



Annual & Special Town Meeting
May 8, 2023
Supplemental Information

This document is intended to provide voters with supplemental information pertaining to certain warrant articles and inform voters of motion amendments throughout the warrant

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ANNUAL/SPECIAL TOWN MEETING WARRANT

NO.	ARTICLES	SELECT BOARD		FINANCE COMM.		Total
		VOTE	DATE	VOTE	DATE	Amount
1	Report of the Select Board, Town Officers & Special Committees	5-0-0	3/22	9-0	3/30	n/a
2	Accept Transportation Bond Bill Funds	5-0-0	3/22	9-0	3/30	n/a
3	Holding State Harmless for Work	5-0-0	3/22	9-0	3/30	n/a
4	Authorization to Sell Surplus Equip & Accept gifts	5-0-0	3/22	9-0	3/30	n/a
5	Departmental Revolving Funds Authorization	5-0-0	3/22	9-0	3/30	n/a
6	Continuation of Municipal Rental Revolving Account	5-0-0	3/22	9-0	3/30	n/a
7	Adopt MGL Ch 71 sec 16B - Ass't Formula N Reg.Schools	5-0-0	3/22	9-0	3/30	n/a
8	Fund Beaches Enterprise Fund Budget FY24	5-0-0	4/5	6-0	4/6	\$ 2,042,798
9	Fund Moorings Enterprise Fund Budget FY24	5-0-0	4/5	6-0	4/6	\$ 187,335
10	Fund Rock Harbor Boat Basin Enterprise Fund Budget FY24 (includes Tax Rate subsidy)	5-0-0	4/5	6-0	4/6	\$ 180,389
11	Fund Sewer Enterprise Fund Budget FY24 (includes Wastewater Stabilization subsidy)	5-0-0	5/3	6-0	4/6	\$ 2,250,852
12	Fund Transfer Station Enterprise Fund Budget FY24 (includes Tax Rate subsidy)	5-0-0	4/5	6-0	4/6	\$ 1,230,219
13	Fund Town/School Budget FY24 (mixed funding sources)	5-0-0	5/3	6-0	4/6	\$ 44,512,527
14	Capital Improvement Plan FY25 - FY29	5-0-0	4/5	6-0	4/6	n/a
15	Fund Community Preservation Act Program Budget FY24	5-0-0	3/22	9-0	3/30	\$ 1,369,441
16	Fund CWRMP - Phase III Preliminary Design/Project Management	4-0-1	3/22	8-0-1	3/30	\$ 2,437,700
17	Fund Additional Costs for Phase I Downtown Area Sewer Collection System & Wastewater Treatment Plant and Effluent Disposal System	5-0-0	3/22	6-0	4/6	\$ 275,000
18	Fund Additional Costs for Phase II Mtg House Pond Area Sewer Coll. System Construction	5-0-0	5/3	6-0	4/6	Indef. Postponed
19	Fund Rock Harbor Dredging Construction Project	5-0-0	3/22	9-0	3/30	\$ 1,400,000
20	Fund Rock Harbor Fuel Tanks Construction Project	5-0-0	3/22	9-0	3/30	\$ 170,000
21	Fund Fire Department Aerial/Ladder Truck Replacement	5-0-0	3/22	9-0	3/30	\$ 1,600,000
22	Fund Veterans Memorial Park Rehabilitation	5-0-0	3/22	9-0	3/30	\$ 110,000
23	Fund Pilgrim Lake Fish Ladder Rehabilitaion Project (\$100K from Wastewater Improvement Fund)	5-0-0	3/22	9-0	3/30	\$ 450,000
24	Fund Water Quality Drainage Improvements Stabilization Fund	5-0-0	3/22	9-0	3/30	\$ 201,716
25	Fund Town Pavement Management Program Stabilization Fund	5-0-0	3/22	9-0	3/30	\$ 403,456
26	Fund Building and Facility Maintenance Stabilization fund	5-0-0	3/22	9-0	3/30	\$ 350,000
27	Fund Vehicle and Equipment Maintenance Stabilization fund	5-0-0	3/22	6-0	4/6	\$ 450,000
28	Fund Replacement of Water Department Vehicles & Equipment	5-0-0	3/22	8-0	3/30	\$ 100,000
29	Transfer Water Service Connection Funds	5-0-0	3/22	8-0	3/30	\$ 30,000
30	Fund Other Post-Employment Benefits (OPEB) Liability Trust Fund	5-0-0	3/22	9-0	3/30	\$ 450,000
