Force] – Studies water quality issues; devises alternatives to current practices to protect marine water resources; conducts and analyzes Town's water quality monitoring program; operates water quality laboratory. Seven members.

Memorial Day & Veteran's Day Committee – Plans, organizes and oversees ceremonies and events honoring our veterans on Memorial Day and Veteran's Day.

Nauset Regional School Committee – Elected committee, three representative members.

Old King's Highway Historic District Committee – Elected committee created under the Old King's Highway Regional Historic District Act to promote the preservation and protection of buildings, settings and places within the boundaries of the District. Five members with at least three members residing in the district.

Open Space Committee – Assists the Town in the acquisition and preservation of open space; revises and updates the Conservation, Recreation and Open Space Plan; prepares grant applications, assists property owners in keeping private lands preserved as open space. Five members.

Orleans School Committee – Elected committee, five members.

Personnel Advisory Board – Responsible for the administration of the Town Personnel Classification Plan. Also, conducts inter-town studies of wage rates and employee benefits, mediates disputes over the interpretation of grievance procedure; factors new positions for placement in the classification schedule, and re-factors existing positions when the responsibilities have changed. Three members.

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

Renewable Energy/Wind Power Committee – Identifies and reviews renewable energy options that meet the goals and objectives established by the Board of Selectmen; explores and analyzes energy production facilities and infrastructure, efficiency and conservation measures, regional opportunities, funding sources, business costs and revenues, and public outreach and education. Five regular and two associate members.

Shellfish and Waterways Improvement Advisory Committee – Advises the Board of Selectmen on matters relating to the Town's shellfish beds. 7 regular members and 2 associate members with priority given to those possessing varied and related backgrounds in marine science, boating, shellfishing, fishing, dealers and aquaculture both commercial and recreational. At least 2 commercial fishermen, if possible.

Zoning Board of Appeals – Hears applications and petitions for Special Permits and Variances and makes determinations for granting or denying same under the constraints of the Zoning By-Laws of the Town and Mass. General Laws, Chapter 40A. Hears and decides appeals from decisions of the zoning administrator. Five regular members and three associate members.

Zoning Bylaw Task Force – Reviews the Orleans Zoning Bylaw on an ongoing basis to identify areas for improvement, resolve discrepancies, draft new sections as needed and expand and clarify definitions. Five members and two ex officio members.

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

CITIZEN INTEREST FORM

Date	Name		
Street Address			
Mailing Address (including Zip Code)			
Home Phone	Bus. Phone	Fax	E-Mail

Thank you for your interest in serving the Town. Please prioritize your interest in the committees that you wish to serve on the back of this form.

EXPERIENCE which might be helpful to the Town:

EDUCATIONAL BACKGROUND which might be useful to the Town:

Are you available to serve on a Town committee/commission on a year-round basis? yes no

If not, what is your availability? _____

How did you become interested in serving the Town?

newspaper friend personal interest _____

We suggest that you be aware of the time commitment you will need to make to the committee/board of your choice. For more information, please contact Margie in the Selectmen's Office at 508-240-3700, ext. 311 or at mastles@town.orleans.ma.us .

PLEASE RETURN THIS FORM TO: TOWN ADMINISTRATOR'S OFFICE 19 School Road Orleans, MA 02653
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TOWN OF ORLEANS COMMITTEES, BOARDS AND COUNCILS

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

- | | |
|---|--|
| <input type="checkbox"/> Affordable Housing Committee | <input type="checkbox"/> Human Services Advisory Committee |
| <input type="checkbox"/> Agricultural Advisory Council | <input type="checkbox"/> Insurance Advisory Committee |
| <input type="checkbox"/> Architectural Review Committee | <input type="checkbox"/> Marine & Fresh Water Quality Task Force |
| <input type="checkbox"/> Bike & Pedestrian Committee | <input type="checkbox"/> Memorial & Veterans Day Committee |
| <input type="checkbox"/> Board of Assessors | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Board of Water & Sewer Commissioners | <input type="checkbox"/> Personnel Advisory Board |
| <input type="checkbox"/> Building Code Board of Appeals | <input type="checkbox"/> Pleasant Bay Steering Committee |
| <input type="checkbox"/> Commission on Disabilities | <input type="checkbox"/> Renewable Energy Committee |
| <input type="checkbox"/> Community Preservation Committee | <input type="checkbox"/> Shellfish & Waterways Improvement
Advisory Committee |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Council on Aging | <input type="checkbox"/> Zoning Bylaws Task Force |
| <input type="checkbox"/> Cultural Council | <input type="checkbox"/> Other (please list) |
| <input type="checkbox"/> Finance Committee | _____ |
| <input type="checkbox"/> Fourth of July Committee | _____ |
| <input type="checkbox"/> Historical Commission | _____ |

If you would like to learn more about a specific committee, please check the town website at www.town.orleans.ma.us under "Committees", or contact Marge at the Town Administrator's Office at 508-240-3700 Ext. 311 or email at mastles@town.orleans.ma.us . In the event there is not an opening on the committee that interests you, the Town does maintain a waiting list and will keep your name on file for one year and we will notify you if an opening becomes available .