

**TOWN OF ORLEANS
TOWN MEETING WARRANTS**

for use at

MONDAY, October 17, 2022

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



**SPECIAL ELECTION
TUESDAY, December 6, 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>

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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.”

MUNICIPAL FINANCE TERMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the Nauset Middle School Gymnasium in said Orleans on MONDAY, the SEVENTEENTH day of OCTOBER in the year TWO THOUSAND TWENTY-TWO at 6:00 P.M. to act on the following:

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ARTICLE 1. FY23 BUDGET ADJUSTMENTS

To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as necessary to supplement the operating budgets of the various Town departments for Fiscal Year 2023 as follows:

1. Raise and appropriate the sum of Thirty-Seven Thousand and 00/100 Dollars (\$37,000.00), or any other sum, to the Health Department Salaries Account for the purpose of funding a new 20-hour a week Assistant Health Agent position and an increase in hours for the Principal Clerk from a 30-hour part-time position to a 40-hour full-time position for the startup of the short-term rental registration program.
2. Raise and appropriate the sum of Twenty-Two Thousand and 00/100 Dollars (\$22,000.00), or any other sum, to the Health Department Expense Account for the purpose of funding a new short-term rental registration software program.
3. Raise and appropriate the sum of Two Thousand Five Hundred Sixty-Two and 00/100 Dollars (\$2,562.00), or any other sum, to the Town Clerk's Department Salaries Account for the purpose of funding an increase in hours for the Principal Clerk's position from a 19-hour part-time position to a 25-hour part-time position.
4. Raise and appropriate the sum of Six Thousand Four Hundred Eleven and 00/100 Dollars (\$6,411.00), or any other sum, to the Health Salaries Account for the purpose of funding overtime hours for the two Principal Clerks and Assistant Health Agent positions.
5. Raise and appropriate the sum of Four Thousand Two Hundred Ninety-Nine and 00/100 Dollars (\$4,299.00), or any other sum, to the Conservation Department Salaries Account for the purpose of funding overtime hours for the Principal Clerk's position.
6. Raise and appropriate the sum of Thirteen Thousand Three Hundred Thirty-Nine and 00/100 Dollars (\$13,339.00), or any other sum, to the Building Department Salaries Account for the purpose of funding overtime hours for the Principal Clerk and the Assistant Building Inspector positions.
7. Raise and appropriate the sum of Seven Thousand Six Hundred Ninety-Two and 00/100 Dollars (\$7,692.00), or any other sum, to the Town Administrator's Department Salaries Account for the purpose of funding overtime hours for the Administrative Assistant and the Licensing Agent & Procurement Coordinator's position.
8. Raise and appropriate the sum of Three Thousand Two Hundred and 00/100 Dollars (\$3,200.00), or any other sum, to the Town Administrator's Department Salaries Account for the purpose of funding the reclassification of the Licensing Agent & Procurement Coordinator position.
9. Raise and appropriate the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00), or any other sum, to the Finance Department Salary Account to fund the reclassification of the position of Principal Account Clerk to Town Accountant.
10. Transfer from Free Cash the sum of Nine Thousand Nine Hundred Fifty-Three and 00/100 Dollars (\$9,953.00), or any other sum, to the MIS Account to fund Phase 2 of the financial software program implementation on the Town's website to enable Munis integration to update data automatically.

- 11. Transfer from Free Cash the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), or any other sum, to the Select Board/Town Administrator Salary Account for the purpose of funding transition related costs.
- 12. Transfer from Free Cash the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00), or any other sum, to the Select Board/Town Administrator Legal Account.

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 Sixteen Thousand Five Hundred Three and 00/100 Dollars (\$116,503.00) be raised and appropriated, and that the sum of Sixty-Four Thousand Nine Hundred Fifty-Three and 00/100 Dollars (\$64,953.00) be transferred from Free Cash for the purposes set forth in the article.

SUMMARY

These transfers will provide the additional funds necessary to cover the additional costs associated with increasing the hours of a permanent part-time Principal Clerk in the Health Department; to fund the Short-Term Rental Startup Program to go into effect on January 1, 2023; to cover the additional costs associated with increasing the hours of a part-time principal Clerk in the Town Clerk’s office; to fund the overtime budget for the Health, Conservation, Building Departments and the Town Administrator’s office; to fund the reclassification of the Licensing and Procurement Coordinator; to fund the costs to reclassify a Principal Accountant Clerk to Town Accountant; to fund Phase 2 of the financial software program implementation on the Town’s website to enable Munis integration to update the data automatically; to fund the costs related to transition in the Town Administrator’s Office; and additional legal expenses.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	2 – YES	3 – NO	0 – ABSTAIN

ARTICLE 2. FUND ORLEANS POLICE FEDERATION CONTRACT

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Sixty-Five Thousand and 00/100 Dollars (\$165,000.00) or any other sum, to pay for the salary costs for employees covered under the collective bargaining agreement between the Town and the Orleans Police Federation in accordance with the terms of the new collective bargaining agreement commencing July 1, 2022 through June 30, 2025, and that the sum of Sixteen Thousand and 00/100 Dollars (\$16,000.00) of the One Hundred Sixty-Five Thousand and 00/100 Dollars (\$165,000.00) be added to the FY 23 Police Department Salaries Account budget, provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Laws, Chapter 59 Sec. 21C, paragraph (g) and (m) (Proposition 2 ½ so called); 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 Sixty-Five Thousand and 00/100 Dollars (\$165,000.00) be raised and appropriated for this purpose and that the sum of Sixteen Thousand and 00/100 Dollars (\$16,000.00) of the One Hundred Sixty-Five Thousand and 00/100 Dollars (\$165,000.00) be added to the FY 23 Police Department Salaries Account budget, provided however that this vote shall not take effect until the Town votes, pursuant to Massachusetts General Laws, Chapter 59 Sec. 21C, to assess an additional One Hundred Sixty-Five Thousand and 00/100 Dollars (\$165,000.00) in real estate and personal property taxes for the purpose of funding the Orleans Police Federation collective bargaining agreement for the fiscal year beginning July 1, 2022.

SUMMARY

This article will fund contract obligations with the Orleans Police Federation, for the period July 1, 2022 – June 30, 2025. For budget planning purposes, the FY 23 Budget included a 3% increase for the first year of the new contract. In negotiating the new agreement, the Select Board’s main goal was to address the Town’s ability to attract and retain qualified police officers in a very competitive job market on Cape Cod. The new three-year contract is structured to provide a base agreement funded with the 3% in the budget, along with an addendum agreement to fund the additional compensation that the Board feels is needed to be competitive. The addendum agreement is subject to a general override and includes the additional funding over and above the base agreement for the three years of the new contract. The projected total cost increase of the new contract is 18%.

