

**TOWN OF ORLEANS
TOWN MEETING WARRANTS**

for use at

Monday, May 9, 2022

**ANNUAL TOWN MEETING - 6:00 PM
&
SPECIAL TOWN MEETING – 6:00 PM
Nauset Middle School Gymnasium**



**ANNUAL ELECTION
TUESDAY, May 17, 2022
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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<https://www.town.orleans.ma.us/town-administrator>**

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MOTION CHART

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

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

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

ORLEANS TOWN MEETING BYLAWS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Clause 8-5-1 of the Charter reads:

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

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

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

Clause 2-7-8 of the Charter reads:

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

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 2022 & 2023 compares revenues and expenditures adopted in FY 2022 with those proposed in FY 2023. The Plan assumes approval of all funding articles as recommended in the Annual Town Meeting warrant.

As presented for FY 2023, the total expenditures amount to \$50,541,000, an increase of \$2,574,000 or 5.4%. The total property tax levy increase would be 6.7% resulting in a tax rate of \$7.54 per thousand dollars of assessed valuation, an increase of \$0.34 or 4.7% over FY 2022. Two of the main expenditure increases impacting the property tax levy in FY 2023 are debt service payments and a proposed general override to fund a portion of the Nauset Regional School Assessment.

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 2023 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 2022 and Proposed/Recommended for FY 2023.

Finally, the “Proposed Operating Budget” for the Fiscal Year July 1, 2022 – June 30, 2023 includes the 2022 adopted and 2023 proposed budgets and is broken down by department, line-item description and dollar amounts.

For FY 2023, the total proposed operating budget is \$40,672,325 inclusive of all non-school and school expenditures. This amount represents an overall increase of \$2,764,270 or 7.3% over FY 2022. Excluding debt, non-school operating expenditures are up 5.2% and school (Orleans Elementary, Nauset Regional and Cape Cod Tech) expenditures are up 8.0%.

Respectfully,

John F. Kelly
Town Administrator

**FINANCIAL PLAN
FOR THE FISCAL YEARS 2022 - 2023
(\$000)**

	ADOPTED		PROPOSED		%
	2022	2023	2023	2023	
REVENUES					
Property Tax					
Property Tax (Base)	25,897	26,888	992	3.8%	
Statutory Increase	666	703	37	5.6%	
Growth	326	180	(146)	-44.8%	
Debt/Capital Exp. Exclusions	5,032	5,682	650	12.9%	
Cape Cod Commission Act	179	183	4	2.0%	
Stabilization Fund Override	576	590	14	2.5%	
General Override	725	725	-	0.0%	
Preschool Override	495	495	-	0.0%	
NRSD Override	-	627	-		
Unused Levy Capacity	(183)	(84)	99	-54.1%	
Community Preserv. Surtax	996	1,028	32	3.2%	
Total Property Tax	34,709	37,017	2,309	6.7%	
Non-Property Tax					
State Aid	684	691	7	1.0%	
Motor Vehicle Excise	1,182	1,182	-	0.0%	
Local Receipts	1,065	1,065	-	0.0%	
Water Fees	2,800	2,957	157	5.6%	
Hotel/Meals Tax	333	333	-	0.0%	
Marijuana Tax	N/A	-	-		
Free Cash	911	245	(666)	-73.1%	
Funds Resv. Appr./Other Avail.	1,242	1,146	(96)	-7.7%	
Beach Fees	2,365	2,458	93	3.9%	
Transfer Station Fees	700	792	92	13.1%	
Mooring Fees	154	186	32	20.8%	
Rock Harbor Boat Basin Fees	122	124	2	1.6%	
Sewer Fees	-	-	-		
Sewer Surplus	-	-	-		
Wastewater Stabilization Fund	1,233	1,980	747	60.6%	
Comm. Preserv. Reserves	236	116	(120)	-51.0%	
Comm. Preserv. State Match	232	249	17	7.5%	
Total Non Property Tax	13,259	13,524	265	2.0%	
EXPENDITURES					
Provision for Abate/Exempt	188	200	12	6.4%	
Operating Expenses					
Non-School					
Salaries and Wages	11,996	12,440	444	3.7%	
Fringe Benefits	2,826	2,990	164	5.8%	
Pensions	2,194	2,308	113	5.2%	
General Expenses	3,495	3,869	374	10.7%	
State/County Assessments	670	685	15	2.3%	
Sub Total-Non Sch Operating	21,182	22,292	1,111	5.2%	
Capital Expenditures	69	68	(1)	-1.5%	
Debt	5,938	6,730	792	13.3%	
Sub Total-Non Sch Cap/Debt	6,006	6,797	791	13.2%	
Sub Total-Non School	27,188	29,090	1,902	7.0%	
Schools					
Nauset Regional	4,653	5,432	779	16.8%	
Debt	70	62	(8)	-11.1%	
NRS Capital Outlay	107	121	14	13.2%	
Sub Total-NRS	4,829	5,615	786	16.3%	
Orleans Elementary	4,241	4,334	93	2.2%	
Fringe Benefits	1,048	1,081	33	3.1%	
Pensions	186	197	10	5.5%	
Capital Outlay/Articles	30	30	-	0.0%	
Sub Total-OES	5,506	5,642	136	2.5%	
C.C. Technical High	255	223	(32)	-12.5%	
C.C. Technical Debt	130	102	(27)	-21.1%	
Total-Schools	10,720	11,583	863	8.0%	
Other					
Community Preserv. Expenses	352	416	64	18.3%	
Community Preserv. Fund	1,112	977	(135)	-12.2%	
Beach Enterprise Fund Exp	1,826	1,827	1	0.1%	
Transfer Station Enterprise Fund Exp	846	984	138	16.3%	
Mooring Enterprise Fund Exp	5	27	22	440.0%	
Rock Harbor Boat Basin Enterprise Fund Exp	117	117	0	0.0%	
Sewer Enterprise Fund Exp	731	1,761	1,030	141.0%	
Special Articles	4,882	3,559	(1,322)	-27.1%	
Sub Total-Other Expenses	9,871	9,669	(202)	-2.1%	
Total Expenditures	47,967	50,541	2,574	5.4%	
Assessed Value	4,682,305	4,775,951	93,646	2.0%	
Tax Rate	7.20	7.54	0.34	4.7%	

TAX RATE INFORMATION
ESTIMATED FOR FISCAL YEAR 2023

Per tax rate increments:

TAX RATE INCREASE	MUNICIPAL REVENUE RAISED	TAX IMPACT ON \$500,000.00 PROPERTY
\$ 0.01	\$ 46,823.05	\$ 5.00
\$ 0.05	\$ 234,115.25	\$ 25.00
\$ 0.10	\$ 468,230.50	\$ 50.00
\$ 0.20	\$ 936,461.00	\$ 100.00
\$ 0.30	\$ 1,404,691.51	\$ 150.00
\$ 0.40	\$ 1,872,922.01	\$ 200.00
\$ 0.50	\$ 2,341,152.51	\$ 250.00
\$ 0.60	\$ 2,809,383.01	\$ 300.00
\$ 0.70	\$ 3,277,613.51	\$ 350.00
\$ 0.80	\$ 3,745,844.02	\$ 400.00
\$ 0.90	\$ 4,214,074.52	\$ 450.00
\$ 1.00	\$ 4,682,305.02	\$ 500.00

Per revenue raised increments:

\$ 0.0002	\$ 1,000.00	\$ 0.11
\$ 0.0011	\$ 5,000.00	\$ 0.53
\$ 0.0021	\$ 10,000.00	\$ 1.07
\$ 0.0107	\$ 50,000.00	\$ 5.34
\$ 0.0214	\$ 100,000.00	\$ 10.68
\$ 0.1068	\$ 500,000.00	\$ 53.39
\$ 0.2136	\$ 1,000,000.00	\$ 106.79

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

The above calculations are based on the Town's estimated valuation for Fiscal Year 2022. These figures should be considered as estimates only, since valuations can change annually.

FINANCING SOURCES
Adopted Fiscal Year 2022 vs. Estimated Fiscal Year 2023

FINANCING SOURCES	FY 2023 PERCENT OF TOTAL	FY 2022 ADOPTED	FY 2023 ESTIMATED	PERCENT INCR/DECR	DOLLAR INCR/DECR
Property Tax	73%	34,708,521	37,017,100	6.7%	2,308,579
Water Fees	6%	2,800,160	2,957,191	5.6%	157,030
Local Receipts	2%	1,064,721	1,064,721	0.0%	-
Motor Vehicle Excise	2%	1,181,673	1,181,673	0.0%	-
Other Available Funds	3%	1,710,160	1,511,152	-11.6%	(199,008)
Free Cash	0%	911,282	244,876	-73.1%	(666,406)
Hotel/Meals Tax	1%	332,713	332,713	0.0%	-
State Aid	1%	683,840	690,678	1.0%	6,838
Beach Fees	5%	2,365,375	2,458,222	3.9%	92,847
Transfer Station Fees	2%	700,363	792,319	13.1%	91,956
Mooring Fees	0%	153,570	186,130	21.2%	32,560
Rock Harbor Boat Basin Fees	0%	121,979	124,119	1.8%	2,140
Sewer Fees	0%	-	-	-	-
Sewer Surplus	0%	-	-	-	-
Wastewater Stabilization Fund	4%	1,232,913	1,980,336	60.6%	747,423
Total	100%	47,967,270	50,541,230	5.4%	2,573,960

EXPENDITURE COMPARISON BY ORGANIZATIONAL GROUP
Recap Fiscal Year 2022 vs. Estimated Fiscal Year 2023

ORGANIZATIONAL UNIT	FY 2023 PERCENT OF TOTAL	FY 2022 ADOPTED	FY 2023 ESTIMATED	PERCENT INCR./DECR.	DOLLAR INCR./DECR.
Education (1)	23%	10,720,030	11,582,622	8.0%	862,592
Public Safety	13%	6,597,305	6,782,851	2.8%	185,546
Public Works	8%	3,857,627	4,151,551	7.6%	293,924
Debt/Capital Outlay	13%	5,937,685	6,729,528	13.3%	791,843
Fringe Benefits	6%	2,826,466	2,989,991	5.8%	163,524
General Government	6%	2,761,660	2,960,646	7.2%	198,986
Special Articles	7%	4,881,546	3,559,361	-27.1%	(1,322,185)
Pensions	5%	2,194,114	2,307,560	5.2%	113,445
Human Services	2%	1,166,158	1,186,722	1.8%	20,564
Culture & Recreation	1%	688,638	730,143	6.0%	41,505
State & County Assess.	1%	670,152	685,483	2.3%	15,331
Insurance	1%	488,220	565,230	15.8%	77,010
OTHER					
Community Preserv. Fund	3%	1,463,937	1,393,108	-4.8%	(70,829)
Provision for Abatement/Exempt	0%	187,948	200,000	6.4%	12,052
Enterprise Funds	9%	3,525,784	4,716,436	33.8%	1,190,652
Total	100%	47,967,270	50,541,231	5.4%	2,573,960

(1) Includes Capital Outlay, Debt Service and OPEB Items for NRSD.

MUNICIPAL FINANCE TERMS

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

Bond - A written promise to pay (debt) a specified sum of money (called principal or face value) at a specified future date (called the maturity date) along with periodic interest paid at a specified percentage of the principal (interest rate). Bonds are used to fund capital projects and approval requires a two-thirds (2/3) vote of town meeting.

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

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

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

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

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

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

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

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

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

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

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

Fiscal Year – Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. For example, the 2021 fiscal year is July 1, 2020 to June 30, 2021. Since 1876, the federal government has had a fiscal year that begins October 1 and ends September 30.

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

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

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

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

community passes a capital expenditure exclusion, a debt exclusion, or a special exclusion

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

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

Proposition 2½ Overrides/Underrides - General Override to permanently increase the amount of property taxes the Town can raise. This requires a majority vote by the Select Board in order to be placed on the ballot.

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

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

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

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

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

Stabilization Fund – A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. (MGL Ch. 40 § 5B). Communities may appropriate into this fund in any year an amount not to exceed ten percent of the prior year’s tax levy or a larger amount with the approval of the Emergency Finance Board. The aggregate of the stabilization fund shall not exceed ten percent of the community’s equalized value, and any interest shall be added to and become a part of the fund. A two-thirds (2/3) vote of town meeting is required to appropriate money from the Stabilization Fund.

ENTERPRISE FUNDS

History: In 2016, Town meeting passed an article to fund an Independent Town Revenue Committee charged with identifying potential sources of non-property tax revenue for report and recommendation to the Board of Selectmen. In their report dated June 21, 2017, one recommendation by the Committee was to adopt Enterprise Funds for certain service-based activities. At the Special Town Meeting on October 29, 2018, the Town voted to adopt a Home Rule Charter amendment to Chapter 2, Section 5, Section 2-5-1 that allowed enterprise funds to be considered outside of the Town's omnibus operating budget article. On October 31, 2020 at the Special Town Meeting, the Town officially accepted the provisions of Massachusetts General Law Chapter 44, Section 53F1/2 to allow for the establishment of separate annual operating budgets for the Beaches, Transfer Station, Moorings, Rock Harbor Boat Basin, and Sewer operations commencing in FY 22.

Enterprise Funds Explained: An enterprise fund is an accounting method that allows the Town to establish a separate accounting and financial reporting mechanism for a municipal service for which a fee is charged in exchange for goods or services provided.

Under enterprise accounting, the service's revenues and expenditures are segregated into a separate fund with its own financial statements, rather than being commingled with the revenues and expenses of all other governmental activities.

Enterprise accounting offers transparency in providing the true cost of the service by consolidating all the program's direct costs (e.g., salaries, expenses, capital purchases, debt service etc.) and indirect costs (e.g., general fund operating budget expenses that cannot be exclusively assigned to one service, fringe benefits, property/liability insurance etc.) into a segregated fund.

To support the service, a community may choose to recover total costs through user fees, through a tax levy subsidy, or through appropriation of other available funds.

The consolidation of a program's revenues and costs in an enterprise provides transparency, as well as useful information to make decisions on user fees and the annual budget. It allows for the transparent analysis of how much the user fees support the service and the extent to which the tax levy or any other available revenues may be needed to subsidize the enterprise fund. On an annual basis, the Select Board sets a policy that defines the composition of funding sources to pay for the services provided.

Establishing an enterprise fund does not create a separate, autonomous entity from the municipal government operation. Like every other department, the municipal department prepares an annual budget and fee recommendations to support the budget. The annual budget and proposed user fees are presented to the voters for approval at the Annual Town Meeting via a separate budget article.

At year-end, the enterprise fund's performance is measured in terms of positive (surplus) or negative (deficit) operations. An operating surplus results from revenue collected in excess of estimates and budget turn backs (costs budgeted for but not needed). An

operating surplus translates into retained earnings, which are retained in the fund rather than closing to the general fund.

The Massachusetts Division of Local Services (DLS) Director of Accounts certifies enterprise fund retained earnings based on the community's submission of a June balance sheet to DLS. Once certified, retained earnings may be appropriated only for expenditures relating to the enterprise fund.

Definition of Key Terms found in Enterprise Funds Budgets:

Betterments: a special property tax that is permitted where real property within a limited and determinable area receives a special benefit or advantage.

Budgeted Surplus: the excess of budgeted estimated revenues over (a) direct operating and capital cost appropriations and (b) indirect cost appropriations in the General Fund operating budget allocated to the enterprise. This surplus may be appropriated to the enterprise fund budget and may be further appropriated for current enterprise operating and/or capital costs only, from July 1 to June 30. Any unspent balance closes to the enterprise fund at fiscal year-end.

Budgeted Tax Levy Subsidy: the enterprise fund estimated revenues are below the budgeted amount for operating expenses (revenue deficit). This budgeted subsidy must be provided by the General Fund (*i.e.*, tax levy, free cash, etc.) or other funding source voted by the town meeting.

Capital Outlay: capital expenses such as construction or major repairs, equipment, or acquisitions.

Concessions: contractual amounts paid by vendors to the Town for the privilege of conducting business at the beaches.

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

Expenses: appropriated in and incurred directly by the enterprise for operating expenses and contractual payments.

Fuel Revenue: revenue earned from fuel pumps located at the Rock Harbor Boat Basin location.

Hazardous Waste: appropriation to fund disposal costs of hazardous waste material.

Indirect Expenses: salary and expenses appropriated as part of the General Fund operating budget allocated to the enterprise fund that cannot be directly or exclusively assigned to one service.

- a. *General Fund Allocated Expenses* – support services provided for and paid from the general fund. For example, the Town Collector, whose salary is paid by the General Fund, processes enterprise fund receipts and expense payments.

- b. *Fringe Benefits* – based on a fringe benefit rate calculation that is assigned to labor costs to cover such items as health insurance, pensions, unemployment insurance, Medicare, workers compensation, etc.
- c. *Property/Liability Insurance* – insurance paid by general fund, a portion of which covers the enterprise fund activities.

Investment Income: interest earnings generated in compliance with Massachusetts General Laws, Chapter 44, Section 55B.

Retained Earnings: At year-end, the Enterprise Fund's performance is measured in terms of positive (surplus) or negative (deficit) operations. The surplus/deficit closes out to retained earnings, which are retained in the fund. The Massachusetts Division of Local Services (DLS) Director of Accounts certifies enterprise fund retained earnings based on the community's submission of a June balance sheet to DLS. Once certified, retained earnings (if positive) may be appropriated only for expenditures relating to the enterprise fund. If retained earnings are negative, the enterprise fund needs to make provisions to fund the deficit either by raising it through fees in the subsequent year or through a subsidy from the general fund and/or other available funding source.

Other Trash Revenues: include gate collections and charges for miscellaneous items such as batteries, metals, textiles, etc.

Salaries: appropriated in and incurred directly by the enterprise for the enterprise employees.

Surplus/(Deficit): difference between Estimated Revenues and Operating Expenses.

User fees: amounts paid by those who use the service.

Town of Orleans Finance Committee Fiscal Year 2022 Annual Report and Letter to the Town

In the past 12 months, Mother Nature has reminded us several times of her importance in our lives - blasting through Town with Hurricane Ida in early September and then returning in late October with more Big Wind that knocked out power for much of our Town for several days. Then back with more Big Wind in mid-January as a “teaser” for the Blizzard that followed on January 29. Through all of this, the response and initiative of all Town Departments has been extraordinary. As noted last year, in reflecting on the Town’s response to the COVID pandemic, the people who keep this Town functioning and functioning well, truly define what makes this Town special. Our thanks again to all Town and school employees who help to keep us safe and well, day-by-day, year-by-year.

FY23 and Beyond

Last November, as part of the FY23 Budget process, the Town Administrator asked each of the Department managers to submit a 5-year look-ahead worksheet to identify programs and resources needed to support future growth potential, including the personnel and the operating costs by year and the reasons for the proposed increase (eg, regulations, increased service demand, increased efficiency, succession planning, etc.). Through that process, a number of immediate needs were identified and justified, including the need for an assistant facilities manager, a second mechanic and an assistant town planner. These three positions, with benefits, could cost \$285k or more. However, none of this funding was included in the draft Budget.

Although the Nauset Regional School District (NRSD) enrollment figures were published in mid-October, the impact of the shift in the school population on the Town Budget was not recognized by Town Hall until late February, after the draft Budget was presented to the Select Board and the Finance Committee. This shift, which changes the allocation of the NRSD budget (increasing the Orleans share from 19.08% to 21.07%), created a \$630k deficit in the Town’s draft Budget - which will likely need to be addressed with a general override, subject to Town approval at the ballot box in May.

Town officials met in early March with the NRSD High School Building Renovation Project team regarding the status of the project and its funding. The bid opening for the project is scheduled for June 1, 2022. The District plans to issue a Bond Anticipation Note (BAN) for \$12M for 3 months to cover the cash flow from June 1, 2022 until September 1, 2022 at an estimated interest rate of 1.75%. The interest due on the BAN in September has already been accounted for in the draft Budget. Once the bid results are known, the NRSD will notify the District towns regarding the Bond amounts to be issued (\$85M-\$100M+) and the terms of the Bond (25 or 30 years). The District towns would then review and vote on the NRSD recommendation. The Town’s 5-year Financial Plan currently includes a “place holder” amount of just over \$1M per year for this debt service, beginning in FY24.

Enterprise Funds

Last year’s Budget included, for the first time, the funding of five new “Enterprise Funds”, allowing the Town to establish a separate accounting and reporting mechanism for a number of municipal services for which fees are charged in exchange for services provided. With this new system, these revenues and expenditures are segregated into separate funds with their own financial statements, rather than being commingled with the revenues and expenses of the Town’s other activities. To support each of these services, the Town may choose to recover the total costs through user fees, through a tax levy subsidy, or through the appropriation of other available funds. This year, as last year, the Enterprise Fund budgets for Beaches and Moorings are

targeted to be self-supporting, with no additional taxpayer subsidy required to “balance the books”. However, both the Rock Harbor Boat Basin and the Transfer Station Enterprise Funds need additional taxpayer subsidies from the Town Budget (the General Fund) to close the gap. The Sewer Operations Enterprise Fund is supported by the Wastewater Stabilization Fund, with no additional subsidy required. However, none of these Enterprise Funds pay their own way with regard to debt service. All of the debt service is still paid through the Town’s General Fund and property taxes.

Debt and Taxes

During the February 17, 2022 Public Hearing on the FY24-FY28 Capital Improvements Plan (CIP) and the FY23 Capital Budget, the Finance Committee asked the Orleans Finance Director about the Town’s Debt limit and how the Orleans debt compares to other towns. The most current data available from the State’s Division of Local Services showed that in FY20, Orleans had a total outstanding debt of \$47.93M with a debt limit of \$225.78M. The “debt limit” is defined by state law as 5% of the “equalized value” of the city or town - which means 5% of the fair cash value of all property in a city or town subject to local taxation (thus not school or town property). In FY20, Orleans ranked 122 in the list of the State’s 351 municipalities in “Debt as a % of Limit”.

But there are other metrics that might be more relevant to our residents and taxpayers. Using the same data available from the State’s Division of Local Services, you can see that our debt service (the principal and interest that we pay for the funds borrowed by the Town) has tripled in the past few years from \$2.4M in 2016 to \$7.3M in 2020. Of those 351 towns in Massachusetts, Orleans ranked #2 in percentage of annual budget spent on debt (20%) and #1 in debt service per capita (\$1,153/person). In the Town’s recently published “Debt Book”, the average per capita income in Orleans in 2020 was \$45,720 and the median household income was \$73,778 (per Federal Census Bureau data).

Other data in the Town’s “Debt Book” shows that as of June 30, 2021, the “required principal and interest payments on outstanding general obligation bonds” is just over \$50M and that “currently, the Town has approximately \$16.4M in authorized unissued debt” for nearly a dozen municipal projects. The per capita debt as of June 30, 2021 noted in the “Debt Book” is \$6,782. All of these figures are likely to increase, with major capital improvements planned over the next 5 years totaling more than \$100M in the CIP approved at last year’s Town Meeting. However, a number of potential projects are not yet included, such as the new fire station, a community center, a new or expanded library, as well as subsequent phases of wastewater solution strategies. The Finance Committee firmly believes that the Town must develop a reporting system to show the potential increase in annual funding needs to support these known-but-not-yet-counted projects.

Here is how we stacked up against some of our neighbors, using the 2020 data available on the State’s Division of Local Services website (the most recent data available):

2020 Comparative Statistics - Orleans and Neighboring Towns						
	Orleans	Brewster	Chatham	Eastham	Harwich	Wellfleet
2020 Budget - millions	\$36.65	\$39.90	\$40.10	\$29.90	\$73.50	\$21.40
Debt Service - millions	\$7.3	\$2.2	\$6.1	\$4.1	\$10.9	\$1.7
Population	6,307	10,318	6,594	5,752	13,440	3,566
Debt Svc. per capita - \$	\$1,153	\$205	\$919	\$718	\$814	\$480
Rank in State	1	129	3	8	4	26
Debt Svc. as % of Budget	20.0%	5.3%	15.2%	14.0%	14.8%	8.0%
Rank in State	2	148	65	11	7	77

Orleans relies on its revenue stream from taxes, fees and grants to fund Operating Expenses and to service the Debt necessary to meet Capital Improvement needs. As noted above, in 2020 Orleans had the highest debt service per capita in the Commonwealth. Debt service consumed 20% of the Town's Budget, second highest in the Commonwealth. The Town relies on debt to fund needed and wanted capital projects. The resulting debt service is paid from Town Revenues and thus limits the Town's financial resources to fund expanded Town services and reduces financial flexibility to address unexpected needs.

For FY23, Property Taxes are expected to provide about 74% of Town Revenue with the remaining 26% coming primarily from various user fees. This revenue funds Town Operating Expenses, schools and Capital Improvements debt service. Based on the draft FY23 Budget provided in mid-January, the estimated tax rate for FY23 will be \$7.45. Based on draft Budget information, for each \$1M of new net Operating Expenses and Debt Service, the annual property tax of a residence would increase by about \$21 per \$100,000 of assessed value. The resulting property tax increase, on an \$800,000 home (the current median value in Orleans) would be approximately \$168 per year. Note, however, that these estimates are based on the draft Budget and don't include the potential impact of an NRSD-related general override or a myriad of Warrant Articles.

