

**TOWN OF ORLEANS  
TOWN MEETING WARRANTS**

for use at

**MONDAY, May 12, 2014  
ANNUAL TOWN MEETING - 6:30 PM  
&  
SPECIAL TOWN MEETING – 6:30 PM  
Nauset Middle School Gymnasium**



**ANNUAL ELECTION  
TUESDAY, May 20, 2014  
7:00 AM - 8:00 PM  
Council on Aging Senior Center  
Published as a supplement of  
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***Please bring this copy of the warrant  
to Town Meeting.***

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PLEASE CALL 240-3700 EXTENSION 415**

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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		4/5		
3. Postpone Indefinitely	X			X	X		MAJ	X	
4. Lay on Table		X		X	X		MAJ	X	
5. Amendment	X		X		X		MAJ	X	
6. Accept and Adopt	X		X		X		MAJ	X	
7. Consider Articles Out of Order	X		X		X		2/3		X
8. Reconsider	X			X	X		2/3		X
9. Adopt a Resolution	X		X		X		MAJ		X
10. Adjourn to Time Uncertain	X		X		X		MAJ	X	
11. Adjourn		X		X	X		MAJ		X

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

## ORLEANS TOWN MEETING BYLAWS

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

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

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

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

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

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

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

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

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

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

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

Changing Order of Articles: The order of consideration of the articles as printed in the warrant may be changed only by a two-thirds (2/3) vote of the Town Meeting.

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 Town Meeting; 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.

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. Four-fifths (4/5) 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, an article for capital improvements not in compliance with the Capital Improvement Plan 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 Capital Improvements Plan, provided that any article for capital improvements not in compliance with clause 8-5-1 shall require a three-fourths 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, which shall be designed to deal with unmet long-range needs, and to implement the goals and objectives of the Orleans Comprehensive Plan.”

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.”

## FINANCIAL SUMMARY

### TO THE VOTERS:

The Annual Town Meeting warrant includes a number of articles that have an impact on the financial condition of the town, as well as on individual voters in terms of local property taxes. To assist you in your deliberations, on the following pages you will find a number of schedules and charts that have been included in the warrant to provide additional information that may be of help to you at Town Meeting.

The “Financial Plan” for Fiscal Years 2014 and 2015 compares revenues and expenditures adopted in FY 2014 with those proposed in FY 2015. The Plan assumes approval of all funding articles as recommended in the Annual Town Meeting warrant.

As presented, for FY 2015 the total expenditures amount to \$32,090,000, an increase of \$1,620,000 or 5.3%. The total property tax levy increase would be 4.7% resulting in a tax rate of \$6.44 per thousand dollars of assessed valuation, an increase of \$0.24 or 3.9% over FY 2014.

A “Tax Rate Information” table shows the estimated tax rate increase and tax impact on a property valued at \$500,000 for articles that are funded by property taxes. Each funding article in the warrant includes a notation showing the FY 2014 tax rate impact per thousand dollars of assessed valuation.

The warrant also includes two charts that summarize the Town’s “Financing Sources” and “Expenditure Comparison By Organizational Group” for both FY 2014 and Proposed/Recommended for FY 2015.

Finally, the “Proposed Operating Budget” for the Fiscal Year July 1, 2014 – June 30, 2015 includes the 2014 adopted and 2015 proposed budgets and is broken down by department, line item description and amounts. In addition, operating budget purchases of \$10,000 or greater are summarized in the “Capital Outlay Requests” schedules for Town Departments and the Nauset Regional School District.

For FY 2015, the total proposed operating budget is \$30,476,464, inclusive of all non-school and school operating costs. This amount represents an overall increase of \$1,162,357 or 4.0% over FY 2014. As proposed, total non-school expenditures, including funding union and non-union cost of living increases, are up 3.8% and total school (Orleans Elementary, Nauset Regional and Cape Cod Tech) expenditures are up 4.5%.

John F. Kelly  
Town Administrator

**FINANCIAL PLAN**  
**FOR THE FISCAL YEARS 2014 & 2015**  
(\$000)

<b>REVENUES</b>	<b>ADOPTED FY 2014</b>	<b>PROPOSED FY 2015</b>	<b>DOLLAR CHANGE</b>	<b>PERCENT CHANGE</b>
<b>Property Tax</b>				
Property Tax (Base)	19,478	20,131	653	3.4%
Statutory Increase	487	503	16	3.4%
Growth	166	155	(11)	-6.5%
Debt/Capital Exp. Exclusions	2,113	2,246	132	6.3%
Cape Cod Commission Act	154	158	4	2.5%
General/Stabilization Fund Override	473	635	162	34.3%
Unused Levy Capacity	(598)	(517)	80	-13.4%
Community Preserv. Surtax	641	672	30	4.7%
Total Property Tax	<u>22,915</u>	<u>23,982</u>	<u>1,067</u>	<u>4.7%</u>
Provision for Abatement/Exempt	(190)	(200)	(10)	5.3%
<b>Non-Property Tax</b>				
State Aid	465	472	7	1.6%
Motor Vehicle Excise	936	940	4	0.4%
Local Receipts	4,531	4,668	137	3.0%
Free Cash	412	604	192	46.7%
Funds Resv. Appr./Other Avail.	912	1,125	212	23.3%
Hotel Tax	490	499	10	2.0%
Total Non Property Tax	<u>7,745</u>	<u>8,308</u>	<u>563</u>	<u>7.3%</u>
<b>Total Revenues</b>	<b><u>30,470</u></b>	<b><u>32,090</u></b>	<b><u>1,620</u></b>	<b><u>5.3%</u></b>
<i>Assessed Value (est. as of 1/1/14)</i>	<i>3,592,511</i>	<i>3,617,511</i>	<i>25,000</i>	<i>0.7%</i>
<i>Tax Rate</i>	<i>6.20</i>	<i>6.44</i>	<i>0.24</i>	<i>3.9%</i>
<b>EXPENDITURES</b>				
<b>Non-School</b>				
Salaries and Wages	9,770	10,046	276	2.8%
Fringe Benefits	1,906	1,975	68	3.6%
Pensions	1,386	1,544	158	11.4%
General Expenses	3,468	3,558	90	2.6%
State/County Assessments	542	555	13	2.4%
Sub Total - Non Sch Operating	<u>17,072</u>	<u>17,678</u>	<u>605</u>	<u>3.5%</u>
Capital Expenditures	625	658	33	5.3%
Debt	2,800	2,941	142	5.1%
Sub Total - Non Sch Capital/Debt	<u>3,424</u>	<u>3,599</u>	<u>175</u>	<u>5.1%</u>
Total - Non School	<u>20,496</u>	<u>21,276</u>	<u>780</u>	<u>3.8%</u>
<b>School</b>				
Nauset Regional	3,766	4,009	243	6.4%
Debt	8	2	(6)	-74.7%
NRS Capital Outlay	88	94	5	6.1%
Sub Total - NRS	<u>3,862</u>	<u>4,104</u>	<u>242</u>	<u>6.3%</u>
Orleans Elementary	3,374	3,567	193	5.7%
Fringe Benefits	755	717	(37)	-5.0%
Pensions	95	99	4	4.0%
Sub Total - OES	<u>4,224</u>	<u>4,383</u>	<u>159</u>	<u>3.8%</u>
C.C. Technical High	234	210	(25)	-10.5%
Total - Schools	<u>8,320</u>	<u>8,697</u>	<u>377</u>	<u>4.5%</u>
<b>Other Expenses</b>				
Community Preserv. Expenses	498	503	5	1.1%
Community Preserv. Fund	144	168	25	17.2%
Special Articles	1,012	1,445	433	42.8%
Sub Total - Other Expenses	<u>1,653</u>	<u>2,117</u>	<u>463</u>	<u>28.0%</u>
<b>Total Expenditures</b>	<b><u>30,470</u></b>	<b><u>32,090</u></b>	<b><u>1,620</u></b>	<b><u>5.3%</u></b>

**TAX RATE INFORMATION**  
**ESTIMATED FOR FISCAL YEAR 2015**

**Per tax rate increments:**

<b>TAX RATE INCREASE</b>	<b>MUNICIPAL REVENUE RAISED</b>	<b>TAX IMPACT ON \$500,000.00 PROPERTY</b>
\$ 0.01	\$ 36,175.11	\$ 5.00
\$ 0.05	\$ 180,875.55	\$ 25.00
\$ 0.10	\$ 361,751.10	\$ 50.00
\$ 0.20	\$ 723,502.20	\$ 100.00
\$ 0.30	\$ 1,085,253.30	\$ 150.00
\$ 0.40	\$ 1,447,004.40	\$ 200.00
\$ 0.50	\$ 1,808,755.50	\$ 250.00
\$ 0.60	\$ 2,170,506.60	\$ 300.00
\$ 0.70	\$ 2,532,257.70	\$ 350.00
\$ 0.80	\$ 2,894,008.80	\$ 400.00
\$ 0.90	\$ 3,255,759.90	\$ 450.00
\$ 1.00	\$ 3,617,511.00	\$ 500.00

**Per revenue raised increments:**

\$ 0.0003	\$ 1,000.00	\$ 0.14
\$ 0.0014	\$ 5,000.00	\$ 0.69
\$ 0.0028	\$ 10,000.00	\$ 1.38
\$ 0.0138	\$ 50,000.00	\$ 6.91
\$ 0.0276	\$ 100,000.00	\$ 13.82
\$ 0.1382	\$ 500,000.00	\$ 69.11
\$ 0.2764	\$ 1,000,000.00	\$ 138.22

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

The above calculations are based on the Town's total estimated valuation for Fiscal Year 2015. These figures should be considered as estimates only, since valuations can change annually.

**FINANCING SOURCES**  
**Adopted Fiscal Year 2014 vs. Proposed Fiscal Year 2015**

<b><u>FINANCING SOURCES</u></b>	<b><u>FY 2015 PERCENT OF TOTAL</u></b>	<b><u>FY 2014 ADOPTED</u></b>	<b><u>FY 2015 PROPOSED</u></b>	<b><u>PERCENT INCR/DECR</u></b>	<b><u>DOLLAR INCR/DECR</u></b>
Property Tax	74%	22,725,021	23,781,680	5%	1,056,659
Local Receipts	15%	4,530,500	4,667,913	3%	137,413
Other Available Funds	4%	912,201	1,124,666	23%	212,465
Motor Vehicle Excise	3%	936,000	940,000	0%	4,000
Free Cash	2%	412,000	604,257	47%	192,257
Hotel Tax	2%	489,600	499,392	2%	9,792
State Aid	1%	464,504	471,936	2%	7,432
Total	100%	30,469,826	32,089,845	5%	1,620,019

**EXPENDITURE COMPARISON BY ORGANIZATIONAL GROUP**  
**Adopted Fiscal Year 2014 vs. Recommended Fiscal Year 2015**

<b><u>ORGANIZATIONAL UNIT</u></b>	<b><u>FY 2015 PERCENT OF TOTAL</u></b>	<b><u>FY 2014 ADOPTED</u></b>	<b><u>FY 2015 PROPOSED</u></b>	<b><u>PERCENT INCR./DECR.</u></b>	<b><u>DOLLAR INCR./DECR.</u></b>
Education (1)	27%	8,319,967	8,696,889	5%	376,922
Public Safety	18%	5,723,739	5,867,037	3%	143,298
Debt	9%	2,799,501	2,941,007	5%	141,506
Public Works	9%	2,587,680	2,784,679	8%	196,999
General Government	7%	2,280,369	2,279,163	0%	(1,206)
Fringe Benefits	6%	1,986,438	2,044,909	3%	58,471
Culture & Recreation	6%	1,971,125	2,035,002	3%	63,877
Pensions	5%	1,385,807	1,543,682	11%	157,875
Special Articles	5%	1,012,046	1,444,960	43%	432,914
Human Services	3%	939,449	951,150	1%	11,701
State & County Assess.	2%	542,303	555,316	2%	13,013
Land Bank Expenses	2%	497,729	503,130	1%	5,401
Insurance	1%	280,000	274,500	-2%	(5,500)
<b><u>OTHER</u></b>					
Community Preserv. Fund	1%	143,673	168,421	17%	24,748
Total	100%	30,469,826	32,089,845	5%	1,620,019

(1) Includes Capital Outlay Items per NRSD Agreement.

## MUNICIPAL FINANCE TERMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dear Town Voters,

The Finance Committee is pleased to present its 2014 Annual Report on the Town of Orleans' current financial condition and the Town's fiscal outlook for the future. Under the Orleans Town Charter, the Finance Committee is charged with independently examining and analyzing the financial affairs of the Town and informing Orleans citizens of the Committee's findings and recommendations. In examining and analyzing the financial affairs of the Town, the Committee is required to base its findings and recommendations on a full and fair examination of each issue in the broader context of Town policies, service objectives, and economic conditions.

This year, as it has in the previous two years, the Committee continued its focus on analyzing Town financial practices and the roles, responsibilities, and operations of Town Departments and Committees as they impact Town spending, forwarding recommendations that emerged from these analyses to the Board of Selectmen, the Town Administrator, and the Town Finance Director as appropriate. The Committee produced its third annual analysis of authorized, but unused, funds returned to the general fund. The knowledge gained through this effort provided the Committee with insights into opportunities for refining the management of department budgets and spending. This year, the Town Administrator and Town Finance Director shared that report with Town Department heads for their consideration in developing their respective FY 2015 budget requests.

The Committee also has been working with the Town Administrator and Town Finance Director on developing better analytical tools to apply to the budget process to achieve greater transparency and consistency of that process. The Committee believes that the budget development process should be approached as an opportunity to reevaluate and revise spending goals, objectives, and strategies and to improve fiscal administration. These tools, once implemented, will provide the Selectmen and Town leadership with a better means to analyze departmental budget development and Town finances as a whole, including long-term capital planning. For example, in November 2012, the Committee recommended to the Board of Selectmen that consideration be given to centralizing Town fleet management. The Town's current implementation of the new Department of Public Works & Natural Resources includes plans for centralizing that function in that Department. The Committee considers centralization of certain functions of Town administration to be critical to developing budgets that more accurately reflect the Town's actual spending needs, recognizing overlapping efficiencies, and aligning budgeting and spending priorities.

### **The Budget Numbers**

#### *The Proposed Fiscal Year 2015 Budget*

The Fiscal Year 2015 budget that will be presented to Orleans voters for their consideration during the May 12, 2014, Town Meeting, reflects a 5% increase over the previous fiscal year, rising from \$30,470,000 for Fiscal Year 2014 to \$32,090,000 for Fiscal Year 2015. Non-school expenses will rise by 4% in FY 2015. Non-property tax revenue is anticipated to be up by 7% in FY 2015 from FY 2014. A 4.7% property tax increase is forecast for FY 2015.

Over the past five years -- from FY 2010 to FY 2014, Orleans' budget has increased by a total of 12%. In that same period, property tax revenues have increased by 14%. Looking forward to the five-year period ending in FY 2015, the Town's budget will have increased by 16.5% and property tax revenues will be up by 16%.

### *The Capital Improvement Plan*

The Capital Improvement Plan (CIP) for Fiscal Years 2016-2020 provides taxpayers with a plan of the estimated cost and timing for Capital Projects that the Town is considering. The approval of the plan is not a commitment to spend money, as each project must be approved subsequently at Town Meeting in the year in which it is to be funded.

The CIP to be presented at this year's Town Meeting totals \$68,903,220. The CIP presented to Town voters last year totaled \$63,447,050. The majority of these funds continue to represent contingency planning for an eventual town-wide wastewater system or systems.

### **Fiscal Health**

The fiscal condition of Orleans remains very good. The Town retains its AA+ bond rating, and is managing its budgeting and spending effectively. The Town's effort to ensure the efficacy of its fiscal and operational performance has been further enhanced by the expansion of the scope of the annual audit to include one departmental activity review a year; the implementation of an internal departmental audit process; the formal documentation of financial policies and procedures, and the development of a written fraud policy.

The principal driver of the Town's fiscal policy has been the desire of Town leadership to control the growth of the tax rate. And they have managed that well by controlling spending and managing debt. The Finance Committee, after three years of analyses of year-end turn backs, has found that Town Departments annually are returning to the General Fund a total of between \$400,000 and \$600,000 in appropriated, but unused funds. The strategic use of BAN's (Bond Anticipation Notes), at a current interest rate of less than .5%, to finance debt for the short term contributed to a decline in budgeted debt amortization costs of 2 % in FY 2014. Debt amortization costs for FY 2015 are anticipated to increase by an additional 5% in FY 2015.

Orleans' property taxes have been stable for many years and remain among the lowest on Cape Cod. As in recent years, the Town continues to apply excess Free Cash to lowering the tax rate.

### **Financing the Future**

With a vast array of high-cost projects looming on the horizon, the Committee broadened its focus on Town spending practices this year to analyze options for financing Town projects and services and to explore opportunities that may hold the potential for producing both near-term and long-term efficiencies and cost savings in services delivery.

Decisions regarding the financing of major capital expenditures must be carefully scrutinized for their long-term impact on the ability of the Town to maintain its critical infrastructure and economic health, including Town facilities repairs and maintenance; wastewater treatment investments; vital roadway and drainage improvements; and a stepping up of funding to pay down retirees' other post employment benefits (OPEB) unfunded liabilities. Voters expect Town leadership to achieve a reasonable balance between managing debt and spending to meet critical needs to which they have assigned a high priority.

The results of the Committee's analyses in these areas follow and comprise the centerpiece of this year's Finance Committee report to Orleans voters.

### *Cash vs. Bonding . . .*

Although the Town is required to fund certain asset acquisitions by borrowing because of size or legal restrictions, in certain instances the Town has the option to invest excess cash that may not be required for current operations to fund asset or other purchases or to borrow the money to make these acquisitions.

The Finance Committee has been studying this issue in an effort to better understand the principal drivers of a decision to bond or pay cash, and what factors are most significant in deciding the optimal approach to financing specific Town projects.

There are a number of considerations in deciding whether to finance a project through bonding or with cash. Chief among these are:

- whether the cash is available and if its rate of return is less than the interest cost of borrowing;
- whether the cash is available and if the rate of return is more than the interest cost of borrowing;
- borrowing causes predictable cash outflows, whereas a cash purchase can result in spikes in cash flows dictated by replacement or other contingency purchases; and
- cash avoids increases in interest costs, but also means that cash cannot be employed to improve rates of return on investments.

If the returns on cash exceed the interest costs of borrowing, it will be in the interest of the Town to borrow and invest the excess cash to gain the higher rates of return.

If, however, in the more typical case, where the cost of borrowing exceeds the returns on excess funds, there are more factors to consider. Principal among these factors is whether cash on hand is in excess of foreseeable and reasonable operating expenses. Second, what are the expectations of future borrowing or investment rates of return?

Finally, the decision to borrow or use excess cash depends on the nature of the asset being acquired and how the nature of the asset impacts the predictability of longer term cash requirements, e.g., borrowing may be favored to finance large one-time items so that debt repayment reflects asset life and also contribute to cash requirement predictability, whereas, cash use for routine and on-going purchases, even of capital items, gives the same predictability to cash requirements.

### *Taxes vs. Fees . . .*

The topic of Town fees has been of interest to the Finance Committee for several years. The primary question that the Committee has been exploring on this topic is what should be the Town's policy with regard to the funding of services for which fees are assessed? Should 100 percent of the cost of those services be financed by fees paid by the user(s) of those services or should the cost be subsidized by revenue from the General Fund, which is largely funded through property taxes?

The primary purpose of a tax is to raise revenues that then are expended to provide services that benefit us all. A tax, while it may be applied to a particular good or service, or to the population at large, as in the case of property taxes, is collected to raise general-purpose revenues. But taxes on sales of specific goods or services are not necessarily related to the cost of providing the goods or services taxed: Regulatory bodies such as health and safety inspectors rely on taxes for their funding, but serve only a minor fraction of Town constituents. Police, fire, and ambulance services charge

wildly differing charges for their services, yet serve all citizens and visitors equally. Tax revenues are deposited into the General Fund, and the Town government, with Town voters' approval, spend tax revenues for basic services through the Town's budgetary process. Taxes are paid for government services that are intended to serve all residents of the community. The principle is that we pay taxes and those funds are appropriated from the General Fund to finance goods and services that directly or indirectly benefit all members of the community. A fee is intended to recoup all or some of the cost of providing a good or service from the individuals who benefit directly from that good or service. For example, the taxpayer who pays a fee for a clamming permit is getting the direct benefit of being able to harvest clams. A household pays a fee to the Town Water Department that is assessed based upon that household's water use.