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

ARTICLE 3. FUND ORLEANS PERMANENT FIREFIGHTERS’ ASSOCIATION CONTRACT

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Three Hundred Four Thousand and 00/100 Dollars (\$304,000.00), or any other sum, to pay for the salary costs for employees covered under the collective bargaining agreement between the Town and the Orleans Permanent Firefighters’ Association, Local 2675 I.A.F.F. in accordance with the terms of the new collective bargaining agreement commencing July 1, 2022 through June 30, 2025, and that the sum of Seventy-Five Thousand One Hundred and 00/100 Dollars (\$75,100.00) of the Three Hundred Four Thousand and 00/100 Dollars (\$304,000.00) be added to the FY 23 Fire Department Salaries Account budget, provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Laws, Chapter 59 Sec. 21C, paragraph (g) and (m) (Proposition 2 ½ so called); 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 Three Hundred Four Thousand and 00/100 Dollars (\$304,000.00), be raised and appropriated for this purpose, and that Seventy-Five Thousand One Hundred and 00/100 Dollars (\$75,100.00) of the Three Hundred Four Thousand and 00/100 Dollars (\$304,000.00) be added to the FY 23 Fire Department Salaries Account budget, provided however that this vote shall not take effect until the Town votes, pursuant to Massachusetts General Laws, Chapter 59 Sec. 21C, to assess an additional Three Hundred Four Thousand and 00/100 Dollars (\$304,000.00) in real estate and personal property taxes for the purpose of funding the Orleans Permanent Firefighters Association, Local 2675 I.A.F.F. collective bargaining agreement for the fiscal year beginning July 1, 2022.

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, 2025. For budget planning purposes, the FY 23 Budget included a 3% increase for the first year of the new contract. In negotiating the new agreement, the Select Board's main goal was to address the Town's ability to attract and retain qualified paramedics/firefighters in a very competitive job market on Cape Cod. The new three-year contract is structured to provide a base agreement funded with the 3% in the budget, along with an addendum agreement that would fund the additional compensation the Board feels is needed to be competitive. The addendum agreement is subject to a general override and includes the additional funding over and above the base agreement for the three years of the new contract. The projected total cost increase of the new contract is 16%.

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

ARTICLE 4. FY23 BUDGET ADJUSTMENTS SEWER ENTERPRISE FUND

To see if the Town will vote to transfer from the Sewer Enterprise Fund Balance the sum of Three Hundred Fifty-Three Thousand Eight Hundred Seventy-Five and 00/100 Dollars (\$353,875.00), or any other sum, to the Sewer Enterprise Fund Expense Account for the purpose of funding the additional costs to operate the Sewer enterprise for FY 23; 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 and that the sum of Three Hundred Fifty-Three Thousand Eight Hundred Seventy-Five and 00/100 Dollars (\$353,875.00) be transferred from the Sewer Enterprise Fund Balance for this purpose.

SUMMARY

This article will fund the necessary engineering reviews and construction inspections on all 480 sewer connections in the Downtown Sewer Area that will be installed over the next

year in order to operate the new wastewater system as efficiently and economically as possible.

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

ARTICLE 5. PAY BILLS OF PRIOR YEARS

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

(9/10 Vote Required)

PROPOSED MOTION

The motion will be made at Town Meeting and will include the total as of October 17, 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 6. FUND UNANTICIPATED EMPLOYEE BUYOUTS

To see if the Town will vote to transfer from Free Cash the sum of Forty Thousand and 00/100 Dollars (\$40,000.00), or any other sum, to fund unanticipated employee related buyouts, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted as printed in the warrant and that the sum of Forty Thousand and 00/100 Dollars (\$40,000.00) be transferred from Free Cash for this purpose.

SUMMARY

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

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

ARTICLE 7. ORLEANS ELEMENTARY SCHOOL HVAC UPGRADE – CONSTRUCTION PROJECT

To see if the Town will vote to transfer from Free Cash the sum of One Million Four Hundred Thousand and 00/100 Dollars (\$1,400,000.00), or any other sum, for the purpose of funding the construction cost for the upgrade of the existing heating and ventilation system at the Orleans Elementary School, 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 One Million Four Hundred Thousand and 00/100 Dollars (\$1,400,000.00), be transferred from Free Cash for this purpose and for costs incidental and related thereto.

SUMMARY

With input from technical consultants, the School Committee has prioritized the upgrade of the existing heating and ventilation systems provided by three air handling units for the 1988 building wing including the K-2 classrooms and library, as well as three other office spaces. In addition to the Ventilation Improvements project, there are two other projects in a study phase, the Massachusetts School Building Authority (MSBA) partially funded replacement of 1988 area windows and roofs. Current investigations indicate that the cost of completing all three projects simultaneously would exceed 30 percent of the assessed full and fair cash value of the building (FY 23 value is \$5,796,100). Exceeding the 30 percent assessed building value threshold, in any continuous three-year period, will require other improvements to the building and exterior features to conform with the Code of Massachusetts Regulations Title 521 (521 CMR), under the authority of the Architectural Access Board (AAB). The AAB develops and enforces regulations designed to make public buildings accessible to, functional for, and safe for use by persons with disabilities. Beyond the implementation of a corrective action plan to address 521 CMR, the School Committee is taking steps to identify and plan corrective action for other age-related deficiencies. Implementing a campus wide capital improvement plan may take years. Therefore, it is important to address the replacement of mechanical equipment that has exceeded its useful operating life.

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

ARTICLE 8. FUND ROCK HARBOR FUEL TANKS REPLACEMENT

To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00), or any other sum, for the purpose of funding the Rock

Harbor Fuel Tanks Replacement, 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 Thirty Thousand and 00/100 Dollars (\$30,000.00) be transferred from Free Cash for this purpose and for costs incidental and related thereto.

SUMMARY

The Town owns and maintains two underground two-thousand-gallon fuel storage tanks behind the commercial bulkhead at Rock Harbor. These tanks were installed in 1999 and are approaching the end of their design life. The Town has applied for a Massachusetts Coastal Zone Management grant for the design, permitting and construction cost to replace the two underground tanks with two above ground fuel storage tanks. The grant amount requested is \$599,516 and the total estimated project cost is \$799,355. We anticipate receiving notification from the state regarding the grant award prior to the special town meeting. If the Town receives the grant, we will be responsible for funding approximately \$200,000 of the total project cost and this article will fund the \$30,000 needed to complete the permitting and design, with the remaining \$170,000 needed for construction being requested at the annual town meeting in May 2023.

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

ARTICLE 9. FUND COMPENSATION STUDY FOR MANAGERS, STEELWORKERS, CLERICAL & TECHNICAL UNIONS & PERSONNEL BYLAW

To see if the Town will vote to transfer from Free Cash the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), or any other sum, for the purpose of funding a compensation study for full-time employees in the Managers, Steelworkers, Clerical & Technical unions & Personnel Bylaw, 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 transferred from Free Cash for this purpose.

SUMMARY

This article will fund a compensation study of the positions included in the Orleans Managers, United Steelworkers and Clerical & Technical Unions. As part of the most

recent three-year union contracts, the Town agreed to conduct a compensation study prior to end of the second year of the agreement with the results to be made available to each of the unions in advance of negotiations for the next contract.

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

ARTICLE 10. FUND NEW TOWN MANAGER SEARCH

To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00), or any other sum, for the purpose of funding a search for a new Town Manager, including all expenses incidental and related thereto, 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 Thousand and 00/100 Dollars (\$30,000.00) be transferred from Free Cash for this purpose.