31	Fund Affordable Housing Trust Fund	5-0-0	3/22	8-0-1	3/30	\$ 275,000
32	Additional Funding for the Affordable Housing Trust Fund	5-0-0	3/22	8-0-1	3/30	\$ 225,000
33	Fund Visitors Management Services by Orleans Chamber of Commerce	5-0-0	3/22	9-0	3/30	\$ 33,000
34	Fund Human Services Agencies (FY24)	5-0-0	3/22	9-0	3/30	\$ 154,000
35	Fund Forth of July Celebration	5-0-0	3/22	9-0	3/30	\$ 8,000
36	Fund Cultural Council Grants	5-0-0	3/22	9-0	3/30	\$ 2,000
37	Authorize and Fund Habitat Conservation Plan Permits	5-0-0	3/22	9-0	3/30	\$ 43,023
38	Fund Elected Officials' Compensation (FY24)	5-0-0	3/22	9-0	3/30	\$ 16,100
39	Fund Unanticipated Employee Buyouts	5-0-0	3/22	9-0	3/30	\$ 35,000
40	Fund Town Cultural District Committee Expenses	5-0-0	4/5	9-0	3/30	\$ 10,000
41	Fund Fire/Rescue Department Ambulance	5-0-0	3/22	9-0	3/30	\$ 410,000
42	Fund CWMP - Fresh and Saltwater Ponds Adaptive Management	4-0-1	3/15	9-0	3/30	\$ 96,700
43	Fund Fire/Rescue Department Bunk/Locker Space	5-0-0	3/22	9-0	3/30	\$ 35,000
44	Fund Conservation Fund	5-0-0	3/22	9-0	3/30	\$ 75,000
45	Fund Feasibility Study for New Snow Library (50% free cash/ 50% Trust funds)	5-0-0	3/22	9-0	3/30	\$ 180,000
46	Authorize Granting an Easement on/over 50 Bridge Rd, Putnam Farm Conservation Area	5-0-0	3/22	8-0	3/30	\$ -
47	Fund Bike & Pedestrian Committee Projects	5-0-0	3/22	9-0	3/30	\$ 20,000
48	Authorize Taking Wastewater Easement by Eminent Domain Rte 6A	ATM	5/3	ATM	4/6	Indef. Postponed
49	Fund Fire Department Overtime	5-0-0	3/15	9-0	3/30	\$ 100,000
50	Transfer of Unexpended Bond Proceeds	5-0-0	3/22	8-0	3/30	\$ 19,144.64
51	Establish Special Purpose Stabilization Fund and Transfer FY23 Opioid Settlement Payments	5-0-0	3/22	8-0	3/30	
52	Amend General Bylaw Ch. 40 - Personnel Bylaw / Classification/Comp. Plans	5-0-0	4/5	7-0	4/6	
53	Amend General Bylaw - Rental Registration Bylaw	5-0-0	4/5	3-3-1	4/6	
54	Authorize Changes in Fee Schedules	5-0-0	4/5	8-0	3/30	
55	Adopt MGL Chapter 41, Section 108P - Additional Compensation for Treasurer and Collector	5-0-0	3/22	8-0	3/30	
56	Authorize to Convey Governor Prence Property for Housing (66 & 76 Route 6A)	5-0-0	3/22	6-1-1	3/30	
57	Amend Home Rule Charter: Community Preservation Committee	5-0-0	3/22	NFS	3/30	
58	Amend Home Rule Charter: Responsibility for Appointments	5-0-0	3/22	NFS	3/30	
59	Amend Home Rule Charter: Change Number of Town Constables	5-0-0	3/22	NFS	3/30	
60	Special Legislation for the AHTF to Amend the Orleans AHTF By-law Ch. 104 to Include Attainable Housing	5-0-0	3/22	NFS	3/30	
61	Amend General Bylaws Ch. 95 - Ambulance & Emergency Services	5-0-0	3/22	NFS	3/30	
62	Resolution in Support of Special Legislation for Year-Round Housing Occupancy Deed Restriction	5-0-0	3/22	NFS	3/30	
63	Amend Zoning Bylaws Section 164-22: Minimum Lot Size in Business Districts	5-0-0	3/15	8-0	3/30	
64	Amend Zoning Bylaws Section 164-22: Accessory Dwellings on Panhandle Lots	5-0-0	3/15	8-0	3/30	
65	Amend Zoning Bylaws Section 164-22: Setbacks for Mechanical Equipment	5-0-0	3/15	NFS	3/30	
66	Closing Article					