Within the constraints established by federal law and regulation, Towns have the authority to decide whether to charge a fee for a service and how much to charge for that service. In Orleans, a number of municipal departments provide services for which users are charged a fee. Examples of those services include mooring and shellfish permits charged by the Harbormaster; recycling and dumping permits by the Transfer Station; beach access and Off Road permits by the Park & Beaches Department; and various fees that builders and contractors are charged by the Town Building Department for an array of services, such as permits and inspections. The amount of those fees appears to be set based upon an assessment of what the marketplace will bear, with that assessment largely based upon a comparison of fees charged by Orleans with those charged by other Cape Towns. But, in many cases, a fee charged bears no relationship to the Town's actual costs of delivering the service.

The Board of Selectmen has in place some policies with regard to how much of a Department's budget should be covered by fees charged. For example, the Town Water Department is self-funded by revenues from water usage receipts. Board policy directs the Transfer Station to seek to cover 75% of the direct costs of its operation from permit fees.

But should the Transfer Station be required to recoup of 100% of its direct costs? If we are successful in securing federal and state support for a proposed a plan to safeguard Piping Plovers on a portion of South Beach, should Off Road permit fees be raised to cover the cost of this program? If a contractor applies for a building permit that requires a certain number of onsite inspections, should the direct costs of those inspections be covered by permit fees charged by the Building Department, or should General Fund revenues be used to subsidize them?

The Finance Committee believes that Town fees across the board should be established based upon 100% of the direct costs of providing those services and that, as a rule, fees charged should cover 100% of the direct costs of providing those services. If there is a decision not to seek to cover 100% of the direct costs of a service through a permit fee, the reasoning behind that decision should be evident to the taxpayer and documented in a policy voted by the Board of Selectmen.

#### *Lease vs. Purchase . . .*

As is clearly reflected in both the Town operating budget and the 5-year CIP that voters will take up this year, the Town of Orleans will be making significant investments in capital items in the coming years. We believe that the Town leadership should be open to considering leasing of many capital items and undertake a study to look at whether or not the town should pursue leasing over purchasing for many capital-intensive investments.

Leasing can have significant benefits over purchasing. It lowers the up-front cost of acquisition; spreads the payment for capital-intensive items out over a longer period; eliminates the need to depreciate capital items (where applicable); and eliminates the cost of disposing of capital-intensive property, plants, and equipment.

The Finance Committee appreciates that there may be factors other than cost that must be considered in deciding the appropriateness of leasing rather than purchasing capital items. However, the Committee believes that a study of the potential for leasing certain capital items should be an integral component of planning for the financing of investments in equipment and other capital items.

### *Technology . . .*

The Finance Committee believes that technology should be applied in all aspects of Town activities. Technology holds the potential for producing numerous direct benefits, among these:

- cost savings and improved efficiency;
- increased transparency;
- enhanced data access and security;
- elimination of unnecessary services; and
- addition of new services at little to no marginal cost.

In addition, boosting the town's image as a leader in applying contemporary technology solutions to managing government operations and delivering services to constituents potentially would have the indirect benefits of:

- attracting new businesses to the town;
- attracting more tourists to the town;
- improving technology education opportunities at the Orleans Elementary School; and
- shrinking the technology gap for seniors.

In recent years, Orleans has made important investments in the Town's technology infrastructure that hold promise for reducing costs, increasing efficiencies, and improving the quality of service delivery. Most notably, the Town's Water Department currently is engaged in integrating utility mapping, cloud computing, and the use of handheld devices into its operations and is looking forward to fully implementing communications technology that will permit the automatic reading of water meters. These initiatives open the door to adaptation of other software solutions to Department operations and the potential for expansion of use of these technologies to other Town Departments.

The Finance Committee believes that the Town should explore aggressively other opportunities to apply technology solutions to government operations and services delivery. We recognize that some of these opportunities may require increases in annual outlays for technology services. However, we believe that each of these opportunities should be subjected to a cost benefit analysis that takes into account both financial and non-financial cost and benefits to the Town. Over time a project that would require an increase in a Department's annual outlay for technology may yield an array of both quantifiable benefits (e.g., reduced personnel, equipment, and maintenance costs) and unquantifiable benefits (e.g., customer satisfaction) that in the end may more than justify increased spending for that purchase.

The Finance Committee would urge the Board of Selectmen to consider convening a Town committee made up of volunteers who have experience in developing technology deployment at the institutional level (e.g. business and industry and government) to assist the Town Director of Finance and Town MIS Director in identifying, evaluating, and making recommendations to Town leadership on opportunities for expanding the use of technology in support of Town activities.

### **The Challenges**

In this report we've talked about financing and shared our thoughts on what we have learned from our look into that topic. We now will turn to three topics that we continue to believe are among the most urgent challenges facing the Town of Orleans.

#### *Demographics . . .*

In last year's report to Town voters, the Finance Committee asserted that the changing demographics of our Town is the number one risk to the long-term economic health of Orleans and its viability as a community. And we continue to maintain that position today. This year, the Finance Committee began to look at how to go about developing a better understanding of the fiscal implications of demographic changes on the Town of Orleans.

We believe that addressing the implications of our Town's changing demographics involves a thorough analysis of what has changed in our community, where it has changed, and how it has changed. But that analysis needs to go deeper than the data, and it must be carried out against the backdrop of a clear picture of where we hope to be in the future. A number of positive steps have been taken to date that bode well for Orleans' future, among these, significant advances in managing and controlling debt; downtown improvement initiatives; implementation of a building and facilities master plan; and capital planning for the schools. But these initiatives and others have been based largely on our knowledge of needs as they stand today.

We must begin our efforts to address the issue of changing demographics with a look at what the desired outcome is 10 to 20 years down the road, and then consider how we go about getting there. We need to think in terms of potential outcomes: If we go along the current path, the outcome will be one scenario; if we somehow change the demographics, then the more likely total outcome is another scenario. And we need to analyze in depth each area in which we are seeing changes in our demographics. For example: The population is shrinking, but why? The analysis of why in this case needs to go a lot deeper than saying, for example, "we're aging." Aging itself would seem to be insufficient as a reason. People are getting older in general; living longer; staying in places longer. Houses don't disappear as residents age; houses are sold and continue to generate tax revenue. And, the tax rate itself probably is not the reason people are leaving.

It is easy to say, "yes we are getting older and the tax base is changing," but it is difficult to project how you want to change circumstances to achieve a different outcome. Moreover, the criteria and actions that can be explored to generate various outcomes are very subjective.

We need to explore options for changing outcomes. But, we must temper this search with an evaluation of what is realistic for Orleans, and what is not. In particular, we need to explore:

- What we want/need;
- Where we are in relationship to what we want/need;
- Long term risks of staying where we are;
- Conditions that are keeping us from what we want/need; and

- Realistic options for changing conditions to achieving what we want/need, e.g., futuristic or forward looking infrastructure projects, such as town-wide Wi-Fi.

In September 2013, the Orleans Finance Committee Chairman had the opportunity to meet with the Orleans Planning Board to discuss the Finance Committee's concerns regarding the Town's demographic changes. Since that time, the Planning Board has begun to look at indicators that may inform the discussion of demographic changes and discuss tracking indicators in areas that may have implications for goals set out in the Orleans Comprehensive Plan (OCP). The OCP, last amended in 2006, provides a vision statement of what the Plan is intended to achieve over a 20-year period and provides goals and policies to guide decision-making to realize that vision.

Last year, the Finance Committee urged Town leadership to engage in a concerted effort to understand and address the implications of these demographic changes on our community. This year we would reassert that position and suggest that the OCP would provide an appropriate platform on which to begin that concerted effort. As such, the OCP in our view would provide an excellent framework for analyzing indicators of demographic change; identifying areas wherein these changes may threaten our vision of an Orleans of 20 years from now; and shaping a strategy for addressing the implications of demographic changes for our Town's future.

In sum, we believe that Orleans' changing demographics create fundamental risks to the long term economic health of our community; that these risks must be evaluated and understood; and that the knowledge gained from the examination of the implications of these demographics should inform and shape strategic planning and spending decisions that we make going forward. Unless we are willing to address directly the issue of our changing demographics and the implications of these changes for our future, we cannot be certain that we will have the resources in place to meet future needs.

#### *Wastewater . . .*

At Town Meeting this year, voters will be presented with a comprehensive wastewater Article that encompasses several projects whose collective purpose is to produce information for use in shaping water quality improvement projects in the Town of Orleans. Town voters also will be asked to consider two Articles concerned with the future use of the existing Tri-Town Septage Treatment Plant in both the near-term and into the future. These Articles -- neither individually nor collectively -- advance a specific plan for implementation of wastewater management solutions in Orleans, but, if adopted by Town voters, instead, would inform our development of a course of action to meet our water quality improvement needs.

As we observed last year, the Town has engaged in a healthy and productive, if oftentimes contentious, second look at the draft Comprehensive Wastewater Management Plan that was released in April 2009 in which several significant issues emerged that have remained unresolved to date. Those issues include the amount of water quality remediation required in Orleans water bodies; the use of alternative technologies that may provide more efficient and less costly strategies for meeting wastewater management needs than conventional sewerage; the potentially deleterious effects of increasing the discharge of water into Namskaket Marsh; the feasibility of employing directional drilling in plan implementation; and the potential cost, and financial implications for Town homeowners, of what will prove to be the largest capital investment the Town will ever make. The lack of definitive information to answer questions and concerns surrounding these and other

unresolved issues in our view were major factors in the defeat of the two wastewater Articles that were put before voters last May.

Over the past year, the Board of Selectmen has engaged in a dialogue that the Finance Committee believes has helped to focus Town leadership's attention on developing strategies to address and resolve those issues. Following last year's Town meeting, the members of the Board of Selectmen committed themselves to seeking out answers to outstanding wastewater issues; held a series of special meetings to explore these issues; with monies from the Finance Committee's reserve fund, hired an experienced professional to guide them in this process and develop a plan for gathering the information to address these issues; and now has put forward for Town voters' consideration of a sound strategy that, once completed, will position our Town to develop a plan and generate the support needed to proceed with that plan.

In that same timeframe, the Cape Cod Commission (CCC) initiated its project to update the county's regional wastewater plan -- the so-called "208 plan". With \$3.5 million in funding from the Commonwealth, the CCC began a 12-month study to produce a mandated update of the existing 1978 Water Quality Management Plan for Cape Cod. The 208 plan takes its name from Section 208 of the Federal Clean Water Act, which requires the development and implementation of regional wastewater management plans. A key feature of the 208 plan study process was the creation of various working groups comprised of individuals from town government and administration, town wastewater committees, business and civic organizations, and regional and other stakeholder groups, many of who were from Orleans. These working groups provided invaluable input into, and support for, the 208 process, allowing the CCC to build strong consensus on wastewater management issues on Cape Cod.

In the past, with the Federal, State, and County governments locked onto conventional sewerage as the optimal approach to wastewater management, Towns de facto have been constrained from doing anything but produce sewer-centric wastewater management strategies, and discouraged from exploring alternative strategies for water quality in their watersheds. But the 208 planning process has changed all that.

In February of this year, the CCC Executive Director announced that the 208 study had concluded that abandoning reliance on a conventional sewerage solution to wastewater management and instead, looking to alternative technologies and strategies could meet Cape Cod's water quality remediation goals while saving Cape Towns millions of dollars.

More recently, the CCC Executive Director told Orleans Selectmen that the 208 study finding will allow a community to pursue the development of "something less than a comprehensive wastewater plan" and to develop instead a "targeted plan" to take on initiatives in areas where there is consensus in the community that work needs to be done.

The announcement of the 208 plan's finding marked a sea change in the debate on water quality improvement solutions. The groundwork that would be done under the projects included in the Article that Orleans voters will take up this year would produce information that will permit the Town to take full advantage of 208 planning process products and any Commission resources that may be available to assist us in developing plans to meet our wastewater management needs, projecting potential costs of various technologies, and evaluating options for the Tri-Town site.

We are aware that there are individuals in our community who believe that the wastewater Article that will be before us this year is an effort to resurrect the Plan 1A initiative that was defeated at Town Meeting last year. These individuals have been very vocal in arguing that position, which, in turn, has caused confusion and concern among other Orleans citizens who are uncertain what to conclude from this perception. The Finance Committee has followed closely the Board of Selectmen's discussions with its wastewater consultant which shaped this Article. We do not see any evidence of an effort to revisit Plan 1A, nor do we believe that is the intent underlying any action taken by the Board of Selectmen. Instead we believe that this kind of thinking is a distraction and disruptive of an extremely thoughtful and productive dialogue that has positioned us to move forward with water quality remediation initiatives in this Town. We are hopeful that the Board of Selectmen will engage in a concerted effort to communicate the intent, scope, purpose and importance of the wastewater Article that Town voters will be asked to act on in May.

What we do this year will serve as the prologue to framing this Town's approach to wastewater management for the long-term. We therefore believe that it is critical that the Town be successful in developing the information that is needed to make informed decisions on the selection of solutions for water quality improvement in Orleans watersheds. We are hopeful that Town voters will come together in support of funding of the initiatives that we believe will provide us with that information.

#### *Unfunded OPEB Liabilities . . .*

Currently, the Town of Orleans' unfunded pension liability is \$17,000,000 and our retirees' other post employment benefits (OPEB) have an accrued liability of \$22,000,000 for a total obligation of \$39,000,000. The pension liability currently is being funded by the Town at a level and on a schedule to meet the 2038 State deadline for full funding of each pension system. By contrast, at present there is no requirement that municipalities make payments against their OPEB liabilities or any deadline for fully funding that obligation.

In 2012, Town voters approved the establishment of an OPEB stabilization Fund so that funds may begin to be set aside as a reserve for payments against the Town's future liability. The Finance Committee fully supported establishment of the OPEB and believes that payments against that funds must be accelerated.

In accordance with the Board of Selectmen's policy, Free Cash is maintained in amount equal to 4.5% of the Town's annual budget each year, with an additional .5% set aside for the OPEB and General Stabilization funds. As we did last year, the Finance Committee would encourage the Board of Selectmen to consider reducing the percentage set aside for Free Cash to 4% and authorizing a total of 1% to be set aside each fiscal year for the OPEB and General Stabilization Funds.

#### **Conclusion**

For the past several years, the Finance Committee's consideration of the financial matters of the Town have been strongly influenced by the Committee's belief that sustaining the Town's fiscal health requires long-term planning to meet future challenges and near-term actions to address immediate priorities and improve Town government services. This year's budget and CIP reflect substantial progress on both those fronts.

With the hiring a Department of Public Works & Natural Resources director and a full time project manager, the pace of scheduled building and facilities maintenance and repair projects has been accelerated. The CIP includes projects to address several significant infrastructure projects that have

languished for years. Both the Orleans Elementary School and the Nauset Regional School District for the first time have completed capital improvements plans, and Town leadership now has a handle on, and can begin to plan for, outlays to meet the capital needs of our schools. Town voters' approval of the wastewater Article this year will provide the Town cost-related and other information that it will need to move forward with water quality improvement plans.

How we finance our spending is as significant a consideration as what we elect to spend our money on. We believe that in the process of developing plans for financing town projects Town leadership should look beyond the question of whether to bond or pay cash for these initiatives to consider as well where and how we might change the way we do business to reduce costs and improve efficiency and transparency.

**Respectfully submitted,**

**Gwen A. Holden Kelly, Chair  
Dale K. Fuller, Vice Chair  
Peter H. O'Meara, Secretary**

**Mark E. Carron  
Ralph A. Cuomo  
Joshua W. Larson**

**John A. Laurino  
Paul Rooker  
William Weil**

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

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Article 3.	Capital Improvements Plan (FY16 – FY20) .....	32
Article 4.	Fund CPA Program Budget .....	45
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Article 7.	Fund Town Pavement Management Program .....	50
Article 8.	Fund Rock Harbor Maintenance Dredging.....	50
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Article 13.	Fund OPEB Stabilization Fund .....	54
Article 14.	Fund Building and Facility Maintenance Stabilization Fund .....	55
Article 15.	Create Motor Vehicle and Equipment Stabilization Fund .....	55
Article 16.	Authorize Stabilization Fund for Cape Cod Regional Technical High School .....	56
Article 17.	Adopt M.G.L. Ch. 71 §16B Assistance Formula, Nauset Regional Schools .....	56
Article 18.	Approve Nauset Regional School District Borrowing for Roof Replacement .....	56
Article 19.	Fund Orleans Chamber of Commerce .....	57
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Article 21.	Fund Fourth of July Celebration.....	60
Article 22.	Fund Cultural Council Grants.....	61
Article 23.	Fund Elected Officials Compensation .....	61
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Article 25.	Amend General Bylaw Ch. 40, Personnel.....	62
Article 26.	Adopt General Bylaw Ch. 53, Historical Commission.....	62
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Article 28.	Amend Zoning Bylaw Ch. 164-35, Signs .....	66
Article 29.	Amend Zoning Bylaw Ch. 164-40.3, Medical Marijuana Facilities .....	73
Article 30.	Amend Zoning Bylaw Ch. 164-21 Note 5, Setbacks, Building Coverage.....	77
Article 31.	Amend Zoning Bylaw Ch. 164-27, Tents, Trailers, Mobile Camping Units .....	78
Article 32.	Transfer Water Service Connection Funds .....	79
Article 33.	Amend Fees - Town Clerk, Marriage Certificates.....	79
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Article 35.	Amend Fees - Board of Selectmen, Outdoor Weddings.....	80
Article 36.	Amend Fees - Building Department, Electrical Inspections.....	80
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Article 38.	Fund Feasibility Study and Authorize Lease of Land at Depot Square.....	81

Article 39. Authorize IMA/Grant for Permeable Reactive Barrier (PRB) Test Project .....82  
Article 40. Authorize Layout of Aspinet Road .....82  
Article 41. Authorize and Fund Habitat Conservation Plan (HCP) Permits.....83  
Article 42. Amend Tri-Town Intermunicipal Agreement.....83  
Article 43. Fund Tri-Town Septage Facility Costs .....85  
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Article 47. Voters to Approve Use of Electronic Control Weapons by OPD (By Petition) .....88  
Article 48. Free Cash.....88  
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**ARTICLE 1. REPORT OF THE SELECTMEN, TOWN OFFICERS AND SPECIAL COMMITTEES**

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

(Simple Majority Vote Required)

**SUMMARY**

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

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

**ARTICLE 2. TOWN / SCHOOL BUDGET (FY15)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund and pay departmental expenses for the fiscal year commencing July 1, 2014 and ending June 30, 2015 and to authorize the Board of Selectmen to sell, trade, lease or exchange or otherwise dispose of old equipment or vehicles deemed advisable and in the best interest of the Town. The proceeds from any such disposition to be applied toward the cost of acquiring said equipment or service as the case may be, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**TOWN OF ORLEANS  
PROPOSED OPERATING BUDGET  
FOR THE FISCAL YEAR JULY 1, 2014 - JUNE 30, 2015**