SUMMARY

This article will fund the costs related to conducting a search for a new Town Manager, including retaining an outside consultant and related expenses of a Select Board appointed Search Committee.

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

ARTICLE 11. FUND ECONOMIC VALUE STUDY OF ROCK HARBOR & NAUSET HARBOR

To see if the Town will vote to transfer from Free Cash the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), or any other sum, for the purpose of funding a study to determine the economic value of Rock Harbor and Nauset Harbor, or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article follows up the 2022 economic development plan to determine the specific economic value of Rock Harbor and Nauset Harbor with the findings to be used to aid the

Town in securing economic development grants for infrastructure improvements that will help offset the cost to taxpayers.

SB: 5 – YES 0 – NO 0 – ABSTAIN
FC: 7 – YES 0 – NO 1 – ABSTAIN

ARTICLE 12. FUND VEHICLES AND EQUIPMENT STABILIZATION FUND

To see if the Town will vote to transfer from Free Cash the sum of Thirty-One Thousand Two Hundred Fifty and 00/100 Dollars (\$31,250.00), or any other sum, into the Stabilization Fund for Motor Vehicles and Equipment, and further to transfer from the Stabilization Fund the sum of Thirty-One Thousand Two Hundred Fifty and 00/100 Dollars (\$31,250.00) for the purpose of funding vehicle and equipment purchases in the Department of Public Works, 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 Thirty-One Thousand Two Hundred Fifty and 00/100 Dollars (\$31,250.00) be transferred from Free Cash for this purpose, including all expenses incidental and related thereto.

SUMMARY

This article will replenish the funding utilized to implement the changes to the yellow flashing traffic signal at the entrance to the Fire Station.

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

ARTICLE 13. FUND ELECTRONIC VOTING AT TOWN MEETING

To see if the Town will vote to transfer from Free Cash 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 transferred from Free Cash for this purpose.

SUMMARY

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

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

ARTICLE 14. FUND NEW PARKING PROGRAM AT ROCK HARBOR AND ADOPT NEW NON-RESIDENT FEE

To see if the Town will vote to transfer from Free Cash the sum of Thirty-Two Thousand Five Hundred and 00/100 Dollars (\$32,500.00), or any other sum, for the purpose of implementing a new parking program at Rock Harbor, and pursuant to the Orleans Code §94-8 A. and B., to authorize the Select Board to implement a non-resident daily parking fee and a seasonal parking fee as set forth in the following schedule, effective June 15, 2023, or take any other action relative thereto. (Select Board)

Category	Current	Proposed
Daily Non-Resident Parking	\$0	\$15
One (1) complimentary seasonal parking permit provided at no additional charge with Dockage Agreement including non-residents	\$0	\$0
Non-Resident Seasonal Parking Permit for Commercial/Charter Crew Members	\$0	\$30

(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-Two Thousand Five Hundred and 00/100 Dollars (\$32,500.00) be transferred from Free Cash for this purpose and that the Select Board be authorized to implement the new parking fees at Rock Harbor effective June 15, 2023.

SUMMARY

This article will fund the cost for a new parking program at Rock Harbor and authorize the Select Board to charge a non-resident parking fee to generate revenue for the Rock Harbor Enterprise Fund. This will help offset the cost of operating the facility and reduce the level of taxpayer subsidy. 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: 2 – YES 6 – NO 0 – ABSTAIN

ARTICLE 15. FUND FORMER GOVERNOR PRENCE PROPERTY MAINTENANCE AND INSURANCE

To see if the Town will vote to transfer from Free Cash the sum of Seventy-Five Thousand (\$75,000.00) or any other sum, for the purpose of funding ongoing property maintenance, security, insurance, and costs incidental and related thereto, for the former Governor Prence Properties located at 66 and 76 Route 6A, or to take any other action relative thereto.

(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 \$75,000.00 be transferred from Free Cash for this purpose.

SUMMARY

This article will fund the ongoing maintenance, security and insurance related costs of the former Governor Prence Properties while the Town completes its redevelopment study.

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

ARTICLE 16. FUND TOWN COVE BULKHEAD FINAL DESIGN AND PERMITTING

To see if the Town will vote to transfer from Waterways Improvement and Maintenance Fund the sum of Thirty-Eight Thousand and 00/100 Dollars (\$38,000.00), or any other sum, for the purpose of funding the Town Cove Bulkhead Final Design & Permitting, 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 Thirty-Eight Thousand and 00/100 Dollars (\$38,000.00) be transferred from Waterways Improvement and Maintenance Fund for this purpose and for costs incidental and related thereto.

SUMMARY

Under Article 23 of the May 2019 Annual Town Meeting, the Town borrowed \$430,000 to pay for the design and permitting to replace both the Rock Harbor Commercial bulkhead and the Town Cove bulkhead. Due to an increase in the Rock Harbor project scope of work to address stormwater improvements and environmental testing requirements

based on design changes, an additional \$38,000 in supplemental funding is needed to complete the design and permitting for the Town Cove bulkhead replacement.

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

ARTICLE 17. FUND WATER TREATMENT PLANT LAGOON UPGRADE / REPLACEMENT PROJECT

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Two Million Two Hundred Fifty Thousand and 00/100 Dollars (\$2,250,000.00), or any other sum, for the purpose of funding the residuals handling improvements at the Water Treatment Plant, 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)

(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 Million Two Hundred Fifty Thousand and 00/100 Dollars (\$2,250,000.00) 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 Million Two Hundred Fifty Thousand and 00/100 Dollars (\$2,250,000.00), 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

With the addition of Well No. 7 to the sources of supply flowing through the Water Treatment Plant, additional infiltration capacity will be needed to operate this facility optimally. The residuals handling system will be subject to future regulatory scrutiny to improve efficiency and meet proposed regulatory standards. The present infiltration system is limited and not performing well to direct backwash, flux maintenance and membrane-cleaning waters back to the groundwater table through an infiltration collection system. The debt service is intended 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 18. AMEND GENERAL BYLAW CH. 40 – PERSONNEL CLASSIFICATION /COMPENSATION PLANS

To see if the Town will vote to amend Chapter 40, Personnel, full-time classification and compensation plan A; 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 to take any action relative thereto. (Select Board)

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article adopts proposed changes to the existing Bylaw including the position classification for Licensing Agent & Procurement Coordinator and Assistant Building & Facilities Manager, along with an annual stipend for the Parking Clerk.

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

ARTICLE 19. AMEND GENERAL BYLAW REQUIRING LICENSING OF SHORT-TERM RENTALS

To see if the Town will vote to adopt Chapter 132, Short Term Rental Properties, as follows:

§ 132.1 Purpose

The purpose of this chapter is to protect the health, safety, and welfare of both the occupants of short-term rental units and the general public and to maintain the quality of life in residential neighborhoods and the availability of the Town’s year-round housing stock. It will assist the Town in the enforcement of state and local health and safety regulations and provide a method of correcting violations when requiring immediate attention.

§ 132.2 Legislative Intent and Authority

This Bylaw is adopted in accordance with General Laws c.64G, § 14, which authorizes municipalities to enact bylaws to regulate operators of SHORT-TERM RENTAL(s), and the Town’s Home Rule authority under the Massachusetts Constitution. Nothing herein shall interfere with the independent authority of the BOARD OF HEALTH and any other Boards or Commissions as applicable to enact its own health and safety regulations with respect to SHORT TERM RENTALS.