But what most of our taxpayers care about is the tax bill, not the tax rate. They care about the impact on their wallet, on their bank account. Yes, Orleans tends to be consistently at the lower end of state-wide tax rate rankings - but the Town is also at the lower end of household income rankings and at the higher end of assessed value rankings. As noted above, the Town's average per capita income in 2020 was under \$50k. Our demographic includes young families and low-to middle-income households of all age groups. We need to be very careful to ensure that we aren't pricing our next-door neighbors out of Town by continuing to raise taxes to pay for long-delayed and much-needed infrastructure and community-focused projects. We need to find alternative funding sources for projects that are more wants than needs.

Planning and Communication

How are we going to pay for all of our anticipated needs? Right now there are a number of "studies" underway in Town - the Economic Development Study, the Community Center Study, the Gov. Prentice Properties "Re-Use" Study, the Fire Station Feasibility Study and the Snow Library Strategy Study. The Warrant also includes an Article requesting funding for a Blue Economy Study. Further, the Affordable Housing Committee is planning to hire a consultant to update their 2017 "Community Housing Plan" and the Planning Department/Planning Board is talking about updating the Town's 2006 Comprehensive Plan. But which, if any, of these studies and updated plans, will include a revenue component - a chapter on funding or fund-raising for any recommended solutions? And how will the results of all of these studies be combined in a thoughtful, affordable Town-wide plan? How will the good ideas and the capital requirements be tied to revenue and funding requirements and thus to an estimate of the Town's future debt? We must coordinate all of these planning and study activities and prioritize recommended actions to meet our longer-term needs and aspirations while we consider their affordability. Adopting an effective framework for channeling the good ideas identified in the Town's numerous studies should be helpful, and identifying funding strategies supported by transparent analytics is critical for our future.

Our Town has a lot of new planning activity underway. We applaud this trend. However, we strongly recommend confirming and clarifying the roles and responsibilities for coordinating and leading the overall planning effort to support unified town-wide planning and manage likely-overlapping or even competing priorities, and maximize the value of the time and energy spent by various consultants, Town employees and countless Committee and Board members. This

could also help to provide more effective communication with Town residents, businesses and visitors to ensure that all voices are heard and that all are aware of outcomes and impacts.

Funding

What about revenue? Who in Town is leading the effort to identify new/additional sources of revenue for the Town - beyond simply increasing taxes? Are we actively pursuing a real estate transfer tax? What is the potential timing of marijuana revenue - FY23 or FY24? And when will who decide how best to use that revenue? In 2019, Town Meeting voted to allocate 100% of the short-term rental tax to the Wastewater Stabilization Fund. After 3 years, this allocation could be reconsidered, perhaps sharing the wealth of this revenue source with other needs in Town. What about looking for opportunities to re-purpose the use of underutilized Town properties - perhaps renting space for off-season boat storage? With deed restrictions on some Town properties, perhaps these could be reconsidered, for the greater good? How do we establish or enrich endowments for some of our cultural/other facilities such as the Library and the Council on Aging? State funding won't be available for a new Library for possibly decades. But if we want it - we're going to have to figure out how to pay for it - whether a new/expanded Library or a Community Center or right-priced housing for our firefighters and police officers who by contract are required to live within a certain distance of their home stations. At the same time, we need to maintain a delicate balance - planning for and funding our future - while still being mindful of the needs of all in our demographic - not just their needs for programs and services, but also their needs for economic stability.

Conclusion

To move forward effectively, we need to establish well-defined responsibilities and accountabilities, with clear objectives and timelines. We need to identify and execute revenue strategies. We need to care for and maintain the Town's assets - not just the infrastructure and buildings and facilities but also our Natural Resources and our Community. We need to set and continue to re-set our priorities - re-setting our sails as the winds shift. And we need to communicate more effectively, more often with all stakeholders - residents, businesses, Town employees and visitors.

Despite our concerns about the lack of a well-defined long-term capital planning process, and our concerns about the likely impact on the tax rate and the Town's debt portfolio, the Finance Committee recommends approval of the FY23 Budget and Capital Budget and the FY24-FY28 Capital Improvements Plan.

Respectfully submitted,
The Orleans Finance Committee

Lynn Bruneau, Chair

Nick Athanassiou, Vice Chair

Tim Counihan, Clerk

Elaine Baird

Christopher Kanaga

Ed Mahoney

Louis Ciavarra

Constance Kremer

Peter O'Meara

April 1, 2022

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 NINTH day of MAY in the year TWO THOUSAND TWENTY-TWO at 6:00 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. Departmental Revolving Funds Authorization

Article 6. Continuation of Municipal Rental Revolving Account

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CONSENT CALENDAR ARTICLES

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

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

MOTION (IF NEEDED)

I move that 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.

SB: Voted 5-0 to recommend entire consent calendar
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 2. ACCEPT TRANSPORTATION BOND BILL FUNDS

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

MOTION (IF NEEDED)

I move that 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 FY23 is \$279,144.

SB: Voted 5-0 to recommend entire consent calendar
FC: 8 – 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 Select Board to execute and deliver a bond of indemnity therefore to the Commonwealth, or to take any other action relative thereto. (Select Board)

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 of Environmental Management within tidal and non-tidal waterways within the Town.

SB: Voted 5-0 to recommend entire consent calendar
FC: 8 – 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. (Select Board)

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.

SB: Voted 5-0 to recommend entire consent calendar
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 5. DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

To see if the Town will vote to authorize revolving funds for certain town departments under M.G.L. c. 44, § 53E½ and Chapter 82 of the Code of the Town of Orleans as follows:

- 1) Council on Aging Revolving Fund, said account spending limits not to exceed Seventy-Five Thousand and 00/100 Dollars (\$75,000.00). The Account will be used to fund programs, class instructor fees, fees for reservations and tickets related to trips and functions, and an annual volunteer appreciation function. All funds to be spent under the direction of the department manager and the Town Administrator.
- 2) Council on Aging Transportation Revolving Fund, said account spending limits not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00). The Account will be used to fund driver salaries, vehicle maintenance and other necessary expenses related to the transportation program. Said funds to be spent under the direction of the department manager and the Town Administrator.

- 3) The Home Composting Bin/Recycling Revolving Fund, said account spending limits not to exceed Fifteen Thousand and 00/100 Dollars (\$15,000.00). The Account will be used to purchase additional composting bins and recycling containers. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 4) Cultural Council Awards Revolving Fund, said account spending limits not to exceed Two Thousand and 00/100 Dollars (\$2,000.00). The Account will be used for the depositing of entry fees, expense reimbursements, and for awarding of cash prizes to participants in special exhibits and cultural events. Said funds to be spent under the direction of the Cultural Council and the Town Administrator.
- 5) The Beach Store Revolving Fund, said account spending limits not to exceed Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) The Account will be used to purchase items for resale and to pay for other beach store related expenses. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 6) The H.K. Cummings Collection Revolving Fund, said account spending limits not to exceed Five Thousand and 00/100 Dollars (\$5,000.00). The Account will be used for costs associated with reproduction and digitization of prints. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 7) The Solar Credits Revolving Fund, said account spending limits not to exceed Fifty Thousand and 00/100 Dollars (\$50,000.00). 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.
- 8) The Recreation Department Revolving Fund, said account spending limits not to exceed Forty Thousand and 00/100 Dollars (\$40,000.00). The Account will be used to fund programs, part time salaries, class instructor fees, equipment and expenses not funded in the operating budget. All funds to be spent under the direction of the department manager and the Town Administrator.

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

MOTION (IF NEEDED)

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

SUMMARY

This article will continue the authorization of various revolving funds for the following purposes:

- 1) A revolving fund for the specific receipts, fees and charges for particular programs, services and activities of the Council on Aging.
- 2) A revolving fund for use by the Council on Aging to offset expenses related to the transportation program with monies collected through donations and gifts.
- 3) A revolving fund for the purchase of composting bins and recycling containers. These bins and containers are sold to the general public and the funds collected are placed in a special revolving account that allows for the purchase of additional composting bins and recycling containers.
- 4) A revolving fund for use by the Cultural Council to award cash prizes for selected juried shows and reimburse expenses. The funds for cash prizes would be generated by the entry fee that artists pay to show their work.
- 5) A revolving account for use by the Natural Resources Department to purchase items for resale and to pay for other beach store related expenses.
- 6) A revolving fund for use by Snow Library to fund the reproduction and digitization of prints in the H.K. Cummings special collection.

- 7) A revolving fund for use by the Town to pay electric bills. Eversource will not apply our net metering credits directly to our accounts, so the revolving account allows for the funds to be used to pay utility bills.
- 8) A revolving fund for use by the Recreation Department in connection with the operation of programs or activities that generate fees to support all or some of the expenses of those programs.

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

ARTICLE 6. CONTINUATION OF MUNICIPAL RENTAL REVOLVING ACCOUNT

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

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

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

MOTION (IF NEEDED)

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

SUMMARY

This article seeks to continue the authorization of various revolving funds for the following purposes:

- 1) A revolving fund for the properties managed by the Conservation Commission. Monies collected as rent will be placed in the account for use to pay utility bills and other necessary expenses associated with the rental of the properties.

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

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

ARTICLE 7. 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 Laws 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 FY24 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 approved for many years by Town Meeting vote.

SB: Voted 5-0 to recommend entire consent calendar
 FC: 8 – YES 0 – NO 0 – ABSTAIN

(Simple Majority Vote Required)

CONSENT CALENDAR – PROPOSED MOTION

I move that Articles 1, 2, 3, 4, 5, 6 and 7 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 Select Board may include in the warrant a Consent Calendar listing articles which that Board deems non-controversial. A written request by five registered voters before the commencement of Town Meeting, or, afterward, an oral request by five registered voters prior to consideration of the Consent Calendar, shall remove a particular article from it. All remaining articles in the Consent Calendar shall then be voted upon by a single vote without debate. Removed articles shall be considered and acted upon immediately after consideration of the Consent Calendar, and in the order of their listing in the Consent Calendar.

SB: 5 – YES 0 – NO 0 – ABSTAIN
 FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 8. BEACHES ENTERPRISE FUND BUDGET (FY 23)

To see if the Town will vote to raise and appropriate a sum of money to operate the Beaches enterprise for the fiscal year commencing July 1, 2022 and ending June 30, 2023 and to authorize the Town Administrator to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable in the best interest of the Beach enterprise. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or services as the case may be, and further, pursuant to Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Beaches enterprise as set forth in the following schedule, effective July 1, 2022, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**Beaches Enterprise Fund
Proposed Operating Budget
For the Fiscal Year July 1, 2022 – June 30, 2023**

<u>Estimated Revenues:</u>	
User Fees	\$ 2,416,992
Nauset/Skaket Concessions	\$ 41,230
Investment Income	\$ -
Subtotal	\$ 2,458,222
Retained Earnings	\$ -
Total Revenues:	\$ 2,458,222
<u>Operating Expenses:</u>	
Direct Expenses	
Salaries	\$ 800,043
Expenses	\$ 378,095
Capital Outlay	\$ 91,500
Debt Service	\$ -
Budgeted Surplus	\$ 557,238
Subtotal	\$ 1,826,876
Indirect Expenses	
General Fund Allocated Expenses	\$ 276,792
Fringe Benefits	\$ 351,060
Property/Liab. Insurance	\$ 3,494
Subtotal	\$ 631,346
Total Expenses	\$ 2,458,222
<u>Surplus/(Deficit)</u>	\$ (0)
<u>Budgeted Tax Levy Subsidy</u>	\$ 0

Proposed Fee Changes:

Beach Parking	Current Fee	Proposed Fee	Increase
Daily Parking Fee - Nauset	\$ 30.00	\$ 30.00	\$ -
Daily Parking Fee - Skaket	\$ 30.00	\$ 30.00	\$ -
Resident/Tax Payer (Season)	\$ 25.00	\$ 25.00	\$ -
Non-Resident (Season)	\$ 300.00	\$ 300.00	\$ -
Non-Resident (Weekly)	\$ 125.00	\$ 125.00	\$ -
Replacement Sticker	\$ -	\$ 5.00	\$ 5.00
OSV (Does not include HCP)	\$ -	\$ -	\$ -
Resident/Tax Payer Walk-in	\$ 120.00	\$ 120.00	\$ -
Resident/Tax Payer Mail-in/Online	\$ 120.00	\$ 120.00	\$ -
Resident/Tax Payer Off-Season	\$ 90.00	\$ 90.00	\$ -
Non-Resident	\$ 370.00	\$ 370.00	\$ -
Non-Resident (Off Season)	\$ 280.00	\$ 280.00	\$ -
Non-Resident Self-Contained	\$ 450.00	\$ 450.00	\$ -
NR Self-Contained (Off Season)	\$ 250.00	\$ 250.00	\$ -
Pochet	\$ 35.00	\$ 35.00	\$ -
Camp Owner/Licensee	\$ 120.00	\$ 120.00	\$ -
Camp Owner Non-Resident	\$ 300.00	\$ 300.00	\$ -
Other	\$ -	\$ -	\$ -
Mailing Fee (Online Sales)	\$ 2.00	\$ 2.00	\$ -

PROPOSED MOTION

I move that this article be accepted and adopted and that the Town Meeting adopt the Select Board's proposed FY 2023 Beaches Enterprise Fund budget and Proposed Fee Schedule as printed in the warrant, and as funding therefore, to:

1. raise and appropriate from Beaches enterprise revenues the sum of Two Million Four Hundred Fifty-Eight Thousand Two Hundred Twenty-Two and 00/100 Dollars (\$2,458,222.00)
2. and recognize that the indirect expenses of Six Hundred Thirty-One Thousand Three Hundred Forty-Six and 00/100 Dollars (\$631,346.00) will be raised and appropriated in the General Fund operating budget, and funding for such will be a transfer from the Beaches enterprise.

SUMMARY

This article would set and fund the enterprise fund operational budget and Fee Schedule for the Town's beaches operation at both Nauset and Skaket Beaches, including the bathing beaches and over sand programs, for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The Beaches enterprise fund provides transparency as to the overall operating cost of the beaches operation, except for \$662,124.00 in annual debt service payments due on debt borrowed to fund previously approved capital projects that were voted as such and are currently being funded by taxation. The Select Board has voted to adopt the above Proposed Fee Schedule, which is estimated to generate 100% of the revenues necessary to support the operational costs of the Town's beaches operation. No tax subsidy is required to support the beaches operation under this fee structure.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 9. MOORINGS ENTERPRISE FUND BUDGET (FY 23)

To see if the Town will vote to raise and appropriate a sum of money to operate the Moorings enterprise for the fiscal year commencing July 1, 2022 and ending June 30, 2023 and to authorize the Town Administrator to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable in the best interest of the Moorings enterprise. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or services as the case may be, and further, pursuant to Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Moorings enterprise as set forth in the following schedule, effective July 1, 2022, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**Moorings Enterprise Fund
Proposed Operating Budget
For the Fiscal Year July 1, 2022 – June 30, 2023**

<u>Estimated Revenues:</u>	
User Fees	\$ 186,130
Other Revenues	\$ -
Investment Income	\$ -
Subtotal	\$ 186,130
Retained Earnings	\$ -
Total Revenues:	\$ 186,130

<u>Operating Expenses:</u>	
Direct Expenses	
Salaries	\$ -
Expenses	\$ 3,090
Capital Outlay	\$ -
Debt Service	\$ -
Budgeted Surplus	\$ 24,167
Subtotal	\$ 27,257
Indirect Expenses	
General Fund Allocated Expenses	\$ 114,420
Fringe Benefits	\$ 40,750
Property/Liab. Insurance	\$ 3,704
Subtotal	\$ 158,873
Total Expenses	\$ 186,130

<u>Surplus/(Deficit)</u>	\$	(0)
<u>Budgeted Tax Levy Subsidy</u>	\$	0

Proposed Fee Changes:

<u>TYPE</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Increase</u>
Commercial	\$50.00	\$50.00	\$0.00
Blanket	\$220.00	\$220.00	\$0.00
Recreational	\$120.00	\$155.00	\$35.00
Waitlists	\$10.00	\$10.00	\$0.00

PROPOSED MOTION

I move this article be accepted and adopted and that the Town Meeting adopt the Select Board’s proposed FY 2023 Moorings Enterprise Fund budget and Proposed Fee Schedule as printed in the warrant, and as funding therefore, to:

1. raise and appropriate from Moorings enterprise revenues the sum of One Hundred Eighty-Six Thousand One Hundred Thirty and 00/100 Dollars (\$186,130.00)
2. and recognize that the indirect expenses of One Hundred Fifty-Eight Thousand Eight Hundred Seventy-Three and 00/100 Dollars (\$158,873.00) will be raised and appropriated in the General Fund operating budget, and funding for such will be a transfer from the Moorings enterprise.

SUMMARY

This article would set and fund the enterprise fund operational budget and Fee Schedule for the Town’s moorings operation that manages over 1,300 moorings town-wide, for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The Moorings enterprise fund provides transparency as to the overall operating cost of the moorings operation. The Select Board has voted to adopt the above Proposed Fee Schedule, which is estimated to generate 100% of the revenues necessary to support the operational costs of the Town’s moorings operation. No tax subsidy is required to support the moorings operation under this fee structure.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 10. ROCK HARBOR BOAT BASIN ENTERPRISE FUND BUDGET (FY 23)

To see if the Town will vote to raise and appropriate a sum of money to operate the Rock Harbor Boat Basin enterprise for the fiscal year commencing July 1, 2022 and ending June 30, 2023 and to authorize the Town Administrator to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable in the best interest of the Rock Harbor Boat Basin enterprise. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or services as the case may be, and further, pursuant to Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Rock Harbor Boat Basin enterprise as set forth in the following schedule, effective July 1, 2022, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**Rock Harbor Boat Basin Enterprise Fund
Proposed Operating Budget
For the Fiscal Year July 1, 2022 – June 30, 2023**

<u>Estimated Revenues:</u>		
User Fees	\$	117,975
Fuel Revenue	\$	6,144
Investment Income	\$	-
Subtotal	\$	124,119
Retained Earnings	\$	-
Total Revenues:	\$	124,119

<u>Operating Expenses:</u>		
Direct Expenses		
Salaries	\$	-
Expenses	\$	46,577
Capital Outlay	\$	-
Debt Service	\$	-
Budgeted Surplus	\$	70,000
Subtotal	\$	116,577
Indirect Expenses		
General Fund Allocated Expenses	\$	61,813
Fringe Benefits	\$	20,660
Property/Liab. Insurance	\$	3,779
Subtotal	\$	86,251
Total Expenses	\$	202,828

Surplus/(Deficit)	\$	(78,709)
Budgeted Tax Levy Subsidy	\$	78,709

<u>Proposed Fee Changes:</u>			
<u>TYPE</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Increase</u>
Resident Back In	\$65.00	\$65.00	\$0.00
Non-Resident Back In	\$85.00	\$85.00	\$0.00
Resident Commercial/Private	\$30.00	\$30.00	\$0.00
Non-Resident Commercial/Private	\$45.00	\$45.00	\$0.00

PROPOSED MOTION

I move that this article be accepted and adopted and that the Town Meeting adopt the Select Board's proposed FY 2023 Rock Harbor Boat Basin Enterprise Fund budget and Proposed Fee Schedule as printed in the warrant, and as funding therefore, to:

1. raise and appropriate from Rock Harbor Boat Basin enterprise revenues the sum of One Hundred Twenty-Four Thousand One Hundred Nineteen and 00/100 Dollars (\$124,119.00)
2. raise and appropriate from the tax levy the sum of Seventy-Eight Thousand Seven Hundred Nine and 00/100 Dollars (\$78,709.00)
3. and recognize that the indirect expenses of Eighty-Six Thousand Two Hundred Fifty-One and 00/100 Dollars (\$86,251.00) will be raised and appropriated in the General Fund operating budget, and funding for such will be a transfer from the Rock Harbor Boat Basin enterprise.

SUMMARY

This article would set and fund the enterprise fund operational budget and Fee Schedule for the Town’s Rock Harbor Boat Basin operation for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The Rock Harbor Boat Basin enterprise fund provides transparency as to the overall operating cost of the Rock Harbor Boat Basin operation, except for \$633,736.00 in annual debt service payments due on debt borrowed to fund previously approved capital projects that were voted as such and are currently being funded by taxation. The Select Board has voted to adopt the above Proposed Fee Schedule, which is estimated to generate 61% of the revenues necessary to support the operational costs of the Town’s Rock Harbor Boat Basin operation. 39% or Seventy-Eight Thousand Seven Hundred Nine and 00/100 Dollars (\$78,709.00) would need to be provided for by the general tax base to subsidize the Rock Harbor Boat Basin operation under this fee structure.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 11. SEWER ENTERPRISE FUND BUDGET (FY 23)

To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer enterprise for the fiscal year commencing July 1, 2022 and ending June 30, 2023 and to authorize the Town Administrator to execute an agreement which provides, at the Town’s option for a term up to twenty (20) years, for the operation, maintenance and management services for the Town’s collection system, pumping stations, wastewater treatment facility and aquifer recharge; and further to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable in the best interest of the Sewer enterprise. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or services as the case may be, and further, pursuant to Orleans Code §94-8 A. and B., to authorize the Select Board to set sewer user fees, license fees and permit fees for the Sewer enterprise as set forth in the following schedule, effective July 1, 2022, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

**Sewer Enterprise Fund
Proposed Operating Budget
For the Fiscal Year July 1, 2022 – June 30, 2023**

<u>Estimated Revenues:</u>	
User Fees	\$ -
Betterments	\$ -
Other Revenues	\$ -
Investment Income	\$ -
Subtotal	\$ -
Retained Earnings	\$ -
Total Revenues:	\$ -

<u>Operating Expenses:</u>	
Direct Expenses	
Salaries	\$ -
Expenses	\$ 1,731,388
Capital Outlay	\$ 30,000
Debt Service	\$ -
Budgeted Surplus	\$ -
Subtotal	\$ 1,761,388
Indirect Expenses	
General Fund Allocated Expenses	\$ 204,314
Fringe Benefits	\$ 11,830
Property/Liab. Insurance	\$ 2,804
Subtotal	\$ 218,948
Total Expenses	\$ 1,980,336

<u>Surplus/(Deficit)</u>	\$ (1,980,336)
<u>Transfer from Wastewater Stabilization Fund</u>	\$ 1,980,336

<u>Proposed Fee Changes:</u>			
<u>TYPE</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Increase</u>
Fixed Fee Per Quarter	\$0.00	\$50.00	\$50.00
Retail Rate per thousand gallons (kgal)	\$0.00	\$8.00	\$8.00
Septage Rate per thousand gallons (kgal)	\$0.00	\$100.00	\$100.00

PROPOSED MOTION

I move that this article be accepted and adopted and that the Town Meeting adopt the Select Board’s proposed FY 2023 Sewer Enterprise Fund budget as printed in the warrant, and as funding therefore, to:

1. transfer from the Wastewater Special Purpose Stabilization Fund the sum of One Million Nine Hundred Eighty Thousand Three Hundred Thirty-Six and 00/100 Dollars (\$1,980,336.00)
2. and recognize that the indirect expenses of Two Hundred Eighteen Thousand Nine Hundred Forty-Eight and 00/100 Dollars (\$218,948.00) will be raised and appropriated in the General Fund operating budget, and funding for such will be a transfer from the Sewer enterprise.