ANNUAL/SPECIAL TOWN MEETING WARRANT

NO.	ARTICLES	SELECT BOARD		FINANCE COMM.		Total
		VOTE	DATE	VOTE	DATE	Amount
SPECIAL TOWN MEETING						
1	Bills of Prior Years (part funding Free Cash/part Transfer Station Fund balance)	5-0-0	5/3	ATM	3/30	\$ 6,043
2	FY 23 Budget Adjustments (multiple funding sources - Free cash/Water Surplus/Transfer Station Surplus)	5-0-0	4/5	7-0	4/6	\$ 92,000
3	Fund Free Cash Transfer to Stabilization Fund	5-0-0	3/22	6-2	3/30	\$ 26,388
4	Fund Recreation Department Renovations, Furniture & Equipment Expenses	5-0-0	3/15	9-0	3/30	\$ 10,000
5	Fund Nauset Beach Retreat Master Plan & Facility Relocation Project	5-0-0	3/22	7-0	4/6	\$ 130,000
6	Fund Cleaning of Water Storage Tanks	5-0-0	3/22	8-0	3/30	\$ 40,000
7	Fund Replacement of Solenoid Bank Manifolds at WTP	5-0-0	3/22	8-0	3/30	\$ 90,000
8	Rescind Debt Authorizations for Closed Projects	5-0-0	3/22	7-0	4/6	\$ 131,722
9	Closing Article					
Funding Sources						
	Raise & Appropriate					\$ 42,203,582
	Debt Exclusions					\$ 6,342,700
	Water Fee/Reserve/Debt					\$ 3,072,519
	Enterprise Funds (plus Indirect costs)					\$ 5,420,246
	CPA Funds					\$ 1,369,441
	Ambulance Reserves					\$ 1,010,000
	Wastewater Stabilization Fund					\$ 1,879,114
	Other Sources					\$ 673,571
	Free Cash					\$ 493,381
					total	62,464,554
					check	62,464,554
					variance	-

Appendix A

ARTICLES 16, 17, 19 to 23 – The below table reflects the estimated annual tax impact for these debt exclusion funding articles. Please note that this assumes the projects are approved and the debt is borrowed during FY 2024. The first payment would be due in FY 2025; therefore, the annual tax impact won't be reflected in the tax bills until January 2025.

May 8, 2023 Annual Town Meeting							
Esitimated Annual Tax Impact of Debt Excluded Articles							
ARTICLE	PROJECT	Borrowing sum	Borrowing Term	Interest Rate (est.)	Est. Annual Debt Service (Princ. & Int.)	Est. Annual Tax Rate impact	Est. Annual Tax Impact on Property \$500K
16	CWMP PH III Planning (80% paid by tax rate)	\$2,437,700	30	0%	\$65,005	\$ 0.01	\$ 5.54
17	Additional CWMP Downtown construction (80% paid by tax rate)	\$275,000	30	0%	\$7,334	\$ 0.00	\$ 0.62
19	Rock Harbor Dredge Construction	\$1,400,000	10	5%	\$210,000	\$ 0.04	\$ 17.76
20	Rock Harbor Fuel Tank Construction	\$170,000	10	5%	\$25,500	\$ 0.00	\$ 2.15
21	Fire Dept Ladder Truck	\$1,600,000	10	5%	\$240,000	\$ 0.04	\$ 20.29
22	Veterans Park Rehabilitation	\$110,000	10	5%	\$16,500	\$ 0.00	\$ 1.39
23	Pilgrim Lake Fish Ladder	\$350,000	10	5%	\$52,500	\$ 0.01	\$ 4.27
Totals:		\$6,342,700			\$616,839	\$ 0.10	\$ 52.02

Appendix B

ARTICLE 17 – Fund Additional costs for the Phase 1 Downtown Area Sewer Collection System, Water Treatment Plant and Effluent Disposal System.