§ 132.3 Definitions

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

BOARD OF HEALTH The Board of Health of the Town of Orleans or its designees.

DWELLING Any building or area in a building used or intended for use for human habitation, including, but not limited to, apartments, condominiums, cottages, guesthouses, one-, two- or multiple-unit residential buildings/dwellings, except those licensed under any state or local laws or regulations other than those licensed under this chapter, (e.g. See definition of **SHORT-TERM RENTAL** in this section).

OCCUPANCY The use or possession of or the right to use or possess a short-term rental.

OCCUPANT (GUEST) Any individual residing overnight in a short-term rental.

OPERATOR (HOST) Any Person operating a short-term rental.

OPERATOR'S AGENT A Person who, on behalf of an operator of a short-term rental: (i) manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent. An "operator's agent" shall include, but not be limited to, a property manager, property management company or real estate agent.

OWNER Any person whom alone or severally with others has legal or equitable title or a beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or other person appointed by the courts.

SHORT TERM RENTAL A residential dwelling or any bedroom within a dwelling rented out through the use of advance reservations, for a fee, for a period of not more than 31 consecutive calendar days, excluding: hotels licensed under M.G.L. Chapter, 140, §6; motels licensed under M.G.L. Chapter 140, §32B; lodging establishments licensed under M.G.L. Chapter 140, §23, or under any provision of the Orleans Zoning Bylaw.

§ 132.4 SHORT TERM RENTAL Registration

A. Registration Required

No **OWNER** shall rent, or offer to rent, any **SHORT-TERM RENTAL** as that term is defined herein, prior to registering with the **BOARD OF HEALTH**. No tenant or lessee of an **OWNER** shall let or sub-let a **SHORT-TERM RENTAL** under any circumstances. Any **SHORT-TERM RENTAL** required to be registered with the Commonwealth of Massachusetts pursuant to the applicable provision of General Laws Chapter 64G shall also be required to register with the **BOARD OF HEALTH** under the By-Law.

B. Compliance

A dwelling used as a **SHORT-TERM RENTAL** shall be in compliance with the applicable provisions of all applicable state and local health and safety laws, ordinances and regulations. Demonstration of compliance shall be in the form of a sworn affidavit submitted as part of the registration application described in Section D below to the **BOARD OF HEALTH** prior to occupancy. **OPERATORS** shall comply with all applicable federal, state and local laws, ordinances and regulations.

C. Application Required

The OWNER of the dwelling shall be required to complete a SHORT-TERM RENTAL registration application, the form and content of which shall be provided by the BOARD OF HEALTH. The period of registration shall be for one calendar year. Acceptance of a SHORT-TERM RENTAL registration application by the BOARD OF HEALTH shall not be deemed a determination that the proposed SHORT-TERM RENTAL complies with the provisions of the Orleans Zoning Bylaw, Town and State Health Regulations or that the number of bedrooms listed in the registration application will be accepted by the Board of Health.

D. Registration Renewal

SHORT TERM RENTAL registrations shall be renewed annually. All renewals shall require a new application to be submitted to the BOARD OF HEALTH and payment of the annual fee.

E. Fees

The fee for a SHORT-TERM RENTAL registration or a renewal of a registration shall be initially set at \$50.00 plus \$50.00 for each bedroom over a total of two, which fee may thereafter may be modified by the Select Board after a public hearing.

F. Non-Transferability

SHORT TERM RENTAL registrations shall be granted solely to an OWNER and shall not be transferable or assigned to any other person, legal entity, or address. The registration does not run with the property; it shall be terminated upon sale or transfer of the property for which the registration has been issued.

§ 132.5 Publication of Registration Number

The Town-issued registration number shall be included on any listing offering the SHORT-TERM RENTAL for rent.

§ 132.6 Contact Information of OWNER, OPERATOR and/or OPERATOR'S AGENT

A. An OWNER of a SHORT-TERM RENTAL shall provide the BOARD OF HEALTH with his/her current residential address and telephone number upon application for a Registration as well as a full and complete list of persons or who have a direct or indirect interest in any property for which a SHORT-TERM RENTAL Registration in the Town of Orleans has been issued or for which a SHORT-TERM RENTAL Registration application is pending.

B. If the OWNER is a corporation (including a Limited Liability Company (LLC)), the name, address, and telephone number of the president and legal representative of the corporation shall be provided. If the OWNER is a realty trust or partnership, the name, address, and telephone numbers of the managing trustee or partner shall be provided.

C. The name and contact information of the OPERATOR must be provided, along with the name and contact information of an OPERATOR'S AGENT, if different from the OPERATOR, who is able to respond in person to any issues or emergencies that arise

during occupancy within one (1) hour of contact by the BOARD OF HEALTH, Orleans Police or Fire Department to complaints regarding the condition or operation of the SHORT-TERM RENTAL. Contact information must include a telephone number that is available 24 hours per day, 7 days a week to OCCUPANTS and the above-stated public safety agencies. This contact information shall be included in the application for a SHORT-TERM RENTAL Registration and shall be posted conspicuously within the rental unit.

§ 132.7 Posting of Notices

The Town shall provide information to each registered OPERATOR summarizing the regulations for SHORT TERM RENTALS. Each SHORT-TERM RENTAL Registration issued will include, but shall not be limited to: the name and 24-hour contact information of the OPERATOR or OPERATOR'S AGENT designated in the application, requirements for trash removal, occupancy requirements, parking, and noise restrictions.

The OPERATOR shall:

- A. Provide OCCUPANTS a copy of the provided information; and
- B. Post the information, along with the SHORT-TERM RENTAL Registration, in a conspicuous location within the SHORT-TERM RENTAL.

§ 132.8 Trash Removal

The OPERATOR shall be responsible for ensuring that household trash is removed from the premises immediately after Occupancy is concluded or once per week, whichever is more frequent.

§ 132.9 Occupancy Requirements

The maximum number of OCCUPANTS in a SHORT-TERM RENTAL shall be 2 per bedroom, plus additional two OCCUPANTS.

§ 132.10 Parking

All parking associated with the operation of a SHORT-TERM RENTAL, including without limitation non-OCCUPANT guest parking shall be on the registered premises. There shall be no off-premises parking without the permission of the off-premise owner.

§ 132.11 Smoke Detectors and Carbon Monoxide Alarms

Each SHORT-TERM RENTAL shall contain functional smoke detectors and carbon monoxide alarms. In addition, the Operator shall provide and maintain one 2.5 lb. multi-purpose fire extinguisher on each floor. Extinguishers shall be maintained or replaced in accordance with the manufacturer's specifications. OPERATORS shall test and perform maintenance on every smoke detector, carbon monoxide alarm upon renewal of the SHORT-TERM RENTAL Registration. Any detector or alarm found to be defective or expired shall be repaired or replaced forthwith. The OCCUPANT(s) shall be notified to report faulty or inoperative smoke detector unit(s) to, first, the OWNER or OPERATOR of the dwelling and, second, the Orleans Fire Department.