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2014 ADOPTED</u>	<u>2015 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
<b>GENERAL GOVERNMENT</b>						
	<b>122</b>	<b><u>SELECTMEN/TOWN ADMINISTRATOR</u></b>				
1		SALARY	348,842	354,486	5,644	1.6%
2		EXPENSE	127,520	116,935	(10,585)	-8.3%
	TOTAL	SELECTMEN/TOWN ADMINISTRATOR	476,362	471,421	(4,941)	-1.0%
	<b>123</b>	<b><u>TELEPHONE/COMMUNICATIONS</u></b>				
3		EXPENSE	31,345	31,428	83	0.3%
	TOTAL	TELEPHONE/COMMUNICATIONS	31,345	31,428	83	0.3%
	<b>124</b>	<b><u>MEDIA OPERATIONS</u></b>				
4		SALARY	67,096	68,808	1,712	2.6%
5		EXPENSE	19,848	18,988	(860)	-4.3%
6		CAPITAL OUTLAY	15,000	17,500	2,500	16.7%
	TOTAL	MEDIA OPERATIONS	101,944	105,296	3,352	3.3%
	<b>131</b>	<b><u>FINANCE COMMITTEE</u></b>				
7		SALARY	2,200	2,253	53	2.4%
8		EXPENSE	900	900	-	0.0%
9		RESERVE FUND	115,000	115,000	-	0.0%
	TOTAL	FINANCE COMMITTEE	118,100	118,153	53	0.0%
	<b>135</b>	<b><u>FINANCE DIRECTOR</u></b>				
10		SALARY	223,212	228,935	5,723	2.6%
11		EXPENSE	33,090	33,118	28	0.1%
	TOTAL	FINANCE DIRECTOR	256,302	262,053	5,751	2.2%
	<b>141</b>	<b><u>ASSESSING</u></b>				
12		SALARY	147,760	153,117	5,357	3.6%
13		EXPENSE	81,760	75,220	(6,540)	-8.0%
	TOTAL	ASSESSING	229,520	228,337	(1,183)	-0.5%
	<b>145</b>	<b><u>TREASURER/COLLECTOR</u></b>				
14		SALARY	217,553	206,916	(10,637)	-4.9%
15		EXPENSE	38,442	37,542	(900)	-2.3%
	TOTAL	TREASURER/COLLECTOR	255,995	244,458	(11,537)	-4.5%
	<b>155</b>	<b><u>MANAGEMENT INFORMATION SYSTEMS</u></b>				
16		SALARY	82,885	85,007	2,122	2.6%
17		EXPENSE	77,809	76,678	(1,131)	-1.5%
18		CAPITAL OUTLAY	100,000	54,000	(46,000)	-46.0%
	TOTAL	MANAGEMENT INFORMATION SYSTEMS	260,694	215,685	(45,009)	-17.3%
	<b>161</b>	<b><u>TOWN CLERK/ELECTIONS/VOTER REG.</u></b>				
19		SALARY	121,159	128,635	7,476	6.2%
20		EXPENSE	11,950	17,195	5,245	43.9%
	TOTAL	TOWN CLERK	133,109	145,830	12,721	9.6%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2014 ADOPTED</u>	<u>2015 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>171</b>	<b>CONSERVATION</b>				
21		SALARY	92,736	95,650	2,914	3.1%
22		EXPENSE	4,063	4,103	40	1.0%
	TOTAL	CONSERVATION	96,799	99,753	2,954	3.1%
	<b>175</b>	<b>PLANNING</b>				
23		SALARY	140,491	144,141	3,650	2.6%
24		EXPENSE	14,000	14,100	100	0.7%
	TOTAL	PLANNING	154,491	158,241	3,750	2.4%
	<b>176</b>	<b>ZONING BOARD OF APPEALS</b>				
25		SALARY	7,920	7,930	10	0.1%
26		EXPENSE	2,812	4,300	1,488	52.9%
	TOTAL	ZONING BOARD OF APPEALS	10,732	12,230	1,498	14.0%
	<b>192</b>	<b>TOWN OFFICE BUILDING</b>				
27		SALARY	46,627	38,353	(8,274)	-17.7%
28		EXPENSE	89,602	99,105	9,503	10.6%
29		CAPITAL OUTLAY	-	22,000	22,000	
	TOTAL	TOWN OFFICE BUILDING	136,229	159,458	23,229	17.1%
	<b>195</b>	<b>TOWN REPORTS/TOWN MEETING</b>				
30		EXPENSE	7,372	7,860	488	6.6%
	TOTAL	TOWN REPORTS/TOWN MEETING	7,372	7,860	488	6.6%
	<b>198</b>	<b>COMMUNITY CENTER</b>				
31		SALARY	3,000	8,831	5,831	194.4%
32		EXPENSE	8,375	10,129	1,754	20.9%
	TOTAL	COMMUNITY CENTER	11,375	18,960	7,585	66.7%
	<b>TOTAL</b>	<b>GENERAL GOVERNMENT</b>	<b>2,280,369</b>	<b>2,279,163</b>	<b>(1,206)</b>	<b>-0.1%</b>
		<b>PUBLIC SAFETY</b>				
	<b>210</b>	<b>POLICE/COMMUNICATIONS</b>				
33		SALARY	2,028,946	2,102,641	73,695	3.6%
34		EXPENSE	169,660	176,360	6,700	3.9%
35		CAPITAL OUTLAY	64,000	68,000	4,000	6.3%
	TOTAL	POLICE/COMMUNICATIONS	2,262,606	2,347,001	84,395	3.7%
	<b>211</b>	<b>POLICE BUILDING</b>				
36		SALARY	20,857	20,921	64	0.3%
37		EXPENSE	46,550	50,691	4,141	8.9%
38		CAPITAL OUTLAY	-	-	-	
	TOTAL	POLICE BUILDING	67,407	71,612	4,205	6.2%
	<b>213</b>	<b>FUEL</b>				
39		EXPENSE	200,965	202,894	1,929	1.0%
	TOTAL	FUEL	200,965	202,894	1,929	1.0%
	<b>220</b>	<b>FIRE/RESCUE</b>				
40		SALARY	2,079,945	2,100,265	20,320	1.0%
41		EXPENSE	313,326	316,473	3,147	1.0%
42		CAPITAL OUTLAY	45,000	38,500	(6,500)	-14.4%
	TOTAL	FIRE/RESCUE (see note 1)	2,438,271	2,455,238	16,967	0.7%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2014 ADOPTED</u>	<u>2015 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>221</b>	<b><u>FIRE BUILDING</u></b>				
43		EXPENSE	47,488	52,745	5,257	11.1%
44		CAPITAL OUTLAY	-	-	-	
	TOTAL	FIRE BUILDING	47,488	52,745	5,257	11.1%
	<b>241</b>	<b><u>BUILDING</u></b>				
45		SALARY	178,332	185,313	6,981	3.9%
46		EXPENSE	70,152	74,475	4,323	6.2%
	TOTAL	BUILDING	248,484	259,788	11,304	4.5%
	<b>242</b>	<b><u>BUILDING CODE BOARD OF APPEALS</u></b>				
47		SALARY	206	317	111	53.9%
48		EXPENSE	50	50	-	0.0%
	TOTAL	BUILDING CODE BOARD OF APPEALS	256	367	111	43.4%
	<b>291</b>	<b><u>EMERGENCY MANAGEMENT</u></b>				
49		SALARY	28,000	28,000	-	0.0%
50		EXPENSE	24,875	20,825	(4,050)	-16.3%
51		CAPITAL OUTLAY	-	-	-	
	TOTAL	CIVIL DEFENSE	52,875	48,825	(4,050)	-7.7%
	<b>294</b>	<b><u>TREE WARDEN</u></b>				
52		SALARY	61,227	62,851	1,624	2.7%
53		EXPENSE	25,187	25,435	248	1.0%
	TOTAL	TREE WARDEN	86,414	88,286	1,872	2.2%
	<b>295</b>	<b><u>SHELLFISH/HARBORMASTER</u></b>				
54		SALARY	263,869	271,702	7,833	3.0%
55		EXPENSE	51,604	52,979	1,375	2.7%
56		CAPITAL OUTLAY	3,500	15,600	12,100	345.7%
	TOTAL	SHELLFISH/HARBORMASTER	318,973	340,281	21,308	6.7%
	<b>TOTAL</b>	<b>PUBLIC SAFETY</b>	<b>5,723,739</b>	<b>5,867,037</b>	<b>143,298</b>	<b>2.5%</b>
		<b>EDUCATION</b>				
	<b>300</b>	<b><u>ORLEANS ELEMENTARY SCHOOL</u></b>				
57		BENEFITS	849,531	815,863	(33,668)	-4.0%
58		OPERATIONS	3,374,491	3,567,125	192,634	5.7%
59		CAPITAL OUTLAY	-	-	-	
	TOTAL	ORLEANS ELEMENTARY SCHOOL	4,224,022	4,382,988	158,966	3.8%
	<b>310</b>	<b><u>NAUSET REGIONAL ASSESSMENT</u></b>				
60		EXPENSE	3,773,614	4,010,720	237,106	6.3%
61		CAPITAL OUTLAY - NRSD AGREEMENT	88,134	93,517	5,383	6.1%
	TOTAL	NAUSET REGIONAL ASSESSMENT	3,861,748	4,104,237	242,489	6.3%
	<b>330</b>	<b><u>CAPE COD TECHNICAL ASSESSMENT</u></b>				
62		EXPENSE	234,197	209,664	(24,533)	-10.5%
	TOTAL	CAPE COD TECHNICAL ASSESSMENT	234,197	209,664	(24,533)	-10.5%
	<b>TOTAL</b>	<b>EDUCATION</b>	<b>8,319,967</b>	<b>8,696,889</b>	<b>376,922</b>	<b>4.5%</b>

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2014 ADOPTED</u>	<u>2015 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
<b>PUBLIC WORKS AND FACILITIES</b>						
	<b>421</b>	<b>HIGHWAY</b>				
63		SALARY	554,506	570,841	16,335	2.9%
64		EXPENSE	166,169	169,415	3,246	2.0%
65		CAPITAL OUTLAY	185,000	139,000	(46,000)	-24.9%
	TOTAL	HIGHWAY	905,675	879,256	(26,419)	-2.9%
	<b>423</b>	<b>SNOW REMOVAL</b>				
66		SALARY	31,352	31,352	-	0.0%
67		EXPENSE	73,200	73,200	-	0.0%
	TOTAL	SNOW REMOVAL	104,552	104,552	-	0.0%
	<b>424</b>	<b>STREET LIGHTS</b>				
68		EXPENSE	25,637	13,632	(12,005)	-46.8%
	TOTAL	STREET LIGHTS	25,637	13,632	(12,005)	-46.8%
	<b>431</b>	<b>TRANSFER STATION</b>				
69		SALARY	193,011	198,103	5,092	2.6%
70		EXPENSE	271,300	310,847	39,547	14.6%
71		CAPITAL OUTLAY	-	50,000	50,000	
	TOTAL	TRANSFER STATION	464,311	558,950	94,639	20.4%
	<b>440</b>	<b>SEWERAGE COLLECTION</b>				
72		SALARY	-	-	-	
73		EXPENSE	1,000	-	(1,000)	-100.0%
	TOTAL	SEWERAGE COLLECTION	1,000	-	(1,000)	-100.0%
	<b>450</b>	<b>WATER</b>				
74		SALARY	550,459	584,174	33,715	6.1%
75		EXPENSE	399,046	425,115	26,069	6.5%
76		CAPITAL OUTLAY	137,000	219,000	82,000	59.9%
	TOTAL	WATER-SRF (see note 2)	1,086,505	1,228,289	141,784	13.0%
	<b>TOTAL</b>	<b>PUBLIC WORKS AND FACILITIES</b>	<b>2,587,680</b>	<b>2,784,679</b>	<b>197,999</b>	<b>7.6%</b>
<b>HUMAN SERVICES</b>						
	<b>510</b>	<b>HEALTH</b>				
77		SALARY	231,502	240,409	8,907	3.8%
78		EXPENSE	53,412	53,946	534	1.0%
	TOTAL	HEALTH	284,914	294,355	9,441	3.3%
	<b>541</b>	<b>COUNCIL ON AGING</b>				
79		SALARY	490,582	502,377	11,795	2.4%
80		EXPENSE	103,384	93,082	(10,302)	-10.0%
81		CAPITAL OUTLAY	-	-	-	
	TOTAL	COUNCIL ON AGING	593,966	595,459	1,493	0.3%
	<b>543</b>	<b>VETERANS BENEFITS</b>				
82		EXPENSE	60,569	61,336	767	1.3%
	TOTAL	VETERANS BENEFITS	60,569	61,336	767	1.3%
	<b>TOTAL</b>	<b>HUMAN SERVICES</b>	<b>939,449</b>	<b>951,150</b>	<b>11,701</b>	<b>1.2%</b>

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2014 ADOPTED</u>	<u>2015 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
<b>CULTURE AND RECREATION</b>						
	<b>610</b>	<b>SNOW LIBRARY</b>				
83		SALARY	396,236	413,902	17,666	4.5%
84		EXPENSE	145,150	158,526	13,376	9.2%
85		CAPITAL OUTLAY	-	-	-	
	TOTAL	SNOW LIBRARY	541,386	572,428	31,042	5.7%
	<b>630</b>	<b>RECREATION</b>				
86		SALARY	104,967	108,094	3,127	3.0%
87		EXPENSE	11,910	10,488	(1,422)	-11.9%
	TOTAL	RECREATION	116,877	118,582	1,705	1.5%
	<b>649</b>	<b>WINDMILL</b>				
88		SALARY	3,306	3,619	313	9.5%
89		EXPENSE	4,300	5,565	1,265	29.4%
	TOTAL	WINDMILL	7,606	9,184	1,578	20.7%
	<b>650</b>	<b>PARKS &amp; BEACHES</b>				
90		SALARY	1,047,262	1,096,002	48,740	4.7%
91		EXPENSE	178,250	199,346	21,096	11.8%
92		CAPITAL OUTLAY	75,000	34,000	(41,000)	-54.7%
	TOTAL	PARKS & BEACHES	1,300,512	1,329,348	28,836	2.2%
	<b>690</b>	<b>OLD KINGS HIGHWAY REG DISTRICT</b>				
93		SALARY	1,604	1,645	41	2.6%
94		EXPENSE	640	690	50	7.8%
	TOTAL	OLD KINGS HIGHWAY REG DISTRICT	2,244	2,335	91	4.1%
	<b>692</b>	<b>MEMORIAL &amp; VETERANS DAY</b>				
95		EXPENSE	2,000	1,875	(125)	-6.3%
	TOTAL	MEMORIAL & VETERANS DAY	2,000	1,875	(125)	-6.3%
	<b>699</b>	<b>SPECIAL EVENTS &amp; INFORMATION</b>				
96		EXPENSE	500	1,250	750	150.0%
	TOTAL	SPECIAL EVENTS & INFORMATION	500	1,250	750	150.0%
	<b>TOTAL</b>	<b>CULTURE AND RECREATION</b>	1,971,125	2,035,002	63,877	3.2%
<b>DEBT SERVICE</b>						
	<b>710</b>	<b>PRINCIPAL - NOTES &amp; BONDS</b>				
97		EXPENSE	2,474,457	2,662,500	188,043	7.6%
	TOTAL	PRINCIPAL - NOTES & BONDS	2,474,457	2,662,500	188,043	7.6%
	<b>751</b>	<b>INTEREST - NOTES &amp; BONDS</b>				
98		EXPENSE	822,773	781,637	(41,136)	-5.0%
	TOTAL	INTEREST - NOTES & BONDS	822,773	781,637	(41,136)	-5.0%
	<b>TOTAL</b>	<b>DEBT SERVICE</b>	3,297,230	3,444,137	146,907	4.5%
<b>INTERGOVERNMENTAL/INSURANCE</b>						

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2014 ADOPTED</u>	<u>2015 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>820</b>	<b>STATE ASSESSMENTS</b>				
99		EXPENSE	197,752	202,696	4,944	2.5%
	TOTAL	STATE ASSESSMENTS	197,752	202,696	4,944	2.5%
	<b>830</b>	<b>COUNTY ASSESSMENTS</b>				
100		SALARY	1,385,807	1,543,682	157,875	11.4%
101		EXPENSE	302,777	310,346	7,569	2.5%
	TOTAL	COUNTY ASSESSMENTS	1,688,584	1,854,028	165,444	9.8%
	<b>840</b>	<b>OTHER STATE &amp; COUNTY CHARGES</b>				
102		EXPENSE	41,774	42,274	500	1.2%
	TOTAL	OTHER STATE & COUNTY CHARGES	41,774	42,274	500	1.2%
	<b>912</b>	<b>INSURANCE NOTES AND BONDS</b>				
103		EXPENSE	360,000	344,500	(15,500)	-4.3%
	TOTAL	INSURANCE NOTES AND BONDS	360,000	344,500	(15,500)	-4.3%
	<b>913</b>	<b>UNEMPLOYMENT COMPENSATION</b>				
104		EXPENSE	26,957	26,900	(57)	-0.2%
	TOTAL	UNEMPLOYMENT COMPENSATION	26,957	26,900	(57)	-0.2%
	<b>914</b>	<b>EMPLOYEE HEALTH &amp; MEDICARE</b>				
105		SALARY	1,879,481	1,948,009	68,528	3.6%
	TOTAL	EMPLOYEE HEALTH & MEDICARE	1,879,481	1,948,009	68,528	3.6%
	<b>TOTAL</b>	<b>INTERGOVERNMENTAL/INSURANCE</b>	<b>4,194,548</b>	<b>4,418,407</b>	<b>223,859</b>	<b>5.3%</b>
	<b>GRAND TOTAL</b>		<b>29,314,107</b>	<b>30,476,464</b>	<b>1,162,357</b>	<b>4.0%</b>
		TOTAL-OPERATING BUDGETS	29,314,107	30,476,464	1,162,357	4.0%
		SPECIAL ARTICLES	1,012,046	1,444,960	432,914	42.8%
		COMMUNITY PRESERVATION FUND	143,673	168,421	24,748	17.2%
		<b>GRAND TOTAL</b>	<b>30,469,826</b>	<b>32,089,845</b>	<b>1,620,019</b>	<b>5.3%</b>

Note 1 \$ 640,200 of appropriations for the FY 2015 Fire/Rescue budget are offset by revenues from ambulance billings.

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

**NON-SCHOOL CAPITAL OUTLAY REQUESTS  
FISCAL YEAR 2015 OPERATING BUDGET  
\$10,000 OR GREATER**

<u>DEPARTMENT</u>	<u>LINE ITEM NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Media Operations	6	Broadcast Equipment	\$17,500
Manage. Info. Systems	18	Upgrade Computer Hardware and Software	\$54,000
Town Office Bulding	29	Replace Pick Up	\$22,000
Police/Communications	35	Replace Two Police Vehicles	\$68,000
Fire/Rescue	42	Stretcher (\$16K), Pontoon Replace (\$14k)	\$30,000
Shellfish/Harbormaster	56	Replace Outboard (\$12k)	\$12,000
Highway	65	Dump Conveyor (\$10k), Backhoe (\$129k)	\$139,000
Transfer Station	71	Roll Off Trailer (\$50k)	\$50,000
Water	76	Well Redevelopment (\$15k), Replace Meters (\$77k), Water Main Replace (\$15k), Replace Pick-Up (\$42k), New 4WD Excavator with Trailer (\$60k), Repair Pump Station (\$10k)	\$219,000
Parks & Beaches	92	Replace Club Car (\$18k), Beach Trail Sand (\$10k)	\$28,000
<b>TOTAL</b>			<b>\$639,500</b>

**SUMMARY**

This article would set and fund the operational budgets for the normal operation for all Town functions in the amount of \$30,476,464 for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

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

**ARTICLE 3. CAPITAL IMPROVEMENTS PLAN (FY16 – FY20)**

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

(Simple Majority Vote Required)

Project Descriptions	Adopted		Budgeted		Proposed				
	FY15	FY15	FY15	FY15	FY16	FY17	FY18	FY19	FY20
<b>COMMUNITY PRESERVATION ACT</b>									
Program Activity Funding	429,431	429,431			(1)	(1)	(1)	(1)	(1)
<b>CWRMP IMPLEMENTATION (CF-27) (CF-28)</b>									
Design Engineering Services (Stage 1)	3,500,000								
Utility Survey and Mapping Services			300,000						
Wastewater and Septage Planning Services			510,000						
Rock Harbor Use Attainment Study			50,000						
Cedar Pond Restoration Management			50,000						
Namskaket Marsh Restoration and Protection			75,000						
Additional Planning Related Activities			135,000						
Preliminary Design (Stage 1 and Stage 2)					1,000,000				
Final Design (Stage 1)						3,500,000			
Construction (Stage 1)							35,000,000		
Design Engineering Services (Stage 2)									
Preliminary Design (Stage 3)								300,000	
Final Design (Stage 2)									2,000,000
Tri-Town Septage Treatment Plant									
Facility Repairs and Engineering Design Services	0	100,000							
Demolition Construction (includes Compost Building)					750,000				
Water Quality Maintenance Dredging (CF-28)					100,000				
<b>DPW &amp; NATURAL RESOURCES</b>									
New Central Maintenance Garage and Facilities (CF-11)									
Architectural & Engineering Design Construction	500,000	500,000			5,000,000				
Water Quality Drainage Improvements (NR-6)(NR-12)	161,520	161,520			165,560	169,700	173,940	178,280	182,850

Project Descriptions	Adopted	Budgeted	Proposed					
	FY15	FY15	FY16	FY17	FY18	FY19	FY20	
Town Pavement Management Program (T-1)(T-7)	323,060	323,060	331,130	339,400	347,880	356,570	365,710	
Maintenance Dredging Rock Harbor (Orleans 50% share)								
Construction	300,000	900,000						
Add'l Nauset Beach Parking Lot Design & Construction								
Reuse of former Hubler Motel Property			500,000					
Replace Bandshell and Public Restrooms at Eldredge Field							300,000	
<b>ORLEANS ELEMENTARY SCHOOL</b>								
Building Envelope - Replace Doors and Windows in 1956 wing			675,000					
Heating and Ventilation System Improvements			430,000					
Restroom Improvements						260,000		
<b>POLICE DEPARTMENT</b>								
Police Station Renovation/Addition/Replacement (CF-32)								
Architectural & Engineering Design			625,000					
Construction				10,500,000				
<b>PROPERTY ACQUISITIONS</b>								
Open Space Purchases (OS-2)	455,000	0	(2)	(2)	(2)			
Affordable Housing Development (AH-1)	350,000	0	(3)	(3)	(3)			
Wastewater Management Purchases (CF-27)(CF-28)(CF-33)	1,500,000	0	(4)	(4)	(4)			