SUMMARY

This article would set and fund the enterprise fund operational budget for the Town’s sewer operation for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The sewer enterprise fund provides transparency of the costs related to the operation, maintenance and management services for the Town’s collection system, pumping stations, wastewater treatment facility and aquifer recharge. The Town has entered into an agreement with a private contracting firm that has the specialized professional skills and experience to efficiently operate and maintain the Town’s Wastewater Infrastructure. While the term of the agreement may be extended for up to 20 years at the Town’s option, Town Meeting authorization is required for any extension beyond 3 years. Since the Downtown area sewer system is expected to be substantially complete by September 2022, the sewer user fee and subsequent quarterly billing will commence upon connection to the sewer system. The Select Board has voted to adopt the above Proposed Sewer User Fee Schedule based on the recommendation from the Board of Water and Sewer Commissioners. For FY 2023, and per Mass Department of Revenue guidelines, the user fees, since unpredictable, cannot be relied upon as a funding source for the FY 2023 budget. 100% of the budget will be paid for by a transfer from the Special Purpose Wastewater Stabilization fund. This stabilization fund was established by Article 18 of the May 13, 2019 town meeting to accept 100% of the local option rooms excise tax for use in funding the implementation of the Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 12. TRANSFER STATION ENTERPRISE FUND BUDGET (FY 23)

To see if the Town will vote to raise and appropriate a sum of money to operate the Transfer Station enterprise for the fiscal year commencing July 1, 2022 and ending June 30, 2023 and to authorize the Town Administrator to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable in the best interest of the Transfer Station enterprise. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or services as the case may be, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**Transfer Station Enterprise Fund
Proposed Operating Budget
For the Fiscal Year July 1, 2022 – June 30, 2023**

Estimated Revenues:

User Fees	\$	682,125
Other Revenues	\$	110,194
Investment Income	\$	-
Subtotal	\$	792,319
Retained Earnings	\$	-
Total Revenues:	\$	792,319

Operating Expenses:

Direct Expenses

Salaries	\$	241,113
Expenses	\$	514,003
Capital Outlay	\$	90,000
Hazardous Waste	\$	28,000
Debt Service	\$	-
Budgeted Surplus	\$	111,222
Subtotal	\$	984,338

Indirect Expenses

General Fund Allocated Expenses	\$	152,028
Fringe Benefits	\$	113,180
Property/Liab. Insurance	\$	10,577
Subtotal	\$	275,784

Total Expenses	\$	1,260,122
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Surplus/(Deficit) **\$ (467,803)**

Budgeted Tax Levy Subsidy **\$ 467,803**

Proposed Fee Changes:

<u>Sticker Type:</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Increase</u>
T1 RES.	\$ 165.00	\$ 185.00	\$ 20.00
T2 RES.	\$ 25.00	\$ 35.00	\$ 10.00
TC1 COMM	\$ 165.00	\$ 185.00	\$ 20.00
TC2 COMM. SUBSEQUENT	\$ 20.00	\$ 35.00	\$ 15.00
TCR COMM. REPLACE	\$ 8.00	\$ 10.00	\$ 2.00
TR RES. REPLACE	\$ 8.00	\$ 10.00	\$ 2.00
TR1 REC.	\$ 25.00	\$ 25.00	\$ -
TR2 REC.	\$ 5.00	\$ 5.00	\$ -
TS (seasonal)	\$ 165.00	\$ 185.00	\$ 20.00

PROPOSED MOTION

I move that this article be accepted and adopted and that the Town Meeting adopt the Select Board’s proposed FY 2023 Transfer Station Enterprise Fund budget as printed in the warrant, and as funding therefore, to:

1. raise and appropriate from Transfer Station enterprise revenues the sum of Seven Hundred Ninety-Two Thousand Three Hundred Nineteen and 00/100 Dollars (\$792,319.00)
2. raise and appropriate from the tax levy the sum of Four Hundred Sixty-Seven Thousand Eight Hundred Three and 00/100 Dollars (\$467,803.00)
3. and recognize that the indirect expenses of Two Hundred Seventy-Five Thousand Seven Hundred Eighty-Four and 00/100 Dollars (\$275,784.00) will be raised and appropriated in the General Fund operating budget, and funding for such will be a transfer from the Transfer Station enterprise.

SUMMARY

This article would set and fund the enterprise fund operational budget for the Town’s transfer station operation for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The Transfer Station enterprise fund provides transparency as to the overall operating cost of the transfer station operation, except for \$278,002.00 in annual debt service payments due on debt borrowed to fund previously approved capital projects that were voted as such and are currently being funded by taxation. The Select Board voted to adopt the above Proposed Fee structure, subject to Board of Health approval, which is estimated to generate 63% of the revenues necessary to support the operational costs of the Town’s transfer station operation. 37% or Four Hundred Sixty-Seven Thousand Eight Hundred Three and 00/100 Dollars (\$467,803.00) would need to be provided for by the general tax base to subsidize the transfer station operation under this fee structure.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 13. TOWN / SCHOOL BUDGET (FY23)

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, 2022 and ending June 30, 2023 and to authorize the Town Administrator 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. (Select Board)

(Simple Majority Vote Required)

TOWN OF ORLEANS
PROPOSED GENERAL OPERATING BUDGET
FOR THE FISCAL YEAR JULY 1, 2022 - JUNE 30, 2023

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2022 ADOPTED</u>	<u>2023 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
GENERAL GOVERNMENT						
	122	<u>SELECTMEN/TOWN ADMINISTRATOR</u>				
1		SALARY	429,331	449,328	19,997	4.7%
2		EXPENSE	219,509	249,542	30,033	13.7%
	TOTAL	SELECTMEN/TOWN ADMINISTRATOR	648,840	698,870	50,030	7.7%
	123	<u>TELEPHONE/COMMUNICATIONS</u>				
3		EXPENSE	26,153	26,800	647	2.5%
	TOTAL	TELEPHONE/COMMUNICATIONS	26,153	26,800	647	2.5%
	124	<u>MEDIA OPERATIONS</u>				
4		SALARY	130,664	135,668	5,004	3.8%
5		EXPENSE	19,357	19,814	457	2.4%
6		CAPITAL OUTLAY	18,700	18,700	-	0.0%
	TOTAL	MEDIA OPERATIONS	168,721	174,182	5,461	3.2%
	131	<u>FINANCE COMMITTEE</u>				
7		SALARY	2,909	2,997	88	3.0%
8		EXPENSE	700	600	(100)	-14.3%
9		RESERVE FUND	78,000	80,000	2,000	2.6%
	TOTAL	FINANCE COMMITTEE	81,609	83,597	1,988	2.4%
	135	<u>FINANCE</u>				
10		SALARY	320,476	323,965	3,489	1.1%
11		EXPENSE	46,738	51,500	4,762	10.2%
	TOTAL	FINANCE DIRECTOR	367,214	375,465	8,251	2.2%
	141	<u>ASSESSING</u>				
12		SALARY	159,397	166,638	7,241	4.5%
13		EXPENSE	54,490	57,430	2,940	5.4%
14		CAPITAL OUTLAY	-	-	-	
	TOTAL	ASSESSING	213,887	224,068	10,181	4.8%
	145	<u>TREASURER/COLLECTOR</u>				
15		SALARY	242,595	252,744	10,149	4.2%
16		EXPENSE	49,790	51,035	1,245	2.5%
	TOTAL	TREASURER/COLLECTOR	292,385	303,779	11,394	3.9%
	155	<u>MANAGEMENT INFORMATION SYSTEMS</u>				
17		SALARY	190,392	198,439	8,047	4.2%
18		EXPENSE	165,229	169,322	4,093	2.5%
19		CAPITAL OUTLAY	-	-	-	
	TOTAL	MANAGEMENT INFORMATION SYSTEMS	355,621	367,761	12,140	3.4%
	161	<u>TOWN CLERK/ELECTIONS/VOTER REG.</u>				
20		SALARY	186,853	184,597	(2,256)	-1.2%
21		EXPENSE	23,894	36,828	12,934	54.1%
22		CAPITAL OUTLAY	-	-	-	
	TOTAL	TOWN CLERK	210,747	221,425	10,678	5.1%
	171	<u>CONSERVATION</u>				
23		SALARY	138,028	145,738	7,710	5.6%
24		EXPENSE	19,755	20,255	500	2.5%
	TOTAL	CONSERVATION	157,783	165,993	8,210	5.2%
	175	<u>PLANNING</u>				
25		SALARY	213,764	293,137	79,373	37.1%
26		EXPENSE	4,515	4,635	120	2.7%
	TOTAL	PLANNING	218,279	297,772	79,493	36.4%

LINE #	CODE	DEPARTMENT	2022 ADOPTED	2023 PROPOSED	DOLLAR CHANGE	PCT CHANGE
	176	ZONING BOARD OF APPEALS				
27		SALARY	5,333	5,494	161	3.0%
28		EXPENSE	4,293	4,380	87	2.0%
	TOTAL	ZONING BOARD OF APPEALS	9,626	9,874	248	2.6%
	195	TOWN REPORTS/TOWN MEETING				
29		EXPENSE	10,795	11,060	265	2.5%
	TOTAL	TOWN REPORTS/TOWN MEETING	10,795	11,060	265	2.5%
					-	
	TOTAL	GENERAL GOVERNMENT	2,761,660	2,960,646	198,986	7.2%
		PUBLIC SAFETY				
	210	POLICE/COMMUNICATIONS				
30		SALARY	2,561,635	2,596,903	35,268	1.4%
31		EXPENSE	285,642	317,232	31,590	11.1%
32		CAPITAL OUTLAY	-	-	-	
	TOTAL	POLICE/COMMUNICATIONS	2,847,277	2,914,135	66,858	2.3%
	213	FUEL				
33		EXPENSE	122,738	153,121	30,383	24.8%
	TOTAL	FUEL	122,738	153,121	30,383	24.8%
	220	FIRE/RESCUE				
34		SALARY	2,902,130	2,944,566	42,436	1.5%
35		EXPENSE	361,696	401,824	40,128	11.1%
36		CAPITAL OUTLAY	-	-	-	
	TOTAL	FIRE/RESCUE (see note 1)	3,263,826	3,346,390	82,564	2.5%
	241	BUILDING				
37		SALARY	249,491	254,968	5,477	2.2%
38		EXPENSE	95,030	94,970	(60)	-0.1%
	TOTAL	BUILDING	344,521	349,938	5,417	1.6%
	242	BUILDING CODE BOARD OF APPEALS				
39		SALARY	437	450	13	3.0%
40		EXPENSE	65	65	-	0.0%
	TOTAL	BUILDING CODE BOARD OF APPEALS	502	515	13	2.6%
	291	EMERGENCY MANAGEMENT				
41		SALARY	6,000	6,000	-	0.0%
42		EXPENSE	12,441	12,752	311	2.5%
43		CAPITAL OUTLAY	-	-	-	
	TOTAL	CIVIL DEFENSE	18,441	18,752	311	1.7%
	TOTAL	PUBLIC SAFETY	6,597,305	6,782,851	185,546	2.8%
		EDUCATION				
	300	ORLEANS ELEMENTARY SCHOOL				
44		BENEFITS	1,234,856	1,278,114	43,258	3.5%
45		OPERATIONS	4,240,962	4,333,928	92,966	2.2%
46		CAPITAL OUTLAY	30,000	30,000	-	0.0%
	TOTAL	ORLEANS ELEMENTARY SCHOOL	5,505,818	5,642,042	136,224	2.5%
	310	NAUSET REGIONAL ASSESSMENT				
47		EXPENSE	4,722,443	5,494,155	771,712	16.3%
48		OPEB	-	-	-	
49		CAPITAL OUTLAY - NRSB AGREEMENT	106,734	120,792	14,058	13.2%
	TOTAL	NAUSET REGIONAL ASSESSMENT	4,829,177	5,614,947	785,770	16.3%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2022 ADOPTED</u>	<u>2023 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	330	CAPE COD TECHNICAL ASSESSMENT				
50		EXPENSE	385,035	325,633	(59,402)	-15.4%
	TOTAL	CAPE COD TECHNICAL ASSESSMENT	385,035	325,633	(59,402)	-15.4%
	TOTAL	EDUCATION	10,720,030	11,582,622	862,592	8.0%
		PUBLIC WORKS AND FACILITIES				
	420	DEPARTMENT OF PUBLIC WORKS				
51		SALARY	1,983,907	2,148,416	164,509	8.3%
52		EXPENSE	436,221	488,982	52,761	12.1%
53		CAPITAL OUTLAY	-	-	-	
	TOTAL	HIGHWAY	2,420,128	2,637,398	217,270	9.0%
	423	SNOW REMOVAL				
54		SALARY	47,024	47,024	-	0.0%
55		EXPENSE	124,976	124,976	-	0.0%
	TOTAL	SNOW REMOVAL	172,000	172,000	-	0.0%
	450	WATER				
56		SALARY	730,051	747,994	17,943	2.5%
57		EXPENSE	485,448	545,159	59,711	12.3%
58		CAPITAL OUTLAY	50,000	49,000	(1,000)	-2.0%
	TOTAL	WATER-SRF (see note 2)	1,265,499	1,342,153	76,654	6.1%
	TOTAL	PUBLIC WORKS AND FACILITIES	3,857,627	4,151,551	293,924	7.6%
		HUMAN SERVICES				
	510	HEALTH				
59		SALARY	283,446	267,039	(16,407)	-5.8%
60		EXPENSE	56,187	56,430	243	0.4%
	TOTAL	HEALTH	339,633	323,469	(16,164)	-4.8%
	541	COUNCIL ON AGING				
61		SALARY	683,717	715,566	31,849	4.7%
62		EXPENSE	86,529	90,884	4,355	5.0%
63		CAPITAL OUTLAY	-	-	-	
	TOTAL	COUNCIL ON AGING	770,246	806,450	36,204	4.7%
	543	VETERANS BENEFITS				
64		EXPENSE	56,279	56,803	524	0.9%
	TOTAL	VETERANS BENEFITS	56,279	56,803	524	0.9%
	TOTAL	HUMAN SERVICES	1,166,158	1,186,722	20,564	1.8%
		CULTURE AND RECREATION				
	610	SNOW LIBRARY				
65		SALARY	524,900	549,163	24,263	4.6%
66		EXPENSE	156,098	173,171	17,073	10.9%
67		CAPITAL OUTLAY	-	-	-	
	TOTAL	SNOW LIBRARY	680,998	722,334	41,336	6.1%
	615	HISTORIC COMMISSION				
68		SALARY	1,455	1,499	44	3.0%
69		EXPENSE	1,550	1,550	-	0.0%
	TOTAL	HISTORIC COMMISSION	3,005	3,049	44	1.5%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2022 ADOPTED</u>	<u>2023 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	690	OLD KINGS HIGHWAY REG DISTRICT				
70		SALARY	1,940	1,998	58	3.0%
71		EXPENSE	1,090	1,117	27	2.5%
	TOTAL	OLD KINGS HIGHWAY REG DISTRICT	3,030	3,115	85	2.8%
	692	MEMORIAL & VETERANS DAY				
72		EXPENSE	1,605	1,645	40	2.5%
	TOTAL	MEMORIAL & VETERANS DAY	1,605	1,645	40	2.5%
	699	SPECIAL EVENTS & INFORMATION				
73		EXPENSE	-	-	-	
	TOTAL	SPECIAL EVENTS & INFORMATION	-	-	-	
	TOTAL	CULTURE AND RECREATION	688,638	730,143	41,505	6.0%
		<i>DEBT SERVICE</i>				
	710	PRINCIPAL - NOTES & BONDS				
74		EXPENSE	4,193,600	4,695,464	501,864	12.0%
	TOTAL	PRINCIPAL - NOTES & BONDS	4,193,600	4,695,464	501,864	12.0%
	751	INTEREST - NOTES & BONDS				
75		EXPENSE	1,744,085	2,034,064	289,979	16.6%
	TOTAL	INTEREST - NOTES & BONDS	1,744,085	2,034,064	289,979	16.6%
	TOTAL	DEBT SERVICE	5,937,685	6,729,528	791,843	13.3%
		<i>INTERGOVERNMENTAL/INSURANCE</i>				
	820	STATE ASSESSMENTS				
76		EXPENSE	264,475	269,765	5,290	2.0%
	TOTAL	STATE ASSESSMENTS	264,475	269,765	5,290	2.0%
	830	COUNTY ASSESSMENTS				
77		SALARY	2,194,114	2,307,560	113,445	5.2%
78		EXPENSE	349,027	355,958	6,931	2.0%
	TOTAL	COUNTY ASSESSMENTS	2,543,142	2,663,518	120,376	4.7%
	840	OTHER STATE & COUNTY CHARGES				
79		EXPENSE	56,650	59,761	3,111	5.5%
	TOTAL	OTHER STATE & COUNTY CHARGES	56,650	59,761	3,111	5.5%
	912	INSURANCE NOTES AND BONDS				
80		EXPENSE	488,220	565,230	77,010	15.8%
	TOTAL	INSURANCE NOTES AND BONDS	488,220	565,230	77,010	15.8%
	913	UNEMPLOYMENT COMPENSATION				
81		EXPENSE	15,137	15,663	526	3.5%
	TOTAL	UNEMPLOYMENT COMPENSATION	15,137	15,663	526	3.5%
	914	EMPLOYEE HEALTH & MEDICARE				
82		SALARY	2,811,329	2,974,328	162,998	5.8%
	TOTAL	EMPLOYEE HEALTH & MEDICARE	2,811,329	2,974,328	162,998	5.8%
	TOTAL	INTERGOVERNMENTAL/INSURANCE	6,178,953	6,548,264	369,311	6.0%
	GRAND TOTAL		37,908,055	40,672,325	2,764,270	7.3%
		TOTAL GENERAL OPERATING BUDGET	37,908,055	40,672,325	2,764,270	7.3%
		Assessed Value (actual and est.)	4,682,305	4,775,951	2.0%	
		Tax Rate	\$ 7.20	\$ 7.54	4.7%	

Note 1 \$ 600,000 of appropriations for the 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 that this article be accepted and adopted and that the Town Meeting adopt the Select Board's proposed FY 2023 budget as printed in the warrant, and as funding therefore, to:

1. raise and appropriate the sum of Thirty-Five Million Four Hundred Twenty-Seven Thousand Eight Hundred Eighty-Four and 00/100 Dollars (\$35,427,884.00),
2. appropriate from Water Fees the sum of Two Million Nine Hundred Fifty-Seven Thousand One Hundred Ninety-Two and 00/100 Dollars (\$2,957,192.00),
3. transfer from the Ambulance Receipts Reserved for Appropriation the sum of Six Hundred Thousand and 00/100 Dollars (\$600,000.00),
4. transfer from Cable Fees Receipts Reserved for Appropriation the sum of One Hundred Sixty-Three Thousand and 00/100 Dollars (\$163,000.00),
5. transfer from the Municipal Insurance Fund the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00),
6. transfer from the Water Pollution Abatement Trust account the sum of Five Thousand and 00/100 Dollars (\$5,000.00),
7. transfer from the Wetlands Protection Fund the sum of Ten Thousand and 00/100 Dollars (\$10,000.00),
8. transfer from the Bond Premiums Reserved for Debt Exclusion the sum of One Hundred Twenty-Three Thousand Forty-Seven and 00/100 Dollars (\$123,047.00);
9. transfer from Beaches Enterprise Fund the sum of Six Hundred Thirty-One Thousand Three Hundred Forty-Six and 00/100 Dollars (\$631,346.00);
10. transfer from Moorings Enterprise Fund the sum of One Hundred Fifty-Eight Thousand Eight Hundred Seventy-Three and 00/100 Dollars (\$158,873.00);
11. transfer from Transfer Station Enterprise Fund the sum of Two Hundred Seventy-Five Thousand Seven Hundred Eighty-Four and 00/100 Dollars (\$275,784.00);
12. transfer from Rock Harbor Boat Basin Enterprise Fund the sum of Eighty-Six Thousand Two Hundred Fifty-One and 00/100 Dollars (\$86,251.00);
13. and transfer from the Sewer Enterprise Fund the sum of Two Hundred Eighteen Thousand Nine Hundred Forty-Eight and 00/100 Dollars (\$218,948.00).

for a total appropriation of Forty Million Six Hundred Seventy Two Thousand Three Hundred Twenty Five and 00/100 Dollars (\$40,672,325.00) provided however that the sum of Six Hundred Twenty-Seven Thousand Thirty-Two and 00/100 Dollars (\$627,032) be appropriated to pay a portion of the Town's share of the Nauset Regional School District Assessment shall be a contingent appropriation subject to a proposition 2 ½ general override ballot question under the provisions of Massachusetts General Law Chapter 59, Section 21C paragraph (g) and (m).

SUMMARY

This article would set and fund the operational budgets for the normal operation for all Town functions in the amount of \$40,672,325.00 for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The FY23 Nauset Regional School District Assessment is allocated among the four member towns based on total school enrollment on October 1, 2021. With Orleans having 27 more students, the FY23 assessment has increased \$627,032 more than was budgeted and the Select Board voted to make the additional assessment amount contingent on a general override.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 14. CAPITAL IMPROVEMENTS PLAN (FY24 – FY28)

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. (Select Board)

(Simple Majority Vote Required)

**Capital Improvements Plan
FY24 - FY28**

Project Descriptions	Adopted		Budgeted		Proposed				
	FY23	FY23	FY23	FY23	FY24	FY25	FY26	FY27	FY28
COMMUNITY PRESERVATION ACT									
Program Activity Funding	(1)	1,393,108			(1)	(1)	(1)	(1)	(1)
CWRMP IMPLEMENTATION									
Planning, Design, Construction & Adaptive Mgmt. Activities (Debt Exclusion)									
Permeable Reactive Barriers (PRB's) Design & Implementation	7,840,000	0			7,840,000	5,683,200	2,184,200	3,140,600	13,532,600
Meetinghouse Pond Area Wastewater Facilities Design & Construction	32,007,600	32,906,000							
DPW & NATURAL RESOURCES									
Water Quality Drainage Improvements (Stabilization Fund)	196,796	196,796			201,716	206,759	211,928	217,226	222,795
Town Pavement Management Program (Stabilization Fund)	393,616	393,616			403,456	413,543	423,881	434,478	445,618
Water Department Asset Management Plan									
WTP Membrane Replacement (Rack 3) (Water Reserves)	69,900	69,900							
Residuals Handling Study and Implementation (Debt)	250,000	0						75,000	
Access Road Improvements Design (Water Reserves)									
Access Road Improvements Construction (Debt)									375,000
Water Treatment Plant HVAC/Blower Room Modifications (Debt)	0	250,000							
Water Storage Tanks Rehabilitation Design (Debt)						215,000			
Water Storage Tanks Rehabilitation Construction (Debt)									850,000
Nauset Beach Retreat and Facility Relocation Project at Main Parking Lot									
Modular Buildings in Parking Lot (Debt Exclusion)									
Replace Former Gavigan Cottages/Seasonal Housing (Debt Exclusion)						1,600,000			
Town Landing Restoration, Boating Ramp & Bulkhead Replacement Projects									
Rock Harbor (Timber/Commercial/Loading Dock) Constr. (Debt Exclusion)					4,975,000				
Town Cove (by Goose Hummock) - Construction (Debt Exclusion)					1,650,000				
Pleasant Bay Maintenance Dredging Project Construction (Debt Exclusion)	750,000	0			750,000				
Rock Harbor Maintenance Dredging Project Construction (Debt Exclusion)					1,000,000				
Nauset Estuary Dredging Project Constr.- Inner/Outer Channel (Debt Excl.)	3,000,000	0			3,000,000				
Old Fire House/Community Building Renovation Project									
					2,000,000				
FIRE/RESCUE DEPARTMENT									
New Fire/Rescue Station Design (Debt Exclusion)	0								
New Fire/Rescue Station Construction (Debt Exclusion)						TBD			

**Capital Improvements Plan
FY24 - FY28**

Project Descriptions	Adopted		Budgeted		Proposed				
	FY23	FY23	FY23	FY23	FY24	FY25	FY26	FY27	FY28
NAUSET REGIONAL SCHOOLS									
Five Year Capital Plan Project Funding (Raise & Appropriate) (Orleans share of project costs is 21.07% based on FY23 assessments)	109,402		120,792		123,889	127,066	130,324	133,666	137,093
ORLEANS ELEMENTARY SCHOOL									
Replace 1990's Windows & All Roofs Construction (Debt Exclusion)	1,650,000	0							
Replace Classroom Sinks/Renovate 1956's Restrooms Design (Debt Excl.)					70,000				
Replace Classroom Sinks/Renovate 1956's Restrooms Constr. (Debt Excl.)						340,000			
SNOW LIBRARY									
New Library Building Feasibility Study (Debt Exclusion)					150,000				
New Library Building Design (Debt Exclusion)						TBD			
New Library Building Construction (Debt Exclusion)							TBD		
MANAGEMENT INFORMATION SYSTEMS									
Information Technology Modernization Project (Debt Exclusion)	1,000,000	1,000,000							
PROPERTY ACQUISITION									
General Municipal Purchases (Debt Exclusion)	1,000,000	0			1,000,000				
TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM									
Building & Facilities Master Plan Projects (Stabilization Fund)	(2)				(2)	(2)	(2)	(2)	(2)
Media Operations (CATV Fees)	350,000	350,000	18,700	18,700	18,700	18,700	18,700	18,700	18,700
OES Technology Improvements (Raise & Appropriate)	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Beaches Operations (Enterprise Fund)	30,000	0	0	0	0	110,000	20,000	0	0
Water Department (Water Fees)	50,000	49,000			50,000	50,000	55,000	55,000	55,000
Rock Harbor Floating Dock Replacement (Enterprise Fund)						95,000			
TOWN VEHICLE & DURABLE EQUIPMENT REPLACEMENT PROGRAM									
General Fund Departments - Vehicles & Equipment (Stabilization Fund)	(3)				(3)	(3)	(3)	(3)	(3)
Beach Operations (Enterprise Fund)	450,000	450,000	91,500	91,500	64,000	25,200	0	43,000	44,000
Transfer Station Operations (Enterprise Fund)	71,000	90,000	90,000	90,000	73,000	0	0	220,000	150,000
Fire Department Replace Aerial/Ladder Truck					1,600,000				
DPW/NR Replace Streetsweeper (Debt Exclusion)						275,000			
New Ambulances (Ambulance Reserves)					400,000			430,000	
Water Department - Vehicles & Equipment (Water Reserves)	100,000	100,000			48,000	100,000	40,000	48,000	75,000
TOTALS	49,431,514	37,509,412	27,247,761	10,089,468	4,764,033	5,645,670	15,885,806		

**Capital Improvements Plan
FY24 - FY28**

	Proposed Annual Funding by Fiscal Year						
	FY23	FY24	FY25	FY26	FY27	FY28	
Community Preservation Funds	1,393,108	98,000	365,000	945,000	178,000	505,000	
Water Fees/Reserves/Debt	468,900	400,000	0	0	430,000	0	
Ambulance Receipts	0	18,700	18,700	18,700	18,700	18,700	
Cable Television Franchise Fees	18,700	450,000	450,000	450,000	450,000	450,000	
Stabilization Fund - Veh & Equip (Prop. Tax)	450,000	350,000	350,000	350,000	350,000	350,000	
Stabilization Fund - Bldg & Facilities (Prop. Tax)	350,000	403,456	413,543	423,881	434,478	445,618	
Stabilization Fund - Pavement Mgmt. (Prop. Tax)	393,616	201,716	206,759	211,928	217,226	222,795	
Stabilization Fund - Water Quality Drainage (Prop. Tax)	196,796	73,000	0	0	220,000	150,000	
Enterprise Fund - Transfer Station Fees	90,000	64,000	135,200	20,000	43,000	44,000	
Enterprise Fund - Beach Fees	91,500	0	95,000	0	0	0	
Enterprise Fund - Rock Harbor Fees	0	0	0	0	0	0	
Debt Exclusions (Prop. Tax)	33,906,000	25,035,000	7,898,200	2,184,200	3,140,600	13,532,600	
Raise & Appropriate (Prop. Tax)	150,792	153,889	157,066	160,324	163,666	167,093	
Total	37,509,412	27,247,761	10,089,468	4,764,033	5,645,670	15,885,806	

Notations:

- (1) Community Preservation Act program activities will be supported through the CPA surtax, state matching funds and available fund reserves.
- (2) Town Building & Facilities Maintenance Program includes projects grouped by funding source - dedicated stabilization fund, cable television franchise fees, water reserves or raise and appropriate. A separate 6-year master plan of scheduled projects is maintained for review and approval by the Board of Selectman. The funding source for each group is shown in parenthesis.
- (3) Town Vehicle & Equipment Replacement Program includes purchases grouped by funding source - dedicated stabilization fund, ambulance receipts, water reserves or debt exclusion. A separate 10-year master plan of scheduled replacements is maintained for review and approval by the Board of Selectmen. The funding source for each group is shown in parenthesis.
- (4) Grants: All articles to fund capital projects include the authorization for the Board of Selectmen and/or Town Administrator to apply for and to accept any Federal, State, County or other funds that may be available for such purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which may be used to offset the total cost of the project.