You can find the below information on the Town's website under Wastewater Infrastructure section via this link: <https://www.town.orleans.ma.us/171/Wastewater-Infrastructure>

- a. Sewer System Frequently Asked Questions
- b. Property Owner Guidebook
- c. Sewer Betterment Bylaw
- d. Sewer Use Rules & Regulations
- e. Sewer Service Connection Process
- f. Sewer Service Engineering Firms
- g. Sewer Installation contractors
- h. Board of Health Sewer Connection Regulations
- i. Barnstable County "AquiFund" Program to help homeowners with sewer connection financing
- j. Sewer Betterment Estimates Table

Appendix C

ARTICLE 53 – Rental Registration Bylaw

Orleans Rental Registration Q & A

Why does the Town need this?

To protect the health and safety of people who occupy residential rental property. This bylaw requires rental unit owners and managers to affirm the working order and location of smoke and CO detectors in each rental unit. This complements state law.

Not having working smoke or CO detectors in a housing unit of any type risks lives, as we learned tragically this winter. Liability rests with the owner of the rental to provide these basic detectors for the health and safety of all renters. However, registering the location of the rental and the presence of working detectors assists the Town should an emergency response be necessary.

How much does it cost for a rental owner to register their unit or units?

There is no charge for registration.

How do I register my rental?

A portal will be provided on the Town website. The registration process has two parts.

1. Complete the online form or file it at Town Hall annually.
2. Post a printed copy of the completed form in a highly visible location in each rental unit.

This simple registration process is not as complex as pulling a permit. There is no cost to the owner. It is not a Board of Health or Building inspection. It *does* try to correct basic safety information with rental unit locations and fire prevention notices for all renters in the Town. Non-compliance increases the burden on the owner in the event of a fire.

How often do I need to complete the Rental Registration Form?

The Rental Registration Certification Form is required to be filed annually.

Who enforces this registration?

Fire & Rescue is the enforcing agency for the Town. If a renter files a complaint, the enforcing agency investigates and decides if the complaint has merit. If the complaint has merit, the owner will be asked to correct the deficiency. After that, at the discretion of the Fire Chief (or designee), fines, as listed in the bylaw, can be imposed. The period for correcting the situation and re-inspection is at the discretion of the Fire Chief (or designee).

What happens if I don't register or don't have working detectors?

To the extent the Town becomes aware, then at the discretion of the enforcing agency, a warning or fines may be issued under the bylaw.

MOTION AMENDMENTS

(PROPOSED AMENDMENTS IN RED)

SPECIAL TOWN MEETING

ARTICLE 1 – Pay Bills of Prior Fiscal Year

Proposed Motion:

I move this article to be accepted and adopted and the sum of Five Thousand Seven Hundred Fifty-Three and 00/100 Dollars (\$5,750.00) be transferred from the Transfer Station Enterprise Fund Balance to pay the following unpaid bills:

The following is a list of unpaid bills of prior years as of May 8, 2023:

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Transfer Station	Green Seal Environmental	\$5,750.00
TOTAL		\$5,750.00

And further that the sum of Two Hundred Ninety-Three and 00/100 Dollars (\$293.00) be transferred from Free Cash to pay the following unpaid bills:

The following is a list of unpaid bills of prior years as of May 8, 2023:

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Highway	Silver Cloud Towing	\$150.00
Harbormaster	Baskins Ace Hardware	\$23.39
Harbormaster	Baskins Ace Hardware	\$29.39
Accounting	Mass Municipal Auditors/Accountants	\$90.00
TOTAL	(rounded up to the nearest whole dollar)	\$293.00