Project Descriptions	Adopted		Budgeted		Proposed				
	FY15	FY15	FY15	FY15	FY16	FY17	FY18	FY19	FY20
<b>TOWN BUILDING &amp; FACILITIES MAINTENANCE PROGRAM</b>									
Building & Facilities Master Plan Projects (Stabilization Funds)					(5)	(5)	(5)	(5)	(5)
Media Operations (CATV Fees)					300,000	300,000	300,000	300,000	300,000
Management Information Systems (Raise & Appropriate)					15,000	15,000	15,000	15,000	15,000
OES Technology Improvements (Raise & Appropriate)					55,000	55,000	55,000	55,000	55,000
Water Department (Water Reserves)					20,000	20,000	20,000	20,000	20,000
					108,000	117,000	121,000	121,000	125,000
<b>TOWN VEHICLE &amp; EQUIPMENT REPLACEMENT PROGRAM</b>									
DPW & Natural Resources (Stabilization Funds)					(6)	(6)	(6)	(6)	(6)
Replace Front End Loader (Debt Exclusion)					228,700	241,500	297,500	274,500	183,000
Fire and Rescue Department					175,000				
New Ambulances (Debt Exclusion)		0	270,000				295,000		315,000
Other Vehicles & Equip (Ambulance Receipts)					69,000			88,000	
Police Department (Stabilization Funds)					73,000	75,000	74,000	76,000	81,000
Water Department (Water Reserves)						58,000	135,000	25,000	46,000
<b>TOTALS</b>		<b>7,519,011</b>	<b>3,804,011</b>		<b>10,620,390</b>	<b>15,390,600</b>	<b>36,834,320</b>	<b>2,069,350</b>	<b>3,988,560</b>

Total Tax & Debt \$ 1,659,840 \$ 2,518,270 \$ 2,688,735 \$ 4,637,652 \$ 5,365,792  
Tax Rate Impact \$ 0.46 \$ 0.69 \$ 0.73 \$ 1.25 \$ 1.47  
\$500k Property \$ 227.84 \$ 343.32 \$ 364.08 \$ 623.76 \$ 736.55

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

- (1) Community Preservation Act program activities will be supported through state matching funds (\$174,000 est.), fund reserves for Historical Resources (\$108,413) and Community Housing (\$147,018). Existing Community Preservation Fund Balance and the proceeds from the Community Preservation Surtax will be used to pay debt amortization costs for previous open space purchases funded by long term debt.
- (2) Open Space Purchases can be made in FY15 up to \$455,000. The balance available for FY16 - FY17 will be determined based on expenditures made during the previous year.
- (3) Affordable Housing Development purchases can be made in FY15 up to \$350,000. The balance available for FY16 - FY17 will be determined based on expenditures made during the previous year.
- (4) Wastewater Management purchases can be made in FY15 up to \$1,500,000. The balance available for FY16 - FY17 will be determined based on expenditures made during the previous year.
- (5) Town Building & Facilities Maintenance Program includes projects grouped by funding source - dedicated stabilization fund, cable television franchise fees, water reserves, debt exclusion or raise and appropriate. A separate 10 year master plan of scheduled projects is maintained for review and approval by the Board of Selectman. The funding source for each group is shown in parenthesis.
- (6) Town Vehicle & Equipment Replacement Program includes purchases grouped by funding source - dedicated stabilization fund (proposed), ambulance receipts, water reserves, debt exclusion or raise and appropriate. A separate 10 year master plan of scheduled purchases is maintained for review and approval by the Board of Selectmen. The funding source for each group is shown in parenthesis.

<b>ORLEANS COMPREHENSIVE PLAN IMPLEMENTATION PROGRAM DESCRIPTIONS</b>	
<b>ITEM</b>	
AH-1	Develop 35 new units of affordable housing for families over the next twenty years, and support this activity by scheduling it in the capital improvement plan.
CF-11	Construct office, storage and maintenance facilities for Highway Department, Parks & Beaches and Water Department.
CF-19	Implement improvements to Town Landings as scheduled.
CF-27	Develop a wastewater management plan for the entire town
CF-28	Implement recommendations of the wastewater management plan
CF-32	Study the future facilities and staffing needs of the Police and Fire/Rescue Departments
CF-33	Initiate consideration of potential sites for wastewater treatment
NR-6	Prevent direct discharge of untreated stormwater into coastal embayments and ponds
NR-12	Prevent direct discharge of untreated stormwater into fresh water bodies
OS-2	Preserve 400 or more acres of high priority parcels for round and surface water protection, conservation, recreation and other environmental purposes
T-1	Complete and utilize a Pavement Management System to develop a systematic approach to street maintenance and improvement
T-7	Fund the Highway Department at an appropriate level to support the maintenance and replacement of new and existing roads.

<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
<b>COMMUNITY PRESERVATION ACT</b>		
Program Activity Funding	\$429,431	Available Funds (CPA)
<b>CWRMP IMPLEMENTATION</b>		
Design Engineering Services (Stage 1)	\$300,000	Bonding
Utility Survey and Mapping Services	\$510,000	
Wastewater and Septage Planning Services	\$50,000	
Rock Harbor Use Attainment Study	\$50,000	
Cedar Pond Restoration Management	\$135,000	
Additional Planning Related Activities	\$100,000	Available Funds
Tri-Town Septage Facility Repairs and Engineering Services		
<b>DPW &amp; NATURAL RESOURCES</b>		
Water Quality Drainage Improvements	\$161,520	Stabilization Funds
Town Pavement Management Program	\$323,060	Stabilization Funds
Maintenance Dredging Rock Harbor - Construction	\$900,000	Bonding
<b>FIRE AND RESCUE DEPARTMENT</b>		
New Ambulance	\$270,000	Bonding
<b>TOTAL</b>	<b>\$3,229,011</b>	

**Note:** The following changes are being proposed to the Capital Improvements Plan since its adoption at Town Meeting in May 2013:

**Starting Dates:** Replace Front End Loader (FY17 to FY16); Police Station Renovation/Addition Design (FY18 to FY17) and Construction (FY19 to FY18); CWRMP Implementation: Construction Stage 1 (FY18).

**Projects Added:** Add'l Parking at Nauset Beach (FY16); OES Doors and Windows (FY16); OES Heating Improvements (FY16); OES Restroom Improvements (FY19); Town Building & Facilities Maintenance Program (FY16-FY20); Town Vehicle & Equipment Replacement Program (FY16-FY20); Replace Bandshell Eldredge Field (FY20); CWRMP Implementation: Tri-Town Septage Treatment Plant Demolition (FY16); Preliminary Design Stage 1 & Stage 2 (FY16); Final Design Stage 1 (FY17); Preliminary Design Stage 3 (FY19); and Final Design Stage 2 (FY20).

**Projects Removed:** None.

## FY16 PROJECT DESCRIPTIONS

### COMMUNITY PRESERVATION ACT – PROGRAM ACTIVITY FUNDING

This is an annual appropriation of the matching funds Orleans receives from its CPA 3% surtax from the Commonwealth's CPA Trust Fund annually. The amount currently available for appropriation as of 1/15/14 is \$429,431. As required under the CPA, a minimum of 10% of the Town's annual proceeds have to be allocated to each of the three primary purposes: open space, affordable housing and historic preservation. Town Meeting approval is necessary for all Community Preservation Committee recommendations for funding.

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

### CWRMP IMPLEMENTATION – PRELIMINARY DESIGN (STAGES 1 & 2)

This project involves the preliminary design of the infrastructure to implement the first two stages of the Town's comprehensive water resources management plan based on the outcome of the studies proposed by the Board of Selectmen for funding at the May 2014 town meeting. Additional project details including the type of collection, treatment and disposal technology being proposed, along with the locations of the facilities will be determined during the completion of the studies and preliminary designs.

Total Estimated Cost:	\$1,000,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design
Average Annual P&I	\$63,100

### CWRMP IMPLEMENTATION – TRI-TOWN SEPTAGE TREATMENT PLANT DEMOLITION

The purpose of this project would be to demolish the existing Tri-Town Septage Treatment Plant facilities, including the former compost building on Overland Way at the expiration of the intermunicipal agreement. The cost of the demolition (estimated at \$1,800,000) would be equally shared by the Towns Orleans, Brewster and Eastham. The added cost of demolishing the former compost building would be paid by Orleans.

Total Estimated Cost:	\$750,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design
Average Annual P&I	\$47,300

### CWRMP IMPLEMENTATION – WATER QUALITY MAINTENANCE DREDGING

The purpose of this project would be to investigate the feasibility of developing a maintenance dredging program that would target specific salt water ponds and sub-

embayments in town where water quality might be improved through channel dredging to enhance tidal flushing.

Total Estimated Cost:	\$100,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	TBD
Estimated Annual Cost O/M:	N/A
Average Annual P&I	\$10,800

#### DPW & NATURAL RESOURCES – NEW CENTRAL GARAGE AND FACILITIES

This project involves the construction of a new Central Garage and Facilities that would include the removal of the existing Highway Garage and construction of a new steel building; renovation/replacement of the existing steel barn structure; removal of existing on-site wooden storage structures; and construction of salt and material storage facilities. New facilities would be located on both Bay Ridge Lane and adjacent to the Transfer Station.

Total Estimated Cost:	\$5,000,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design
Average Annual P&I	\$315,600

#### DPW & NATURAL RESOURCES – WATER QUALITY DRAINAGE IMPROVEMENTS

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

Total Estimated Cost:	\$165,560
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

#### DPW & NATURAL RESOURCES – TOWN PAVEMENT MANAGEMENT PROGRAM

This is an annual appropriation for the local share of the town's pavement management program to repair, resurface, and reconstruct town roadways. The town currently maintains approximately 56 miles of public roadways. Also included under this program is work related to roadway drainage and sidewalk projects. Over the past several years the town has compiled an inventory of the condition of all our roadways in an effort to address, on a priority basis, the long term maintenance needs. Local funding for laid out public roads is also supplemented by State Aid Chapter 90 funds, and the FY14 apportionment was provisionally \$433,778. Annual funding for roadway and drainage projects will be based on a proposed project schedule.

Total Estimated Cost:	\$331,130
Method of Financing:	Stabilization Funds
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

**DPW & NATURAL RESOURCES – ADDITIONAL NAUSET BEACH PARKING LOT**

This project involves the partial redevelopment of the former Hubler motel property to provide additional parking for Nauset Beach related activities including the ORV program, bathing beach and employee parking. The existing cottages on the property, along with the motel offices, would be demolished. The main motel currently used for seasonal lifeguard housing by the Town would remain. The rear of the property would be re-graded and a new gravel parking area constructed. Access to the existing beach parking lot would be via the driveway re-established by the Town in 2014. Based on a conceptual design plan completed in 2010, the entire Hubler property could accommodate a new 400-car parking lot. This project would be to design and construct the first phase of the new parking lot and result in approximately 200 parking spaces with further expansion available in the future as the need arises.

Total Estimated Cost:	\$500,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$54,100

**ORLEANS ELEMENTARY SCHOOL – REPLACE DOORS & WINDOWS**

This project involves replacing the doors and windows in the 1956 wing of the elementary school building. The scope of work needed is outlined in the Capital Asset Assessment by Habeeb & Associates Architects dated October 21, 2013.

Total Estimated Cost:	\$675,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$73,100

**ORLEANS ELEMENTARY SCHOOL – HEATING & VENTILATION IMPROVEMENTS**

This project involves improving the heating and ventilation system in the elementary school, including the replacement of hot water pumps, classroom unit ventilators, and roof top units. The scope of work needed is outlined in the Capital Asset Assessment report by Habeeb & Associates Architects dated on October 21, 2013.

Total Estimated Cost:	\$430,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$46,500

### POLICE DEPARTMENT – STATION RENOVATION/ADDITION/ REPLACEMENT

This project involves the design of a renovation/addition/replacement of the existing Police Station on South Orleans Road based on the operational and space needs of the department and the outcome of ongoing discussions regarding regionalization options for police/dispatch services.

Total Estimated Cost:	\$625,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	18 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$39,500

### PROPERTY ACQUISITION – OPEN SPACE PURCHASES

This item provides supplementary support for possible future open space purchases only if CPA funds are depleted to the point that they will not fund additional acquisitions. By including this item in the capital plan, it will facilitate the presentation of property purchases or conservation easements for protection of public drinking water supplies, open space and conservation; and passive recreation during future years to Town Meeting (subject to the 2/3 vote required for land purchases). This provides future planning support for the goals of the Official Town Plan/Local Comprehensive Plan. Funding available as of 1/15/14 is \$455,000.

Total Estimated Cost:	TBD
Method of Financing:	Bonding (Staggered over 14 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon purpose
Average Annual P&I	\$49,300

### PROPERTY ACQUISITION – AFFORDABLE HOUSING DEVELOPMENT

This item is included in the capital plan to facilitate the presentation of possible property purchases that may arise during the fiscal year to Town Meeting (subject to the 2/3 vote required for land purchases). This item is intended to cover non-CPA acquisitions specifically for affordable housing. As adopted in the Orleans Comprehensive Plan, the goal is to develop 35 new units of affordable housing for families over the next twenty years. Funding available as of 01/15/14 is \$350,000.

Total Estimated Cost:	TBD
Method of Financing:	Bonding (10 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon purpose
Average Annual P&I	\$37,900

### PROPERTY ACQUISITION – CWRMP IMPLEMENTATION

This item is included in the capital plan to facilitate the acquisition of property upon completion of the Comprehensive Wastewater Management Plan in order to site sewer collection, treatment, and disposal facilities. It is expected that the Town will need to purchase land, but there may also be opportunity to obtain easements as an alternative. This activity identifies potential expenditures of up to \$1.5 million over a three-year

period for land acquisition associated with wastewater management. Funding available as of 01/15/14 is \$1,500,000.

Total Estimated Cost:	TBD
Method of Financing:	Bonding (10 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon purpose
Average Annual P&I	\$162,400

#### TOWN BUILDING & FACILITIES MAINTENANCE PROGRAM

This is an annual program that has been included in the CIP beginning in FY16 that includes the various building and facilities maintenance projects scheduled each year to be funded through ambulance receipts, water reserves, stabilization funds or general tax revenues. The goal of including a summary of these projects in the CIP is to provide a more complete picture of the proposed work each year in all of the town buildings and facilities that is capital rather than routine in nature. A copy of the three schedules that are maintained for this program are included for further reference.

Total Estimated Cost:	\$498,000
Method of Financing:	Bonding, Reserves, Stabilization Fund
Recommended Schedule:	12 Months

#### TOWN VEHICLE & EQUIPMENT REPLACEMENT PROGRAM

This is an annual program that has been included in the CIP beginning in FY16 that includes the various motor vehicle and equipment proposed to be replaced each year to be funded through ambulance receipts, water reserves, debt service or stabilization funds. The goal of including a replacement program summary in the CIP is to provide a more complete picture of the overall capital spending each year. A copy of the 10-year schedule is included for further reference.

Total Estimated Cost:	\$545,700
Method of Financing:	Bonding, Reserves, Stabilization Fund
Recommended Schedule:	12 Months

### **FY17 PROJECT DESCRIPTIONS**

#### CWRMP IMPLEMENTATION – FINAL DESIGN (STAGE 1)

This project involves the final design of the infrastructure to implement the first stage of the Town's comprehensive water resource management plan. Additional details on the scope of the project including the type of collection, treatment and disposal technology to be utilized, along with the proposed locations of the new facilities will become available during the ongoing studies to evaluate options and preliminary designs are completed.

Total Estimated Cost:	\$3,500,000
Method of Financing:	Bonding (30 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$189,000

## **FY18 PROJECT DESCRIPTIONS**

### **CWRMP IMPLEMENTATION – CONSTRUCTION (STAGE 1)**

This project involves the construction of the infrastructure to implement the first stage of the Town's comprehensive water resource management plan. Additional details on the scope of the project including the type of collection, treatment and disposal technology to be utilized, along with the proposed locations of the new facilities will become available during the ongoing studies to evaluate options and preliminary designs are completed.

Total Estimated Cost:	\$35,000,000
Method of Financing:	Bonding (30 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$1,900,000

## **FY19 PROJECT DESCRIPTIONS**

### **CWRMP IMPLEMENTATION – PRELIMINARY ENGINEERING DESIGN (STAGE 3)**

This project involves the preliminary design of the infrastructure to implement the third stage of the Town's comprehensive water resource management plan. Additional details on the scope of the project including the type of collection, treatment and disposal technology to be utilized, along with the proposed locations of the new facilities will become available during the ongoing studies to evaluate options and preliminary designs are completed.

Total Estimated Cost:	\$300,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	9 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$18,900

### **POLICE DEPARTMENT – STATION RENOVATION/ ADDITION/REPLACEMENT**

This project involves the construction of a renovation/addition/replacement of the existing Police Station on South Orleans Road based on the operational and space needs of the department and the outcome of ongoing discussions regarding regionalization options for police/dispatch services.

Total Estimated Cost:	\$10,500,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	18 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$662,800

## FY20 PROJECT DESCRIPTIONS

### CWRMP – FINAL ENGINEERING DESIGN (STAGE 2)

This project involves the final design of the infrastructure to implement the second stage of Town's comprehensive water resource management plan. Additional details on the scope of the project including the type of collection, treatment and disposal technology to be utilized, along with the proposed locations of the new facilities will become available during the ongoing studies to evaluate options and preliminary designs are completed.

Total Estimated Cost:	\$2,000,000
Method of Financing:	Bonding (30 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$108,000

### DPW & NATURAL RESOURCES – REPLACE BANDSHELL & PUBLIC RESTROOMS

This project proposes the replacement of the music shell and public restrooms at Eldredge Field. The continued use of the existing building is contingent upon the passage of a periodic engineering inspection to certify that it is structurally sound. As an alternative, the Town might consider not replacing the existing 2,400 square foot building that includes the music shell, office space, locker room and restrooms and instead build a new structure that provides only restroom facilities. A building the size of the existing restrooms would cost approximately \$125,000 to construct, and if composting restrooms were installed to meet everyday use and Porta Johns were rented for large crowds, the project cost would be approximately \$75,000.

Total Estimated Cost:	\$300,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$23,300

### ORLEANS ELEMENTARY SCHOOL – RESTROOM IMPROVEMENTS

This project involves improvements to the elementary school restrooms for the students, staff and nurse, including replacing door hardware and plumbing fixtures. The scope of work needed is outlined in the Capital Asset Assessment by Habeeb & Associates Architects dated October 21, 2013.

Total Estimated Cost:	\$260,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$28,100

## SUMMARY

In accordance with Chapter 8-5-1 of the Charter, the Town Administrator shall prepare a five year Capital Improvements Plan (CIP), which is designed to deal with the unmet long-range needs, and to implement the goals and objectives of the official town plan.

The purpose of the CIP is to systematically plan, schedule, and finance capital projects over a five year period. The plan is to include, but not necessarily be limited to, major infrastructure projects involving roads, storm drainage, water and sidewalks; public building or facility renovation or replacement; and property acquisitions.

Wherever possible, to emphasize project planning, the CIP will incorporate the progression of a project through the various phases, beginning first with a feasibility study, after which final design plans and specifications are developed, followed by construction to complete the project.

Proposed project financing for CIP projects may include bonding, a proposition 2.5 override or exclusion, or other available funds. Beginning in FY16, all proposed capital outlay expenditures in excess of \$10,000, including motor vehicle and equipment purchases, facility repairs, materials and supplies will be included in the CIP summarized by department and funding source.

As presented, the CIP includes all proposed projects to be undertaken for the period beginning July 1, 2015 (FY16) through June 30, 2020 (FY20).

Projects that are being proposed for funding in FY15 make up the Capital Budget and these projects will be presented as individual article(s) in the town meeting warrant for funding consideration. The Capital Budget projects were either "Adopted" in the CIP at the May 2013 town meeting or are new and being "Budgeted" for the first time in FY15. In accordance with the Orleans Home Rule Charter, any project that did not appear in the CIP in the prior year or exceeds the estimated cost by ten percent (10%) must receive a favorable three-fourths majority vote of the town meeting to be approved.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	7 – YES	0 – NO	0 – ABSTAIN

### ARTICLE 4. FUND COMMUNITY PRESERVATION ACT PROGRAM BUDGET

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2015 Community Preservation budget and to appropriate or reserve for later appropriations monies from the Community Preservation Fund's Annual Revenues and/or available funds for the payment of debt service, undertaking of Community Preservation projects, the Administrative Expenses of the Community Preservation Committee and all other necessary and proper expenses for FY15, or take any other action relative thereto. (Community Preservation Committee)

(Simple Majority Vote Required)

**SUMMARY**

The Community Preservation Committee recommends that the following amounts be appropriated and/or reserved from Fiscal Year 2015 Community Preservation Fund revenues, unless otherwise specified, for Fiscal Year 2015 community preservation purposes with each item considered a separate appropriation.