Approved: March 30, 2022

**CAPITAL BUDGET
FY23**

<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
COMMUNITY PRESERVATION ACT Program Activity Funding	\$1,393,108	CPA Funds
CWRMP IMPLEMENTATION Meetinghouse Pond Area Wastewater Facilities Construction	\$32,906,000	Debt Exclusion
DPW & NATURAL RESOURCES Water Quality Drainage Improvements Town Pavement Management Program Water Treatment Plant Membrane Replace (Rack 2) Water Treatment Plant HVAC/Blower Room Modification	\$196,796 \$393,616 \$69,900 \$250,000	Stabilization Funds Stabilization Funds Water Reserves Debt
NAUSET REGIONAL SCHOOLS 5-Year Capital Plan Project Funding	\$120,792	Raise & Appropriate
MANAGEMENT INFORMATION SYSTEMS Information Technology Modernization Project	\$1,000,000	Debt Exclusion
TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM Building & Facilities Master Plan Projects Media Operations Orleans Elementary School Technology Improvements Water Department	\$350,000 \$18,700 \$30,000 \$49,000	Stabilization Funds CATV Fees Raise & Appropriate Water Fees
TOWN VEHICLE & EQUIPMENT REPLACEMENT PROGRAM General Fund Departments Beach Operations Enterprise Fund Transfer Station Operation Enterprise Fund Water Department	\$450,000 \$91,500 \$90,000 \$100,000	Stabilization Funds Enterprise Funds Enterprise Funds Water Reserves
TOTAL	\$37,509,412	

Approved: March 30, 2022

PROPOSED MOTION

I move that 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.

FY24 PROJECT DESCRIPTIONS

COMMUNITY PRESERVATION ACT – PROGRAM ACTIVITY FUNDING

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

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

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT ACTIVITIES

The Water Quality and Wastewater Planning implementation costs for non-traditional technologies design, demonstration and implementation; wastewater facilities design and construction; technical oversight, project management, and other soft costs have been estimated over the next twenty years (FY22 – FY41). The program components have been identified with estimated costs by fiscal year. The following work is proposed for funding in FY24: Pleasant Bay Watershed – Mayflower, Ridge and Lake. Additional planning work is currently underway for Phase 3 of the traditional sewer collection system and the CIP will be updated for FY24, FY25 and FY26 as the work is completed and the full project scope is developed.

Total Estimated Cost:	\$7,840,000
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$382,863

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 freshwater 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:	\$201,716
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 FY23 apportionment is \$279,144. Annual funding for roadway and drainage projects will be based on a proposed project schedule.

Total Estimated Cost:	\$403,456
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

DPW & NATURAL RESOURCES - REPLACE FORMER GAVIGAN COTTAGES/
SEASONAL HOUSING

This project would replace the two existing Town-owned duplex cottages adjacent to Skaket Beach that are used for seasonal lifeguard housing.

Total Estimated Cost:	\$1,000,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$111,700

DPW & NATURAL RESOURCES – ROCK HARBOR BULKHEAD AND LOADING RAMP
REPLACEMENT

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

Total Estimated Cost:	\$4,975,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$366,284

DPW & NATURAL RESOURCES – TOWN COVE BULKHEAD REPLACEMENT

This project provides funds for the construction of the replacement of the east bulkhead, storm drain outfall pipe, 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:	\$1,650,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$121,481

PLEASANT BAY MAINTENANCE DREDGING PROJECT

This project will fund the maintenance dredging of navigational channels in Pleasant Bay at the Narrows, along with Quanset, Pah Wah, Arey’s and Lonnie’s Ponds.

Total Estimated Cost:	\$750,000
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Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$163,500

ROCK HARBOR MAINTENANCE DREDGING PROJECT

This project will fund the maintenance dredging of approximately 10,000 cubic yards of material from the Rock Harbor Boat Basin and the navigational channel into and out of the harbor. The project is being completed jointly with the Town of Eastham and the total \$2,000,000 cost will be split between the towns.

Total Estimated Cost:	\$1,000,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$218,000

NAUSET ESTUARY DREDGING PROJECT

This project will fund the Nauset Estuary dredging project to improve navigation and public safety. The original project proposed hydraulically dredging approximately 73,800 cubic yards from the channel in the outer estuary from Hopkins Island to the Nauset Inlet. The permitting work is currently on hold following the Town of Eastham’s withdrawal and the overall project is under review by the Select Board.

Total Estimated Cost:	\$3,000,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$654,000

OLD FIRE HOUSE/COMMUNITY BUILDING RENOVATION PROJECT

This project will fund the proposed renovations to the Old Fire House/Community Building located at 44 Main Street.

Total Estimated Cost:	\$2,000,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	TBD
Average Annual P&I:	\$238,500

NAUSET REGIONAL SCHOOLS – CAPITAL PLAN PROJECT FUNDING

This item 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 FY23 assessment is 21.07% of the total based on the student enrollments on October 1, 2021.

Total Estimated Cost:	\$123,889
Method of Financing:	Raise & Appropriate
Recommended Schedule:	TBD
Estimated Annual Cost O/M:	N/A

ORLEANS ELEMENTARY SCHOOL CLASSROOM SINKS & RESTROOM RENOVATIONS – ARCHITECTURAL/ENGINEERING DESIGN SERVICES

This project would fund the design services to replace the plumbing and fixtures in the classrooms in the 1956 wing of the school as recommended in the Capital Asset Assessment report by Habeeb & Associates Architects dated on October 21, 2013.

Total Estimated Cost:	\$70,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$15,260

SNOW LIBRARY – NEW LIBRARY BUILDING FEASIBILITY STUDY

This project would fund a feasibility study for a new library building to replace the existing building that was originally constructed in 1954, with additions added in 1977 and 1992 and a renovation in 2001.

Total Estimated Cost:	\$150,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	8 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$32,700

PROPERTY ACQUISITION – GENERAL MUNICIPAL PURCHASES

This item is included in the capital plan to facilitate the presentation of possible property purchases that may arise during the fiscal year to Town Meeting (subject to the 2/3 vote required for land purchases). This item is intended to cover acquisitions that are for general municipal uses.

Total Estimated Cost:	\$1,000,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	N/A
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$73,625

TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM

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

Total Estimated Cost:	\$448,700
Method of Financing:	Reserve, Stab/Ent Funds, R&A, CATV
Recommended Schedule:	12 Months

TOWN VEHICLE & DURABLE EQUIPMENT REPLACEMENT PROGRAM

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

overall capital spending each year. A copy of the 10-year schedule is attached for further reference.

Total Estimated Cost:	\$635,000
Method of Financing:	Water Reserves, Stab/Ent. Funds
Recommended Schedule:	12 Months

FIRE DEPARTMENT AERIAL LADDER TRUCK REPLACEMENT

This item will fund the replacement of the department's current ladder truck which is a 2007 model that has a reach of seventy feet. It is now half-way through its expected service life. During the past 15 years, the needs of the department and town have changed. Buildings being setback further from roads and risks have changed (i.e., new residential multi-family construction and large single-family homes replacing previous smaller existing homes). A new ladder truck would have a 100-foot reach and provide 30 years of service. The current ladder truck could be sold as it is in good condition. Expected timeline from ordering to delivery is 2 years.

Total Estimated Cost:	\$1,600,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	24 months
Estimated Annual Cost O/M:	\$22,000
Average Annual P&I:	\$190,000

FIRE DEPARTMENT AMBULANCE REPLACEMENT

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

Total Estimated Cost:	\$400,000
Method of Financing:	Ambulance Receipts
Recommended Schedule:	12 months
Estimated Annual Cost O/M:	\$5,000

FY25 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT ACTIVITIES

The Water Quality and Wastewater Planning implementation costs for non-traditional technologies design, demonstration and implementation; wastewater facilities design and construction; technical oversight, project management, and other soft costs have been estimated over the next twenty years (FY22 – FY41). The program components have been identified with estimated costs by fiscal year. The following work is proposed for funding in FY25: Pleasant Bay Watershed – Monument Road. Additional planning work is currently underway for Phase 3 of the traditional sewer collection system and the CIP will be updated for FY25 and FY26 as the work is completed and the full project scope is developed.

Total Estimated Cost:	\$5,683,200
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$189,440

WATER STORAGE TANKS REHABILITATION – ENGINEERING DESIGN SERVICES

This project involves preparation of engineering plans and specifications for the painting and rehabilitation of the Water Department's storage tanks #1 & 2 that were last painted in FY13 and FY14. The painting and rehabilitation are recommended from annual

inspection reports from engineering firm Haley and Ward and in Chapter 8 Finished Water Storage of the Department of Environmental Protection Agencies.

Total Estimated Cost:	\$215,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$5,000
Average Annual P&I:	\$24,016

MODULAR BUILDINGS IN NAUSET BEACH PARKING LOT

This project will fund the construction of modular buildings on the backside of the parking lot at Nauset Beach to replace the administration building and bathrooms that are projected to be removed in FY24 due to rising sea level and beach erosion. The proposed modular buildings will include space for Beach Administration and public restrooms and will be portable so that they can be relocated to the Town property at 223 Beach Road in the future.

Total Estimated Cost:	\$1,600,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	10 Months
Estimated Annual Cost O/M:	\$4,000
Average Annual P&I:	\$117,800

NEW FIRE/RESCUE STATION CONSTRUCTION

This project will fund the construction of the new Fire/Rescue Station based on the final project design.

Total Estimated Cost:	TBD
Method of Financing:	Bonding (20 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	TBD
Average Annual P&I:	TBD

ORLEANS ELEMENTARY – REPLACE CLASSROOM SINKS & RENOVATE RESTROOMS CONSTRUCTION

This project would fund the complete replacement of the plumbing and fixtures in the classrooms in the 1956 wing of the school as recommended in the Capital Asset Assessment report by Habeeb & Associates Architects dated on October 21, 2013.

Total Estimated Cost:	\$340,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$37,978

SNOW LIBRARY – NEW LIBRARY BUILDING DESIGN

This project would fund the design of a new library building based on the results of the feasibility study completed in FY23.

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

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:	\$59,950

FY26 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT ACTIVITIES

The Water Quality and Wastewater Planning implementation costs for non-traditional technologies design, demonstration and implementation; wastewater facilities design and construction; technical oversight, project management, and other soft costs have been estimated over the next twenty years (FY22 – FY41). The program components have been identified with estimated costs by fiscal year. The following work is proposed for funding in FY26: Pleasant Bay Watershed Permeable Reactive Barrier – Keziah’s Lane. Additional planning work is currently underway for Phase 3 of the traditional sewer collection system and the CIP will be updated for FY26 as the work is completed and the full project scope is developed.

Total Estimated Cost:	\$2,184,200
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$72,807

WATER STORAGE TANKS – PAINTING AND REHABILITATION

This project involves painting and rehabilitation of the Water Department's storage tanks #1 & 2 that were last painted in FY13 and FY14. The painting and rehabilitation are recommended from annual inspection reports from engineering firm Haley and Ward and in Chapter 8 Finished Water Storage of the Department of Environmental Protection Agencies. The partial rehabilitation of the coating systems of both tanks will extend the timeline for full rehabilitation out to 2042.

Total Estimated Cost:	\$850,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	6 Months
Estimated Annual Cost O/M:	\$5,000
Average Annual P&I:	\$101,363

SNOW LIBRARY – NEW LIBRARY BUILDING CONSTRUCTION

This project would fund the construction of a new library building based on the design to be completed in FY25.

Total Estimated Cost:	TBD
Method of Financing:	Bonding (20 years)
Recommended Schedule:	18 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	TBD

FY27 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT ACTIVITIES

The Water Quality and Wastewater Planning implementation costs for non-traditional technologies design, demonstration and implementation; wastewater facilities design and construction; technical oversight, project management, and other soft costs have been estimated over the next twenty years (FY22 – FY41). The program components have been identified with estimated costs by fiscal year. The following work is proposed for funding in FY26: Pleasant Bay Watershed Permeable Reactive Barrier–Quanset Road 1, 2, & 3.

Total Estimated Cost:	\$3,141,600
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$104,720

WATER TREATMENT PLANT ACCESS ROAD IMPROVEMENTS ENGINEERING

Engineering services for specifications and bid documents for improvements to the gravel road from Route 28 to the Water Treatment Facility. Currently heavy rains and winter conditions create unsafe conditions for vendors bringing supplies to the WTP.

Total Estimated Cost:	\$75,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	6 months
Estimated Annual Cost O/M:	N/A
Average Annual P&I:	\$8,378

FIRE DEPARTMENT AMBULANCE REPLACEMENT

This project will fund the replacement of a 2019 Ford F550 Ambulance.

Total Estimated Cost:	\$430,000
Method of Financing:	Ambulance Receipts
Recommended Schedule:	12 months
Estimated Annual Cost O/M:	\$5,000

FY28 PROJECT DESCRIPTIONS

CWRMP IMPLEMENTATION – PLANNING, ENGINEERING & ADAPTIVE MANAGEMENT ACTIVITIES

The Water Quality and Wastewater Planning implementation costs for non-traditional technologies design, demonstration and implementation; wastewater facilities design and construction; technical oversight, project management, and other soft costs have been estimated over the next twenty years (FY22 – FY41). The program components have been identified with estimated costs by fiscal year. The following work is proposed for funding in FY27: Nauset Harbor Watershed Permeable Reactive Barrier – Tonset Road.

Total Estimated Cost:	\$13,532,600
Method of Financing:	Bonding (30 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	TBD during design
Average Annual P&I:	\$451,087

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, 2023 (FY24) through June 30, 2028 (FY28). Projects that are proposed for funding in FY23 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 2021 town meeting are shown in the "Adopted" column under FY23 and those projects that are being proposed for funding are shown in the "Budgeted" column under FY23.

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

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	6 – YES	0 – NO	2 – ABSTAIN

ARTICLE 15. 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 2023 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 FY23, or take any other action relative thereto. (Community Preservation Committee)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of One Million Three Hundred and Ninety-Three Thousand One Hundred Eight and 00/100 Dollars (\$1,393,108.00) 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 2023 Community Preservation Fund revenues, unless otherwise specified, for Fiscal Year 2023 community preservation purposes with each item considered a separate appropriation.

RECOMMENDED AMOUNT AND SOURCE

<u>PURPOSE</u>	<u>FY23 Surtax</u>	<u>FY23 Est. State Share</u>	<u>Open Space Reserve</u>	<u>Unreserved Funds</u>	<u>Total</u>
Source of Funds	1,027,903	249,491	14,830	519,317	1,811,541
<i>Proposed Appropriations:</i>					
Existing Debt Service Expenses	416,393				416,393
1 Affordable Housing Trust Fund	500,000				500,000
2 Lower Cape Housing Institute	7,500				7,500
3 Cedar Pond Parcels	10,000				10,000
4 Putnam Farm Restoration	71,250				71,250
5 CHO Historic Collections	22,760	33,240			56,000
6 Historic Comm. Documentation		11,000			11,000
7 Historic Comm. Survey Plan		7,500			7,500
8 Odd Fellows 132 Roof Restoration		3,320			3,320
9 Fed. Church Steeple/Weathervane Restoration		13,475			13,475
10 French Cable Museum Restoration Wiring, Windows, Archiving		35,670			35,670
11 Bike Path to Overland Way		105,000			105,000
12 Eldredge Rec Master Plan/Design		40,286		11,714	52,000
13 Hardwired Safety Crossing				55,000	55,000
14 COA/Sr Cent Walkway Rehabil.				24,000	24,000
Committee Expenses/Admin.				25,000	25,000
Grand Total	1,027,903	249,491	0	115,714	1,393,108
EST END FUND BALANCE	0	0	14,830	403,603	418,433

Project descriptions for CPA budget article:

Project 1: Affordable Housing Trust Board general funding
Type: Community Housing

Applicant: Affordable Housing Trust Board

Amount: \$500,000

This grant will support Orleans Affordable Housing Trust Board for the creation and preservation of affordable and community housing.

Project 2: Cape Housing Institute Municipal Officials Training

Type: Community Housing

Applicant: Community Development Partnership

Amount: \$7,500

This grant will help fund the Lower Cape Housing Institute to equip local officials with the knowledge and skills needed to support the creation of affordable housing.

Project 3: Open Space Cedar Pond Parcels

Type: Open Space

Applicant: Orleans Open Space Committee

Amount: \$10,000

This grant will be used to acquire two unbuildable lots on Cedar Pond Rd to help preserve the resilience, environmental and recreational values of the area.

Project 4: Putnam Farm Restoration

Type: Open Space/Recreation

Applicant: Conservation Committee

Amount: \$71,250

This grant will be used to improve the infrastructure at Putnam Farm to better support passive recreation and optimize this conservation land for outdoor use.

Project 5: CHO Historic Collections Project

Type: Historic Resources

Applicant: CHO

Amount: \$56,000

This grant will be used to preserve and document 6000 historical items in the collection.

Project 6: Historic Commission – Historic District Documentation

Type: Historic Resources

Applicant: Historical Commission

Amount: \$11,000

This grant will fund photography and updated documentation of properties in the proposed Main Street historic district.

Project 7: Historic Survey Plan

Type: Historic Resources

Applicant: Historical Commission

Amount: \$7,500

This grant will allow the Historical Commission to update the 1970 Historic Properties Survey to be filed with the Mass. Historical Commission.

Project 8: Northwest Schoolhouse Roof

Type: Historic Resources

Applicant: Odd Fellows 132

Amount: \$3,320

This grant enables the roof preservation at the historic schoolhouse to be completed after a Covid-related delay resulted in increased costs of building materials.

Project 9: Federated Church Historic Weathervane/Steeple Renovation

Type: Historic Resources

Applicant: Federated Church

Amount: \$13,475

This grant covers the cost of repairs to the steeple and copper weathervane atop the Federated Church in East Orleans, dating to 1829, and listed in the Massachusetts Historic Commission and Orleans Historic Commission.

Project 10: French Cable Museum – Remediate Wiring, Restore Windows, and Archive Historic Material from 1880 to 1959.

Type: Historic Resources

Applicant: French Cable Station Museum

Amount: \$35,670

This grant helps remediate or restore the wiring and twenty-two windows while retaining the historic integrity of the 1891 building. The grant will also help to preserve historic material from the early years of the station.

Project 11: Shared Use Path to Overland Way

Type: Recreation

Applicant: Bike & Pedestrian Committee

Amount: \$105,000

This grant will fund the development of a shared-use accessway for residents of the area of Orleans located near Bakers Pond and Overland Way to safely reach recreational opportunities in Orleans.

Project 12: Recreation Master Plan/Design Services for Eldredge Park Region

Type: Recreation

Applicant: Orleans Recreation Advisory

Amount: \$52,000

This grant will support the creation of a Master Plan/Design Service for three properties on Eldredge Park Way: Orleans Elementary School, Nauset Regional Middle School and Eldredge Park Way to form a public recreational hub for people of all ages and interests.

Project 13: Hardwired Safety Signal

Type: Recreation

Applicant: Bike & Pedestrian Committee/Traffic & Safety Committee

Amount: \$55,000

This grant will help improve safety at the busy intersection of Old Colony Way, Main Street, and the Rail Trail with hardwired crossing signals for pedestrians and cyclists.

Project 14: Senior Center Garden Walkway Rehabilitation

Type: Recreation

Applicant: Council on Aging

Amount: \$24,000

This grant will help fund the restoration of the outdoor walkway at the Senior Center with safer pathways, edging and low maintenance plantings.

Committee Expenses: \$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. However, the CPC is recommending that only \$25,000 be used for regular expenses including legal consultation, administrative assistance, maintaining records and, if funding permits, additional studies directed toward realizing the Town's possibilities in the areas of recreation, open space, community housing and historic resources. Any and all unused funds at the end of the fiscal year revert to the fund balance for future projects.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 16. FUND HOUSING ASSISTANCE CORPORATION – 107 MAIN STREET

To see if the Town will vote to raise and appropriate, borrow and/or transfer the sum of One Million Dollars and 00/100 Dollars (\$1,000,000.00), or any other sum, under G. L. Chapter 44B (the Community Preservation Fund) or any other enabling authority for the purpose of creating and supporting community housing at 107 Main Street, Orleans, and further to authorize the Select Board and/or the Town Administrator to apply for and accept gifts and/or grants in any way connected with the scope of this undertaking, and to execute any and all instruments as may be necessary or appropriate to effectuate the foregoing acquiring, creating, and/or supporting of said community housing for the purposes set forth herein or to take any other action relative thereto. (Community Preservation Committee)

(2/3 Vote Required)

PROPOSED MOTION

I move that the article be accepted and adopted as printed in the warrant and that the sum of One Million and 00/100 Dollars (\$1,000,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of One Million and 00/100 Dollars (\$1,000,000.00) pursuant to G. L. c. 44B sec. 11, G. L. 44 and/or any other enabling authority for a term of no less than 20 years, and to issue bonds or notes of the town therefore; while any debt issued hereunder is a general obligation of the Town, it is the Town's intent that the amounts required to pay the principal and interest on the borrowing authorized by this vote shall, in the first instance, be transferred from Community Preservation Act funds.

SUMMARY

This article seeks bonding authorization for a term of no less than 20 years to acquire funds for the Housing Assistance Corporation under the direction of the Town of Orleans Affordable Housing Trust Board to create or support the affordable housing project at 107 Main Street, Orleans for the Town of Orleans. If the article is approved, the Town may plan, invest, acquire resources for the affordable housing project at 107 Main Street under the guidance of the Affordable Housing Trust Board with approval of the Select Board

The bond will be paid from the housing share of Community Preservation funds, which is supported by an ongoing surcharge on property taxes.

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

ARTICLE 17. FUND COMPREHENSIVE WATER RESOURCES MANAGEMENT PLAN - FRESH & SALTWATER PONDS ADAPTIVE MANAGEMENT

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ninety Six Thousand Seven Hundred and 00/100 Dollars (\$96,700.00), or any other sum, for the purpose of funding on-going studies of non-traditional technologies, adaptive management and remediation activities related to improving water quality in our marine and freshwater ponds, including all expenses incidental and related thereto; and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(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 Ninety-Six Thousand Seven Hundred and 00/100 Dollars (\$96,700.00), be raised and appropriated for this purpose.