§ 132.12 Keeping of Register

The OPERATOR or OPERATOR'S AGENT shall be responsible for keeping a register containing the name of the OCCUPANT who is the leaseholder, total number of OCCUPANTS, and dates of occupancy. The register shall be retained for a period of two (2) years and shall be made available upon request to the BOARD OF HEALTH, police, or other duly appointed or authorized code compliance staff of the Town of Orleans.

§ 132.13 Failure to Pay or to Make Suitable Arrangements for the Payment of Municipal Taxes, Fees, Assessments, and Charges

The privilege of receiving or holding SHORT TERM RENTAL Registration is contingent upon the timely payment of municipal taxes, fees, assessments, and charges. Failure of a Person to comply with this requirement shall be cause, after notice and hearing pursuant to the requirements of G.L. c. 40, § 57, for denial, suspension, amendment, or revocation of a SHORT-TERM RENTAL Registration for any and all property in which the person holds a direct or indirect ownership interest, as above defined.

§ 132.14 Inspections

SHORT TERM RENTALS shall be subject to reasonable inspections and/or verification by the BOARD OF HEALTH, and all other applicable agencies or departments of the Town.

§132.15 Enforcement

The Select Board or its designee may issue orders as appropriate to aid in the enforcement of this Bylaw and may enforce these provisions in equity, including the request for injunctive relief in a court of competent jurisdiction or enforcement by noncriminal disposition pursuant to G.L. c. 40, §21D. Any failure to comply with any order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$150.00. Any failure to comply after the issuance of said fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Select Board may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked

§ 132.16 Penalties

If any OCCUPANT, OPERATOR or OWNER violates any provision of this chapter or condition of a SHORT-TERM RENTAL REGISTRATION issued hereunder, the OWNER may be subject to a fine in accordance with the following:

- \$150 1st Offense
- \$300 2nd Offense – and each subsequent offense

§ 132.17 Regulations

The Select Board, may adopt regulations, policies and procedures for the implementation of this chapter. The Select Board shall request comment(s) from the BOARD OF HEALTH or any other applicable Board, Commission or Agency of the Town as the Select Board shall determine, prior to the adoption of any such regulations, policies or procedures.

§ 132.18 Severability

Each provision of this Chapter shall be construed as separate. If any part of this Chapter shall be held invalid for any reason, the remainder shall continue in full force and effect. In the event of a conflict between this chapter and any other chapter of the Orleans Town Code, this chapter shall control, 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 proposes the adoption of a new short-term rental registration program. Based on the latest information from the State, there are 655 short-term rental properties currently registered in the Town of Orleans. This bylaw provides for an annual registration program and establishes basic requirements for short-term rentals operating in Town. The annual registration fee would cover the administration cost of the program.

SB:	5 – YES	0 – NO	0 – ABSTAIN
FC:	1 – YES	5 – NO	2 – ABSTAIN

ARTICLE 20. VETERAN’S MEMORIAL PARK AT ACADEMY PLACE – AUTHORIZE TAKING BY EMINENT DOMAIN TO CLEAR TITLE

To see if the Town will vote to authorize the Select Board to take by Eminent Domain, for the purpose of clearing the Town’s title thereto, the land known as Veterans Memorial Park at Academy Place and shown as Parcel 91 on Assessor’s Map 34 containing approximately .25 acres, for park purposes; or take any action relative thereto. (Select Board)

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

Veteran's Memorial Park at Academy Place was the location of the original Snow Library. Since the Library was destroyed by fire in 1952 and a new Library was constructed in its present location, the Town has maintained this area as Veterans Memorial Park. The Town has recently applied for a grant to make improvements to the Park, but despite a title exam, has been unable to provide a deed or other instrument evidencing the Town's ownership of the property as requested by the potential funding agency. Accordingly, this article will authorize the Select Board to adopt an Order of Taking which when recorded will provide evidence of the Town's ownership.

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

ARTICLE 21. AMEND HOME RULE CHARTER: FORM OF GOVERNMENT, PURPOSE, AND EFFECTIVE DATE

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. Form of Government, Purpose, and Effective Date

1-2-3 The purpose of this Charter is: to secure citizen control of local affairs; to establish and maintain efficient and financially sound government; and to ensure that elected and appointed officials are accountable to the electorate.

§ 7. Purpose

~~1-7-1 The purpose of this Charter is: to secure citizen control of local affairs; to establish and maintain efficient and financially sound government; and to ensure that elected and appointed officials are accountable to the electorate.~~

1-3-4 Except as specifically provided in this Charter, all ~~committees, commissions, councils, boards,~~ **multi-member bodies**, departments, **and** offices ~~and other agencies~~ of the Town ~~in existence on January 1, 1988~~ shall continue to perform their duties until not reappointed, reelected, or until successors to their respective positions are duly appointed or elected or their duties have been transferred.

1-3-5 Any person serving in the employment of the Town shall retain such position and shall continue to perform his or her duties until provisions shall have been made in accordance with this Charter for the performance of the said duties by another person or ~~agency~~ **department**, provided, however, that no person in the permanent, full-time service or employment of the Town shall forfeit his or her pay grade or time in service. All such persons shall be retained in a capacity as similar to their former capacity as it is practical so to do and shall be eligible for appointment to a position at a higher pay grade.

1-3-6 If a power or duty is reassigned as the result of the provisions of this Charter, as amended, the records, property, and equipment necessary to fulfill said power or duty shall likewise be reassigned to the newly responsible office or ~~agency~~ **department**.

§ 7: CHARTER OPERATIONS AND MAINTENANCE

§ 1. Charter Amendment

1-7-1 This Charter may be replaced, revised, or amended in accordance with the procedures made available by Articles eighty-nine and one hundred and thirteen of the amendments to the Constitution of the Commonwealth, commonly known as the Home Rule Amendment, and M.G.L. Chap. 43B, commonly known as the Home Rule Procedures Act.

§ 2. Transition Requirements

1-7-2 Revisions or amendments requiring a transition to take effect shall specify the circumstances, duration, and conditions for termination of the transition status.

§ 3. Enforcement

1-7-3 Clause 3-3-3 requires the Select Board to enforce the Charter. Ten or more voters shall have the right to petition the Select Board for enforcement of the Charter or to obtain a formal opinion from Town Counsel regarding any Charter enforcement issue. The forgoing enumeration shall not limit or restrict the exercise of rights of enforcement set forth in the General Laws of the Commonwealth.

§ 8 DEFINITIONS

1-8-1 Certain words and phrases contained in this Charter are defined in M.G.L. Chapter 4, Section 7. Other words and phrases used herein, but not defined in that statute, shall have the following specific meanings:

- (a) Charter. The word “Charter” shall mean this Charter and any amendments to it made through any of the methods provided under Articles eight-nine and one hundred and thirteen of the amendments to the Constitution of the Commonwealth.
- (b) Town. The word “Town” shall mean the Town of Orleans.
- (c) Appropriate local media. The phrase “appropriate local media” shall mean the Town’s website, public access television, any additional posters, signs, and electronic or other available media. Provided, however, that nothing stated herein shall relieve the Town from the meeting notification requirement of state law.
- (d) Majority Vote: The words “majority vote” shall mean a majority of those present and voting provided that a quorum of the body is present.
- (e) Voters. The word “voters” shall mean registered voters of the Town of Orleans.
- (f) Multi-member body. The words “multi-member body” shall mean any board, commission, or committee of the Town consisting of two or more persons, whether appointed or elected.
- (g) Certification. The word “certification” shall mean that person has been declared elected and sworn to the faithful performance of duty by the Town Clerk.