RECOMMENDED AMOUNT AND SOURCE

<u>PURPOSE</u>	<u>FY 15 Est.</u> <u>Surtax</u>	<u>FY15 Est.</u> <u>State Share</u>	<u>Housing</u> <u>Reserves</u>	<u>Fund</u> <u>Balance</u>	<u>Total</u>
Appropriations:					
1) Debt Service Expenses (Note 1)	503,130				503,130
2) Project #1 Old Firehouse Restoration – Phase II		50,000			50,000
3) Project #2 Federated Church Sanctuary Roof Shingles		10,000			10,000
4) Project #3 OHS Archival Preservation -Phase IV		8,150			8,150
5) Project #4 Odd Fellows Hall Restoration – Phase VI		10,250			10,250
6) Project #5 Sixth Habitat Home - Namskaket Rd./Bevan Way		35,000			35,000
7) Project #6 Cape Cod Village	114,075	29,294	108,413	98,218	350,000
8) Project #7 Canal House		20,000			20,000
9) Project #8 OCT Town Wide Trail Guide	15,000				15,000
10) Project #9 Outer Beach Recreational Facilities Management Plan				40,000	40,000
11) Project #10 OES Community Playground Enhancement				30,000	30,000
12) Committee Expenses	36,795	5,352			42,147
Reserves:					
Historic Resources		5,894			5,894
Grand Total	669,000	173,940	108,413	168,218	1,119,571

Note 1: Debt service previously voted in the operating budget (Article 2)

	<u>Historic</u> <u>Resources</u>	<u>Community</u> <u>Housing</u>
ENDING BALANCES OF RESERVES	152,912	0

**Project 1: Old Firehouse Restoration – Phase II**

Applicant: Orleans Community Partnership, Inc.

Amount: \$50,000

Summary: The Orleans Community Partnership, a licensee under the Board of Selectmen of the Old Firehouse at 44 Main Street in Orleans, has requested funds to continue the restoration preparation process for this building by converting the agreed upon “conceptional consensus” (results of Phase I- Historic Building Survey and Adaptive Reuse Study) into Biddable Construction Documents. The Old Firehouse is the first fire station built by the Town, having been constructed in 1925. The Board of Selectmen has approved this application and all procurement is to be consistent with Massachusetts General Laws.

**Project 2: Federated Church of Orleans Roof Shingles**

Applicant: The Federated Church of Orleans

Amount: \$10,000

Summary: The Federated Church of Orleans has requested \$22,221 for the replacement of the historic sanctuary's roof shingles. The CPC is recommending a partial match of \$10,000.

**Project 3: Archival Preservation – Phase IV**

Applicant: Orleans Historical Society

Amount: \$8,150

Summary: The Orleans Historical Society has requested \$16,300 to continue the archival preservation, digitization and storage of items in its collection by including newly acquired items in this process. The CPC has recommended a match of \$8,150.

**Project 4: Odd Fellows Hall Restoration – Phase VI**

Applicant: The Northwest Schoolhouse, Inc.

Amount: \$10,250

Summary: The Northwest Schoolhouse, Inc.(a recently formed 501(c)3 non-profit organization) has applied for funds to complete the Construction Documents phase of the Odd Fellows Hall restoration process. The total cost is estimated to be \$20,500 and the CPC is recommending a match of \$10,250.

**Project 5: Sixth Habitat House, Namskaket Road/Bevan Way**

Applicant: Habitat for Humanity of Cape Cod

Amount: \$35,000

Summary: Habitat is seeking funds to support the construction of a sixth home as part of the Namskaket Rd. community housing project, the property for which was purchased with an Orleans Community Preservation Grant in 2012. These funds will be used in conjunction with other Habitat funding sources to build a 3 bedroom affordable home. The first 5 homes, on newly named Bevan Way off Namskaket, are well underway with expected completion during 2014.

**Project 6: Cape Cod Village**

Applicant: Cape Cod Village, Inc.

Amount: \$350,000

Summary: Cape Cod Village, Inc. , a private non-profit organization, is requesting funds to assist in the purchase of property in Orleans for an innovative community that will provide a safe and caring home environment for 16 adults with Autism as well as providing programs for residents, their families and those who are part of the larger area community. The campus style setting will consist of four homes with 4 residents in each, common facilities and space for outdoor activities. The total costs of the project are estimated to be \$4,593,000. Since each bedroom will be considered an affordable housing unit under State guidelines, CCV will add 16 units to the Town's affordable housing inventory.

**Project 7: Canal House**

Applicant: Community Development Partnership

Amount: \$20,000

Summary: The Community Development Partnership has requested \$100,000 to help support, over a 3 year period, Canal House which offers 8 units of affordable rental housing for individuals who are at risk of becoming homeless and are in recovery from alcohol and substance abuse, along with 1 manager's apartment – all of which are included in the town's affordable housing inventory. The CPC has recommended \$20,000 to help support FY 2015 expenses with a recommendation from the Orleans Affordable Housing Committee that the Community Development Partnership engage a consultant to secure funding for long-term stability.

**Project 8: Town Wide Trail Guide**

Applicant: Orleans Conservation Trust

Amount: \$15,000

Summary: The Orleans Conservation Trust, with the support of the Orleans Conservation Commission and Orleans Open Space Committee, has applied for funds to design and print a Town wide trail guide for public distribution which would provide detailed information on various major walking trails, including descriptions, trail head locations, trail length, and directions.

**Project 9: Outer Beach Recreation Facilities Management Plan**

Applicant: Town of Orleans

Amount: \$40,000

Summary: The Town seeks to develop an Outer Beach Management Plan that will guide the Town on future uses and facilities needed to support public recreation activities along the eastern shore of the Town, which includes Nauset Spit, Nauset Beach and the extension of the shoreline south to the Chatham boundary. Such a plan will provide a framework for allowing continued use of the beach while protecting its natural resources.

**Project 10: Orleans Community Playground Enhancement**

Applicant: Orleans Community Playground Building Fund, Inc.

Amount: \$30,000

Summary: the Orleans Community Playground Building Fund, Inc. (a private, non-profit organization) has applied for \$60,000 to expand and enhance the community playground located on the Orleans Elementary School property. The CPC has recommended \$30,000 to be used primarily for completion of walking paths and Clayton Circle access and parking, along with some engineering and necessary landscaping.

**Committee Expenses: CP Committee Voted \$42,147**

The Community Preservation Act permits the Committee to allocate up to 5 per cent of annual revenues (FY15 surtax and state share estimated to be \$842,940) for operating and administrative expenses. The funds will be used for Committee expenses (including legal consultation and maintaining records) and for an Historic Structures Relocation Study which will examine the feasibility and methods for the preservation through relocation of historic structures in the Town of Orleans. Any and all unused Committee expense funds at the end of the fiscal year revert to the fund balance for future projects.

**Historic Resources Reserves: CP Committee Voted \$5,894**

In order for the Town to meet its CPA obligation to spend 10% of all estimated revenues

for FY 2015 on historic resources, the CPC is recommending that the difference between the 10% (\$84,294) and the FY 2015 project appropriations for historic resources (Old Firehouse Renovation \$50,000 + Federated Church Shingles \$10,000 + OHS Archival Preservation \$8,150 + Odd Fellows Hall Renovation \$10,250 = \$78,400) be set aside in Reserves for future historic resources projects.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 5. TRANSFER CPA PROJECT FUNDS FOR HABITAT FOR HUMANITY OF CAPE COD AND ORLEANS HISTORICAL SOCIETY**

To see if the Town will vote to modify the action taken under Article 7 (Community Preservation Act Program Budget) of the May 15, 2012 Annual Town Meeting by transferring the balance of \$33,738.30 appropriated for the Habitat for Humanity of Cape Cod Namskaket Road Community Housing project property purchase and soft costs to the Habitat for Humanity of Cape Cod Namskaket Road Community Housing project construction costs; And further to modify the action taken under Article 6 (Community Preservation Act Program Budget) of the May 17, 2011 Annual Town Meeting by transferring the balance of \$18,800 for the Orleans Historical Society land and septic system survey to the Orleans Historical Society architectural drawings, or take any other action relative thereto. (Community Preservation Committee)

(Simple Majority Vote)

**SUMMARY**

Both Habitat for Humanity of Cape Cod and the Orleans Historical Society have requested that the funds remaining in their project appropriations be used for purposes that go beyond the uses outlined in the Annual Town Meeting Warrant Article summary descriptions of their respective projects. In order to accomplish this, the Community Preservation Committee has recommended that the remaining funds appropriated for the Habitat Namskaket Rd. Community Housing project property purchase (completed) and soft costs be transferred in order to be used for construction costs, and that the remaining funds appropriated for the Orleans Historical Society land and septic system survey be transferred to be used for architectural drawings for potential expansion.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             8 – YES            0 – NO            1 – ABSTAIN

**ARTICLE 6. FUND WATER QUALITY DRAINAGE IMPROVEMENTS**

To see if the Town will vote to transfer from the Water Quality Drainage Improvements stabilization fund the sum of One Hundred Sixty One Thousand Five Hundred Twenty and 00/100 Dollars (\$161,520.00), or any other sum, for the purpose of funding the design and construction of improvements to the town’s drainage infrastructure systems, including all expenses incidental and related thereto; and further authorizes the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be

used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

#### **SUMMARY**

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

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

#### **ARTICLE 7. FUND TOWN PAVEMENT MANAGEMENT PROGRAM**

To see if the Town will vote to transfer from the Town Pavement Management Program stabilization fund the sum of Three Hundred Twenty Three Thousand Sixty and 00/100 Dollars (\$323,060.00) for the purpose of funding the local share of the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways, including all expenses incidental and related thereto; and further authorizes the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

#### **SUMMARY**

This article will provide the local share of the funding for the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways. The program also includes work related to roadway drainage and sidewalk projects. The town maintains approximately 56 miles of public roadways and uses an inventory of roadway conditions to prioritize the long term maintenance needs of the town. Funding from this article will supplement existing appropriations, enabling the town to move forward with the completion of projects already scheduled through FY15 that may otherwise be delayed. Funding for this article is an annual appropriation from the stabilization fund established for this purpose. In addition to local funding of roadway projects, the Town receives State Aid Chapter 90 funds each year; our FY15 apportionment is provisionally \$290,100.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

#### **ARTICLE 8. FUND ROCK HARBOR MAINTENANCE DREDGING**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Nine Hundred Thousand and 00/100 Dollars (\$900,000.00), or any

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

(3/4 Vote Required)

#### **SUMMARY**

This project involves the dredging of a total of 30,000 cubic yards of sediment from Rock Harbor. The work will be undertaken jointly with the Town of Eastham, each town covering approximately 50% of the total estimated cost of \$1,800,000. It is anticipated that a portion of the dredged material will be de-watered at an adjacent upland area and the sand used for re-nourishing various beaches in Eastham, then trucked to an off-site disposal area, with the remaining unsuitable material taken by barge to an off-shore disposal area in Cape Cod Bay. Dredging operations would be conducted in late fall of 2014. Once completed, it is anticipated that the harbor would not have to be dredged again for another eight to ten years.

**BOS:** Recommendation to be made at Town Meeting

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

#### **ARTICLE 9. ACCEPT TRANSPORTATION BOND BILL FUNDS**

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

(Simple Majority Vote Required)

#### **SUMMARY**

This article will allow the Town to accept money from the state to perform work under the provisions of Massachusetts General Law Chapter 90, Section 34(2)(a). The Town's apportionment for FY15 is provisionally \$290,100.

**BOS:** 5 – YES      0 – NO      0 – ABSTAIN

**FC:** 9 – YES      0 – NO      0 – ABSTAIN

#### **ARTICLE 10. HOLDING STATE HARMLESS FOR WORK**

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

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

(Simple Majority Vote Required)

#### **SUMMARY**

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

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

#### **ARTICLE 11. AUTHORIZATION TO SELL SURPLUS EQUIPMENT & ACCEPT GIFTS**

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

(Simple Majority Vote Required)

#### **SUMMARY**

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

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

#### **ARTICLE 12. ADOPT M.G.L. CH. 44, SECTION 53E ½ - REVOLVING ACCOUNTS**

To see if the Town will vote to authorize the establishment of the following Revolving Accounts, in accordance with Massachusetts General Law Chapter 44, § 53E ½;

- 1) The Home Composting Bin/Recycling Containers Account, said account not to exceed Fifteen Thousand and 00/100 Dollars (\$15,000.00). The Account will be used to purchase additional composting bins and recycling containers. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 2) The Council on Aging Account, said account not to exceed Sixty Thousand and 00/100 Dollars (\$60,000.00). Monies on hand in the Account will be used to fund

programs, class instructor fees, fees for reservations and tickets related to trips and functions, and an annual volunteer appreciation function. All funds to be spent under the direction of the department manager and the Town Administrator.

- 3) The Council on Aging Transportation Account, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to fund driver salaries, vehicle maintenance and other necessary expenses related to the transportation program. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 4) The Conservation Properties Account, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to pay utility bills and other necessary expenses associated with the rental of the Town owned properties under the jurisdiction and control of the Conservation Commission. Said funds to be spent under the direction of the Conservation Commission and the Town Administrator.
- 5) The Seasonal Housing Properties Account, said account not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property on Wildflower Lane and the former Hubler property located on Beach Road. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 6) The Cultural Council Awards Account, said account not to exceed Two Thousand and 00/100 Dollars (\$2,000.00). The Account will be used for awarding of cash prizes for participants and reception expenses for special art gallery showings. Said funds to be spent under the direction of the Cultural Council and the Town Administrator.
- 7) The H.K. Cummings Collection Account, said account not to exceed Five Thousand and 00/100 Dollars (\$5,000.00). The account will be used for costs associated with reproduction and digitization of prints. Said funds to be spent under the direction of the department manager and the Town Administrator.
- 8) The Community Building Account, said account not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property at 44 Main Street. Said funds to be spent under the direction of the department manager and the Town Administrator.

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

(Simple Majority Vote Required)

#### **SUMMARY**

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

- 1) A revolving fund for the purchase of composting bins and recycling containers. These bins and containers are sold to the general public and the funds collected are placed in a special revolving account that allows for the purchase of additional composting bins and recycling containers.
- 2) A revolving fund for the specific receipts, fees and charges for particular programs, services and activities of the Council on Aging.

- 3) A revolving fund for use by the Council on Aging to offset expenses related to the transportation program with monies collected through donations, gifts, and possible future revenue generated through the purchase of a van.
- 4) A revolving fund for the properties managed by the Conservation Commission. Monies collected as rent will be placed in the account for use to pay utility bills and other necessary expenses associated with the rental of the properties.
- 5) A revolving fund for the Gavigan and Hubler properties. Monies collected as rent from seasonal employees will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.
- 6) A revolving fund for use by the Cultural Council to award cash prizes for selected juried shows. The funds for cash prizes would be generated by the entry fee that artists pay to show their work.
- 7) A revolving fund for use by Snow Library to fund the reproduction and digitization of prints in the H.K. Cummings special collection. The funds would be transferred from an existing special revenue account and additional funding would be generated by the sale of the prints.
- 8) A revolving fund for the Community Building, also known as the Old Firehouse. Monies collected as rent from organizations using the property will be placed in the account and used to pay utility bills and other necessary expenses associated with the rental of the property.

This article authorizes the establishment of revolving accounts and must be voted on annually. The Town Accountant shall account for all funds separately from all other monies of the Town and credit will include only departmental receipts received in connection with the programs supported by such revolving funds.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 13. FUND STABILIZATION FUND FOR POST EMPLOYMENT BENEFITS**

To see if the Town will vote to raise and appropriate, and/or transfer the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) to the Stabilization Fund for Other Post-Employment Benefits to be reserved for appropriation for the purpose of funding future post-employment benefits, other than pensions, or take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**SUMMARY**

This article adds to the reserve fund for future post-employment benefit (OPEB) payments, which are the town’s share of future health and life insurance payments to retirees. The Governmental Accounting Standards Board (GASB), a national agency that rules on accounting standards, requires all governmental entities to record as a liability the future costs of these benefits actuarially calculated to be due to employees.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         6 – YES        1 – NO        0 – ABSTAIN

**ARTICLE 14. FUND STABILIZATION FUND, BUILDING AND FACILITY MAINTENANCE**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) into the Stabilization Fund for Building and Facility Maintenance, and further to transfer from the Stabilization Fund the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) for the purpose of funding building and facility maintenance projects, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**SUMMARY**

This article adds to the “targeted” Stabilization Fund under Massachusetts General Law Chapter 40, Section 5B which was established for the sole purpose of funding a building and facility maintenance program. The Town’s 10-year Buildings and Facilities Master Plan identifies, prioritizes and schedules remedial work to address the deficiencies, repairs and/or upgrades necessary for all Town buildings and facilities, and is updated for review periodically with the Board of Selectmen who has final approval over annual project funding.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 15. CREATE STABILIZATION FUND, MOTOR VEHICLES & EQUIPMENT**

To see if the Town will vote to create a Stabilization Fund for Motor Vehicles and Equipment as provided in Chapter 40, Section 5B of the General Laws for the purpose of funding vehicle and equipment purchases, including all expenses incidental and related thereto, and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose, and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**SUMMARY**

This article would create a new “targeted” Stabilization Fund under Massachusetts General Law Chapter 40, Section 5B for the sole purpose of funding vehicle and equipment purchases, beginning in FY16. As with all stabilization funds, the creation, funding, use or change in use requires a 2/3 vote from town meeting.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             7 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 16. AUTHORIZE ESTABLISHMENT OF STABILIZATION FUND FOR CAPE COD REGIONAL TECHNICAL HIGH SCHOOL**

To see if the Town will vote pursuant to MGL Chapter 71 Section 16G1/2 to allow Cape Cod Regional Technical High School to establish a stabilization fund for future facility capital costs, or to take any other action relative thereto. (Cape Cod Regional Technical High School Committee)

(Simple Majority Vote Required)

**SUMMARY**

Chapter 71 Section 16G1/2 states that a regional school district may establish a stabilization fund with the approval of a majority of the member municipalities, and may, in any year, include in its annual budget for deposit in the stabilization fund an amount not exceeding five per cent of the aggregate amount apportioned to the member municipalities for the preceding fiscal year or such larger amount as may be approved by the director of accounts. The aggregate amount in the fund at any time shall not exceed five per cent of the combined equalized valuations of the member municipalities.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             8 – YES            0 – NO            1 – ABSTAIN

**ARTICLE 17. ADOPT M.G.L. CH. 71, § 16B, ASSESSMENT FORMULA – NAUSET REGIONAL SCHOOLS**

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

(Simple Majority Vote Required)

**SUMMARY**

This article will apportion the Nauset Regional School Assessments for FY16 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last ten years by town meeting vote.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 18. APPROVE NAUSET REGIONAL SCHOOL DISTRICT BORROWING FOR PARTIAL ROOF REPLACEMENT**

To see if the Town will approve the \$2,438,439 borrowing authorized by the Nauset Regional School District, for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto the Middle School Roof

Project, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Nauset Regional School District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the Nauset Regional School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Nauset Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Nauset Regional School District and its member municipalities. Any grant that the Nauset Regional School District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty seven point three two percent (37.32%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or to take any other action relative thereto.

(Simple Majority Vote Required)

#### **SUMMARY**

The Nauset Regional School District is seeking funding for a partial roof replacement project at the Nauset Middle School, including a construction grant from the MSBA. In order for the project to go forward, each town in the district must approve the cost of the borrowing at Town Meeting. An associated debt exclusion ballot question is on the Orleans election warrant.

**BOS:** Recommendation to be made at Town Meeting

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

#### **ARTICLE 19. FUND VISITOR MANAGEMENT SERVICES BY ORLEANS CHAMBER OF COMMERCE**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Thousand Nine Hundred Forty and 00/100 Dollars (\$20,940.00), or any other sum, to be spent under the direction of the Orleans Chamber of Commerce, Inc. and the Board of Selectmen for the purposes of promoting the Town and its businesses; and to advance economic development initiatives for and with the Town of Orleans, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

#### **SUMMARY**

The Orleans Chamber of Commerce, Inc. is requesting funds for projects including management of the year-round visitor/resident/business information services, the Town’s seasonal Visitor Information Center, staffing, technology upgrades, and the marketing and promotion of the Town of Orleans.

Fiscal Year 2015 tax rate impact of \$0.006 per thousand valuation.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN

**FC:** 9 – YES 0 – NO 0 – ABSTAIN

## ARTICLE 20. FUND HUMAN SERVICES AGENCIES

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Eighty Four Thousand Six Hundred and 00/100 Dollars (\$84,600.00), or any other sum, to fund the following human services organizations for the period July 1, 2014 to June 30, 2015.