SUMMARY

This article will fund non-construction related wastewater management planning activities including Lonnie’s Pond Monitoring (\$47,000); Cedar Pond Monitoring (\$30,000) and Summer 2022 Marine Water Quality Sampling (\$19,700).

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 18. ADOPT SEWER ASSESSMENT GENERAL BYLAW

To see if the Town will vote to adopt Chapter 6, Sewer Assessment, as follows:

A. General

The Town of Orleans (“Town”), acting through its Board of Water and Sewer Commissioners (“Commission”) and as approved by the Select Board shall assess twenty (20) percent of the cost of the wastewater treatment facility, effluent disposal, wastewater collection system and pumping stations upon those properties that benefit from the project. In assessing twenty (20) percent of the costs for the wastewater treatment facility, effluent disposal, wastewater collection system and pumping stations, the Town shall determine what portion of such costs shall be

assessed as betterment assessment and what portion shall be assessed as a privilege fee.

Eighty (80) percent of the costs of the wastewater treatment facility, effluent disposal, wastewater collection system and pumping stations, and one hundred (100) percent of the cost of non-traditional technologies shall be paid by property taxes.

Property owners which abut the wastewater system are responsible for one hundred (100) percent of the cost to connect to the Town's wastewater system. Refer to the Sewer Use Rules and Regulations, as may be amended from time to time, for additional information and requirements.

B. Statutory authority

The authority to assess betterments, as well as the permitted methodologies for doing so, are described in MGL c. 80, Betterments, and MGL c. 83 Sewers, Drains and Sidewalks, and any other enabling legislation. See also the Orleans Town Charter Chapter 6, Section 6-8-3.

C. Assessment based on uniform unit method

1. The Commission in assessing betterment assessments shall assess the owners of land abutting a public sewer in each phase on construction for which public sewer is installed by the Town by a rate based upon the uniform unit method. Sewer assessments shall be determined utilizing sewer unit values.
2. A single Sewer Unit shall be equal to the residential water usage for the residential properties abutting the wastewater system in each phase as defined in the Sewer Use Rules and Regulations, as amended.

D. Sewer unit calculation

1. The Commission shall assess sewer betterments based upon water usage. An average daily water usage for each phase of sewer construction for the residential properties shall be calculated based upon the prior three (3) year average ending with the most recent billed water cycle immediately preceding the date of the project's substantial completion.
2. Residential and Non-Residential properties shall be assigned a sewer unit(s) based on their daily water usage relative to the average of residential uses, provided that the number of sewer units for any residential or non-residential property shall not be less than one (1) sewer unit.
3. Properties abutting a sewered street shall be assessed by a rate proportional to the value assigned to the sewer unit(s) at the time of the assessment.
4. Residential undeveloped properties. Sewer units shall be calculated on the basis of the highest and best use permitted as a right of the zoning then in effect. Potential single family, multi-family, and other similar uses shall be converted into sewer units on the basis of residential equivalents. Refer to Paragraph H.4 for volume calculation.
5. Non-residential, undeveloped properties. Sewer units shall be calculated on the basis of the highest and best use permitted as a right of the zoning then in effect. Potential non-residential, commercial, industrial, semipublic and other similar uses shall be converted into sewer units on the basis of residential equivalents.

Refer to Paragraph H.4 for volume calculation.

6. If a property abuts a private or unaccepted way within which a public sewer has been installed, the Board shall assess the betterment assessment against said property.

E. Method of assessing betterments; order of assessment

The Commission shall levy, by preparing an order of assessment, assessments against all properties abutting a sewer street. In the order of assessment, the Town shall designate the owner of each parcel, as of the preceding January 1, as liable to assessment under the provisions of the General Laws.

F. Time of assessment

The time of assessment for lands abutting the sewer street shall be in accordance with the provisions of M.G.L. c. 80, §1.

G. Betterment payment

1. General. Except as herein provided, the provisions of the General Laws relative to the assessments, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefore and to interest thereon, shall apply to assessments made under this article, and the Tax Assessor and Town Treasurer/Collector shall have all the powers conveyed by the General Laws.
2. Betterment Payment Options
 - a. Lump-sum betterment. The lump sum betterment payment for an assessed property shall be equivalent to the product of the total number of sewer units designated upon said property and the appropriated value for one sewer unit at the time of assessment.
 - b. Apportionment of betterment payment. Property owners shall have the option to finance betterment payments through apportionment for up to thirty (30) years. The interest rate charged by the Town shall be two (2) percent greater than the project bond interest rate being paid by the Town for the construction of the wastewater system project.

H. Sewer privilege fees

1. For the purpose of the Sewer Assessment Bylaw, a privilege fee shall be equivalent to one hundred (100) percent, adjusted by the Consumer Price Index (Engineering News Record Index) at the time of the assessment, of the calculated betterment assessment value pertinent to each property as determined under Section D. of this Sewer Assessment Bylaw. Sewer privilege fees shall be levied at the time of connection to the public sewer system. Property owner options for payment of said fees shall be per Section G. of this Sewer Assessment Bylaw.
2. For those properties not abutting the sewer line, but tying into the system at a future date, the time of assessment of privilege fee shall be the date upon which that property owner applies to connect into the sewer system. Payment shall be made prior to the issuance of approval by the Board of Water and Sewer Commissioners of the Town or authorized representative.

3. Private sewer extension. If a developer or a person other than the Town, or duly authorized representative of same, constructs a sewer extension to the Town's wastewater system, the Town shall assess a sewer privilege fee in lieu of betterment assessment against each property tying into said sewer extension. The time of assessment of privilege fee shall be the date upon which the developer or person applies to connect into the sewer system. Payment shall be made prior to the issuance of approval by the Board of Water and Sewer Commissioners of the Town or authorized representative.
4. Calculation of wastewater flows shall be based on one of the following as approved by the Commission:
 - a. Documented facilities with at least two (2) years of water use data in Orleans;
 - b. Documented similar facilities with at least two (2) years of water use data; or
 - c. Sixty (60) percent of 310 CMR 15 – The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-Site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage.
5. In addition, the developer and/or property owners connecting to private sewer extensions shall bear the burden of all costs, including engineering, survey and design, construction, land acquisition and legal services, related to the following:
 - a. Preparation of design plans and specifications for the private sewer extensions to be accepted as part of the Town's wastewater system, shall be prepared by a Civil or Environmental professional engineer registered in the Commonwealth of Massachusetts. The design plans and specifications shall be in accordance with the Town's Sewer Use Rules and Regulations, as amended.
 - b. Application fees for a building sewer installation permit shall be in accordance with the Town's Sewer Use Rules and Regulations, as amended.
 - c. Inspection fees related to the installation of the private sewer extension tying into the Town's wastewater system shall be in accordance with the Town's Sewer Use Rules and Regulations, as amended.
6. Costs associated with the design and construction of a private sewer extension shall be considered separate to the sewer privilege fee. Payments or method of payment related to these costs shall not be reflected within the sewer privilege fee.

I. Compensatory Sewer privilege fees

1. Undeveloped Property. In the situation where a betterment has been assessed to an undeveloped property based upon the number of sewer units required by Section D., paragraph 4 and paragraph 5 of this Sewer Assessment Bylaw and said property is ultimately developed to accommodate a number of sewer units in excess of the number used for determining the betterment assessment, the Town shall assess a compensatory sewer privilege fee.

2. Developed Property. In the situation where a betterment has been assessed to a developed property based upon the number of sewer units required by this Sewer Assessment Bylaw, and the usage of said property is changed or increased, which results in a number of sewer units in excess of the number used for determining the betterment assessment, the Town shall assess a compensatory sewer privilege fee.
3. The compensatory sewer privilege fee shall be equivalent to that sum of money that would have been charged, as a betterment assessment upon the property at the time of the original assessment and adjusted by the Consumer Price Index (Engineering News Record Index) at the time of the assessment, under the conditions to which they have changed or increased, less than the amount of the original assessment. The time of assessment of the compensatory sewer privilege fee shall be the date upon which the developer or person applies to connect into the sewer system. Payment shall be made prior to the issuance of approval by the Board of Water and Sewer Commissioners of the Town or its authorized representative.
4. All rules and regulations governing the payment and method of payment related to betterment assessments, as designated in this Sewer Assessment Bylaw, and the Town's Sewer Use Rules and Regulations, as amended, shall apply.
5. The Commission is authorized to take any other action necessary or appropriate to accomplish the establishment and recovery of such betterment assessments.

J. Regulations

The Commission is authorized to promulgate regulations to carry out the purpose and intent of this Sewer Assessment Bylaw.

K. Sewer connection costs

All costs of connecting individual properties to the Town's wastewater system shall be at the sole cost and expense of the property owner. See also the provisions of Paragraph A above.

L. Hardship

Hardships shall be applied for and approved in accordance with the applicable statutory real estate property tax exemptions.

M. Appeals

Property owners may appeal to the Commission for exemption from, modification of, or reconsideration of any decision pertaining to this Sewer Assessment Bylaw.

Petition for abatement; filing, etc. shall be made in accordance with MGL Chapter 80, Section 5 and the Town's Sewer Use Rules and Regulations, as amended.

The Commission shall render a decision within seventy (70) days of receipt of the appeal, unless continued by the Commission. If no decision is rendered, then the appeal is approved.

N. Severability

If any provisions of this Sewer Assessment Bylaw or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Sewer Assessment Bylaw which can be given effect without such invalid provisions or applications.

Or take any other action relative thereto. (Board of Water & Sewer Commissioners)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The adoption of the Sewer Assessment Bylaw will authorize the Town to assess the owners of land abutting a public sewer installed by the Town by a rate based upon the following uniform unit method:

Sewer assessments shall be determined utilizing sewer unit values.

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

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

The Town petitioned the state legislature for a special act to approve the proposed sewer betterment allocation method and to rescind Ch. 381 of the Acts of 2008 to change the timing of the assessment. At the time the warrant went to press, the special act (H.2196) had passed the House and is currently in the Senate Committee on Bills in the Third Reading.

SB: 4 – Yes 0 – No 0 – Abstain
FC: 6 – Yes 0 – No 2 – Abstain

ARTICLE 19. FUND MEETINGHOUSE POND AREA SEWER COLLECTION SYSTEM CONSTRUCTION

To see if the Town will vote to raise and appropriate or borrow the sum of Thirty-Two Million Nine Hundred Six Thousand and 00/100 Dollars (\$32,906,000.00), or any other sum, for the purpose of funding the construction of the Meetinghouse Pond Area Collection System and Pumping Station Project, including all expenses incidental and related thereto; and further to authorize the Select Board to acquire, by purchasing gift, eminent domain or otherwise, easements or such other interests in land as necessary to undertake the Meetinghouse Pond Area Collection System and Pumping Station Project; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 ½ so called) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board and Board of Water and Sewer Commissioners)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Thirty-Two Million Nine Hundred Six Thousand and 00/100 Dollars (\$32,906,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Thirty-Two Million Nine Hundred Six Thousand and 00/100 Dollars (\$32,906,000.00) pursuant to Massachusetts General Laws, Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote.

SUMMARY

This article will fund the construction of the Meetinghouse Pond Area Sewer Collection System and Pumping Station Project that will connect 481 additional properties to the new sewer treatment facility under Phase 2 of our Amended Comprehensive Water Quality Management Plan. This project has been included on MassDEP's Calendar Year

2022 Intended Use Plan and eligible for subsidized financing through the Clean Water State Revolving Fund (SRF) Loan Program. All new projects receiving financial assistance from the SRF will be eligible for loans at 2% and certain projects with the primary purpose of nutrient reduction may be eligible for 0% rate loans. The project is also eligible for financial assistance up to 25% from the Cape and Islands Water Protection Fund using the 2.75% rooms excise tax revenue.

SB: 4 – YES 0 – NO 0 – ABSTAIN
FC: 6 – YES 0 – NO 1 – ABSTAIN

ARTICLE 20. FUND WATER QUALITY IMPROVEMENTS IN THE MEETINGHOUSE SEWER AREA

To see if the Town will vote to raise and appropriate, borrow and/or transfer the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), or any other sum, for the purpose of funding the design and construction of improvements to the Town’s drainage in the Meetinghouse sewer area, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 ½ so called) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(3/4 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00) pursuant to Massachusetts General Laws, Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote.

SUMMARY

This project will fund stormwater system improvements in the area to be sewered around Meetinghouse Pond to coordinate the work to take place during construction of the sewer collection system and prior to the repaving of the roadways.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 21. FUND REPLACEMENT OF WATER MAINS IN THE MEETINGHOUSE SEWER AREA

To see if the Town will vote to raise and appropriate or borrow the sum of Five Hundred Seventy-Five Thousand and 00/100 Dollars (\$575,000.00), or any other sum, for the purpose of constructing water main replacement in the Meetinghouse sewer area, including all expenses incidental and related thereto; and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(3/4 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Five Hundred Seventy-Five Thousand and 00/100 Dollars (\$575,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Five Hundred Seventy-Five Thousand and 00/100 Dollars (\$575,000.00), pursuant to Massachusetts General Laws, Chapter 44. Sec. 8 (5) and (6), or any other enabling authority, and to issue bonds or notes of the Town therefore.

SUMMARY

This project includes the replacement of water mains in the area to be sewerred around Meetinghouse Pond to coordinate the work during construction of the collection system so the work is completed prior to the repaving of the roadways. It is intended that the debt service to be paid annually, in the first instance, from the Water Special Revenue Fund.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 22. FUND REPLACEMENT OF WATER SERVICES IN THE MEETINGHOUSE SEWER AREA

To see if the Town will vote to raise and appropriate or borrow the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), or any other sum, for the purpose of funding the replacement of all remaining original 1963+/- iron water services within the limits of the Meetinghouse sewer area, including all expenses incidental and related thereto; and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(3/4 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), pursuant to Massachusetts General Laws, Chapter 44. Sec. 8 (5) and (6), or any other enabling authority, and to issue bonds or notes of the Town therefore.

SUMMARY

This project includes the replacement of water services to the properties located in the area to be sewerred around Meetinghouse Pond to coordinate the work during construction of the collection system so the work is completed prior to the repaving of the roadways. It is intended that the debt service to be paid annually, in the first instance, from the Water Special Revenue Fund.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 23. FUND INFORMATION TECHNOLOGY MODERNIZATION PROJECT

To see if the Town will vote to raise and appropriate or borrow the sum of One Million and 00/100 Dollars (\$1,000,000.00), or any other sum, for the purpose of funding the Information Technology Modernization Project, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 ½ so called) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of sum of One Million and 00/100 Dollars (\$1,000,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of sum of One Million and 00/100 Dollars (\$1,000,000.00) pursuant to Massachusetts General Laws, Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote.

SUMMARY

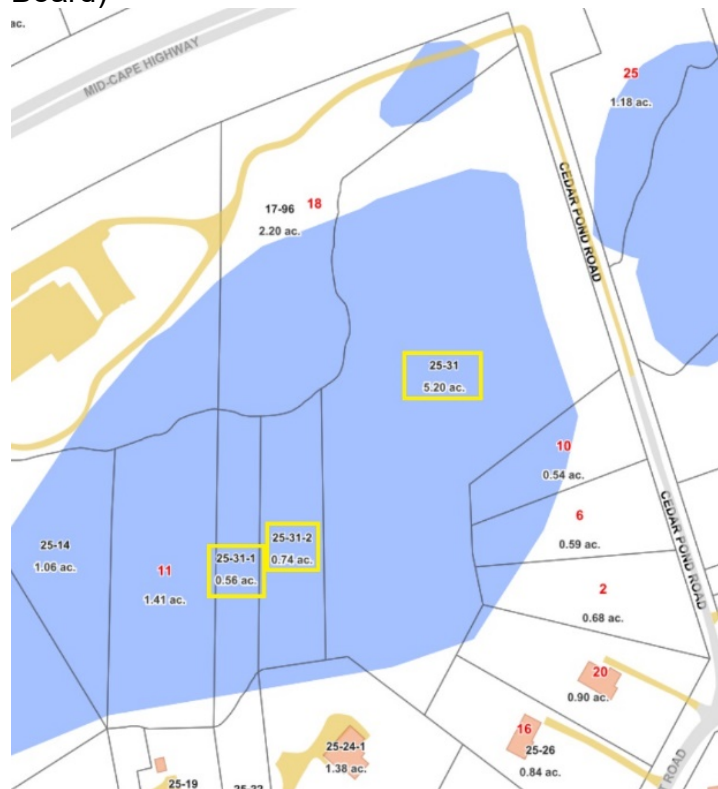
The COVID-19 pandemic highlighted the need for better access to the Town’s multitude of documents for the public and Town staff. This article will fund the following:

1) a platform to host and digitize many of the Town's important historical documents for access 24/7 by the public and Town staff; 2) new modules for financial and inspectional software necessary to modernize our business practices that rely too heavily on paper and antiquated methodology; 3) projected replacement of expensive hardware in various town buildings, including public safety; and 4) other related expenses necessary to keep the Town's technology current, efficient and responsive. The projects funded by this article will be phased in over a five-year period.

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

ARTICLE 24. ACQUIRE CEDAR PONDS PARCELS BY EMINENT DOMAIN

To see if the Town will vote to authorize and direct the Select Board to acquire by gift, by purchase, by eminent domain or otherwise, for open space and conservation purposes, all or a portion of the land located at 0 Cedar Pond Road in Orleans, MA and being shown on Orleans Assessor's Map 25 as Parcels 25-31-0, 25-31-1 and 25-31-2; and to raise and appropriate the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), or any other sum; and, such land shall be under the control and management of the Conservation Commission and, further, to authorize the Select Board and/or the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursement from the Commonwealth of Massachusetts deemed necessary under the Self-Help Act (Chapter 132A, §11) and/or any others in any way connected with the scope of this article, and, further, to authorize the Select Board to negotiate the purchase of the land and to make the decision to enter into any agreement to purchase the land and to execute any and all instruments as may be necessary on behalf of the Town, or to take any other action relative thereto. (Select Board)



(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) be appropriated for this purpose.

SUMMARY

This article will fund the proposed acquisition of three contiguous parcels amounting to 6.48 acres on Cedar Pond Road that that is almost entirely wetlands. Based on the appraisal commissioned by the Town, the parcels are valued at \$25,000.

Fiscal Year 2023 tax rate impact of \$0.005 per thousand valuation.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 25. FUND WATER TREATMENT PLANT MEMBRANES REPLACEMENT

To see if the Town will vote to transfer from available funds the sum of Sixty-Nine Thousand Nine Hundred and 00/100 Dollars (\$69,900.00), or any other sum, for the purpose of funding the replacement of Water Treatment Plant membranes, as needed, including all expenses incidental and related thereto; and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(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 Sixty-Nine Thousand Nine Hundred and 00/100 Dollars (\$69,900.00) be transferred from the Water Surplus Account for this purpose.

SUMMARY

This project involves the replacement of the Water Treatment Plant Membranes for the last of three racks. These membranes have been in service for over 10 years and the town is scheduling the replacement of the membranes on one rack per year beginning in FY21, with rack #3 being replaced in FY23.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	8 – YES	0 – NO	0 – ABSTAIN

ARTICLE 26. FUND WATER TREATMENT PLANT HVAC/BLOWER ROOM CONSTRUCTION

To see if the Town will vote to raise and appropriate or borrow the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00), or any other sum, for the purpose of funding the replacement/renovation of the existing non-functional HVAC system at the Water Treatment Plant, including all expenses incidental and related thereto; and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Select Board, is authorized to borrow the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00), pursuant to Massachusetts General Laws, Chapter 44, Sec. 8 (5), or any other enabling authority, and to issue bonds or notes of the Town therefore.

SUMMARY

This project will modify the non-functional HVAC system installed at the WTP in order to comply with building codes and to reduce corrosion of critical mechanical parts. The Town of Orleans is seeking grant funds through the GAP III program and plans to move the project out in the CIP to future years if denied grant funding. The debt service to be paid annually from the Water Special Revenue Fund.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 27. FUND REPLACEMENT WATER DEPARTMENT VEHICLES & EQUIPMENT

To see if the Town will vote to transfer from available funds a sum of One Hundred Thousand and 00/100 (\$100,000.00), or any other sum, for the purpose of funding the replacement of a 1-ton dump truck, 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. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will fund the replacement of a 10-year-old dump truck that the Water Dept. uses to maintain the areas around the wells, tank sites and the water treatment plant.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 28. TRANSFER WATER SERVICE CONNECTION FUNDS

To see if the Town will vote to transfer from available funds the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00), or any other sum, to the Water Special Revenue Fund - Water Service Connection Account for the purpose of maintaining water service connections, or to take any other action relative thereto. (Board of Water and Sewer Commissioners)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 29. FUND WATER QUALITY DRAINAGE IMPROVEMENTS STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of One Hundred Ninety-Six Thousand Seven Hundred Ninety-Six and 00/100 Dollars (\$196,796.00), or any other sum, into the Stabilization Fund for Water Quality Drainage Improvements, and further to transfer from the Stabilization Fund the sum of One Hundred Ninety-Six Thousand Seven Hundred Ninety-Six and 00/100 Dollars (\$196,796.00) 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 Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Ninety-Six Thousand Seven Hundred Ninety-Six and 00/100 Dollars (\$196,796.00) be raised and appropriated for this purpose.

SUMMARY

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

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 30. FUND TOWN PAVEMENT MANAGEMENT PROGRAM STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of Three Hundred Ninety-Three Thousand Six Hundred Sixteen and 00/100 Dollars (\$393,616.00), or any other sum, into the Stabilization Fund for the Town Pavement Management Program, and further to transfer from the Stabilization Fund the sum of Three Hundred Ninety-Three Thousand Six Hundred Sixteen and 00/100 Dollars (\$393,616.00) 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 Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Three Hundred Ninety-Three Thousand Six Hundred Sixteen and 00/100 Dollars (\$393,616.00) be raised and appropriated for this purpose.

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 FY23 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 FY23 apportionment is \$279,144.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 31. FUND BUILDINGS AND FACILITY MAINTENANCE STABILIZATION FUND

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

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00) be raised and appropriated for the purpose of funding Building and facility Maintenance, 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 6-year Buildings and Facilities Master Plan identifies, prioritizes and schedules remedial work to address the deficiencies, repairs and/or upgrades necessary for all Town buildings and facilities, and is updated for review periodically with the Select Board which has final approval over annual project funding.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 32. FUND VEHICLE AND EQUIPMENT MAINTENANCE STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00), or any other sum, into the Stabilization Fund for Motor Vehicles and Equipment, and further to transfer from the Stabilization Fund the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) for the purpose of funding vehicle and equipment purchases, including all expenses incidental and related thereto, and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for

this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds, or to take any other action relative thereto. (Select Board)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) be raised and appropriated for the purpose of funding Motor Vehicles and Equipment, 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 tracks 125 different vehicles and equipment types for all town departments and is updated periodically for review with the Select Board which has final approval over all purchases and changes. Over the next 10 years, the total General Fund expenditures from the Stabilization Fund are estimated at \$5.4 million. As proposed, the program would be level funded annually at \$450,000 a year to meet the equipment needs of town departments. The goal of level funding is to avoid spikes in the property tax and provide the ability to prioritize and fund larger purchases incrementally over several years without the need to borrow money. The proposed equipment to be purchased by department in FY23 is as follows:

DPW & Natural Resources (\$188,748)

- 08 Chevy C5500 4WD Kodiak Tree Truck
- 11 Chevy K1500 2WD Pickup
- 12 KM LE400 Hot Box
- Channel Markers
- 16 Chevy K2500 4WD Pickup Truck

Police Department (\$118,777)

- 02 Chevy 2500 AWD Pickup Truck
- Portable Radios
- Replace Mobile Data Terminals
- Ballistic Shield

Fire Department (\$92,014)

- 13 Chevy Tahoe 4WD
- Personal Protective Equipment
- Portable Radios
- Pumper Hoses, Nozzles, Couplings & Adaptors
- Firefighting and Forcible Entry Tools

Town Hall (\$43,883)

- 11 Ford Focus Sedan
- MIS Computer Equipment

Council on Aging (\$6,578)

- Reserve for replacement of 14 Passenger Van

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 33. FUND THREE MOBILE DATA TERMINALS FOR THE AMBULANCES

To see if the Town will vote to transfer from Ambulance Receipts Reserved for Appropriation the sum of Thirty Thousand and 00/100 Dollars (\$30,000), or any other sum, for the purpose of funding the three mobile data terminals for the ambulances in the Fire/Rescue Department; or to take any other action relative thereto. (Select Board)
(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of Thirty Thousand and 00/100 Dollars (\$30,000) be transferred from Ambulance Reserves for this purpose.