ANNUAL TOWN MEETING

ARTICLE 11 – Sewer Enterprise Fund Budget FY24

**Sewer Enterprise Fund
Proposed Operating Budget
For the Fiscal Year July 1, 2023 - June 30, 2024**

Estimated Revenues:

User Fees	\$	775,319
Betterments	\$	-
Other Revenues	\$	-
Investment Income	\$	-
Subtotal	\$	775,319
Retained Earnings	\$	105,000
Total Revenues:	\$	880,319

Operating Expenses:

Direct Expenses	
Salaries	\$ -
Expenses	\$ 1,964,546
Capital Outlay	\$ -
Debt Service	\$ -
Budgeted Surplus	\$ -
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Subtotal	\$ 1,964,546
Indirect Expenses	
General Fund Allocated Expenses	\$ 271,966
Fringe Benefits	\$ 14,340
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Subtotal	\$ 286,306
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Total Expenses	\$ 2,250,852
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<u>Surplus/(Deficit)</u>	\$ (1,370,533)
<u>Transfer from Wastewater Stabilization Fund</u>	\$ 1,370,533

Proposed **Amended** Motion:

I move that this article be accepted and adopted and that the Town Meeting adopt the Select Board's proposed FY 2024 Sewer Enterprise Fund budget and Proposed Fee Schedule as printed in the warrant, **with the following revisions to the budget:**

- 1) Under Estimated Revenues by revising Retained Earnings from \$455,000 to \$105,000.**
- 2) Under Operating Expenses by revising Expenses from \$2,314,546 to \$1,964,546**

and as funding, therefore, to:

1. raise and appropriate from Sewer Enterprise Revenues the sum of Seven Hundred Seventy-Five Thousand Three Hundred Nineteen and 00/100 Dollars (\$775,319.00)
2. transfer from the Sewer Enterprise Fund Undesignated Fund Balance the sum of **One Hundred Five Thousand and 00/100 Dollars (\$105,000.00)**
3. transfer from the Wastewater Special Purpose Stabilization Fund the sum of One Million Three Hundred Seventy Thousand Five Hundred Thirty-Three and 00/100 Dollars (\$1,370,533.00)
4. and recognize that the indirect expenses of Two Hundred Eighty-Six Thousand Three Hundred Six and 00//100 Dollars (\$286,306.00) will be raised and appropriated in the General Fund operating budget, and funding for such will be a transfer from the Sewer Enterprise.

Summary: The Sewer Enterprise Fund budget was reduced to reflect revised FY 2024 budget needs and available funding sources.

ARTICLE 16 – Fund Comprehensive Water Resources Management Plan Implementation – Phase III Lakes & Ponds Sewer Study Area Preliminary Design/Project Management

Proposed **Amended** Motion:

I move that this article be accepted and adopted **by revising** the sum of \$2,486,900.00 to **\$2,437,700.00 said sum** to be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with the approval of the Select Board, is authorized to borrow the sum of **\$2,437,700.00** pursuant to Massachusetts General Laws, Chapter 44, Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so-called) the amounts required to pay the principal and interest on the borrowing approved by such vote.

Summary: Funding for the Lonnie’s Pond demonstration oyster project in the amount of \$49,200 was included within Article no. 42 as well, hence we are amending this motion to eliminate the duplicative funding request.

ARTICLE 18 – Fund Additional Costs for Phase II Meetinghouse Pond Area Sewer Collection System Construction

Proposed **Amended** Motion:

I move that Article 18 **be indefinitely postponed**.

ARTICLE 48 – Authorize Taking Wastewater Easement by Eminent Domain Route 6A

Proposed **Amended** Motion:

I move that Article 48 **be indefinitely postponed**.

ARTICLE 62 – Resolution in Support of Special Legislation for Year-round Occupancy Deed Restriction

Proposed **Amended** Motion:

I move that the article be accepted and adopted as printed in the warrant except that the reference to Senate Docket No. 1040 be revised to refer to **Senate Docket No. S861**.