Big Brothers/Big Sisters	\$2,000.00
AIDS Support Group	\$2,000.00
CapeAbilities	\$5,800.00
Cape Cod Child Development	\$2,500.00
Children's Place	\$2,750.00
Consumer Assistance Council	\$300.00
Elder Services of Cape Cod & Islands	\$2,500.00
Gosnold	\$7,500.00
Homeless Prevention Council	\$8,000.00
Independence House, Inc.	\$4,700.00
Lower Cape Outreach Council	\$9,000.00
Nauset Together We Can	\$5,000.00
Orleans After School Program	\$20,000.00
Outer Cape Health Services	\$9,500.00
Sight Loss Services	\$950.00
South Coast Legal Services	<u>\$2,100.00</u>
Total	\$84,600.00

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

(Simple Majority Vote Required)

### SUMMARY

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

- FY14 funded \$ 2000.00
- The projected number of Orleans residents to be served in FY15 is 6.

**Big Brothers/ Big Sisters** provides children who lack positive role models with strong and enduring, professionally supported one to one relationships with caring, responsible adults that change their lives for the better, forever.

- FY14 no application submitted.
- The projected number of Orleans residents to be served in FY15 is 12.

**CapeAbilities** provides vocational rehabilitation services to residents who have disabilities and can benefit from such services but have no other means of support.

- FY14 funded \$ 5,827.
- The projected number of Orleans residents to be served in FY15 is 13.

**Cape Cod Children's Place** is a resource, referral and education center providing support and advocacy for families with young children.

- FY14 funded \$ 2,500.00
- The projected number of Orleans residents to be served in FY15 is 65 families.

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

- FY14 funded \$2500.00
- The projected number of Orleans residents to be served in FY 15 is 20.

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

- FY14 funded \$250.00
- The projected number of Orleans' residents to be served in FY15 is 150.

**Elder Services of Cape Cod and the Islands** provides many programs including Meals-on-Wheels, a Home Care Program, Protective Services, Elder At Risk Program, Family Caregiver Support, Long Term Care Screening, Nursing Home Ombudsman Program, Senior AIDES Program, Retired and Senior Volunteer Program, Money Management Program, Community Grants, Information and Referral Program and Senior Nutrition Program. This funding is specific to the Meals-on- Wheels Program.

- FY14 funded \$2,500.00
- The projected number of Orleans' residents to be served in FY15 is 65.

**Gosnold, Inc.** is a not for profit Cape based organization helping individuals and families with drug and alcohol addiction and mental health issues.

- FY14 funded \$7,500.00
- The projected number of Orleans' residents to be served in FY15 is 125.

**Homeless Prevention Council** mission is to combat and prevent homelessness and to assist and empower individuals and families to attain self-sufficiency and preserve their housing.

- FY14 funded \$7,500.00
- The projected number of Orleans' residents to be served in FY15 is 242.

**Independence House** is the only comprehensive resource center for victims of domestic violence and sexual assault and their families on Cape Cod.

- FY14 funded \$4,500.00
- The projected number of Orleans' residents to be served in FY15 is 31.

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

- FY14 funded \$9,000.00

- The projected number of Orleans' residents to be served in FY15 is 500.

**Nauset Together We Can, Inc.** mission is to provide programs and activities to support, empower and engage the youth ( middle and high school age) in the Nauset District.

- FY14 funded \$ 5,000.00
- The projected number of Orleans residents to be served in FY15 is 241.

**Orleans After School Activities Program** provides safe, quality after school care for Orleans children 5-14 years of age after school, during vacations and in the summer.

- FY14 funded \$20,000.00
- The projected number of Orleans' residents to be served in FY15 is 100 children / 90 families.

**Outer Cape Health Services, Inc.** is a federally qualified 501(3) not for profit, JCAHO-accredited community health center that provides high quality primary care to those living in or visiting the Lower and Outer Cape, regardless of their financial circumstances.

- FY14 funded \$ 8500.00
- The projected number of Orleans' residents to be served in FY15 is 1000

**Sight Loss Services** is the only nonprofit corporation serving the blind and visually impaired on Cape Cod and the Islands.

- FY14 funded \$ 950.00
- The projected number of Orleans residents served in FY15 is 110.

**South Coast Legal Services, Inc.** provides free legal advice and representation to qualified Orleans residents.

- FY14 funded \$2,200.00
- The projected number of Orleans' residents to be served in FY13 is 25.

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

Fiscal Year 2015 tax rate impact of \$0.023 per thousand valuation.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             9 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 21. FUND FOURTH OF JULY CELEBRATION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Eight Thousand and 00/100 Dollars (\$8,000.00), or any other sum, for the purpose of funding the July 4<sup>th</sup> celebration within the Town of Orleans. Said funds to be expended under the direction of the Town Administrator, or to take any other action relative thereto. (Board of Selectmen)  
 (Simple Majority Vote Required)

**SUMMARY**

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

Fiscal Year 2015 tax rate impact of \$0.002 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 22. FUND CULTURAL COUNCIL GRANTS**

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

(Simple Majority Vote Required)

**SUMMARY**

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

Fiscal Year 2015 tax rate impact of \$0.001 per thousand valuation.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         7 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 23. FUND ELECTED OFFICIALS COMPENSATION**

To see if the Town will vote to fix the salaries of elected officials for the twelve month period beginning July 1, 2014 as follows

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

and to raise and appropriate and/or transfer from available funds the sum of Eight Thousand Six Hundred and 00/100 Dollars (\$8,600.00) or any other sum, for this purpose, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will provide funding for the Board of Selectmen, Moderator's and Constables' compensation for Fiscal Year 2015.

Fiscal Year 2015 tax rate impact of \$0.002 per thousand valuation.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN  
**FC:** 9 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 24. FUND TWO ADDITIONAL FIREFIGHTER / PARAMEDIC POSITIONS**

To see if the Town will vote to hire two additional Firefighter/Paramedics and to raise and appropriate and/or transfer the sum of One Hundred Fifty Thousand Two Hundred Forty and 00/100 Dollars (\$150,240.00) for this purpose, including all expenses incidental and related thereto, provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of M.G.L. Chapter 59, §21C, paragraphs (g) and (m) (Proposition 2½ so-called), or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article would add two additional professional staff in the Fire/Rescue Department and increase the total number of full-time members from 21 to 23. The department provides service to the community on a 24/7 basis and transports over 1,000 patients to the hospital each year. Eighty percent of the calls for service are for EMS and 20% are fire related.

Fiscal Year 2015 tax rate impact of \$0.042 per thousand valuation.

**BOS:** Recommendation to be made at Town Meeting  
**FC:** Recommendation to be made at Town Meeting

**ARTICLE 25. AMEND GENERAL BYLAWS, CH. 40: PERSONNEL**

To see if the Town will vote to amend the General Bylaws by amending Chapter 40, Personnel. The amendment will update sections of the bylaw to reflect existing policies and procedures of the town, as set forth in the amendment on file with the Town Clerk; or take any action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This amendment updates language regarding personnel files, the employee grievance process, and vacation accrual, and updates classification/compensation plans. The Personnel Advisory Board held a public hearing on the bylaw revisions on April 25.

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

**ARTICLE 26. AMEND GENERAL BYLAWS, HISTORICAL COMMISSION**

To see if the Town will vote to amend the General Bylaws of the Town by adding a new Chapter 53 entitled “Historical Commission” and inserting the following new section: Chapter 53, §1.

The Historical Commission appointed by the Board of Selectmen under the Charter Section 6-10-1 shall consist of five members and two associate members appointed for three-year overlapping terms.

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

(Simple Majority Vote Required)

### SUMMARY

Charter §6-1-10 provides that the Town Meeting may, by By-law, enlarge or decrease the number of persons to serve as members of multi-member bodies established under this chapter other than the Board of Selectmen, provided, however, that all such multi-member bodies shall always consist of an uneven number of members. Under the Charter Section 6-10-1, the Historical Commission consists of seven members appointed by the Board of Selectmen. This amendment decreases the membership of the Historical Commission from seven members to five members and provides for the appointment of two associate members.

<b>BOS:</b>	4 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	6 – YES	0 – NO	0 – ABSTAIN

### ARTICLE 27. AMEND ZONING BYLAW SECTIONS 164-6 and 164-19

To see if the Town will vote to amend Section 164-6 Location of Districts, to read as follows:

#### §164-6 Location of Districts, Zoning Map

**B. (3) Flood Plain District** (b) The Floodplain District includes all special flood hazard areas within the Town of Orleans designated as Zone A, AE, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Orleans are panel numbers 250001C0417I, 250001C0419I, 250001C0429I, 250001C0436I, 250001C0437I, 250001C0438I, 250001C0439I, 250001C0441I, 250001C0443I, 250001C0607I, 250001C0626I, 250001C0627I and 250001C0631I, effective date July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report, effective date July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Department, Conservation Commission and the Building Department.

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

#### §164-19 Flood Plain District, F

The following requirements apply in the Flood Plain District:

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

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

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

**C. Base Flood Elevation Data.**

- a. Base flood elevation data are required for subdivision or other developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, within unnumbered A zones.
- b. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

**D. Notification of watercourse alteration.** The Town shall notify the following of any alteration or relocation of a watercourse:

- Adjacent communities
- NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation  
251 Causeway Street, Suite 600-700  
Boston, MA 02114-2104
- NFIP Program Specialist

FEMA Region I  
99 High Street, 6th Floor  
Boston, MA 02110

- E. Reference to existing regulations.** The Floodplain District is established as an overlay to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, section 40 of the Massachusetts General Laws and with the following:
- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR)
  - Wetlands Protection Regulations, Department of Environmental Protection (DEP)(currently 310 CMR 10.00);
  - Inland Wetlands Restrictions, DEP (currently 310 CMR 13.00);
  - Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
  - Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

**F. Other use regulations.**

1. Man-made alteration of sand dunes within Zone VE which would increase potential flood damage is prohibited.
2. All subdivision proposals shall be reviewed to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and c) adequate drainage is provided to reduce exposure to flood hazards.

**G. Unnumbered Zone A.** Within the unnumbered Zone A (near Baker's Pond), since the base floor elevation is not provided on the Flood Insurance Rate Map (FIRM) the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation or floor-proofing requirements, as appropriate, of the State Building Code.

**H. Zone VE.**

- (1) No building shall be erected within areas designated as coastal high hazard areas (Zone VE), since these areas are extremely hazardous due to high velocity waters from tidal surges and hurricane wave wash.
- (2) All new construction within the VE Zones shall be located landward of the reach of mean high tide.
- (3) **(Reserved)**
- (4) **(Reserved)**
- (5) The use of fill for structural support of buildings within the V Zone is prohibited.
- (6) Man-made alteration of sand dunes within the V Zones is prohibited.

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

(2/3 Vote Required)

### SUMMARY

This article would adopt new FEMA Flood Insurance Rate Maps (FIRM) as the basis for floodplain determinations. Under the existing 1992 FIRM, 288 buildings are located in the 100-year flood zone. The new FIRM shows 321 buildings in the flood zone. The new FIRM is more accurate with respect to topography and uses a more sophisticated model for Wave Set-up analysis. The revised maps were developed by FEMA over several years, and adoption is required to maintain homeowner eligibility to participate in the National Flood Insurance Program. The amendment is separate from flood insurance rate increases being implemented under the Biggert-Waters Act.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN

**FC:** No significant fiscal impact

### ARTICLE 28. AMEND ZONING BYLAW SECTION 164-35

To see if the Town will vote to amend Section 164-35 Signs, to read as follows:

~~(Strikethrough - language removed)~~  
**Bold underlined** – language added)

#### §164-35 Signs

- A. Purpose.** It is the purpose of this section to regulate the size, location, and appearance of signs within the Town of Orleans in order to facilitate the smooth and safe flow of traffic within the Town while preserving the essential character of the neighborhoods in which signs are located.
- B. Definitions** – As used in this section, the following terms shall have the meanings indicated.

**A-Frame Sign / Sandwich Board Sign:** A portable freestanding sign or folding sign with a hinge at the top.

**Back Lit Sign:** A sign illuminated by a non-visible light source consisting of non-translucent lettering and where the only visible light is light reflected off the background creating a “halo” effect. The average face brightness of the sign must not exceed thirty (30) foot-lamberts, and the total light output from the sign must not exceed fifteen thousand (15,000) lumens, as measured with an exposure meter. In all cases, the primary source of light must not be visible to the public. The sign fabricator or his designated agent shall certify **to the Building Commissioner** after installation that the average face brightness of the sign does not exceed the specifications of the article **before the installation may be used.**

**Banner Sign:** A sign of lightweight, plastic, fabric, or similar non-rigid material that is temporarily mounted.

**Double-Faced Sign** - A double-faced sign shall have two (2) advertising surfaces of identical shape and size, on shared supports and separated by a distance of not more than 18 inches. The planes of such advertising shall be parallel.

**Internally Illuminated Signs.** A sign illuminated by a light source, either incandescent, fluorescent, neon, or other light that is enclosed by the sign panel(s) or within the sign.

**Ladder Signs** - A sign identifying several businesses located on the same property or within a shopping plaza.

**Mobile Signs** - A mobile sign is a sign attached to a vehicle or trailer and located in a stationery position primarily for use as an advertising or identifying device. Such signs may be considered either temporary or permanent.

**Permanent Signs** - A permanent sign is one which is used to identify or advertise a principal use or activity for the property with which it is associated.

**Sign** - Sign shall mean any device, including recognizable logos, pictographs, and objects of similar nature, which is used to identify or advertise a permitted use, service, or activity in the zone in which it is located.

**Sign Area** - Sign area shall be defined as the area of the smallest single horizontal or vertical rectangle which will totally enclose the face of a sign, including any borders, or in the case of signs painted or otherwise applied directly to the sides of buildings, the smallest vertical or horizontal rectangle which will completely enclose the identifying or advertising information. Support structures for freestanding signs shall not be considered in determining sign area unless they are deemed to contribute significantly to the advertising content of the sign, or are of such construction that they would contribute to the limiting of vision of oncoming traffic. The area of a ~~two~~ **double**-faced sign shall be figured using one face only.

**Sign Height** – The height of the sign from the existing average natural grade to the top of the highest point of the sign.

**Temporary Sign** - A temporary sign is one which is used to identify or advertise a use or activity which is not a principal use or activity for the property with which it is associated and which is intended for removal when such use or activity stops. Such signs shall include, but are not

limited to: sale, rent, or lease signs erected by a property owner or licensed real estate broker, yard sale, garage sale, or open house signs.

**Window Sign** - A window sign is any temporary or permanent sign visible on or through a window, affixed to the window or with any part situated closer than two (2) feet from the interior surface of a window. Window signs for an identified business shall not obscure more than twenty-five percent (25%) of the surface area of the windows on any one side of the building or portion of a side of a building occupied by the business. Temporary window signs exceeding this amount of area may be displayed for up to 24 consecutive days, two times per year.

Window signs shall be measured according to the method in Section 164-35-B. The surface area of a window shall include the gross area within the exterior frame of the window. Window signs shall not be included in the total number of signs allowed per business and shall not be limited in number. Requirements of Section 164-35-B shall apply to window signs. No fee or permit shall be required.

### **C. Sign Permits**

(1) No sign shall be erected or altered without a permit granted by the Building Commissioner, except as otherwise provided herein. All signs, other than temporary signs, shall be subject to review and approval by the Architectural Review Committee under Section 164-33.1.C.

(2) All applications for sign permits shall include a sketch or photograph of the proposed sign showing size, colors, and materials used, and a site plan for the associated property showing the height and proposed location of the sign as well as locations of buildings, driveways, street lines, and pavement edges, as well as the location of any trees or shrubbery which might interfere with traffic visibility.

(3) The following signs may be erected without a permit granted by the Building Commissioner, provided that they conform in all respects to height setback, and other restrictions as set forth elsewhere in this By-law:

(a) One (1) permanent sign not to exceed four (4) square feet in area identifying the principal occupant of a dwelling in a residential or other zone.

(b) One (1) temporary sign not to exceed six (6) square feet in area advertising property for sale, rent, or lease, **or no more than five (5) open house signs**. Such sign shall be removed within ten (10) days of transfer of title or signing of lease or rental agreement.

(c) Permanent signs not exceeding four (4) square feet in area whose purpose is solely for direction of traffic, such as "Enter",

“Exit”, “Parking” and the like and which contain no advertising information.

**(d)** Accessory signs such as “Open”, “Closed”, “Sale”, and the like not exceeding three (3) square feet in area which are attached to signs for which permits have been issued. One (1) Flag of a similar nature is permitted for each street facing side of the business, up to six (6) square feet in area.

**(e)** Signs within the confining walls of a building or window signs.

**(f)** Legal notices, or informational signs erected or required by government bodies.

**(g)** Church, school, municipal, historical, and ladder type signs for residential property owners’ group listings.

**(h)** One (1) contractor sign for the general contractor or contractor who takes out a building permit to work on property, not to exceed four (4) square feet in area. Such signs shall be removed promptly upon completion of the contracted services, or within one (1) year of date of permit, whichever comes first.

**(4) Temporary Sign Permits.** Upon at least twenty-four (24) hours notice, the Building Commissioner may issue, permits for the erection of signs advertising yard or garage sales, ~~open house~~, special events, and the like. Not more than ~~two (2)~~ **five (5)** such signs shall be permitted per event. Such signs shall conform to the By-law in all other respects and shall be removed within 24 hours after the end of the event. Such signs shall meet the dimensional requirement set forth in Section 164-35.I, but shall not exceed ~~fifteen (15)~~ **six (6)** square feet in sign area.

**(5) Fees.** Fees may be charged for the issuance of a sign permit in accordance with a schedule determined by the Board of Selectmen.

**D. Signs for Customary or Self-Employed Home Occupation.**

One (1) sign not to exceed six (6) square feet in area shall be permitted for a customary self-employed or home occupation in any zone for which a special permit or variance has been granted by the Board of Appeals, subject to any restrictions as to lighting, etc., imposed by the Board of Appeals, provided that such sign conforms in all other respects to the provisions of this section.

**E. Projecting signs.**

**(1)** Projecting signs of up to three (3) square feet in area are permitted to project over walkways and shall maintain a clearance height of

eight (8) feet below the bottom of the sign. No sign shall project over any lot line or any way intended for vehicular traffic.

- (2) No sign affixed to any building shall project more than four (4) feet in any direction beyond the exterior walls of such building. Such signs shall meet the dimensional requirement set forth in Section 164-35.1.

**F. Banner signs**

Banner **signs** are permitted in all business districts for not more than four (4) calendar days in any one calendar month. There is a limit of one (1) and a temporary sign permit is required, which permit shall not be for longer than four (4) months. All Banner signs are subject to Section 164-35.1.1.

**G. A-Frame & Sandwich Board Signs**

**One (1) A-frame, sandwich board, or other temporary sign is allowed per business not to exceed six (6) square feet in area, which may advertise the principal use without being considered one of the three signs allowed per business. Such signs shall not be fixed to the ground and must be removed daily. Such signs may not be installed within the layout of a public road without approval of the Orleans Board of Selectmen, or its designee, nor within two (2) feet of the travelled surface of any road.**

**H. Ladder signs.**

On any lot on which three (3) or more businesses are located, all freestanding signs shall be of the ladder type, and no business shall be permitted a freestanding sign other than a sign located on the ladder. In cases where businesses are not readily visible from the street, one (1) additional sign may be allowed by Special Permit.

**I. Prohibited Signs.** The following types of signs shall be prohibited:

- (1) Any sign which employs intermittent or flashing lights, whirling or similar moving devices, or which emits any loud sounds.
- (2) Any internally illuminated sign.
- (3) Off-premise signs: Off premise signs shall be prohibited except
  - a. subdivision identification signs at entrance to subdivisions or
  - b. signs allowed in public display areas as designated by the Board of Selectmen, or
  - c. **signs advertising yard or garage sales, open house, special events, and the like. Such temporary off-premises signs**

**may not be installed within a public road layout without approval of the Board of Selectmen or its designee, nor within 2 feet of the travelled way of a road.**

- (4) Billboards
- (5) Signs attached to trees or utility poles.
- (6) Temporary signs except as described in 164-35.C.4 or 164-35.C.3.b.
- (7) Inflatable signs.
- (8) Sandwich board or A-frame type signs that exceed six (6) square feet in area.

**J. Size, Height, Setback and Other Restrictions**

**(1) Size and Location.**

(a) Signs shall be governed as to size and location according to the following table:

Setback from property Line (feet)	Maximum Height for Freestanding Sign (feet)	*Maximum Sign Area Signs (feet)
1 – 3	3	6
3 – 10	6	15
10 – 25	10	32
Over 25	12	60

**NOTE:** \*Area for signs on ladder signs shall be computed individually without regard for open space between signs, and maximum aggregate sign area shall be as set forth above, except that the maximum aggregate area for ladder signs specified in Section 164-35-B above may be increased up to one third (1/3) by Special Permit from the Board of Appeals.

(b) No sign shall be located closer than ten (10) feet to any side lot line except **on the panhandle portion of** panhandle lots.