SUMMARY

This article will fund the purchase of three replacement laptop computers for the ambulances. These laptops are used on every ambulance run for documentation. The current laptops were purchased in FY15 and have ongoing reliability issues.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 34. APPLICATION OF BOND PREMIUMS

To see if the Town will vote to appropriate the premium paid to the Town upon the sale of bonds issued on January 27, 2022 to pay costs of capital projects, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of One Hundred Forty-Eight Thousand Two Hundred Sixty-Eight and 09/100 Dollars (\$148,268.09) be appropriated in accordance with M.G.L. Chapter 44, Section 20 from the premium received and reserved from the Town’s Bonds issued on January 27, 2022; to pay costs of the following projects:

- (a) Amended Water Quality Management Plan and Associated Adaptive Management Plan project authorized by vote of the Town on May 7, 2018 (Article 14) in the amount of One Hundred Forty-Seven Thousand Two Hundred and 00/100 Dollars (\$147,200.00).
- (b) Nauset Estuary Dredging Project Permitting/Design authorized by vote of the Town on May 22, 2021 (Article 20), in the amount of One Thousand Sixty-Eight and 09/100 Dollars (\$1,068.09), and to reduce the amount authorized to be borrowed for such project, but not yet permanently financed by the Town, by the same amount.

SUMMARY

This article permits the usage of undesignated bond premiums to pay project costs instead of borrowing funds to pay for these costs.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 35. TRANSFER OF UNEXPENDED BOND PROCEEDS

To see if the Town will vote to appropriate the following unexpended amounts of money that were initially borrowed to finance the following project that is now complete and for which no further liability remains, to pay costs associated with the Nauset Estuary Dredging Project Permitting/Design authorized under Article 20 of the May 22, 2021 Annual Town Meeting, as permitted by Chapter 44, Section 20 of the General Laws:

<u>Unexpended Amount</u>	<u>Date of Approval</u>	<u>STM Warrant Article</u>	<u>Original Purpose</u>
\$80,807.54	05/07/2018	6	Fund Nauset Beach Retreat Master Plan & Design

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant for the purpose set forth in the article.

SUMMARY

The costs to complete the aforementioned project came in under budget. This article is to re-purpose these funds that have been previously borrowed to reduce the amounts to be borrowed to fund the Nauset Estuary Dredging Project Permitting/Design authorized under Article 20 at the May 22, 2021 Annual Town Meeting.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 36. FUND OTHER POST-EMPLOYMENT BENEFITS (OPEB) LIABILITY TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) to be deposited in the Other Post-Employment Benefits (OPEB) Liability Trust Fund; or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000.00) be raised and appropriated for this purpose.

SUMMARY

This article adds to the trust fund established by Town Meeting to fund future financial obligations for retirees, primarily for town retiree health benefits, otherwise known as Other Post-Employment Benefits (OPEB). This trust fund allows the Town to have access to the State Retiree Benefits Trust Fund, for purposes of investing OPEB funds. Adoption of the trust was recommended by the Governmental Accounting Standard Board as well as the Massachusetts Department of Revenue, our independent auditors and municipal bond rating agencies. Funding for this article is an annual appropriation from the General Tax Override voted on May 15, 2018 in accordance with Massachusetts General Laws, Chapter 59, Section 21c (g).

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 37. FUND AFFORDABLE HOUSING TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00), or any other sum, to be deposited in the Affordable Housing Trust Fund, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00) be appropriated for this purpose.

SUMMARY

This article proposes to fund the Affordable Housing Trust Fund. Funding for this article is an annual appropriation from the General Tax Override voted on May 15, 2018 in accordance with Massachusetts General Laws, Chapter 59, Section 21c (g).

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 38. FUND VISITOR MANAGEMENT SERVICES BY ORLEANS CHAMBER OF COMMERCE

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

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

Fiscal Year 2023 tax rate impact of \$0.007 per thousand valuation.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 39. FUND HUMAN SERVICES AGENCIES (FY23)

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Fifty Thousand Three Hundred Fifty Dollars (\$150,350.00), or any other sum, to fund the following human services organizations for the period July 1, 2022 to June 30, 2023.

Funding for FY 2023

AIDS Support Group of Cape Cod		\$ 5,500.00
Alzheimer’s Family Support Center of CC		\$ 11,000.00
CapeAbilities		\$ 6,000.00
Cape Cod Children’s Place		\$ 4,250.00
Consumer Assistance Council		\$ 1,000.00
Duffy Health Center		\$ 1,000.00
Elder Services of Cape Cod		\$ 2,500.00
Family Food Pantry		\$ 5,000.00
Food for Kids		\$ 3,500.00
Homeless Prevention Council		\$ 15,000.00
Independence House		\$ 10,600.00
Lower Cape Outreach		\$ 10,000.00
Mass Appeal		\$ 1,000.00
Nauset Together We Can		\$ 12,000.00
Orleans After School Activities Program		\$ 30,000.00
Outer Cape Health Services		\$ 20,000.00
South Coast Legal Services		\$ 2,900.00
Sight Loss Services		\$ 1,600.00
Sustainable CAPE		\$ 7,500.00
	TOTAL	\$ 150,350.00

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant, and that the sum of One Hundred Fifty Thousand Three Hundred Fifty Dollars (\$ 150,350.00) be raised and appropriated for this purpose.

SUMMARY

Aids Support Group of Cape Cod: Saves lives through prevention, education and life-sustaining services that address public health crises to build healthy communities across the Cape and Islands.

FY22 funding: \$ 5,000.00

The projected number of Orleans residents to be served in FY23 is 50.

Recommended funding for FY23: \$ 5,500.00

Alzheimer's Family Caregiver Support Center: The main goal is to help families navigate the complexities and challenges they face across the span of these diseases within a research-based, service-driven social model.

FY22 funded: \$ 11,000.00

The projected number of Orleans residents to be served in FY23 is 130.

Recommended funding for FY23: \$ 11,000.00

CapeAbilities: Serves the needs of individuals with disabilities on Cape Cod by educating, counseling and providing residential, therapeutic, social and employment supports that empower them to achieve meaningful and valued roles in the community.

FY22 funded: \$ 6,000.00

The projected number of Orleans residents to be served in FY23 is 20.

Recommended funding for FY23: \$ 6,000.00

Cape Cod Children's Place: Provides programs and services to Lower and Outer Cape families to ensure that our children grow up in healthy, nurturing, and safe environments with the goal of reducing incidences of child abuse and neglect in this region.

FY22 funded: \$ 4,250.00

The projected number of Orleans residents to be served in FY23 is 200 families.

Recommended funding for FY23: \$ 4,250.00

Consumer Assistance Council, Inc.: Their mission is two-fold: 1) consumer education, 2) receipt of consumer complaints against merchants of goods and services and follow up consumer advocacy and/or mediation services with the intent of making the aggrieved consumer whole.

FY2022 funded: \$ 700.00

The projected number of Orleans residents to be served in FY23 is 250.

Recommended funding for FY23: \$ 1,000.00

Duffy Health Center: Specific program to be funded is *In From The Streets*. It is a program whose objective is to support the basic need of safe, emergency housing, through short term motel shelter for persons who are experiencing homelessness This nonprofit health center provides comprehensive, integrated health care and support services to persons who are experiencing homelessness or are at risk of homelessness

on Cape Cod, and to improve the quality of life for vulnerable populations through community collaborations, leadership and advocacy.

FY22 funded: \$1,000.00

The projected number of Orleans residents to be served in FY23 is 2.

Recommended funding for FY23: \$ 1,000.00

Elder Services of Cape Cod and the Islands Inc.: serves the older citizens in the 22 towns of Barnstable, Dukes and Nantucket counties. This financial assistance from municipal grants helps the community-based Meals on Wheels program to continue despite federal funding cuts.

FY22 funded: \$ 2,500.00

The projected number of Orleans residents to be served in FY23 is 83.

Recommended funding for FY23: \$ 2,500.00

Family Pantry of Cape Cod: Provides food and clothing to those in need. Food is the most basic need and people of every age, race, color, national origin, religion, residence, sex, sexual orientation, marital status, disability, veteran, or any other status are welcome at the Family Pantry.

FY22 funded: \$ 5,000.00

The projected number of Orleans residents to be served in FY23 is 225.

Recommended funding for FY23: \$ 5,000.00

Food 4 Kids: Works to alleviate childhood hunger on the lower/outer Cape and beyond by providing free meals for children and teens in the summer months when schools are out.

FY22 funded: \$3,000.00

The projected number of Orleans residents to be served in FY23 is 200.

Recommended funding for FY23: \$3,500.00

Homeless Prevention Council: The mission is to provide case management solutions to support self-sufficiency and stability in the communities of the Lower Cape.

FY22 funded: \$ 12,000.00

The projected number of Orleans residents to be served in FY23 is 190.

Recommended funding for FY23: \$ 15,000.00

Independence House: Is the only comprehensive domestic/sexual violence community-based victim-serving organization in Barnstable County.

FY22 funded: \$10,600.00

The projected number of Orleans residents to be served in FY23 is 81.

Recommended funding for FY23: \$10,600.00

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

FY22 funded: \$10,000.00

The projected number of Orleans residents to be served in FY23 is 459.

Recommended funding for FY23: \$ 10,000.00

Mass Appeal: Primary mission is to provide gently used clothing at no cost to residents of the Outer Cape plus Orleans. They also offer new items for children.

FY22 funded: Did not apply

The projected number of Orleans residents to be served in FY23 is 300.

Recommended funding for FY23: \$ 1,000.00

Nauset Together We Can: Provides programs and activities that support, empower and engage the youth of our community.

FY22 funded: \$ 12,000.00

The projected number of Orleans residents to be served in FY23 is TBD.

Recommended funding for FY23: \$ 12,000.00

Orleans After School Activities Program: Provides working parents quality after school childcare. This childcare is offered in a safe, nurturing, creative, fun environment for children after school during the school year and also during school vacations and summer.

FY22 funded \$ 30,000.00

The projected number of Orleans residents to be served in FY23 is 100 children

Recommended funding for FY23: \$ 30,000.00

Outer Cape Health Services: Is a federally qualified 501(3) not-for-profit, JCAHO-accredited community health center that provides full range primary health care and supportive social services to those living in or visiting the Lower and Outer Cape, regardless of their financial circumstances.

FY22 funded: \$20,000.00

The projected number of Orleans residents served in FY23 is 1000.

Recommended funding for FY23: \$ 20,000.00

Sight Loss Services: Helps support, inform, refer, educate and improve the quality of life for the visually impaired individuals living on Cape Cod.

FY22 funded: Not Funded

The projected number of Orleans residents served in FY23 is 58.

Recommended funding for FY23: \$ 1,600.00

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

FY22 funded: \$ 2,800.00

The projected number of Orleans residents to be served in FY23 is 15.

Recommended funding for FY23: \$2,900.00

Sustainable CAPE: Their mission is to educate the Lower Cape community about the direct link between local food, sustainable health and wellness and the importance of preserving local land and water resources which enable local harvest. It offers nutritional incentives for use at the Cape’s Farmer’s Markets by helping lower income families, seniors and veterans afford fresh, healthful and local produce.

FY22 funded: \$ 5,000.00

The projected number of Orleans residents to be served in FY23 is 721.

Recommended funding for FY23: \$7,500.00

Fiscal Year 2023 tax rate impact of \$0.032 per thousand valuation.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: 6 – YES 0 – NO 0 – ABSTAIN

ARTICLE 40. FUND FOURTH OF JULY CELEBRATION

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Eight Thousand and 00/100 Dollars (\$8,000.00), or any other sum, for the purpose of funding the July 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. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article would fund expenses related to the annual July 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 2023 tax rate impact of \$0.002 per thousand valuation.

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

ARTICLE 41. 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 organizations that benefit Orleans residents. Said funds to be expended under the direction of the Town Administrator, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant, and that the sum of 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 for awards to benefit Orleans residents. Any unexpended funds will be available for the following year.

Fiscal Year 2023 tax rate impact of \$0.0004 per thousand valuation.

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

ARTICLE 42. AUTHORIZE AND FUND HABITAT CONSERVATION PLAN PERMITS

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Forty-Three Thousand Twenty-Three and 00/100 Dollars (\$43,023.00), or any other sum, 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. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Forty-Three Thousand Twenty-Three and 00/100 Dollars (\$43,023.00) be raised and appropriated for this purpose.

SUMMARY

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

Fiscal Year 2023 tax rate impact of \$0.009 per thousand valuation.

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

ARTICLE 43. FUND ELECTED OFFICIALS' COMPENSATION (FY23)

To see if the Town will vote to fix the salaries of elected officials for the twelve-month period beginning July 1, 2022 as follows:

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

and to raise and appropriate 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. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of 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 Select Board, Moderator and Constables compensation for Fiscal Year 2023.

Fiscal Year 2023 tax rate impact of \$0.003 per thousand valuation.

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

ARTICLE 44. FUND UNANTICIPATED EMPLOYEE BUYOUTS

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

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

Fiscal Year 2023 tax rate impact of \$0.007 per thousand valuation.

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

ARTICLE 45. FUND ELECTRONIC VOTING AT TOWN MEETING

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), or any other sum, for the purpose of leasing or purchasing electronic voting equipment, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) be raised and appropriated for this purpose.

SUMMARY

This article will fund the cost for electronic voting at town meeting.

Fiscal Year 2023 tax rate impact of \$0.005 per thousand valuation.

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

ARTICLE 46. FUND ORLEANS POLICE FEDERATION CONTRACT (FY23)

To see if the Town will vote to raise and appropriate a sufficient sum to be added to the FY23 Salaries Account for the Police Department budget and the Medicare Taxes budget

for employees covered under the collective bargaining agreement between the Town and the Orleans Police Federation, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that a sufficient sum be raised and appropriated for this purpose.

SUMMARY

This article will fund contract obligations with the Orleans Police Federation, for the period July 1, 2022 – June 30, 2023 (FY23). At the time warrant went to press negotiations have not been completed.

SB: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

ARTICLE 47. FUND ORLEANS PERMANENT FIREFIGHTERS' ASSOCIATION CONTRACT (FY23)

To see if the Town will vote to raise and appropriate a sufficient sum to be added to the FY23 Salaries Account for the Fire Department budget and the Medicare Taxes budget for employees covered under the collective bargaining agreement between the Town and the Orleans Permanent Firefighters' Association, Local 2675 I.A.F.F., or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that a sufficient sum be raised and appropriated for this purpose.

SUMMARY

This article funds the contract obligations with the Orleans Permanent Firefighters' Association, Local 2675 I.A.F.F for the period July 1, 2022 – June 30, 2023 (FY23). At the time warrant went to press the negotiations have not been completed.

SB: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

ARTICLE 48. FUND CLASSIFICATION & COMPENSATION STUDY FOR PART-TIME & SEASONAL POSITIONS

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), or any other sum, for the purpose of funding a classification and compensation study for part-time and seasonal positions, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) be raised and appropriated for this purpose.

SUMMARY

This article will fund a classification and compensation study of the Town’s part-time and seasonal positions that were not included in the 2019 study of the Town’s full-time positions.

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

ARTICLE 49. FREE CASH TRANSFER TO GENERAL STABILIZATION FUND

To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Forty-Four Thousand Six Hundred Eighty-Three and 00/100 Dollars (\$244,683.00), or any other sum, to the Town’s General Stabilization Fund, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and transfer from Free Cash the sum of Two Hundred Forty-Four Thousand Six Hundred Eighty-Three and 00/100 Dollars (\$244,683.00) to the Town’s General Stabilization Fund for this purpose.

SUMMARY

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

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

ARTICLE 50. FUND BLUE ECONOMY STUDY ON ECONOMIC IMPACT

To see if the Town will vote to raise and appropriate and/or 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 a blue economy study on economic impact, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article follows up the 2022 economic development plan to determine the economic value of the Town’s “blue economy” facilities, including Rock Harbor, Nauset Beach, other public beaches and Town landings. The intent of the effort is to gather additional information to demonstrate eligibility for grant programs that support improvements to public facilities.

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

ARTICLE 51. FUND FINANCIAL SOFTWARE PROGRAM IMPLEMENTATION FOR TOWN WEBSITE

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Thirty-One Thousand and 00/100 Dollars (\$31,000.00), or any other sum, for the purpose of funding the implementation of a financial software program on the Town’s website, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Thirty-One Thousand and 00/100 Dollars (\$31,000.00) be raised and appropriated for this purpose.

SUMMARY

This article funds the development and implementation of a software application that will provide ongoing Town related financial transparency for public viewing via a link from the Town’s website.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 52. FUND UNIVERSAL PRE-SCHOOL SUPPORT PROGRAM

To see if the Town will vote to raise and appropriate the sum of Four Hundred Ninety-Five Thousand and 00/100 Dollars (\$495,000.00), or any other sum, including all expenses incidental and related thereto, for the purpose of funding universal Pre-school educational opportunities for the 3- and 4-year-old population within the Town of Orleans; or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Four Hundred Ninety-Five Thousand and 00/100 Dollars (\$495,000.00), be raised and appropriated for this purpose.

SUMMARY

This program supports our younger families as they experience certain economic hardships that exist while living as full-time residents on Cape Cod. The high cost of housing, childcare, transportation and other basic services increase challenges to our resident families. This article supports essential learning opportunities for our youngest residents that will help better prepare them for improved learning experiences. Other Cape towns have adopted childcare subsidy or free pre-school programs with similar protocols for residents, including Wellfleet, Provincetown, Truro, Chatham, Eastham and Mashpee. Widespread statistics illustrate that children achieve better educational results when they have access to pre-school programs that establish a strong foundational basis. This funding will continue to support our young families and their family support systems in terms of child care, while at the same time encouraging and supporting great educational opportunities for all of our children. This program also provides support for our local Pre-K providers. We believe that this will bring about a greater sense of equity to our Orleans community providing opportunities for all. It will help to decrease disparities and bring about a stronger start for all young children in the Orleans Public Schools as they begin their Kindergarten journey.

This article will fund the following services for the school year beginning September 2022: Pre-school – Parents can choose any Pre-K licensed provider, and once deemed eligible via confirmed residency, payment will be made directly to the service provider up to a maximum of \$10,000 per year for each 4-year-old, and \$5,000 per year for each 3-year-old. Funding for this article is an annual appropriation from the General Tax Override voted on November 2, 2021 in accordance with Massachusetts General Laws, Chapter 59, Section 21c (g) and (m).

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

ARTICLE 53. AMEND HOME RULE CHARTER: TOWN MEETING, WARRANTS

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

§ 4. Warrants

2-4-1 The Select Board shall prepare the Warrant for all Town Meetings, and by public notice **posted on the town website and** published in a ~~newspaper~~ **news outlet** of general circulation within the Town, shall advertise the date of the opening and closing of the Warrant for all Town Meetings.

2-4-2 The opening of the Warrant shall be **no less than** ninety days prior to the date of the Annual Town Meeting, and **no less than** sixty days prior to any Special Town Meeting unless otherwise required by General Laws Chapter 39, Section 10 as the same may be amended from time to time.

2-4-3 The Warrant for the Annual Town Meeting shall remain open for **no less than** thirty days and shall be closed **at least** sixty days prior to the date of the meeting.

2-4-4 The Warrant for any Special Town Meeting shall remain open for **no less than** fifteen days and shall be closed **at least** forty-five days prior to the date of the special meeting unless otherwise required by General Law Chapter 39, Section 10 as the same may be amended from time to time.

~~2-4-6 The Warrant for each annual and Special Town Meeting shall be published in a newspaper of general circulation within the Town at least fourteen days prior to each such Town Meeting.~~ **A notice of the availability of the Warrant shall be published in a news outlet of general circulation within the Town and the Warrant shall be posted on the Town Website at least 14 days prior to the Annual or any Special Town Meeting. The notice of availability and the posting on the Town Website shall include where printed copies of the Warrant are available.**

2-4-7 All said Warrants shall also be posted in every post office in the Town ~~on or before the day of their publication in the newspaper~~ **at least fourteen days prior to any such meeting** and shall remain so posted until the date of the meeting.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The amendment would add the use of phrases “at least” and “no less than” to allow for a more appropriate timeline for the opening and closing of the Warrant. Adding the words “on the Town website” facilitates the dissemination of the Warrant to Town residents. Those residents without access to the website will be able to learn from news outlets where printed copies of the Warrant are available. Reducing the number of printed Warrants and the expense of including them in every newspaper will lower the Town’s carbon footprint.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: No Significant Fiscal Implication

ARTICLE 54. AMEND HOME RULE CHARTER: PREAMBLE

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

Preamble

~~We the people of the Town of Orleans, Massachusetts, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of local government and~~

to take the fullest advantages inherent in the home rule amendments to the Constitution of the Commonwealth, do hereby adopt the following Home Rule Charter for this Town.

We, the people of the Town of Orleans, Massachusetts, reaffirm the right to manage our affairs, participate responsibly in the conduct of local government, and take the fullest advantages inherent in the home rule amendments to the Constitution of the Commonwealth. We acknowledge our common property rights and powers to preserve, protect, conserve, and maintain the natural resources and the environment of our Town in perpetuity.

We also acknowledge, with respect, that we are inhabiting the traditional lands of the Nauset and Wôpanâak (Wampanoag) peoples who have always existed here. We value their roles as past, present, and future guardians of this land. We therefore adopt the following Home Rule Charter for this Town.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would replace the original Preamble and update and re-affirm its intent, adding a civic commitment to protect our Town in perpetuity and respectfully acknowledge and value the peoples who existed here before us.

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

ARTICLE 55. AMEND HOME RULE CHARTER: APPOINTED MULTI-MEMBER BODIES, GENERAL PROVISION

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

6-1-11 When a multi-member body of the Town has associate members, the Chairperson, at the Chairperson's discretion, may designate any such associate member to sit **and vote** in case of absence; inability to act; **conflict of interest on the part of a member of the body**; or in the event of a vacancy on the multi-member body until said vacancy is filled.

6-4-1 A Conservation Commission of seven members and three associate members shall be appointed by the Select Board for three-year overlapping terms. ~~Regarding associate members, the Chairperson, at the Chairperson's discretion, may designate any such associate member to sit and vote, in case of absence; inability to act; or in the event of a vacancy on the Commission until said vacancy is filled.~~

6-6-1 A Planning Board of five members and two associate members shall be appointed by the Select Board for three-year overlapping terms. ~~Regarding associate members, the Chairperson, at the Chairperson's discretion, may designate any such associate member to sit in case of absence; inability to act; or in the event of a vacancy on the Board until said vacancy is filled.~~

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would consolidate the role of Associate Members in one section, delete the second redundant sentence in the two multi-member bodies that refer to that language, insert the clarifying phrase “and vote” and add a phrase to conform with the Conflict-of-Interest Law.

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

ARTICLE 56. AMEND HOME RULE CHARTER: TOWN MEETING, PROCEDURES

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

2-7-6 The Select Board shall, by recorded vote, indicate its recommendations on all articles. In the event of a split vote, the Board shall supply its reasons, pro and con, in the Warrant, **by flier distributed on the floor of Town Meeting, or** during discussion of the article at Town Meeting.

2-7-7 The Finance Committee shall, by recorded vote, indicate its recommendations on all articles having financial implications. In the event of a split vote, the Committee shall supply its reasons, pro and con, in the Warrant, **by flier distributed on the floor of Town Meeting,** or during discussion of the article at Town Meeting.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would insert language and add the option of a flier to be distributed at Town Meeting to inform voters of votes taken after the Warrant has been printed and to match language of Charter section 8-3-3 for consistency.

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

ARTICLE 57. AMEND HOME RULE CHARTER: SELECT BOARD, POWERS IN INTERGOVERNMENTAL RELATIONS

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

Bold underline = new language ~~striketrough~~ = language removed

~~3-5-3 Any contract or formal agreement establishing such cooperation which requires an appropriation of Town funds in excess of \$500,000 or entails a commitment by the Town in excess of five years, shall require the approval of Town Meeting.~~

~~3-5-4~~ **3-5-3** Members of the Board shall normally represent the Town on regional and/or intermunicipal committees. When deemed necessary, the Board shall designate a Town employee or other person to represent the Town.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The Select Board and the Town Administrator have recommended removing these restrictions because there are other protections in place and the Town would still need to go to Town Meeting for any appropriations. In addition, its inflexibility has regularly caused the Town to lose out on time-sensitive agreements and grant opportunities, which this will prevent. 3-5-4 would replace the deleted 3-5-3.

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

ARTICLE 58. AMEND HOME RULE CHARTER: SELECT BOARD, OTHER TOWN MULTI-MEMBER BODIES

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

Bold underline = new language ~~striketrough~~ = language removed

3-10-1 The Board shall also have the power to appoint such other multi- member bodies ~~as may be in existence on the effective date of this Charter and for whom no other method of appointment is herein provided, or as may hereafter established by General Law, Charter, By-law, vote of the Town Meeting, or vote of the Select Board.~~

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The deleted phrase was transition language used when the Charter was first adopted and is no longer relevant.