News Outlet. The phrase “news outlet” shall mean any entity which regularly provides, produces, and/or publishes notices, information, and stories about the Town of Orleans, by way of newspapers/e-newspapers, the Town website, and/or the Orleans Government Access Cable Television Channel.

And further to delete the existing Chapter 10 in its entirety;

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

The amendment would move sections about the Charter’s purpose; how the Charter guides Town government; Charter Operations and Maintenance; and Definitions from Chapter 10 to Chapter 1. Moving the Charter purpose up to Section 2 and including all of Chapter 10 and an additional definition for “news outlet” will provide readers with a clearer understanding of the subsequent chapters. Chapter 10 will be deleted.

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

ARTICLE 22. AMEND HOME RULE CHARTER: SPECIFIC PROVISIONS TO PREVAIL

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

§ 5. Specific Provisions to Prevail

1-5-2 The Charter shall govern whenever there exists a conflict between Charter provisions and the provisions of Town by-laws, rules and/or regulations.
All Town by-laws, rules and/or regulations not superseded by this Charter shall remain in force.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would make it clear that, should there be conflict between specific Charter provisions and Town by-laws, rules and/or regulations, the Charter prevails.

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

ARTICLE 23. AMEND HOME RULE CHARTER: CODE OF CONDUCT

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

3-2-4 The Select Board shall issue a Code of Conduct policy for all Town Officers, members of multi-member bodies and citizens as defined by law and/or regulation relating to the practices, procedures, and behavior for conducting Town business.

The policy shall be reviewed annually by the Select Board at the beginning of each fiscal year, published on the Town website, and presented to multi-member bodies in accordance with Section 6-1-4 of this Charter.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

It is important that Town Business is conducted for the benefit of its citizens and allows for all to participate and share ideas in a manner of cooperation and civility. This amendment would ensure that the Select Board, in its policy role, would provide a Code of Conduct to which all Town officers, multi-member bodies, and citizen will be expected to adhere.

SB: 0 – YES 3 – NO 2 – ABSTAIN
FC: 1 – YES 5 – NO 0 – ABSTAIN

ARTICLE 24. AMEND HOME RULE CHARTER: EMERGENCY 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

3-3-4 In coordination with the Fire Chief, the Board shall develop and annually at least biennially update the Town’s Comprehensive Emergency Preparedness Plan and publish appropriate emergency response guidance to its citizens on the Town website and by any other means.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment is intended to ensure that Orleans has a comprehensive Town Emergency Preparedness Plan that identifies the Orleans Fire Chief, who, with the Select Board, organizes the participation of all significant municipal, regional, State, and Federal support needed to direct a response to emergencies or disasters. It would ensure that the Plan would be updated every other year, and information widely published so that all citizens will know what to do in case of an emergency.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: No Significant Fiscal Implication

ARTICLE 25. AMEND HOME RULE CHARTER: CHAPTER 4

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

§ 1 Appointment

4-1-2 The Select Board in its search for a Town Manager, shall advertise in the International City Management Association (I.C.M.A.) Newsletter or similar professional publication and in at least two ~~newspapers~~ **news outlets** having state-wide or regional circulation.

§ 2. Qualifications

4-2-1 The Town Manager shall be appointed on the basis of educational, executive, and administrative qualifications and experience. The educational qualifications shall consist of at least a bachelor's degree, preferably in public administration, granted by an accredited degree-granting college or university. The professional experience shall include at least five years of prior full-time compensated executive service in public or business administration. Alternatively, at least ~~two~~ **three** years of prior full-time compensated executive service in public or business administration, and a master's degree in an appropriate discipline shall qualify an applicant.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment is intended to make the qualifications for Town Manager more rigorous by increasing the alternative requirement for a Town Manager with a master's degree

from two years of executive service to three years. Also, when advertising for a new Town Manager, the use of “news outlets” will provide additional ways to publicize the search beyond newspapers.

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

ARTICLE 26. AMEND HOME RULE CHARTER: RESPONSIBILITY FOR APPOINTMENTS

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 Manager as provided in Chapter 4; (b) a Town Counsel; ~~(c) A Town Accountant/Director of Municipal Finance;~~ ~~(d);~~ **(c)** a Police Chief; ~~(e)~~ **(d)** a Fire Chief; ~~(d)~~ **(e)** three members of a Board of Registrars of Voters for overlapping three-year terms; ~~(g)~~ **(f)** Election Officers; ~~(h)~~ **(g)** five members and three associate members of a Zoning Board of Appeals for overlapping three-year terms; ~~(i)~~ **(h)** five members and two associate members of a Board of Water and Sewer Commissioners for overlapping terms; **and** ~~(h)~~ **(i)** three members of a Community Preservation Committee.

4-4-1 ~~Subject to the approval of the Select Board,~~ ~~t~~ The Town Manager shall appoint and, on the basis of merit and fitness alone, and except as otherwise is provided by general law, Charter, or personnel By-laws, may suspend or remove: a Town Clerk, ~~who need not be a Town resident;~~ a **Director of Municipal Finance**/Town Accountant; a Town **Treasurer/Tax** Collector/Treasurer; a full-time professional Assessor who shall not be a member of the Board of Assessors; **a Director of Planning and Community Development; a Conservation Agent who shall not be a member of the Conservation Commission;** and a Director of Public Works and Natural Resources. The Town Manager may also appoint other positions, subject to the availability of funds. **All such appointments and removals may be reversed by an affirmative vote of at least four members of the Select Board taken within 14 days.**

4-4-3 There shall be a Department of Municipal Finance under the direct control and supervision of the Town Manager. The Town Manager shall appoint a Director of Municipal Finance/Accountant who shall be the Chief Financial Officer of the Town and be responsible for the supervision and coordination of the Treasurer/Tax Collector and Assessor.

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would insert two existing positions omitted from the current version of the Charter. In addition, due to a Special Act passed by the state legislature the requirement for the Town Clerk is no longer needed. The amendment would also codify that the Town would have a Department of Municipal Finance under the control and supervision of the Town Manager. Any appointments, suspensions, or removals concerning any of these positions could be reversed within fourteen days if voted by at least four members of the Select Board.

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

ARTICLE 27. AMEND HOME RULE CHARTER: MODERATOR MAY DESIGNATE

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

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

4-9-4 The Moderator shall preside at any such hearing **or designate a professional neutral hearing officer. The rules of evidence shall not apply to the removal hearing process and/or proceedings.**

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

The current Charter states that the Moderator shall preside at any hearing called to discuss the suspension or removal of the Town Manager. This amendment will give the Moderator the option to designate a professional neutral hearing officer to perform this duty.