(2) **Waiver of setback requirement:** In cases where the distance from the pavement edge to the property line exceeds 10 feet, the setback requirement may be waived on recommendation of the Planning Board and Traffic Study Committee, and setbacks may be computed from the pavement edge instead of the property line. In no case shall any sign be located closer than one (1) foot from any property line, ~~and all permits for signs for which setback~~

~~requirements have been waived shall be subject to review and modification.~~

- (3) **Number of Signs:** No business shall have more than three (3) signs other than accessory signs not requiring permits as described elsewhere in this By-law. No residence shall have more than one (1) sign.

**K. Erection Time, Inspection and Removal of Sign Violations, and Pre-existing Signs**

- (1) A sign permit shall become void for any sign which is not erected within six (6) months of **date of** issuance of such permit.
- (2) All signs for which permits are required shall be subject to inspection to check conformance to site plan and By-law restrictions. Requests for inspection shall be made to the Building Commissioner within ten (10) days of erection of any sign requiring a permit.
- (3) A sign that is determined by the Building Commissioner to be in violation of this section shall be removed or modified within ten (10) business days **of such determination.**
- (4) Preexisting, nonconforming signs. Permanent signs that do not conform to this section, lawfully erected before enactment of this section, or permanent signs not yet erected but for which permits have been granted prior to enactment of this section may be erected and/or maintained, provided that such erection shall take place within ninety (90) days of enactment of this section.
- (5) Sign permits shall be deemed to be associated with the use, service or activity with which the sign is associated and shall become void thirty (30) days after such use, service or activity ceases. Signs whose permits have become void under this principle **provision** shall be removed promptly by the end of this thirty (30) day period. Signs for uses, services or activities of a seasonal nature that are removed during the off-season may be re-erected, and their permits remain in effect, provided that a period of one (1) year has not elapsed since removal of the sign.
- (6) Alterations to a preexisting, nonconforming sign shall require the sign to come into compliance with all of the requirements herein. For the purpose of this section, alterations shall consist of changes in any way including change in structure, location, design or lettering.

- L. Notwithstanding anything else contained in Section §164-35 to the contrary, banners advertising civic, or cultural and/or athletic events

conducted by a non-profit entity, may be placed at location(s) across Main Street and/or Eldredge Park Way provided that any such banner, and its location, is approved by the Board of Selectmen or, if designated by the Board of Selectmen, the Town Administrator. In the event multiple requests are made for a common time period the Board of Selectmen or the Town Administrator, as the case may be, may give preference in scheduling and location to Town sponsored events. Banner(s) shall be no more than twenty feet in length and two feet in height and shall be strung in such a manner so the bottom of the banner is fifteen feet off the road surface. Banner(s) shall be temporary in nature and removed as soon as practicable after the event to which it refers has ended. The Board of Selectmen is hereby authorized to promulgate rules and regulations as they deem necessary to carry out the provisions of this paragraph.

**M. Lighting of Signs.** Lighted signs shall conform with the Outdoor Lighting Bylaw, Chapter 122 of the Orleans General Code.

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

(2/3 Vote Required)

**SUMMARY**

This amendment to the Sign Regulations would allow A-frame or Sandwich Board signs by permit, and would allow off-premise signs for real estate open houses, garage sales, and special events. Both changes were requested by the business community. It is proposed that A-frame signs not larger than 6 sq.ft be allowed. Such signs may advertise a primary use of the business (such as a menu board or daily specials at a restaurant); the sign must be located on the subject property and not in the Town road layout, and the sign must be removed daily. For off-premises signs, it is proposed that yard sale, open house, and special event signs would be allowed. Such signs cannot be placed in the Town road layout without approval of the Board of Selectmen, nor within 2 feet of the travelled way of the road. Lastly, while the bylaw was under review, miscellaneous minor language clarifications were proposed to make the bylaw more readable and understandable.

**BOS:** 4 – YES 0 – NO 0 – ABSTAIN  
**FC:** No significant fiscal impact

**ARTICLE 29. AMEND ZONING BYLAW SECTION 164-40.3, MEDICAL MARIJUANA FACILITIES**

To see if the Town will vote to amend the Town's Zoning Bylaw by deleting Section 164-40.3 Temporary Moratorium on Medical Marijuana Treatment Centers and replacing it with a new Section 164-40.3 Medical Marijuana Facilities, to read as follows:

**164-40.3. Medical Marijuana Facilities**

**A. Purposes**

- (1) To provide for the establishment of Medical Marijuana Facilities in appropriate places and under strict conditions in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c. 94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.000 et seq.
- (2) To minimize the adverse impacts of Medical Marijuana Facilities on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Facilities.
- (3) To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Facilities.

## **B. Definitions**

Medical Marijuana Facility – Shall mean a “Medical marijuana treatment center” to mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

Marijuana for Medical Use – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as set forth in MA Department of Public Health Regulation 1.5 CMR 725.000..

Marijuana – The same substance defined as “marihuana” under Chapter 94C of the Massachusetts General Laws.

## **C. Applicability**

- (1) The commercial cultivation [unless it meets the requirements for an agricultural exemption under Chapter 40A Section 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless permitted as a Medical Marijuana Facility under this Section.
- (2) No Medical Marijuana Facility shall be established except in compliance with the provisions of this Section.
- (3) Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.
- (4) Medical Marijuana Facilities, other than agricultural operations meeting exemption standards under Chapter 40A Section 3, may be allowed by Special Permit from the Zoning Board of Appeals in accordance with Section 164- 13, Schedule of Use Regulations.

#### **D. General Requirements for Medical Marijuana Facilities**

- (1)** All non-exempt Medical Marijuana Facilities shall be contained within a building or structure.
- (2)** A Medical Marijuana Facility shall not be located in buildings that contain any medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
- (3)** The hours of operation of a Medical Marijuana Facility shall be set by the Zoning Board of Appeals, but in no event shall said Facility be open and/or operating between the hours of 8:00 PM and 8:00 AM.
- (4)** No Medical Marijuana Facility shall be located within 500 feet of any lot with a school, or day care facility.
- (5)** No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Medical Marijuana Facility.
- (6)** No Medical Marijuana Facility shall be located inside a building containing residential units.
- (7)** A Medical Marijuana Facility shall provide the Zoning Board of Appeals with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.
- (8)** Special Permits shall remain exclusively with the applicant, who shall be the owner or lessee of the premises described in the application. The Special Permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.
- (9)** Special Permits shall be valid for a period of three (3) years from the date of the decision. It shall be renewed for successive three (3) year periods provided that a written request for renewal is made to the Board of Appeals not less than three (3) months prior to the expiration of the then-existing three (3) year period.

Publication of notice of said request shall be made in the same manner as would be required for an original application for a Special Permit. Said notice shall state that the renewal request will be granted unless, prior to the expiration of the then-existing permit, a written objection to the renewal, stating reasons, is received by the Board of Appeals. In the event of such an objection, a hearing on the renewal shall be held and shall proceed in a manner identical to the course of proceedings in connection with an original permit application.

The Special Permit shall remain in effect until the conclusion of the public hearing and decision of the Board of Appeals either granting or denying the Special Permit renewal. In granting the renewal, the Board of Appeals may impose additional conditions, including, without limiting the foregoing, time limits to correct violations, hours of operation and additional screening, upon which a specific lapse of time without correction or compliance shall result in a revocation of the permit.

### **E. Special Permit Requirements**

- (1) A Medical Marijuana Facility shall only be allowed by Special Permit from the Zoning Board of Appeals in accordance with M.G.L. c. 40A, §9, and Section 164-44 of this bylaw, subject to the following statements, regulations, requirements, conditions and limitations.
- (2) A special permit application for a Medical Marijuana Facility shall include the following:
  - a) the name and address of each owner of the facility;
  - b) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Facility;
  - c) evidence of the Applicant's right to use the site of the Facility for the Facility, such as a deed, or lease;
  - d) if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
  - e) Proposed security measures for the Medical Marijuana Facility, including lighting, fencing, gates and alarms, surveillance cameras, etc., to ensure the safety of persons and to protect the premises from theft. Vehicular access to all sides of the building for security shall be provided.

### **F. Mandatory Findings**

- (1) The Zoning Board of Appeals shall not issue a special permit for a Medical Marijuana Facility unless it finds that:
  - a) the Facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;
  - b) the Facility demonstrates that it will meet all the permitting requirements; and
  - c) the applicant has satisfied all of the General and Special Permit Requirements of this section and Section 164-44.
- (2) The Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Medical Marijuana Facility in the event the Town must remove the facility. The value of the bond shall be developed based upon the applicant providing the Zoning Board of Appeals with three (3) written bids. An incentive factor of 1.5 shall be applied to all bonds to ensure

compliance and adequate funds for the town to remove the Facility at prevailing wages.

**G. Abandonment and Discontinuance of Use**

A Medical Marijuana Facility shall be required to remove all material, plants equipment and other paraphernalia:

- (1) prior to surrendering its state issued licenses or permits; or
- (2) within six months of ceasing operations; whichever comes first.

And further to amend Section 164 Attachment I, as follows:

**§164-13 Schedule of Use Regulations**

**DISTRICTS**

<b>COMMERCIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC</b>	<b>I</b>	<b>CD#</b>	<b>SC</b>	<b>MB</b>
<b><u>Medical Marijuana Facility</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>A</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>

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

(2/3 Vote Required)

**SUMMARY**

In 2012, state legislation was passed making medical marijuana legal in Massachusetts. The Town of Orleans adopted a moratorium on medical marijuana facilities, pending new regulations by the MA Dept. of Public Health, which have now been issued by the state. The proposed amendment under this article would adopt local regulations for the establishment of medical marijuana facilities, consistent with MA Dept. of Public Health Regulations and state law. The proposal would allow such facilities in the General Business Districts only by Special Permit with a host of protective conditions, which include the following:

- The facility must be inside a building, and may not be in same location as a prescribing doctor’s office
- Hours of operation shall not exceed 8AM to 8PM
- It may not be located within 500 feet of a school or day care facility
- No consumption is permitted on the premises
- State licensing is required before a Special Permit may be issued for a location.
- Security measures must be approved by the ZBA, and vehicular access to all sides of the building is required.

**BOS:** 4 – YES 0 – NO 0 – ABSTAIN

**FC:** No significant fiscal impact

**ARTICLE 30. AMEND ZONING BYLAW SECTION 164-21, NOTE 5**

To see if the Town will vote to amend the Zoning Bylaws, Section 164-21, note 5, to read as follows:

~~(Strikethrough - language removed)~~  
**Bold underlined** – language added)

(note) 5 - The building coverage in a residential district shall not exceed fifteen (15%) percent of the buildable upland. However, building coverage in a residential district shall not exceed 4,000 square feet without the issuance of a Special Permit under the provisions of §164-44. **Minimum Yard Dimensions for a new structure, or addition to an existing structure which causes the building coverage on the lot to exceed four thousand (4,000) square feet shall be twice that required in the zoning district.** In no event shall the Board of Appeals be authorized to grant a Special Permit which would result in a building coverage which exceeds fifteen (15%) percent of the buildable upland.

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

(2/3 Vote Required)

#### SUMMARY

This amendment would require increased building setbacks for any new structure or portion of a structure in a residential district that causes building coverage on a lot to exceed 4,000 square feet. The purpose of the amendment is to mitigate the impact of large homes upon neighboring properties by requiring them to be further from the property line.

**BOS:**            4 – YES            0 – NO            0 – ABSTAIN  
**FC:**             0 – YES            6 – NO            0 – ABSTAIN

#### ARTICLE 31. AMEND ZONING BYLAW SECTION 164-27. TENTS, TRAILERS, AND MOBILE CAMPING UNITS

To see if the Town will vote to amend Section 164-27, Tents, Trailers, and Mobile Camping Units, by adding a new subsection C. to read as follows:

- C. Notwithstanding the above, trailers may be used for storage on a lot in the Industrial Zoning District, provided the following conditions are met:**
- 1. Trailers may not be occupied.**
  - 2. Trailers must be screened from all street frontages by landscaping, fencing or other means.**
  - 3. A trailer must be set back from side and rear property lines a distance equal to its height. It shall not obstruct egress, parking or access to dumpsters on the premise.**
  - 4. Trailers may not contain hazardous materials unless approved by the Orleans Fire Chief, and shall be posted on the door if required.**
  - 5. Trailers shall not have electricity, heating, or refrigeration.**

**All trailers must comply with this subsection by May 12, 2016.**

And further to amend Section 164 Attachment I, as follows:

**§164-13 Schedule of Use Regulations**

**DISTRICTS**

<b>ACCESSORY USE</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC</b>	<b>I</b>	<b>CD#</b>	<b>SC</b>	<b>MB</b>
<b><u>Storage Trailers</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>P<sup>9</sup></u></b>	<b><u>O</u></b>	<b><u>O</u></b>	<b><u>O</u></b>

**(9) See §164-27 for storage trailer requirements.**

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

(2/3 Vote Required)

**SUMMARY**

Presently, the use of trailers for storage purposes is prohibited town-wide. Nonetheless, there appears to be a need for certain businesses to have storage trailers. The amendment would allow storage trailers in the Industrial District only. Trailers would need to be set back from property lines and screened on the street side. The units could not have any hazardous material storage unless approved by the Fire Chief and suitably posted.

**BOS:** 4 – YES      0 – NO      0 – ABSTAIN  
**FC:** No significant fiscal impact

**ARTICLE 32. TRANSFER WATER SERVICE CONNECTION FUNDS**

To see if the Town will vote to transfer the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00) from the Water Service Connection Funds Reserved for Appropriation Account to the Water Service Connection Account, or to take any other action relative thereto. (Board of Water and Sewer Commissioners)

(Simple Majority Vote Required)

**SUMMARY**

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

**BOS:** 5 – YES      0 – NO      0 – ABSTAIN  
**FC:** 9 – YES      0 – NO      0 – ABSTAIN

**ARTICLE 33. AMEND FEES - TOWN CLERK, MARRIAGE CERTIFICATES**

To see if the Town will vote to increase the fee for entering notice of intention of marriage and issuing certificates thereof from thirty-five dollars (\$35) to forty dollars (\$40), or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The Town Clerk proposes to increase the fees for marriage intention applications and certificates. A public hearing was held at the Town Hall on April 7, 2014. In accordance

with M.G.L. Ch. 262 §34, the Town Clerk may not increase fees without Town Meeting approval.

**BOS:** 4 – YES 0 – NO 0 – ABSTAIN  
**FC:** 6 – YES 0 – NO 0 – ABSTAIN

#### **ARTICLE 34. AMEND FEES - BOARD OF SELECTMEN, LICENSES**

To see if the Town will vote to authorize the Board of Selectmen to increase the fees for certain licenses as outlined in the schedule on file with the Town Clerk, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

##### **SUMMARY**

The Selectmen propose to increase fees for second-hand auto sales licenses (Class II), annual Monday through Saturday entertainment licenses, certain common victualler liquor licenses, and retail package store wine and malt licenses. A public hearing was held at Town Hall on April 7, 2014. In accordance with the General Bylaws of the Town, Article VII, §94-8 Restrictions on Certain Fees Set by Board of Selectmen, the Board of Selectmen may not increase fees by more than 5% without Town Meeting approval.

**BOS:** 4 – YES 0 – NO 0 – ABSTAIN  
**FC:** 6 – YES 0 – NO 0 – ABSTAIN

#### **ARTICLE 35. AMEND FEES - BOARD OF SELECTMEN, OUTDOOR WEDDINGS**

To see if the Town will vote to authorize the Board of Selectmen, acting as Park Commissioners, to establish a single administrative fee for outdoor weddings of both residents and non-residents in the amount of one hundred fifty dollars (\$150), or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

##### **SUMMARY**

The Selectmen propose to establish a single administrative fee for the use of property under the control of the Board of Selectmen for outdoor weddings, effective Jan. 1, 2015. Currently there is no fee for residents and a \$100 fee for non-residents, which is listed in the "Park Regulations and Conditions for Outdoor Weddings." A public hearing was held at the Town Hall on April 7, 2014. In accordance with the General Bylaws of the Town, Article VII, §94-8, the Board of Selectmen may not establish new fees or increase fees by more than 5% without Town Meeting approval.

**BOS:** 4 – YES 0 – NO 0 – ABSTAIN  
**FC:** 8 – YES 1 – NO 0 – ABSTAIN

#### **ARTICLE 36. AMEND FEES – BUILDING DEPT., ELECTRICAL INSPECTIONS**

To see if the Town will vote to authorize the Board of Selectmen to amend the fees for electrical inspections, as outlined in the schedule on file with the Town Clerk, or take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The proposed fees represent a new electrical inspection fee schedule which more accurately depicts the actual cost of the service and is easier to administer. A public hearing was held at the Town Hall on April 7, 2014. In accordance with the General Bylaws of the Town, Article VII, §94-8, the Board of Selectmen may not establish new fees or increase existing fees more than 5% without Town Meeting approval.

**BOS:**        4 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 37. AMEND FEES – TRENCH AND ROAD OPENING PERMITS**

To see if the Town will vote to authorize the Board of Selectmen to establish a fee of fifty dollars (\$50) for trench and road opening permits, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

Orleans is the only town in the area not charging an administrative fee for trench and road opening permits. The average fee is around \$50. The Town issues, tracks and follows up on more than one hundred of these permits per year, and the proposed fee is expected to generate approximately \$5,000 of additional revenue annually. A public hearing was held at the Town Hall on April 7, 2014. In accordance with the General Bylaws of the Town, Article VII, §94-8, the Board of Selectmen may not establish new fees without Town Meeting approval.

**BOS:**        4 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 38. FUND FEASIBILITY STUDY AND AUTHORIZE LEASE OF LAND AT DEPOT SQUARE**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ten Thousand and 00/100 Dollars (\$10,000.00) for the purpose of funding a feasibility study for the possible development and use of Town-owned land located at Depot Square, identified on the Orleans Assessors Maps as Map 33, Parcels 21 and 22, and authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein; and to see if the Town will vote to authorize the Board of Selectmen to lease said land on such terms as they deem appropriate to the Orleans Chamber of Commerce or such other non-profit entity as the Board shall determine, for a period not to exceed 30 years, and to authorize the Board of Selectmen to file special legislation to the extent required for this purpose, or to take any such action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

In 1989 Town Meeting authorized the Selectmen to lease land at Depot Square to the Orleans Board of Trade or other organization “for the purpose of the construction and operation of public rest rooms and information booth together with accessory parking.” This article proposes a re-authorization of a lease for the same purpose, as well as funding for a feasibility study of the development and use of the property.

**BOS:**            5 – YES            0 – NO            0 – ABSTAIN  
**FC:**             6 – YES            0 – NO            1 – ABSTAIN

**ARTICLE 39. AUTHORIZE INTERMUNICIPAL AGREEMENT / GRANT FOR PERMEABLE REACTIVE BARRIER (PRB) TEST PROJECT**

To see if the Town will vote to authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State or County or other funds that may be available and to enter into Intermunicipal Agreements for acceptance of any such grants or funds for the purpose of a conducting a Permeable Reactive Barrier (PRB) demonstration project at a location to be determined in Orleans, or to take any such action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will authorize the Board of Selectmen to participate in a test project involving the installation of a Permeable Reactive Barrier (PRB) as a demonstration project for the purpose of monitoring its effectiveness in achieving improvements in water quality at a location to be determined.

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

**ARTICLE 40. AUTHORIZE LAYOUT OF ASPINET ROAD**

To see if the Town will vote to accept the doings and report of the Selectmen relative to the layout of Aspinet Road and that portion of Inlet Road, a.k.a. Cliff Road, from Aspinet Road to Callanan’s Pass, as a town road, and instruct the Selectmen to accept as a gift or to purchase or take by eminent domain on behalf of the Town of Orleans the land and/or an interest in the land within the sidelines of said layout for this purpose, and further to transfer a sufficient sum of money necessary to carry out the provisions of this article, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

**SUMMARY**

This article will authorize the Board of Selectmen to acquire the land/or an interest in the land from Aspinet Road to Callanan’s Pass to provide the Town with two means of off road vehicle access to the beach on Nauset Spit. The Board is currently attempting to reach an agreement with the abutters to the road to permit the use of the road by the

public for beach access during the 2014 summer season, which agreement may obviate the need to proceed with the layout authorized by this article.