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

ARTICLE 59. AMEND HOME RULE CHARTER: PLANNING & ENVIRONMENT, OFFICIAL TOWN PLAN

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

9-2-5 By the fifteenth day of November, the Planning Board shall recommend implementation actions from the Plan as part of the development of the annual Operating and Capital Budgets and a six-year schedule of Plan implementations as part of the Capital Improvement Plan updating process. The Planning Board shall **may** present a report to the Annual Town Meeting specifying those Plan actions being fulfilled during the current fiscal year and the scheduled actions approved by the Select Board for full or partial completion during the ensuing fiscal year.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Article 1 in the Consent Calendar provides the opportunity for any multi-member body to bring a report forward at Town Meeting. Changing “shall” to “may” releases the necessity for the Planning Board to do so unless it wishes to; and the use of the Consent Calendar improves the efficiency of Town Meeting.

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

ARTICLE 60. AMEND HOME RULE CHARTER: SELECT BOARD, POWERS OF APPOINTMENT

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

3-9-1 The Board shall have the power to appoint (a) a Town Administrator as provided in Chapter 4; (b) a Town Counsel; (c) a Town Accountant/Director of Municipal Finance; (d) a Police Chief; (e) a Fire Chief; (f) three members of a Board of Registrars of Voters for overlapping three-year terms; (g) Election Officers; (h) five members and three associate members of a Zoning Board of Appeals for overlapping three-year terms; (i) ~~three~~ **five** members and two associate members of a Board of Water and Sewer Commissioners for overlapping three-year terms; (j) three members of a Community Preservation Committee.

6-8-1 The provisions of Chapter 418 of the Acts of 1953 shall be modified by this Section **to establish a Board of Water and Sewer Commissioners.** ~~concerning all matters delineated herein. Effective July 1, 2009 or after passage of a Comprehensive Wastewater Management Plan by Town Meeting, whichever shall occur later, the Board of Water Commissioners will be terminated and a new Board of Water and Sewer Commissioners shall be established.~~ Appointments to the Board of Water and Sewer Commissioners shall be made in accordance with clause 6-8-2.

6-8-2 The Select Board shall appoint ~~three~~ **five** members and two associate members of the Board of Water and Sewer Commissioners for three-year overlapping terms. The Board of Health and the Planning Board shall each appoint one member of the Board of Water and Sewer Commissioners for three-year overlapping terms, **bringing the total number to seven (7) members and two associate members.**

6-8-3 The Board of Water and Sewer Commissioners shall be responsible for all functions cited in Chapter 418 of the Acts of 1953, except for the following functions vested in the Select Board for which the Select Board shall consult with and receive recommendations from the Board of Water and Sewer Commissioners: establish water rates **and fees**; contract with a municipality; acquire or take water resources, rights-of-way or easements; issue bonds to defray development and construction costs. In discharging its duties and responsibilities, the Board of Water and Sewer Commissioners shall coordinate with the Town Administrator and receive technical support from the Water/Sewer Superintendent(s). The Board of Water and Sewer Commissioners shall set policy ensuring: 1) the adequate production and the high quality of potable water; 2) development of a sewer works system consistent with the Comprehensive Wastewater Management Plan and oversight of that system when operational. The Select Board shall establish sewer rates **and fees** and shall consult with and receive recommendations from the Board of Water and Sewer Commissioners with respect to sewer rates **and fees**. Or take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

To compensate for the increased workload of the Board of Water and Sewer Commissioners, this article would increase the number of Select Board appointees from three to five plus its two associate members.

This amendment would remove the old “effective” and “termination” dates that are no longer relevant and updates the section’s language.

The increase in the number of Commissioners appointed by the Board is updated to make it consistent with 3-9-1.

With the advent of a new sewer system, the Board will need flexibility as the system rolls out; and fees would be a useful tool. In order to structure the way the new Town wastewater system will be funded it is recommended that the words “and fees” be added to provide for the use of other fee proposals.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: No Significant Fiscal Implication

ARTICLE 61. AMEND HOME RULE CHARTER: TOWN MEETING, PROCEDURES (2-7-5)

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

2-7-5 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~~ **two** 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 2-7-3, nor to those persons making the original motion or amendments thereto under the article. A motion to terminate debate requires a second, is not debatable and shall require a 2/3 majority to prevail.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would provide for a more efficient Town Meeting process. It is recommended that each speaker be concise and limit remarks to two minutes. This proposed change came from Town Meeting participants who stated that a shortened amount of time is adequate to make one’s point.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: No Significant Fiscal Implication

ARTICLE 62. AMEND HOME RULE CHARTER: TOWN MEETING, QUORUM

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

2-1-3 The quorum necessary **to begin to** ~~for the~~ conduct of Town Meeting business shall be ~~two-hundred (200)~~ **one-hundred (100)** of the current registered voters of the Town, **provided that a number less than a quorum may vote an adjournment. Once the Moderator has declared a quorum is present and called the Town Meeting to order, the quorum necessary to continue Town Meeting business shall be zero.**

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Once the Moderator declares a quorum of 100 at an Annual or Special Town Meeting and calls the Meeting to order, there shall be no challenge to the quorum. This change eliminates the risk that if Town Meeting is unable to complete all actions due to lack of a quorum, all matters previously voted would need to be prepared in a new Warrant, presented at a new Town Meeting and voted again. This article will ensure that voters remaining at the meeting can complete Town Meeting business in a timely manner. Therefore, it is less likely to require more than one session, which would incur additional expense.

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

ARTICLE 63. AMEND HOME RULE CHARTER: CITIZEN PARTICIPATION, ELECTION AND RECALL

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

7-1-1 To promote a maximum level of active, interested and diverse citizen and voter representation and participation in Town affairs, Town officials shall make every effort to encourage citizen interaction and information on current Town issues through the regular use of **the Town website**, public service announcements and appropriate local media. Provided, however, that nothing stated herein shall relieve the Town from the meeting notification requirements of state law.

7-1-2 The Select Board shall annually, in the month of July, call a public meeting in a public place. **The purpose of the meeting shall be to provide non-resident taxpayers,**

voters and other interested persons an opportunity to discuss problems, policies, and progress. The meeting shall be advertised in ~~at least two issues of a newspaper of local circulation.~~ **on the Town website and as provided in 7-1-1.**

~~7-1-3. The purpose of the meeting shall be to provide non-resident taxpayers, voters and other interested persons an opportunity to discuss problems, policies, and progress.~~

~~7-1-3~~ **7-1-4:** The Select Board, the Town Administrator and Chairpersons of multi-member bodies shall be available to make appropriate presentations and to answer questions.

7-2-1 Prior to making appointments to multi-member bodies, the Select Board shall advertise all vacancies and impending appointments **on the Town website and in at least three public places.** Said advertising shall enumerate the vacancies that are to be filled, include a description of the duties, and solicit the names of persons willing and able to serve. The advertisement shall also state the location, time and date of the meeting, to be held no sooner than seven days after the publication of the advertisement at which the Board anticipates that the appointments will be made.

7-2-2 Prior to making appointments to the Finance Committee and to the Cape Cod Regional Technical High School Committee, the Moderator shall cause a notice to be published **on the Town website and in at least three public places** enumerating the vacancies that are to be filled and the location, time and date when the Moderator will be available to interview persons able and willing to serve.

8-6-1 The Select Board shall publish **on the Town website,** in one or more newspapers **news outlets** of general circulation in Town, **and in at least three public places** the general summary of the proposed Capital Improvements Plan (CIP) and Capital Budget and a notice stating: (a) the times and places where copies of the complete CIP and Capital Budget are available for inspection; and (b) the date, time and place, not less than seven days following such publication, where the Select Board and the Finance Committee will conduct a public hearing on said plan to be chaired by the Finance Committee. The joint hearing shall be held no later than March 1 of each year in order to allow the Select Board and the Finance Committee to include their respective positions on the CIP and the Capital Budget to be printed in the Warrant for the Town Meeting.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Each of these sections add the Town website to the ways in which the Town can communicate with citizens to be a resource for information, give notice of important issues, and announce when vacancies are available in multi-member bodies. Two sections have been consolidated, and 7-1-4 has become 7-1-3.

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

ARTICLE 64. AMEND HOME RULE CHARTER: THE TOWN ADMINISTRATOR

To see if the Town will vote to adopt the following proposed Order of Amendment to the Orleans Home Rule Charter:

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

Chapter 4 Change TITLE from Town Administrator to Town Manager. In the Warrant, this would mirror the change from Board of Selectmen to Select Board and would read: “... By striking out the words “Town Administrator” wherever they appear, and inserting in place thereof, in each instance, the words “Town Manager.” Or to take any other action relative thereto.”

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The Orleans Home Rule Charter states that the Select Board appoints a full-time professional to manage Town affairs on a day-to-day basis. The title of that person varies throughout the Commonwealth of Massachusetts. Many progressive communities have changed the title to Town Manager through a charter amendment.

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

ARTICLE 65. AMEND GENERAL BYLAW CH. 40 – PERSONNEL AND FUND NON-UNION EMPLOYEE COLA

To see if the Town will vote to amend Chapter 40, Personnel, to approve a 3% cost of living wage increase for the period of July 1, 2022 to June 30, 2023 (FY23) for those employees who are covered by the Personnel Bylaw Compensation Plans and those employees covered by individual contracts and employment agreements; and to amend sections of the bylaw to reflect existing policies and procedures of the town, as set forth in the amendment on file with the Town Clerk, or take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article updates certain provisions of the Personnel Bylaw and approves a 3% percent cost of living wage increase for all non-union employees. Funding for the COLAs is included in the FY23 operating budget. A copy of the proposed changes is on file with the Town Clerk.

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

ARTICLE 66. AMEND GENERAL BYLAW CH 158 – ARTICLE III WATER SUPPLY

To see if the Town will vote to amend Chapter 158 Article III – Water Supply, to read as follows:

Bold underline = new language

~~strikethrough~~ = language removed

Article III Water Supply

[Adopted 5-8-2000 ATM, Art. 26; amended in its entirety 5-13-2013 ATM, Art. 31]

§ 158-16 Authority:

~~This bylaw is adopted by the Town under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under MGL c. 40, § 21 et seq. and implements the Town's authority to regulate water use pursuant to MGL c. 41, § 69B. This bylaw also implements the Town's authority under MGL c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under MGL c. § 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36:00.~~

§ 158-17 Purpose:

~~The purpose of this bylaw is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a "State of Water Supply Conservation" or "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers, and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town in accordance with this bylaw and/or by the Department of Environmental Protection under its state law authorities.~~

§ 158-18 Applicability:

~~All Town residents that are customers of the public water supply system and private well users shall be subject to this bylaw. This bylaw shall be in effect year round.~~

§ 158-19 Definitions:

~~As used in this article, the following terms shall have the meanings indicated:~~

AGRICULTURE

~~Farming in all its branches as defined at MGL c. 128, § 1A.~~

AUTOMATIC SPRINKLER SYSTEM

~~Any system for watering vegetation other than a hand-held hose or a bucket.~~

NONESSENTIAL OUTDOOR WATER USE

~~A. Those uses that are not required:~~

~~1. For health or safety reasons;~~

2. By regulation;
3. For the production of food and fiber;
4. For the maintenance of livestock; or
5. To meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

B. Nonessential outdoor water uses that are subject to mandatory restrictions include:

1. Irrigation of lawns via sprinklers or automatic irrigation systems;
2. Washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and
3. Washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

C. Exceptions to nonessential outdoor water uses are:

1. Irrigation of public parks and recreation fields outside the hours of 9:00 a.m. to 5:00 p.m.; and
2. Irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose outside the hours of 9:00 a.m. to 5:00 p.m.; and
3. Irrigation outside the hours of 9:00 a.m. to 5:00 p.m. with harvested and stored stormwater runoff.

D. The following outdoor water uses are subject to review and approval by the Town through its Board or their designee:

1. Irrigation to establish replanted or resodded lawn or plantings during the months of May and September;
2. Irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous 12 months;
3. Filling of privately owned outdoor pools.

PERSON

Any individuals, corporation, trust, partnership or association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

STATE OF WATER SUPPLY EMERGENCY

A State of Water Supply Emergency declared by the Department of Environmental Protection under MGL c. 21G, § 15-17.

STATE OF WATER SUPPLY CONSERVATION

A State of Water Supply Conservation declared by the Town pursuant to § 158-20 of this bylaw.

WATER CUSTOMERS

All persons using the public water supply, irrespective of that person's responsibility for billing purposes for use of the water.

WATER USERS

All persons using water within the Town.

§ 158-20 Declaration of a State of Water Supply Conservation.

The Town, through the Board or its designee authorized to act as such, may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands and to ensure compliance with the Water Management Act. Upon notification to the public that a declaration of a State of Water Supply Conservation has been declared, no person shall violate any provision, restriction, requirement or condition of the declaration. The Board may designate the Water Superintendent to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under § 158-21 of this bylaw before it may be enforced.

§ 158-20.1 Declaration of a State of Water Supply Emergency.

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department of Environmental Protection for the purpose of bringing about an end to the State of Water Supply Emergency.

§ 158-20.2 Restricted water uses.

A declaration of a State of Water Supply Conservation and/or a State of Water Supply Emergency shall include but not be limited to one or more of the following restrictions, conditions, or requirements limiting nonessential outdoor water use by water customers (and water users) as necessary to control the volume of water pumped each day, except as provided as acceptable. The applicable restrictions, conditions or requirements shall be included in the public notice required under § 158-21.

a) — Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. During a State of Water Supply Emergency or State of Water Supply Conservation, nonessential outdoor water use is restricted to two days or fewer per week.

b) — Nonessential outdoor water use hours. Nonessential outdoor water use is permitted only during the hourly periods specified in the declaration of a State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9:00 a.m. to 5:00 p.m.

c) — Nonessential outdoor water use method restriction. Nonessential outdoor water use is restricted to a bucket or hand held hose controlled by a nozzle.

d) — Nonessential outdoor water use ban. Nonessential outdoor water use is prohibited at all times.

e) — Automatic sprinkler system ban. The use of automatic sprinkler systems is prohibited.

§ 158-21 Public notification of a State of Water Supply Conservation or State of Water Supply Emergency; notification of DEP (Department of Environmental Protection).

a) — Public notification of a State of Water Supply Conservation — Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town as part of a State of Water Supply Conservation, shall be made as soon as possible, but no later than 48 hours following the declaration of a State of Water Supply Conservation by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. The Town may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.).

~~Notification may also include email, websites, public service announcements on local media or other such means reasonably calculated to reach and inform all water users.~~

~~b) Public notification of a State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department of Environmental Protection (DEP), shall be made by publication in a newspaper of general circulation with the Town and by signage on major roadways or intersections. The Town may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.) This notice shall be provided as soon as possible, but no later than 48 hours after the public water system receives notice of DEP's declaration of a State of Water Supply Emergency. Notification may also include email, websites, public service announcements on local media or other such means reasonably calculated to reach and inform all water users of the State of Water Supply Emergency.~~

~~c) Any restriction imposed under § 158-20 or § 158-20.1 or in DEP's State of Water Supply Emergency or Order shall not be effective until notification to the public is provided. Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per Mass DEP regulations [310 CMR 22.15(8)].~~

§ 158-22 Termination of a State of Water Supply Conservation; notice.

A State of Water Supply Conservation may be terminated by a majority vote of the Board or its designee, upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by § 158-21 for notice of imposition.

§ 158-22.1 Termination of a State of Water Supply Emergency; notice.

Upon notification to the Town that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required by § 158-21 for notice of imposition.

§ 158-22.2 Penalties.

The Town, through the Board or its designee, including the Water Superintendent, Building inspector and/or local police, may enforce this bylaw. Any person violating this bylaw shall be liable to the Town in the amounts listed below:

- 1) First violation: warning.
- 2) Second violation: \$50.00.
- 3) Third and subsequent violations: \$100.00.

§ 158-22.3 Severability.

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof.

§158-16: Authority

This bylaw is adopted by the Town under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c. 40, §§ 21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c. 41, § 69B. This by-law also implements the Town's authority under M.G.L. c. 40,

§ 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §§ 15-17. This by-law is also intended to implement other water conservation requirements of M.G.L. c. 21G, the “Massachusetts Water Management Act” and its regulations promulgated at 310 CMR 36.00.

§158-17: Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a “State of Water Supply Conservation”, a “State of Drought” or a “State of Water Supply Emergency” by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town in accordance with this by-law and/or by the Department of Environmental Protection under its state law authorities.

§158-18: Applicability

All Town customers of the public water supply system and private well users shall be subject to this by-law. This by-law shall be in effect year-round.

§158-19: Definitions

As used in this article, the following terms shall have the meanings indicated.

Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.¹ Automatic irrigation system, including sprinklers, shall mean any system for watering vegetation other than a hand-held hose, a bucket or a drip-irrigation system outside the hours of 9:00 am to 5:00 pm.

Nonessential outdoor water use shall mean those uses that are not required:

- 1. for health or safety reasons;**
- 2. by regulation;**
- 3. for the production of food and fiber;**
- 4. for the maintenance of livestock; or**
- 5. to meet the core functions of a business.**

Nonessential outdoor water uses that are subject to mandatory restrictions include:

- irrigation of lawns, shrubs or gardens via sprinklers or automatic irrigation systems;**
- washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and**

¹ This statutory definition includes cultivation of the soil, dairying and the production, cultivation, growing and harvesting of agricultural, aquacultural, floricultural or horticultural commodities as well as forest harvesting, raising livestock inclusive of bees and fur-bearing animals and forestry, lumbering, preparation for market, delivery to storage or market or to carriers to market incidental to an agricultural operation.

- washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

Exceptions to nonessential outdoor water uses are:

- irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose controlled by a nozzle or a drip-irrigation system outside the hours of 9:00 am to 5:00 pm; and
- irrigation with harvested and stored storm-water runoff.

The following outdoor water uses are subject to review and approval by the Town, through its Board of Water and Sewer Commissioners or their designee:

- irrigation of public parks and recreation fields outside the hours of 9 AM to 5 PM;
- irrigation to establish replanted or re-sodded lawn or plantings during the months of May and September;
- irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months; and
- filling of privately owned outdoor pools.

Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

State of Drought shall mean a Drought Advisory, Watch, Warning or Emergency declared by the Secretary of Energy and Environmental Affairs in consultation with the Massachusetts Drought Management Task Force.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §§ 15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to §158-20 of this by-law.

Water Customers shall mean all persons using the public water supply regardless of that person's responsibility for payment for use of the water.

Water Users shall mean all persons using the public water supply or using privately-owned wells within the Town boundaries.

§ 158-20: Declaration of a State of Water Supply Conservation

The Town, through its Board of Water and Sewer Commissioners or their designee authorized to act as such:

- a) may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of

- water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands; and
- b) shall declare a State of Water Supply Conservation as necessary to ensure compliance with the Water Management Act.

Upon notification to the public that a State of Water Supply Conservation has been declared, no water customer shall violate any provision, restriction, requirement or condition of the declaration. The Board of Water and Sewer Commissioners may designate the Water Department Superintendent, Town Administrator, or DPW Director to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Supply Conservation shall be given under §158-21 of this bylaw before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

§ 158-20.1: State of Drought

Upon notification to the public that a State of Drought has been declared, no water user shall violate any provision, restriction, requirement or condition of the Town's water use restrictions. Public notice of a State of Drought shall be given under §158-21 of this bylaw before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

§ 158-20.2: Declaration of a State of Water Supply Emergency

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement or condition of any order approved or issued by the Department of Environmental Protection for the purpose of bringing about an end to the State of Water Supply Emergency. Public notice of a State of Water Supply Emergency shall be given under §158-21 of this bylaw before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

§158-20.3: Restricted Water Uses

A declaration of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency shall include one or more of the following restrictions, conditions or requirements limiting nonessential outdoor water use by water users as necessary to control the volume of water pumped each day, except as provided as an acceptable exemption in §158-18. The applicable restrictions, conditions or requirements shall be included in the public notice required under §158-21.

- a) Nonessential outdoor water use days: Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Conservation, State of Drought or State of Water Supply Emergency and public notice thereof. During a State of Water Supply Conservation, nonessential outdoor water use is restricted as necessary to ensure compliance with the Water Management Act, or for a Town or Water District without a Water Management Act permit, to two days or fewer per week.
- b) Nonessential outdoor water use hours: Nonessential outdoor water use is permitted only during the hourly periods specified in the State of Water Supply Conservation, State of Drought or State of Water Supply Emergency

and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9AM to 5PM.

- c) Nonessential outdoor water use method restriction: Nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle or a drip-irrigation system outside the hours of 9:00 am to 5:00 pm.
- d) Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all times.
- e) Automatic irrigation systems, including sprinklers: The use of automatic irrigation systems is prohibited.

§158-21: Public Notification and Notification of DEP

- a) Public Notification of a State of Water Supply Conservation or a State of Drought – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town as part of a State of Water Supply Conservation or a State of Drought shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation or State of Drought by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. Notification may also include email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all public and private water users.
- b) Public Notification of a State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department of Environmental Protection shall be made as soon as practical after the public water system receives notice of the Department of Environmental Protection’s declaration of a State of Water Supply Emergency, by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. Notification may also include email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all water users of the State of Water Supply Emergency.
- c) Any restriction imposed pursuant to §158-20 or §158-20.1-20.3 or in the Department’s State of Water Supply Emergency or Order shall not be effective until notification to the public is provided.
- d) Notification of DEP: Submittal of MassDEP’s form “Notification of Water Use Restriction” shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

§158-22: Termination of a State of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water and Sewer Commissioners or by decision of their designee upon a determination by either or both of them that the conditions requiring the State of

Water Supply Conservation no longer exist, or in accordance with the Water Management Act permit conditions. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in §158-21a for notice of its imposition.

§158-22.1: Termination of a State of Drought; Notice

Upon notification to the Town, the Board of Water and Sewer Commissioners or their designee that the State of Drought has been terminated by the Secretary of Energy and Environmental Affairs, the public will be notified of the termination in the same manner as is required in §158-21a for notice of its imposition.

§158-22.2: Termination of a State of Water Supply Emergency; Notice

Upon notification to the Town or to the Board of Water and Sewer Commissioners or their designee that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required in §158-21b for notice of its imposition.

§158-22.3: Penalties

The Town through its Board of Water and Sewer Commissioners or their designee including the Water Superintendent, Building Inspector and/or local police may enforce this by-law. Any person violating this by-law shall be liable to the Town in the amounts listed below:

- 1) **First violation: Warning**
- 2) **Second violation: \$50.00**
- 3) **Third violation: \$100.00**
- 4) **Fourth and subsequent violations: \$250.00**

Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the MA General Laws. For purposes of non-criminal disposition, the enforcing person shall be any police officer of the town or the Water Superintendent or the Superintendent's designee. If a State of Water Supply Emergency has been declared the Board of Water and Sewer Commissioners may, in accordance with G.L. c. 40, § 41A, shut off the water at the meter or the curb stop.

§158-22.4: Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

or take any other action relative thereto. (Board of Water & Sewer Commissioners)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article was originally adopted in 2000 using a model bylaw provided by the Massachusetts Department of Environmental Protection Agency to comply with our then Water Management Act permit. These proposed changes to the bylaw in its entirety are from The Massachusetts Department of Environmental Protection Agency's current

model and would bring the bylaw into compliance with our updated Water Management Act Permit dated December 13, 2018.

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

ARTICLE 67. AUTHORIZE CHANGES IN FEE SCHEDULES

To see if the Town will vote, pursuant to the Orleans Code §94-8 A. and B., to authorize the Select Board to increase or set user fees, license fees and permit fees for the Shellfish/Harbormaster. Recreation and Water Departments as set forth in the following schedule, effective June 1, 2022, or take any other action relative thereto. (Select Board)

Department	Current	Proposed
295 Shellfish/Harbormaster		
Aquaculture Grant Waiting List	\$0	\$10
630 Recreation		
Adult Programs	\$15	\$30
450 Water Department		
5/8" Meter (annual bid price)	\$270	\$330
3/4" Meter (annual bid price)	\$300	\$373
1" Meter (annual bid price)	\$400	\$486

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

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

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

ARTICLE 68. ACCEPT MGL CH 59, SEC 5 – PROPERTY; EXEMPTIONS (CLAUSE TWENTY-SECOND F)

To see if the Town will vote to accept the provisions of General Laws Chapter 59, §5, Clause Twenty-second F which grants a full exemption from real estate taxes to veterans and their spouses who, according to the records of the Department of Veterans Affairs or

of any branch of the armed forces of the United States by reason of injury received while in service and in the line of duty are paraplegics or have a disability rating of 100% for service-connected blindness; or take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Acceptance of 22F will grant a full exemption from real property taxes to any veteran and their spouse who was rendered paraplegic or 100% blind because of injuries sustained while in active-duty service in the US armed forces. The veteran and spouse must be legal residents of Massachusetts and be domiciled at the property. The veteran must have lived in Massachusetts at least six months before entering the service OR two years after discharge. The circumstances of the veteran's discharge must have been other than dishonorable. If the property is greater than a single-family, the exemption may only be applied to the property specifically occupied by the veteran and their spouse. If the veteran passes, the spouse may continue to apply for the exemption provided they meet the above criteria.