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

ARTICLE 28. AMEND HOME RULE CHARTER: TITLE CHANGE AND SWEARING IN OF ELECTED OFFICIALS

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

CHAPTER 5 TITLE CHANGE: Elected Town Boards **Multi-Member Bodies** and Officers

5-1-4 Any person duly elected to any office or multi-member body shall take up the duties of said office immediately provided that each person first shall have been sworn to the faithful performance of said duties by the Town Clerk.

~~§ 7 — Time of Taking Office~~

~~7-7-1 Any person duly elected to any office or multi-member body shall take up the duties of said office immediately following said certification.~~

Current § 8 Recall of Elective Officers in Chapter 7 shall be renumbered to **§ 7 Recall of Elective Officers**, and current 7-8-1 through 7-8-8 shall become **7-7-1, 7-7-2, 7-7-3, 7-7-4, 7-7-5, 7-7-6, 7-7-8** with **NO CHANGE OF LANGUAGE.**

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

The amendment would re-name the Title of Chapter 5 to use the term “Multi-Member Bodies” as used elsewhere in the Charter and move the language of how those elected are sworn in by the Town Clerk from Chapter 7 into the General Provisions for elected officials.

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

ARTICLE 29. AMEND HOME RULE CHARTER: COOPERATION

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

9-1-4 The Planning Board shall cooperate closely with the Conservation Commission, the Board of Health, ~~and the Board of Water and Sewer Commissioners,~~ **and any other multi-member bodies that the Planning Board's decisions may impact.**

6-6-2 **The Planning Board shall cooperate closely with the Conservation Commission, the Board of Health, the Board of Water and Sewer Commissioners, and any other multi-member bodies that the Planning Board's decisions may impact.**

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would place the same language from the Planning chapter into Chapter 6 for appointed multi-member bodies and broaden the opportunities for cooperation to include any other multi-member bodies that the Planning Board's decisions might impact. This will encourage efficiency in Town initiatives through coordination and collaboration among all multi-member bodies.

SB: 5 – YES 0 – NO 0 – ABSTAIN

FC: No Significant Fiscal Implication

ARTICLE 30. AMEND HOME RULE CHARTER: FINANCE COMMITTEE

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

8-1-1 **It is the responsibility of the Finance Committee to independently examine and analyze the Town's financial affairs, including proposed budgets, the Capital Improvements Plan and all other proposals which would have a financial impact; and to inform the citizens of the Town of its findings and recommendations.**

~~8-1-6 It is the responsibility of the Finance Committee to independently examine and analyze the Town's financial affairs, including proposed budgets, the Capital Improvements Plan and all other proposals which would have a financial impact; and to inform the citizens of the Town of its findings and recommendations.~~

8-1-2 The Finance Committee, appointed by the Town Moderator, shall consist of nine members and two associate members appointed for three-year overlapping terms, arranged so that the terms of at least three members shall expire at the end of the 15th day of the fiscal year, provided that no more than one associate member's term expires in any given year.

8-1-3 Any person duly appointed to the Finance Committee shall take up the duties of the office ~~upon the first day of the fiscal year,~~ on the 16th day of the fiscal year, provided that ~~such~~ said person shall have been sworn to the faithful performance of said person's duties by the Town Clerk.

Current 8-1-3 shall be **renumbered to 8-1-4** "Vacancies..." No change of language
Current 8-1-4 shall be **renumbered to 8-1-5** "Any person..." No change of language
Current 8-1-5 shall be **renumbered to 8-1-6** "No member..." No change of language

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would move the responsibilities of the Finance Committee to the beginning of Chapter 8 with no change of language. Due to the extensive learning curve for new members, it would also add two associate members to the Committee so that associate members will be prepared to serve as substitutes as needed. Finally, since the Finance Committee reviews the final year-end financial records, this will enable existing members to remain until the 15th day of the new fiscal year and new appointees to begin their terms on the 16th day of that fiscal year.

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

ARTICLE 31. AMEND HOME RULE CHARTER: PLANNING

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

9-1-3 The Planning Board may make recommendations to the Town Manager, the Select Board, and the Town Meeting on all matters concerning the physical, economic, and environmental development of the Town as provided in 9-2-5.

9-2-1 The Planning Board shall be responsible for the development and periodic updating of the Orleans Comprehensive Plan. A 5-year review shall be undertaken to

incorporate current data to ensure that the Plan remains a viable reference and guidance document for the appropriate and orderly development of the Town.

9-2-3 The Planning Board shall present such proposed updated Plan at a public hearing and may revise it following such hearing. Such portions of the Plan as are considered ready shall be presented to the Town Meeting for adoption. ~~The revisions may be amended on the floor of Town Meeting.~~

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

(2/3 Vote Required)

PROPOSED MOTION

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

SUMMARY

This amendment would change the order of the parties mentioned to reflect the actual order in which the recommendations of the Planning Board are received each year. It also would add language to ensure that the Orleans Comprehensive Plan remains a current, viable reference and guidance document for the orderly and appropriate development of the Town. Finally, it will delete the last sentence as not needed since revisions can already be amended on the floor of Town Meeting.

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

ARTICLE 32. AUTHORIZE SPECIAL ACT TO PROHIBIT THE APPLICATION OF FERTILIZER

To see if the Town will vote to authorize and direct the Select Board to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation, the text of which is set forth below, prohibiting the application of fertilizer in the Town of Orleans except for the purposes of commercial agriculture and the residential use of certified organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed), and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage, as follows:

An Act Prohibiting the Application of Fertilizer Used in the Town of Orleans Except for the purposes of commercial agricultural and the residential use of certified organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed).

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

Section 1. There is sound scientific evidence to conclude that nitrogen and phosphorus in fertilizers are contaminants that negatively affect fresh and salt waters when present in excessive amounts. These excessive amounts of nitrogen and phosphorus contribute to undesirable algae and aquatic plant growth within all Orleans water bodies. This undesirable algae and aquatic plant growth has an adverse effect on public health through the degradation of waters used for drinking water, shell fishing, and recreational swimming and boating.

Section 2. It is necessary to prohibit the application of fertilizer that contains phosphorus and nitrogen so as to improve the water quality of the Town of Orleans. The soils of Orleans are unique insofar as Orleans has significant amounts of coarse, sandy soils that are subject to rapid water infiltration, percolation and leaching of nutrients, and such unique local conditions require that Orleans prohibit the application of nitrogen and phosphorus added to soils through the application of fertilizers. This Act should help Orleans to achieve compliance with the Total Maximum Daily Loads (TMDL) prescribed by the Commonwealth of Massachusetts for nitrogen and phosphorus in its waters.

Section 3. Notwithstanding any General or Special law to the contrary, including but not limited to any General or Special law conferring exclusive authority upon the Department of Agriculture to regulate and control the application of fertilizers elsewhere in the Commonwealth, the application of fertilizer containing nitrogen or phosphorus, or any other pollutants in the Town of Orleans is prohibited, except for the purposes of commercial agricultural and the residential use of certified organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed).