**BOS:** Recommendation to be made at Town Meeting  
**FC:** Recommendation to be made at Town Meeting

**ARTICLE 41. AUTHORIZE AND FUND HABITAT CONSERVATION PLAN (HCP) PERMITS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$78,000 for the purpose of funding low-effect conservation and management permits from the Federal and State Fish and Wildlife Services to provide limited over sand vehicle use of Nauset Beach south of the bathing beach parking lot during the summer migratory bird nesting season; and see if the Town will vote to authorize the Board of Selectmen, acting as Park Commissioners, to establish a surcharge fee of twenty-five dollars (\$25) for each over sand sticker sold beginning in March 2015 to pay for the implementation costs of the Habitat Conservation Plan requirements, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article will provide the funding necessary for the Town to obtain State and Federal permits to provide for limited oversand vehicle access during the summer beach season. As proposed, on or after July 15 the Town would be allowed to provide daily escorts for up to 180 vehicles onto Nauset Beach to drive past a maximum of two broods of Piping Plovers and up to 8 chicks total. The permits would be for a period of three 3 years and the implementation costs would cover additional seasonal staff necessary for the escort program to take place as well as mitigation funds that are required as conditions of the permits.

**BOS:** 4 – YES 0 – NO 0 – ABSTAIN  
**FC:** 7 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 42. AMEND THE INTERMUNICIPAL AGREEMENT BETWEEN THE TOWNS OF ORLEANS, BREWSTER AND EASTHAM FOR THE CONSTRUCTION, MANAGEMENT AND OPERATION OF A SEPTAGE TREATMENT FACILITY**

To see if the Town will vote to authorize the Board of Selectmen to amend the Intermunicipal Agreement between the Towns of Orleans, Brewster and Eastham for the Construction, Management and Operation of a Septage Treatment Facility dated May 30, 1985, as amended (the "IMA"), by adopting a further amendment pursuant to Section XVI of the IMA, in substantially the form set forth below:

**Whereas**, the Towns of Orleans, Brewster and Eastham (collectively the "Towns"), are parties to an Intermunicipal Agreement between the Towns of Orleans, Brewster and Eastham for the Construction, Management and Operation of a Septage Treatment Facility, as amended, (the "IMA");

**Whereas**, as originally adopted the IMA had a term of twenty (20) years and was due to expire on May 30, 2005;

**Whereas**, the Towns amended the IMA and extended the term of the IMA for an additional ten (10) years, until May 30, 2015;

**Whereas**, paragraph 1 of the amended IMA states, in part, that: "Further, unless Orleans by vote of its Board of Selectmen, determines that it does not intend to further extend the term of the IMA, and notice of such vote is provided in writing to Eastham and Brewster prior to May 30, 2013, then the term of the IMA shall be extended for an additional ten (10) years until May 30, 2025";

**Whereas**, Orleans by vote of its Board of Selectmen determined that it did not intend to further extend the term of the IMA and notice of such vote was provided in writing to Eastham and Brewster prior to May 30, 2013, i.e. on January 15, 2013;

**Whereas**, the IMA will expire on May 30, 2015;

**Whereas**, the Towns are desirous of extending the term of the IMA until December 31, 2016;

**Whereas**, Section XVI of the IMA, provides that it may be amended by written amendment, but that no such amendment shall become effective until approved by a Town Meeting vote in all three (3) member Towns;

**Now, therefore**, the Towns, in consideration of the mutual covenants set forth herein, the provisions of the IMA and the authority set forth in General Laws chapter 40, §4A, and every other power, hereby agree as follows:

1. The term of the IMA shall be extended until December 31, 2016.
2. Other than as set forth in this amendment the provisions of the IMA are hereby ratified and confirmed by all member Towns.

This amendment shall only become effective upon approval by a Town Meeting vote in all three (3) towns.

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

(Simple Majority Vote Required)

#### **SUMMARY**

In January 2013, the Orleans Board of Selectmen voted not to extend the term of the IMA beyond May 30, 2015 due to the facility's functional and regulatory obsolescence and provided notice to the Towns of Brewster and Eastham. The three town Boards of Selectmen have met several times to discuss the disposition of the Tri-Town Septage Treatment Plant and Orleans plans for the potential re-use of the property. Given the eight month lead time required to complete the permitting and design for the removal of the existing facilities, coupled with the status of Orleans planning efforts to address the

town's future septage and wastewater treatment and disposal needs, it was agreed that an extension of the IMA for eighteen months until December 2016 was warranted.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 43. FUND TRI-TOWN SEPTAGE FACILITY COSTS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00) for costs associated with the engineering, design, repair, maintenance and/or demolition under the Intermunicipal Agreement between the Towns of Orleans, Brewster and Eastham for the Construction, Management and Operation of a Septage Treatment Facility, and to authorize the Town Administrator to solicit bids and/or proposals, enter into a contract or contracts and expend said funds for this purpose, or to take any other action relative thereto. (Board of Selectmen)

(3/4 Majority Vote Required)

**SUMMARY**

The original Tri-Town Septage Treatment plant was constructed in 1985 under an inter-municipal agreement between the Towns of Orleans, Eastham and Brewster; this agreement will expire on May 30, 2015. The member communities have recently been engaged in discussions concerning the extension of the agreement. In addition this facility is operated under a permit issued by the Commonwealth of Massachusetts which will expire on December 20, 2016. This article will provide one-third of the funding for a wide variety of costs associated with engineering, design, operation, repair, maintenance and/or demolition expenses related to Tri-Town Septage facility.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         9 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 44. FUND COMPREHENSIVE WATER RESOURCE MANAGEMENT PLANNING**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of One Million Forty Five Thousand and 00/100 Dollars (\$1,045,000.00), or any other sum, for the purpose of funding engineering, planning and hydrogeologic studies necessary for the development of septage, wastewater, groundwater and stormwater management plans needed to maintain and protect the water resources of the Town by integrating the Comprehensive Wastewater Management Plan completed by the Town in 2011 with a new Adaptive Management Plan and components of the Cape-wide Section 208 Water Quality Management Plan being developed by the Cape Cod Commission, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of

Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

### **SUMMARY**

Funding under this article includes the following activities:

#### Utility Survey and Mapping - \$300,000

Surveying and mapping public and private utilities, wetlands boundaries, topography and other pertinent physical features in order to provide detailed information on utility systems and other physical and environmental features required for the planning and design of water, wastewater, utilities and other infrastructure to meet the future needs of the Town. Secondary purposes of this project are to provide additional, more detailed evaluation, based on results of the surveying and mapping, of, 1) the potential feasibility, cost savings and other issues related to using trenchless construction technologies (e.g. horizontal directional drilling) to install sewer conduits under future construction contracts, and 2) more detailed information on the location of public and private on-site wastewater systems in the downtown area of the Town in order to evaluate alternative methods of wastewater management in this area.

#### Wastewater and Septage Management Planning - \$510,000

Activities include further evaluations and screening of sites in Town that may be suitable for decentralized cluster treatment and/or groundwater recharge facilities, including sites outside of the Namskaket watershed that would be suitable to receive the discharge from the Tri-Town plant; evaluations of the feasibility and cost implications of using approved state-of-the-art technologies for advanced treatment of septage and wastewater at the Tri-Town site, including the generation of energy from treatment bi-products and the beneficial use of non-potable treated effluent.

#### Cedar Pond Water Quality - \$50,000

Design and implement the recommendations in the Cedar Pond Water Quality Management Plan final report to re-establish a healthy pond ecosystem that meets State standards for water quality.

#### Rock Harbor Use Attainment Study - \$50,000

This study would pursue the potential establishment of a partial use category of SA (boat basin) under the MA water quality standards to reflect the conditions prevalent in estuaries with conditions such as Rock Harbor Creek. The SA (boat basin) category would recognize that eelgrass and other benthic substrate conditions necessary for the propagation and maintenance of shellfishing are not attainable in segments of water bodies that required regular dredging to maintain a navigable channel and that are subject to sediment deposition due to natural littoral transport processes.

General Engineering Services - \$135,000

Professional engineering services to assist the Town in the review of the project activities funded under this article and to provide additional assistance in developing the next steps in the process as the activities are completed in FY15 including, developing technical specifications for further studies on Namskaket Marsh, assessment of the landfill plume, and aquaculture.

**BOS:**        5 – YES        0 – NO        0 – ABSTAIN  
**FC:**         6 – YES        0 – NO        1 – ABSTAIN

**ARTICLE 45. WITHDRAW FROM THE CAPE COD COMMISSION – BY PETITION**

To see if the Town will vote to direct the Board of Selectmen to place the following question on the next election ballot “Shall the Town of Orleans petition the General Court of the Commonwealth of Massachusetts asking that the Town of Orleans be released from membership in and removed from the authority of the Cape Cod Commission and the Cape Cod Commission Act or to take any other action relative thereto. (Submitted by Petition)

(Simple Majority Vote Required)

**SUMMARY**

It is contended that the Town of Orleans is overcharged for the services it receives from the Cape Cod Commission, and underrepresented relative to its membership and input into its governance and activities. Furthermore, the Cape Cod Commission has outlived its usefulness for which it was originally intended. Moreover, it wastefully duplicates the functions of numerous municipal departments, committees, boards and commissions like the planning department, conservation commission, and the building department, among others.

**BOS:**        0 – YES        5 – NO        0 – ABSTAIN  
**FC:**         0 – YES        7 – NO        0 – ABSTAIN

**ARTICLE 46. FUND RECONSTRUCTED SEPTAGE TREATMENT FACILITY - BY PETITION**

To see if the Town of Orleans will allocate \$1.7 million dollars to fund jointly with the Towns of Eastham and Brewster a reconstructed septage treatment facility at the "Tri Town" site that will meet new stricter environmental standards imposed by the State of Massachusetts in December, 2016 required for a septage disposal permit not to exceed 35,000 gallons per day. (Submitted by Petition)

(3/4 Majority Vote Required)

**SUMMARY**

This proposal seeks to fund a much needed redesign/rebuild of the "Tri Town" septage treatment facility so that it will continue to reliably support septic systems operating in the Towns of Orleans, Brewster, and Eastham as required by current and future State and Federal environmental regulations through to January 2037. The 1.7 million dollar facility upgrade estimate provided by Stantec Consulting Services, Inc. at the February

12, 2014 Joint Board of Selectman meeting in Eastham, represents Orleans' share of the cost between the three towns. This Article requires that the Town of Orleans set aside funds from its Capital Improvement Budget and other appropriate funding mechanisms to cover the projected 1.7 million dollar cost. It also requires that the daily discharge license issued by the State of Massachusetts for continued operation of the facility past December 2016 be limited to 35,000 gallons per day or less - down from the current level of 45,000 gallons. It is hoped that this limitation will force the facility to operate more efficiently with a reserve capacity that is more in keeping with actual need to both reduce operating costs and potentially free up any remainder of the property's discharge capacity for use by other future anticipated waste water treatment projects.

**BOS:**            0 – YES            5 – NO            0 – ABSTAIN  
**FC:**             0 – YES            7 – NO            0 – ABSTAIN

**ARTICLE 47. VOTERS TO APPROVE USE OF ELECTRONIC CONTROL WEAPONS BY OPD - BY PETITION**

To see if the Town will vote to respectfully ask the Orleans Police Department and all other Town officials not to deploy or use any electronic control weapons including Tasers until and unless voters so approve in an election or Town Meeting. (Submitted by Petition)

(Simple Majority Vote Required)

**SUMMARY**

Orleans police have announced plans to equip officers with Tasers, which incapacitate by electrical shock causing loss of muscle control, typically leaving the victim in intense pain on the ground. Generally considered “less lethal” than firearms, when used in high-danger situations when the only other choice is a gun, evidence exists they have saved lives. Some police departments restrict use to those situations, others do not, and using a Taser on people not posing a serious danger risks unnecessary injury or death. Amnesty international reports 540 deaths of people shot by Tasers in the United States since 2001, that Tasers were directly implicated in more than 60, and in others the cause of death is not always clear. Passage of this article would give residents the opportunity to inquire about official Taser-use policies, and vote whether they approve of such use.

**BOS:**            Recommendation to be made at Town Meeting  
**FC:**             No significant fiscal impact

**ARTICLE 48. FREE CASH**

To see if the Town will vote to transfer from Free Cash in the Town’s Treasury a sum of money to be used for the reduction of taxes, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

This article would transfer from Free Cash a sum of money to reduce the taxes for Fiscal Year 2015.

**BOS:** Recommendation to be made at Town Meeting  
**FC:** Recommendation to be made at Town Meeting

**ARTICLE 49. CLOSING ARTICLE**

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

(Simple Majority Vote Required)

Given under our hands this SIXTEENTH day of APRIL in the year of our Lord TWO THOUSAND FOURTEEN.

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

Sims McGrath, Chairman  
David M. Dunford  
Jon R. Fuller.  
John Hodgson  
Alan McClennen

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 12, 2014 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

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

IN THE NAME OF The Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the MIDDLE SCHOOL GYMNASIUM in said ORLEANS on MONDAY, the TWELFTH day of MAY in the year TWO THOUSAND FOURTEEN at 6:30 P.M. to act on the following:

**ARTICLES**

- Article 1. Pay Bills of Prior Years.....
- Article 2. Transfer Article .....
- Article 3. Fund Water Department Capital Projects .....
- Article 4. Fund Police Dept. Fingerprinting Technology.....
- Article 5. Authorize 20-Year Net Metering Power Sales Agreement.....
- Article 6. Fund Unanticipated Employee Retirement Buyouts .....
- Article 7. Closing Article .....

**ARTICLE 1. PAY BILLS OF PRIOR YEARS**

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

(9/10 Vote Required)

**SUMMARY**

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

**BOS:** Recommendation to be made at Town Meeting

**FC:** Recommendation to be made at Town Meeting.

**ARTICLE 2. TRANSFER ARTICLE**

To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within current appropriations, such sums of money as necessary to supplement the operating budgets of the various Town departments for Fiscal Year 2014 as follows:

1. Transfer the sum of Thirty Two Thousand and 00/100 Dollars (\$32,000.00), or any other sum, from the Parks and Beaches Capital Outlay Account to the Buildings and Facilities Stabilization Account.
2. Transfer the sum of Sixty Thousand and 00/100 Dollars (\$60,000.00), or any other sum, from available funds to the Fire Department Overtime Account.
3. Transfer the sum of Twenty Nine Thousand and 00/100 Dollars (\$29,000.00), or any other sum, from available funds to the Police Department Overtime Account.
4. Transfer the sum of Twenty Eight Thousand and 00/100 Dollars (\$28,000.00), or any other sum, from the Water Surplus Fund to the Water Department Electricity Expenses Account.
5. Transfer the sum of Fourteen Thousand and 00/100 Dollars (\$14,000.00), or any other sum, from available funds to departmental Electricity Expense Accounts.
6. Transfer the sum of Two Thousand Seven Hundred and 00/100 Dollars (\$2,700.00), or any other sum, from the Cable Television Reserve Account to the Media Operations Salary Account.

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

(Simple Majority Vote Required)

### **SUMMARY**

1. This transfer will replenish funds used for seasonal housing rehabilitation.
2. This transfer is necessary to cover the projected deficit in the overtime account as a result of rescue calls, minimum shift coverage and storm related emergencies.
3. This transfer is necessary to cover the projected deficit in the overtime account as a result of investigations, minimum shift coverage, storm related emergencies and public safety at our town landings during the commercial bass season.
4. This transfer is necessary to cover the projected deficit in the electricity account in the Water Department due to an unanticipated increase in the distribution cost of electricity cost during the year.
5. This transfer is necessary to cover the projected deficit in the electricity accounts of a number of departments due to an unanticipated increase in the distribution costs of electricity during the year.
6. This transfer is necessary to cover the projected deficit in the Media Department for part time staff coverage in order to broadcast evening committee meetings at Town Hall for CATV through the end of the year.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN  
**FC:** 7 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 3. FUND WATER DEPARTMENT CAPITAL PROJECTS**

To see if the Town will vote to transfer from the Water Surplus Account the sum of Six Hundred Thousand and 00/100 Dollars (\$600,000.00), or any other sum, to the Water Department Capital Outlay Account for the purpose of funding high-priority capital projects identified during the Asset Management and Implementation Plan study. (Board of Water and Sewer Commissioners)

(3/4 Vote Required)

**SUMMARY**

This article will fund a number of projects that need to be completed in a timely manner including: 1) Work on Well #4 motor, pump and variable frequency drive (VFD); 2) Water treatment plant raw and finish water VFD replacement; 3) Wells #1,2,3,5,&6 improvements; 4) Tonset Road water main replacement engineering; and 5) Water treatment plant residuals handling study.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN  
**FC:** 7 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 4. FUND POLICE DEPARTMENT FINGERPRINT TECHNOLOGY**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Two Thousand One Hundred Fifty and 00/100 Dollars (\$22,150.00), or any other sum, for the purpose of funding the purchase and implementation of a Live Scan digital fingerprinting system. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The police department has experienced a large number of ink fingerprints submissions being rejected by the Massachusetts State Police Identification Section because of “poor quality.” The Live Scan digital system, which is currently used by over 90% of the cities and towns in Massachusetts, will improve the quality of the captured fingerprints and help ensure their acceptance by the state.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN  
**FC:** 7 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 5. AUTHORIZE 20-YEAR NET METERING POWER SALES AGREEMENT WITH CAPE & VINEYARD ELECTRIC COOPERATIVE (CVEC)**

To see if the Town of Orleans will authorize its Board of Selectmen to enter into an intergovernmental net metered power sales agreement not to exceed a term of twenty

years on behalf of the Town with the Cape & Vineyard Electric Cooperative, Inc. in substantially the form of the draft "INTER-GOVERNMENTAL NET METERED POWER SALES AGREEMENT BETWEEN THE CAPE & VINEYARD ELECTRIC COOPERATIVE, INC. AND THE TOWN OF ORLEANS" on file in the Town Clerk's Office, as may be revised as necessary on such terms and conditions as the Board of Selectmen deem appropriate; or take any other action relative thereto, provided that such intergovernmental agreement does not exceed a term of twenty years. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The Town is eligible to participate in municipal net metered sales under the Green Communities Act of 2008. With virtual net metering, a single renewable energy installation can benefit multiple facilities located off-site. This benefit is received via the distribution company's allocation of dollar credits (net metering credits) applied against the participating town's electrical accounts. Under the CVEC proposal, the Cooperative would allocate excess net metering credits from other installations to various Orleans municipal electrical accounts. It is estimated that the Town's share of the allocation of net metering credits over the life of the agreement would average about \$35,000 a year.

**BOS:** Recommendation to be made at Town Meeting

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

**ARTICLE 6. FUND UNANTICIPATED EMPLOYEE RETIREMENT BUYOUTS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00) to fund unanticipated employee retirement buyouts, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

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

**BOS:** 5 – YES      0 – NO      0 – ABSTAIN

**FC:** 6 – YES      0 – NO      0 – ABSTAIN

**ARTICLE 7. CLOSING ARTICLE**

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

(Simple Majority Vote Required)

Given under our hands this SIXTEENTH day of APRIL in the year of our Lord TWO THOUSAND FOURTEEN.

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

Sims McGrath, Chairman  
David M. Dunford  
Jon R. Fuller.  
John Hodgson  
Alan McClennen

ORLEANS BOARD OF SELECTMEN

BARNSTABLE SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Orleans by posting up attested copies of the Annual and Special Town Meetings to be held on Monday, May 12, 2014 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

Barnstable SS:

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

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

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

- 1 Moderator (1 year term)
- 2 Selectman (3 year terms)
- 2 Board of Health (3 year terms)
- 2 Orleans Elementary School Committee (3 year terms)
- 2 Trustees for Snow Library (3 year terms)
- 1 Nauset Regional School Committee (3 year term)
- 1 Orleans Housing Authority (5 year term)
- 1 Orleans Housing Authority (3 year term)
- 1 Constable (3 year term)

**QUESTION 1.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund the purchase of a new ambulance for the Fire and Rescue Department, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 2.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund maintenance dredging in Rock Harbor, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 3.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town of Orleans' allocable share of the bond issued by the Nauset Regional School District for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 4.**

Shall the Town of Orleans be allowed to assess an additional \$150,240 in real estate and personal property taxes for the purposes of funding two additional Firefighter/Paramedics, including all expenses incidental and related thereto, for the fiscal year beginning July 1, 2014?

YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 5.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition two and one-half, so-called, the amount required to pay for the bonds issued in order to pay costs of engineering, planning and hydrogeologic studies necessary for the development of septage, wastewater, groundwater and stormwater management plans needed to maintain and protect the water resources of the Town by integrating the Comprehensive Wastewater Management Plan completed by the Town in 2011 with a new Adaptive Management Plan and components of the Cape-wide Section 208 Water Quality Management Plan being developed by the Cape Cod Commission, including all expenses incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

And you are directed to serve this Warrant, by posting up attested copies thereof at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE in said Town, seven (7) days at least before the time of holding said Election.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the Election, as aforesaid.

Given under our hands this SIXTEENTH day of APRIL in the year of our Lord TWO THOUSAND FOURTEEN.

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

Sims McGrath, Chairman  
David M. Dunford  
Jon R. Fuller.  
John Hodgson  
Alan McClennen

ORLEANS BOARD OF SELECTMEN

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Mary E. Stevens, Constable