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

ARTICLE 69. ACCEPT MGL CH 59, SEC 5 – PROPERTY; EXEMPTIONS (CLAUSE TWENTY-SECOND H)

To see if the Town will vote to accept the provisions of General Laws Chapter 59, §5, Clause Twenty-second H which grants a full exemption from real estate taxes to the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States; or take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Prior to Clause 22H's passage by the state legislature in 2018, Gold Star Parents were entitled to the Clause 22 \$400 real estate tax exemption. This increases the benefit, entitling them to a full exemption from real property taxes. The surviving parents must be domiciled at the property seeking exemption and must have lived in Massachusetts prior to the start of the tax year for at least five years OR the deceased veteran must have been domiciled in Massachusetts no less than six months before entering the service.

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

ARTICLE 70. GRANT TOWN ADMINISTRATOR AUTHORITY TO ENTER INTO FIVE YEAR CONTRACT FOR REVALUATION SERVICES

To see if the Town will vote to authorize the Town Administrator to solicit bids and/or proposals and enter into a contract or contracts for the purpose of conducting revaluations of real and personal property for a term up to five (5) years, or to take any other action relative thereto. (Board of Assessors)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

With the passage of the Municipal Modernization Act of 2016, the Department of Revenue’s cycle for recertification of assessed values was changed from every three years to every five years. Accepting this article will allow the town to align the length of any revaluation services contract with this new cycle. These contracts provide the assessing department with the computer-assisted mass appraisal software and consulting services necessary to perform our duties and meet Department of Revenue requirements.

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

ARTICLE 71. AMEND ZONING BYLAWS SECTION 164-19. FLOODPLAIN DISTRICT F

To see if the Town will vote to amend Section 164-19 Floodplain District, to read as follows:

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

§164-19 Flood Plain District, F

The following requirements apply in the Flood Plain District:

A. Purpose. The purposes of the Floodplain District are to:

1. Ensure public safety through reducing the threats to life and personal injury;
2. Eliminate new hazards to emergency response officials;
3. Prevent the occurrence of public emergencies resulting from water quality contamination, and pollution due to flooding;
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shutdown the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions;
6. Reduce damage to public and private property resulting from flooding waters.

B. Floodplain District Boundaries. The Floodplain District includes all special flood hazard areas within the Town of Orleans designated as Zone A, AE, AH, AO or VE

on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. ~~The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Orleans are panel numbers 250001C0417I, 250001C0419I, 250001C0429I, 250001C0436I, 250001C0437I, 250001C0438I, 250001C0439I, 250001C0441I, 250001C0443I, 250001C0607I, 250001C0626I, 250001C0627I and 250001C0631I, effective date July 16, 2014.~~ The exact boundaries of the District **shall** may be defined by the **1% chance** ~~100-year-base~~ flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report, effective date July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Department, Conservation Commission and the Building Department.

C. Floodplain District Definitions

The terms below only apply to the Floodplain District:

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior;
or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior or

(2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

(a) Built on a single chassis;

(b) 400 square feet or less when measured at the largest horizontal projection;

(c) Designed to be self-propelled or permanently towable by a light duty truck; and

(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with

a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

D. Base Flood Elevation Data.

- a. Base flood elevation data are required for subdivision or other developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, within unnumbered A zones.
- b. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- c. In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

E. Notification of watercourse alteration. The Town shall notify the following of any alteration or relocation of a watercourse:

- Adjacent communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
FEMA Region I99 High Street, 6th Floor
Boston, MA 02110

F. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator

MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114

G. — Unnumbered Zone A. Within the unnumbered Zone A (near Baker's Pond), since the base floor elevation is not provided on the Flood Insurance Rate Map (FIRM) the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation or floor proofing requirements, as appropriate, of the State Building Code.

G. Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

Variances to building code requirements

Variances to floodplain development regulations shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

A written justification for the variance will be maintained in the Town's building permit files, delineating the technical reason for the variance, and stating that the variance is the minimum necessary (considering the flood hazard) to afford relief. The Town/City shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

H. Permits are required for all proposed development in the Floodplain Overlay District

The Town of Orleans requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

I. Assure that all necessary permits are obtained
Town's permit review process includes the requirement that the applicant obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.

J. Reference to existing regulations. The Floodplain District is established as an overlay to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR)
- Wetlands Protection Regulations, Department of Environmental Protection (DEP)(currently 310 CMR 10.00);
- Inland Wetlands Restrictions, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

K. Other use regulations.

1. Man-made alteration of sand dunes within Zone VE which would increase potential flood damage is prohibited.
2. All subdivision proposals shall be reviewed to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and c) adequate drainage is provided to reduce exposure to flood hazards.

L. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

M. Zone VE.

- (1) No building shall be erected within areas designated as coastal high hazard areas (Zone VE), since these areas are extremely hazardous due to high velocity waters from tidal surges and hurricane wave wash.
- (2) All new construction within the VE Zones shall be located landward of the reach of mean high tide.
- (3) **(Reserved)**

(4) (Reserved)

(5) The use of fill for structural support of buildings within the V Zone is prohibited.

~~(6) Man-made alteration of sand dunes within the V Zones is prohibited.~~

N. AO and AH zones drainage requirements

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

O. Recreational vehicles

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone’s regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

P. Abrogation and greater restriction section

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

Q. Disclaimer of liability

The degree of flood protection required by this bylaw [ordinance] is considered reasonable but does not imply total flood protection.

R. Designation of community Floodplain Administrator

The Town of Orleans hereby designates the position of Building Commissioner to be the official floodplain administrator for the Town.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This article is to amend the floodplain district regulations to comply with new FEMA requirements. There are more than 300 structures located in the floodplain in Orleans. The article adds new definitions, variance standards, and identifies the Orleans Building Commissioner as the Floodplain Administrator. Adoption of the zoning amendment will allow homeowners with structures in the floodplain to obtain or maintain flood insurance through the National Flood Insurance Program.

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

ARTICLE 72. AMEND ZONING BYLAW CHAPTER 164-13. SCHEDULE OF USE REGULATIONS

To see if the Town will vote to amend the Zoning Bylaws, Section 164-13 Schedule of Use Regulations, by amending the follow entry in the table:

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

Town of Orleans Schedule of Use Regulations

P= Use Permitted O= Use Prohibited A= Use allowed: A, under Special Permit by the Board of Appeals as provided in section 164-44

164-13. Schedule of Use Regulations

P= Use Permitted O= Use Prohibited A= Use allowed: A, under Special Permit by the Board of Appeals as provided in section 164-44

COMMERCIAL	R	RB	LB	GB	VC⁵	I	CD⁶	SC	MB
Retail	O	<u>A-P</u> 2	A	p4	p4	A2	O	O	O

(Note 2 limits the retail floor area, exclusive of storage and office space, to 1,500 s.f. per business.)

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This article would make Retail Use an allowed use in the Rural Business District, correcting a contradiction in the bylaw. Presently, "Retail" is not an allowed use in the Rural Business District. Other parts of the Schedule of Use Regulations indicate that the following retail type uses are permitted: art gallery, bank, baker, barber, book store, drug store, art store, florist, general store, gift shop, liquor store. Further, Section 164-13, note 2 limits the retail floor area in the Rural Business District to 1,500 s.f. per business. Clearly, the Rural Business District is intended to allow small retail businesses.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: No Significant Fiscal Implication

ARTICLE 73. TREE PRESERVATION RESOLUTION – BY PETITION

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

WHEREAS, trees are recognized for their abilities to improve air quality, protect from glare and heat, reduce noise, aid in the stabilization of soil, provide natural flood and drainage control, create habitats for wildlife, enhance aesthetics and property values, contribute to the distinct character of certain neighborhoods, provide natural privacy to neighbors, and reduce ambient carbon in the atmosphere; and

WHEREAS, the preservation and protection of certain trees on private property, the requirement to replant trees to replace those removed, and the collection of financial contributions to support the Town’s tree planting and maintenance efforts are public purposes that protect the public health, welfare, environment, and aesthetics;

Now therefore be it RESOLVED, That the Town vote to authorize the Select Board to cause to be prepared for consideration at the next Town Meeting, a Tree Preservation Bylaw supporting the preservation and protection of trees on residential lots during significant demolition and/or construction activity by designating areas of a lot where trees must be protected, and requiring mitigation for trees removed via replanting or collection of fees to support the Town's tree planting and maintenance efforts; and

FURTHER RESOLVED, That in order to effectuate the purposes of the resolution, the Town of Orleans' Select Board appoint a committee of five (5) members (Tree Preservation Bylaw Committee), including at least one member of the Orleans' Conservation Commission, and one member of the Orleans' Site Plan Review Committee, to be charged with the drafting of the bylaw for the Select Board's review and approval prior to submission for the Town's approval at the 2023 Town Meeting; and

FINALLY RESOLVED, That the Tree Preservation Bylaw Committee, consider the following as non-binding recommendations:

1. The Tree Preservation Bylaw only apply to trees that are six (6) inches in diameter or greater and located within a lot's setback area as defined by the Town of Orleans' Zoning Bylaw (Protected Trees);
2. The Tree Preservation Bylaw will prohibit the removal of Protected Trees during construction, or within fifteen (15) months of an application for a demolition or building permit for: (a) demolition of an existing structure of 250 gross square feet or greater, (b) construction of any building or structure on a vacant lot, or (c) construction of one or more structures or additions to structures on a lot that increases the Gross Floor Area by 50% or greater, excluding basements, open or screened porches, and decks;
3. The Tree Preservation Bylaw will provide an option, if it is not practical to save a Protected Tree, for the owner or developer to remove it and plant new trees elsewhere, or pay into a tree fund, which the Town will use to buy and plant trees in residential neighborhoods;
4. The Tree Preservation Bylaw will not apply to the subdivision of land under the Town's Subdivision Rules and Regulations, those areas of a property under the jurisdiction of the Wetlands Protection Act, public shade trees pursuant to M.G.L. Chapter 87, emergency projects necessary for public safety, health, and welfare, trees severely damaged as the direct result of a natural disaster, trees that are hazardous, or trees currently infected by a disease or insect infestation of a permanent nature;
5. The Tree Preservation Bylaw will require that mitigation be based upon the DBH (diameter at breast height) of Protected Tree(s) removed. For each inch of DBH of the Protected Tree(s) removed, no less than one half (1/2) inch caliper of a new native tree(s) shall be replanted with each new tree having a minimum caliper of two (2) inches. If the Protected Tree to be removed is an overstory tree species, the replacement tree(s) to mitigate the removal shall be a native overstory tree species.

Or to take any other action relative thereto. (By Petition)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article seeks to establish a Tree Preservation Bylaw Committee to develop a Tree Preservation Bylaw that will support the preservation and protection of trees on residential lots during significant demolition and/or construction activity.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 3 – YES 2 – NO 1 – ABSTAIN

ARTICLE 74. EVALUATION OF THE MILL POND FOR SEWERING – BY PETITION

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

Be it resolved, that the Town Meeting vote to recommend to the Select Board that they begin the process of evaluation the Mill Pond for sewerage, or to take any other action relative thereto. The Mill Pond has seen its water quality deteriorate over the last 20 years and has now reached a critical point. (By Petition)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

The Mill Pond Preservation Association has proposed this petition because of the deteriorating condition of the Mill Pond. Nothing grows below 3 ½ feet in the pond. Aquaculture has been shown to not be viable and permeable reactive barriers are not technically possible. Dredging the pond is prohibitively expensive and is not a long-term solution. Sewering the area will stop the nitrogen overload and property owners do not want to wait as the pond deteriorates, prices of sewerage go up and the threat of Conservation lawsuits loom.

SB: 2 – YES 3 – NO 0 – ABSTAIN
FC: No Significant Fiscal Implication

ARTICLE 75. CLOSING ARTICLE

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this meeting be adjourned.

Given under our hands this TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND TWENTY-TWO

A true copy.
Attest:
Kelly L. Darling
Town Clerk

Mefford R. Runyon, Chairman
Andrea Shaw Reed
Mark W. Mathison
Kevin F. Galligan
Michael Allen Herman.

ORLEANS SELECT BOARD

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 9, 2022 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the Nauset Middle School Gymnasium in said Orleans on MONDAY, the NINTH day of MAY in the year TWO THOUSAND TWENTY-TWO at 6:00 P.M. to act on the following:

ARTICLES

Article 1. Pay Bills of Prior Years	125
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Article 7. Fire/Rescue Department Traffic Light Signal – By Petition	128
Article 8. Closing Article	128

ARTICLE 1. PAY BILLS OF PRIOR YEARS

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

(9/10 Vote Required)

PROPOSED MOTION

The motion will be made at Town Meeting and will include the total as of May 9, 2022, and a breakdown by Town department, vendor and amount.

SUMMARY

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

SB: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

ARTICLE 2. FUND UNANTICIPATED EMPLOYEE BUYOUTS

To see if the Town will vote to transfer from Free Cash a sum of money to fund unanticipated employee-related buyouts, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

The motion will be made at Town Meeting.

SUMMARY

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

SB: Recommendation to be made at Town Meeting

FC: Recommendation to be made at Town Meeting

ARTICLE 3. FUND POLICE DETAIL

To see if the Town will vote to transfer from Free Cash the sum of Four Hundred Sixty-Four and 00/100 Dollars (\$464.00), or any other sum, to line item #89-25500 (Police Details) to reimburse the town for uncollectible police detail expenses incurred in prior years; or to take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Four Hundred Sixty-Four and 00/100 Dollars (\$464.00) be transferred from Free Cash for this purpose.

SUMMARY

These funds will be used to write-off an uncollectible police detail dating back to Fiscal Year 2021.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 4. FUND SHORTFALL IN REVOLVING FUND FOR ELECTRIC CHARGE STATIONS

To see if the Town will vote to transfer the sum of Five Hundred and 00/100 Dollars (\$500.00), or any other sum, from Free Cash to the Electric Charge Stations Revolving Fund; or to take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of five hundred dollars (\$500.00) be transferred from Free Cash for this purpose.

SUMMARY

This transfer is necessary to make up a deficit in the fund due to the costs associated with the maintenance of the equipment and billing account management by the third-party vendor.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 6 – YES 2 – NO 0 – ABSTAIN

ARTICLE 5. FUND WATER TREATMENT PLANT HVAC ENGINEERING DESIGN

To see if the Town will vote to transfer from available funds the sum of Forty Thousand and 00/100 (\$40,000.00) Dollars, or any other sum, for the purpose of funding for engineering services to prepare plans and specifications to replace/redesign the existing non-functional HVAC system at the Water Treatment Plant, including all expenses incidental and related thereto; and further authorize the Select Board and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted as printed in the warrant and that the sum of Forty Thousand and 00/100 (\$40,000.00) Dollars be transferred from the Water Surplus Account for this purpose.

SUMMARY

This project is for engineering services to prepare plans and specifications and assist with grant funding for the replacement/redesign of the existing non-functional HVAC system at the Water Treatment Plant in order to comply with building codes and to reduce corrosion of critical mechanical parts.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 8 – YES 0 – NO 0 – ABSTAIN

ARTICLE 6. GRANT TOWN ADMINISTRATOR AUTHORITY TO EXTEND CONTRACT FOR LONNIE’S POND AQUACULTURE SERVICES TO 5 YEARS

To see if the Town will vote to authorize the Town Administrator to execute a contract extension of the Lonnie’s Pond Aquaculture Services contract for an additional two years, thereby extending the initial contract, from a total of three (3) years to five (5) years, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

When the Town issued the RFQ for Lonnie’s Pond Aquaculture Services it committed to seeking Town Meeting Approval to extend the contract for a total period of up to five (5) years. The extension is required to allow the contractor the time to recapture the cost of investment or equipment to carry out the program. There is no cost to the Town for the contract extension and no appropriation is required.

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

ARTICLE 7. FIRE/RESCUE DEPARTMENT TRAFFIC LIGHT SIGNAL – BY PETITION

To see if the Town will vote to:

Alter the newly installed Fire/Rescue Department Traffic Signal on Eldredge Park Way to only activate when needed by an emergency vehicle. The traffic signal at the intersection of the Fire/Rescue Department blinks twenty-hours a day, seven days a week. Originally, and as the project was presented to the town the “project involve[d] the installation of the traffic signal at the entrance to the Fire Station that can be activated in an emergency that would stop traffic and prevent possible accidents.” This article will instruct the Town of Orleans DPW to alter the traffic signal from operating at all times, to operate only when signaled by an emergency vehicle. (By Petition)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article is the nature of a resolution to effectuate a change in the operation at the Fire/Rescue department Traffic Signal as set forth in the article.

SB: Recommendation to be made at Town Meeting
FC: No Significant Fiscal Implication

ARTICLE 8. CLOSING ARTICLE

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

(Simple Majority Vote Required)

PROPOSED MOTION

I move this meeting be adjourned.

Given under our hands this TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND TWENTY-TWO

A true copy.
Attest:
Kelly L. Darling
Town Clerk

Mefford R. Runyon, Chairman
Andrea Shaw Reed
Mark W. Mathison
Kevin F. Galligan
Michael Allen Herman.

ORLEANS SELECT BOARD

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 9, 2022 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS:

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at Precinct #1 and Precinct #2, the Council on Aging Senior Center, in said Orleans on Tuesday the SEVENTEENTH day of MAY in the year TWO THOUSAND TWENTY-TWO, 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 (three-year term)
- 2 Select Board (three-year terms)
- 1 Constable (three-year term)
- 1 Board of Health (three-year term)
- 2 Orleans Elementary School Committee (three-year terms)
- 2 Snow Library Trustees (three-year terms)
- 1 Nauset Regional School Committee (three-year term)

QUESTION 1.

Shall the Town of Orleans be allowed to assess an additional \$627,032 in real estate and personal property taxes for the purpose of funding a portion of the Town's share of the Nauset Regional School District Assessment, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 2.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the construction of the Meetinghouse Pond Area Collection System and Pumping Station Project, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 3.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the design and

construction of improvements to the Town's drainage in the Meetinghouse sewer area, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 4.

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the Information Technology Modernization Project, including all expenses incidental and related thereto?

YES _____ NO _____

QUESTION 5.

Non-Binding Public Advisory Question for the 2022 Spring Town Ballot. Calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay.

Whereas, Cape Cod Bay is a federal and state protected area and habitat for the endangered Right Whale; and

Whereas, Cape Cod Bay provides a vital livelihood for fishermen and the tourist industry; and

Whereas, The National Academies of Science has determined there is no safe dose of ionizing radiation; and;

Whereas, One radioactive element in Holtec Pilgrim water is Tritium, which concentrates up to the food chain from sediment to sea grasses to the fish we eat; and

Whereas, Holtec Pilgrim can discharge radioactive water anytime without approval of the Nuclear Regulatory Commission [NRC]; and

Whereas, The Attorney General of New Mexico has filed a lawsuit against the NRC for unlawful proceedings and illegal activities involving Holtec; and

Whereas, The Commonwealth has the authority to stop the dumping;

Therefore, shall the people of the Town of Orleans direct the local government to communicate with Governor Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay?

YES _____ NO _____

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

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

Given under our hands this TWENTIETH DAY of APRIL in the year of our Lord TWO THOUSAND TWENTY-TWO

A true copy.
Attest:
Kelly L. Darling
Town Clerk

Mefford R. Runyon, Chairman
Andrea Shaw Reed
Mark W. Mathison
Kevin F. Galligan
Michael Allen Herman.

ORLEANS SELECT BOARD

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the said Warrant for the Annual Town Election to be held on Tuesday, May 17, 2022 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE seven (7) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

TOWN OF ORLEANS BOARDS AND COMMITTEES

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

Affordable Housing Trust Fund Board – Works to provide for the creation and preservation of affordable housing in Orleans, for the benefit of low and moderate income households and for the funding of community housing, as defined in and in accordance with the provisions of MGL Chapter 44, §55C. Nine members.

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

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

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

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

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

Board of Trustees for Snow Library – Elected board that acts as the governing body of Snow Library. Sets policies regarding use of the building; determines the days and hours of operation; approves, promotes and participates in functions, displays, and exhibitions held in the library; and oversees all financial matters pertaining to the library. Seven members.

Board of Water & Sewer Commissioners – Develops rules and regulations and sets policies governing the operation of the municipal water system. Oversees the watershed properties. Five regular and two associate members; with three regular and two

associates appointed by the Select Board, one regular member appointment by the Planning Board and one regular member appointed by the Board of Health.

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

Cape Cod Commission – One person appointed by Board of Selectmen to represent the Town at the Cape Cod Commission, dealing with issues of regional significance.

Cape Cod Regional Tech High School Committee – Formulates and adopts policy for the Regional Tech School system and hires a superintendent. 1 Orleans resident to act as Representative and 1 resident to act as alternate appointed by the Town Moderator.

Charter Review Committee – Reviews the provisions of the Town of Orleans Home Rule Charter and reports any amendments deemed advisable.

Community Building Renovation Task Force – Serves to develop recommendations on possible renovation options for the Community Building (Old Firehouse). Five members and two ex-officio members.

Community Center Feasibility Task Force – Serves to develop recommendations on the needs and possible locations of a potential Community Center. Five members from various Boards and Committees, two At-Large members, and two parents of school age children.

Community Preservation Committee - The Community Preservation Committee implements the requirements of the Community Preservation Act and makes recommendations to the Town Meeting for the use of monies in the Community Preservation Fund. Eligible projects involve open space, historic preservation, community housing, and recreation that are consistent with a Community Preservation Plan based upon the Local Comprehensive Plan. Nine members; with three members appointed by the Select Board and six members appointed by specific committees.

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

Council on Aging Board of Directors – Directs the Council on Aging, which is the designated agency to evaluate, promote and encourage new and existing activities and services for the older residents of the community. Seven members.

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

Energy and Climate Action Committee – Shall identify and review renewable energy options that meet the goals and objectives established by the Select Board and that build upon work of prior committees. The Committee shall explore and analyze topics such as energy production facilities and infrastructure, efficiency and conservation measures, regional opportunities, funding sources, business costs and revenues, and public outreach and education. Seven regular and two associate members.

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

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

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

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

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

Memorial Day & Veteran's Day Committee – The Committee shall plan, organize, and oversee ceremonies and events honoring our veterans on Memorial Day and Veteran's Day. Five members.

Old King's Highway Regional Historic District Commission - The purpose of the Old King's Highway Regional Historic District Act is to promote the preservation and protection of buildings, settings, and places within the boundaries of the District. Each application shall be judged on the criteria set forth in the Act under Section 10 including therein, but not limited to, historic value and significance, general design, arrangement, texture, material, color, relative size, and settings. Five members with at least three members residing in the district.

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

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

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

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

Select Board – Elected board that serves as the chief executive goal setting and policy making agency of the Town. Among other responsibilities as outlined in the Orleans Home Rule Charter, the Board enacts rules and regulations establishing town policies, acts as the licensing authority for the Town, and appoints certain personnel, board, and committee members. Five members.

Shellfish and Waterways Improvement Advisory Committee – Serves as an advisory committee to the Select Board on all matters relating to the Town's shellfish beds. Seven regular and two associate members with priority given to those possessing varied and related backgrounds in marine science, boating, shellfishing, fishing, dealers, and aquaculture both commercial and recreational.

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

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

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

rev. 4/1/22



TOWN OF ORLEANS

19 School Road Orleans, MA 02653-3699
Telephone (508) 240-3700 FAX (508)240-3703
<http://www.town.orleans.ma.us>

SELECT BOARD
TOWN
ADMINISTRATOR

Citizen Interest Form

The Town of Orleans has over 35 Boards, Committees, and Commissions that serve to provide our Town with guidance, new ideas, and knowledge. We depend on the participation and dedication of our residents to fill these Boards in order to help benefit our community.

Name		Date
Residential Address		
Mailing Address		
Phone	Email	

- Are you a full-time resident of the Town? ___ yes ___ no
- Are you available to serve on a year-round basis? ___ yes ___ no
If no, what is your availability? _____
- Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:

- What interests you most about this Board, Committee, Commission?

Before submitting your interest form, please make sure this volunteer service is a good fit for your interests and time. During your interview with the Select Board, you will be asked which of the following steps you have taken to familiarize yourself:

- | | |
|--|--|
| <input type="checkbox"/> Confirm there is a vacancy on your B/C/C | <input type="checkbox"/> Review the Charge of your chosen B/C/C |
| <input type="checkbox"/> View at least two meetings via Ch.18 recordings | <input type="checkbox"/> Review meeting schedule for time commitment |
| <input type="checkbox"/> View agendas and minutes for topic information | <input type="checkbox"/> Contact the Chair of the B/C/C for information
<i>(Request contact from Town Administrator's office)</i> |

TOWN OF ORLEANS BOARDS, COMMITTEES, AND COMMISSIONS

(please indicate up to 2 preferences)

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

Please submit this completed form to:

Town Administrator's Office, 19 School Road, Orleans, or email to townadministrator@town.orleans.ma.us.

Upon receipt of your interest form, we will contact you to schedule an interview with the Select Board.

For more information, please contact Molly Bates at 508-240-3700 x2415.

Thank you for your interest in our Boards and Committees!