Section 4. This act shall take effect upon passage.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Water is what brings people here and makes us want to stay in this special place of ours. Water is our most valuable environmental resource and our most valuable economic asset. It directly or indirectly affects every resident, property owner, visitor, and business in Orleans. Orleans has 63 ponds/lakes and 50+ miles of coastline, water is our lifeblood and it is our responsibility to keep it healthy and protect what we love. There is current outreach and has been for decades from citizens who feel there is an ongoing and significant increase in the application of fertilizer, especially in new home construction. The Select Board voted unanimously on June 15, 2022 to act in addressing clean and healthy waters in Orleans, protecting our environment, wildlife, residents, visitors, pets, economy and property values by supporting the preparation of a Home Rule Petition.

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

ARTICLE 33. AUTHORIZE CHANGES IN FEE SCHEDULE FOR RECREATION

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 Recreation Department as set forth in the following schedule, changes in bold, effective November 1, 2022, or take any other action relative thereto. (Select Board)

630 Recreation	Current	<i>Proposed in bold</i>
Adult Summer Program res/non-res	\$15/\$15	\$15/\$30

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article will adopt the Recreation Advisory Committee’s recommended changes to the current fee schedule. 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: 8 – Yes 0 – No 0 – Abstain

ARTICLE 34. ADOPT AMENDED SEWER ASSESSMENT GENERAL BYLAW

To see if the Town will vote to amend the action taken under Article 18 of the May 2022 Annual Town Meeting and adopt Chapter 6, an amended Sewer Assessment Bylaw, as follows:

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

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 of Water and Sewer Commissioners (“Commission”)** and as approved by the **Select 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 and that the bylaw become effective upon the passage of a Special Act of the State Legislature currently pending as House No. 2196 “An Act authorizing the town of Orleans to rescind chapter 381 of the acts of 2008 and to adopt a sewer assessment bylaw. “

SUMMARY

The Sewer Assessment Bylaw was previously adopted by under Article 18 of the May 9th 2022 Annual Town Meeting. In the course of review by the Attorney General Office and the state Division of Local Services of the Department of Revenue it has been recommended that Section I of the prior bylaw that authorized the assessment of compensatory sewer privilege fees be deleted. It is anticipated with this revision that the pending Special Act (House No. 2196) authorizing the adoption of the bylaw will be enacted and the bylaw approved by the Attorney General.

SB:	5 – Yes	0 – No	0 – Abstain
FC:	6 – Yes	0 – No	2 – Abstain

ARTICLE 35. REAUTHORIZE SPECIAL ACT FOR SEWER BETTERMENT ALLOCATION METHOD & RESCIND CH. 381 OF THE ACTS OF 2008

To see if the Town will vote to reauthorize the Select Board, to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation to rescind Chapter 381 of the Acts of 2008 which authorized the Town to lay out sewers and assess betterments in accordance with the Town’s Comprehensive Wastewater Management Plan (CWMP) approved by the Department of Environmental Protection as of 2008 and further special legislation to authorize the Town, notwithstanding the provisions of Chapters 80 and 83 of the General Laws or any other general or special law to the contrary, to adopt a sewer assessment bylaw, based on the following uniform unit method:

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

Sewer assessments shall be determined utilizing sewer unit values.

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

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

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

This article merely extends the prior authorization voted under Article 30 of the October 31, 2020 Special Town Meeting. The Select Board did petition the State Legislature under

the prior authorization and the Special Act is pending as House No. 2196. Since a Home Rule Petition expires in 2 years, this article provides reauthorization to ensure the Legislature has sufficient time to act on the Home Rule Petition.

SB: 5 – Yes 0 – No 0 – Abstain
FC: 8 – Yes 0 – No 0 – Abstain

ARTICLE 36. 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 TWENTY FIRST day of SEPTEMBER in the year of our Lord TWO THOUSAND TWENTY-TWO

A true copy.
Attest:
Kelly L. Darling
Town Clerk

Andrea Shaw Reed, Chairman
Michael Allen Herman
Mark W. Mathison
Kevin F. Galligan
Mefford R. Runyon.

ORLEANS SELECT BOARD

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Special Town Meeting to be held on Monday, October 17, 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

**DECEMBER 6, 2022
BALLOT QUESTIONS**

QUESTION 1.

Shall the Town of Orleans be allowed to assess an additional \$165,000.00 in real estate and personal property taxes to pay for the salary costs for employees covered under the collective bargaining agreement between the Town and the Orleans Police Federation in accordance with the terms of the new collective bargaining agreement commencing July 1, 2022 through June 30, 2025, for the fiscal year beginning July 1, 2022?

YES _____ NO _____

QUESTION 2.

Shall the Town of Orleans be allowed to assess an additional \$304,000.00 in real estate and personal property taxes to pay for the salary costs for employees covered under the collective bargaining agreement between the Town and the Orleans Permanent Firefighters' Association, Local 2675 I.A.F.F. in accordance with the terms of the new collective bargaining agreement commencing July 1, 2022 through June 30, 2025, for the fiscal year beginning July 1, 2022?

YES _____ NO _____

TOWN OF ORLEANS BOARDS AND COMMITTEES

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

Affordable Housing Trust Fund Board – Works to provide for the creation and preservation of affordable housing in Orleans, for the benefit of low- and moderate-income households and for the funding of community housing, as defined in and in accordance with the provisions of MGL Chapter 44, §55C. Nine members.

Agricultural Advisory Council – Represents the town’s agricultural community with regard to sustainable agriculture-based economic activities in Orleans. Five regular and two associate 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, Pedestrian, Traffic & Parking Study Committee – Serves to promote the safety of cyclists, vehicles, and pedestrians, as well as recommend improvements to the effectiveness of local transportation. Eleven regular and one associate member, including Police Chief, Fire Chief, DPW Director, and Community Development Director.

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 Historic District Committee - 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. 9/8/22



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	

1. Are you a full-time resident of the Town? ___ yes ___ no
2. Are you available to serve on a year-round basis? ___ yes ___ no
If no, what is your availability? _____
3. Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:

4. 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"/> Finance Committee |
| <input type="checkbox"/> Affordable Housing Trust Fund Board | <input type="checkbox"/> Fourth of July Committee |
| <input type="checkbox"/> Agricultural Advisory Council | <input type="checkbox"/> Historical Commission |
| <input type="checkbox"/> Architectural Review Committee | <input type="checkbox"/> Human Services Advisory Committee |
| <input type="checkbox"/> Barnstable County Home Consortium | <input type="checkbox"/> Marine & Fresh Water Quality Committee |
| <input type="checkbox"/> Barnstable County Human Rights Comm. | <input type="checkbox"/> Memorial & Veterans Day Committee |
| <input type="checkbox"/> Bike, Pedestrian, Parking & Traffic Comm. | <input type="checkbox"/> Old Kings Highway Historic District Comm. |
| <input type="checkbox"/> Board of Assessors | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Board of Water & Sewer Commissioners | <input type="checkbox"/> Personnel Advisory Board |
| <input type="checkbox"/> Building Code Board of Appeals | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Cape Cod Commission | <input type="checkbox"/> Pleasant Bay Alliance Steering Committee |
| <input type="checkbox"/> Cape Cod Light Compact | <input type="checkbox"/> Recreation Advisory Committee |
| <input type="checkbox"/> Community Preservation Committee | <input type="checkbox"/> Shellfish & Waterways Advisory 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"/> Cultural District Committee | _____ |
| <input type="checkbox"/> Energy and Climate Action 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!