

**TOWN OF ORLEANS
TOWN MEETING WARRANT**

for use at

**MONDAY, October 24, 2016
SPECIAL TOWN MEETING – 6:30 PM
Nauset Middle School Gymnasium**



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

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MOTION CHART

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

Motions	Debatable	Non-Debatable	Amendable	Non-Amendable	Second Required	Second Not Required	Vote Required	May Reconsider	May Not Reconsider
1. Point of Order		X				X	n/a		
2. Previous Question Terminate Debate		X		X	X		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. In preparing the Warrant under Clause 2-4-1, the Board of Selectmen may include in it a Consent Calendar listing articles which that Board deems non-controversial. In the event such a Consent Calendar is so included, a written request by five registered voters before the commencement of Town Meeting, or, afterward, an oral request by five registered voters prior to consideration of the Consent Calendar, shall remove a

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

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

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

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

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

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

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

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

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

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

Clause 8-5-1 of the Charter reads:

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

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

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

Clause 2-7-8 of the Charter reads:

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

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.

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 TWENTY-FOURTH day of OCTOBER in the year TWO THOUSAND SIXTEEN at 6:30 P.M. to act on the following:

ARTICLE 1. PURCHASE PROPERTY AT 61 NAMEQUOIT ROAD

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Two Hundred Seventy Five Thousand and 00/100 Dollars (\$275,000.00), or any other sum, for the purpose of funding the purchase of the property located at 61 Namequoit Road, Orleans, MA consisting of approximately 1.96 acres, shown on the Orleans Assessor's Map 69 as Parcel 75-1 and also shown as Lot 4 on a plan recorded in the Barnstable Registry of Deeds in Plan Book 585 Page 93 and described in the deed recorded in the Barnstable Registry of Deeds in Book 27757 Page 3; including all expenses incidental and related thereto; and to further authorize and direct the Board of Selectmen to acquire the property by gift, by purchase, by eminent domain or otherwise, which property shall be held under the care, custody, control and management of the Conservation Commission for conservation purposes pursuant to Section 8C of Chapter 40 of the General Laws, and to transfer from Community Preservation Act funds the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) for such acquisition; and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00); and/or transfer from the Conservation Fund Two Hundred Thousand and 00/100 Dollars (\$200,000.00) to offset the total appropriation authorized herein; and to further authorize the Board of Selectmen and the Conservation Commission to execute any and all documents as may be necessary on behalf of the Town to carry out the provisions of this article, or to take any other action relative thereto. Provided, however, that any borrowing authorized hereunder shall be repaid upon receipt by the Town of funds due the Town from Snow Realty Trust pursuant to Chapter 205 of the Acts of 2016, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of Two Hundred Seventy Five Thousand and 00/100 Dollars (\$275,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00) be transferred from the Community Preservation Fund Undesignated Fund Balance, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Two Hundred Thousand and

00/100 Dollars (\$200,000.00) pursuant to Massachusetts General Laws, Chapter 44 Section 7(3), or any other enabling authority, and to issue bonds or notes of the Town therefor; or alternately, the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) be transferred from the Conservation Fund for this purpose; and that the Board of Selectmen and the Conservation Commission be authorized to take all actions necessary to carry out the acquisition of the property described in the article, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

SUMMARY

This article would authorize the Town to acquire for conservation, open space and passive recreation purposes an approximately 1.96 acre parcel of land at 61 Namequoit Road. The purchase is to be funded in part with \$75,000 from the Community Preservation Act Fund and in part through a transfer from the Conservation Fund pursuant to Chapter 205 of the Acts of 2016, which authorized the Town to release a conservation restriction granted to the Town by Snow Realty Trust, in exchange for payment to the Town of the sum of \$200,000 to be used for the purchase of alternative conservation land. If the Town does not receive the \$200,000 for deposit to its Conservation Fund, the motion would be to borrow the \$200,000 for this acquisition.

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

ARTICLE 2. FUND COMPREHENSIVE WATER RESOURCE MANAGEMENT PLANNING, ENGINEERING AND MANAGEMENT ACTIVITIES

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Three Million Two Hundred Eighty Eight Thousand Two Hundred and 00/100 Dollars (\$3,288,200.00), or any other sum, for the purpose of funding an Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59 § 21C (Proposition 2 1/2) amounts required to pay the principal and interest of the borrowing approved by such vote and further authorize the Board of Selectmen and/or Town Administrator to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into Intermunicipal Agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto. (Board of Selectmen)

(2/3 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of Three Million Two Hundred Eighty Eight Thousand Two Hundred and 00/100 Dollars (\$3,288,200.00) be

appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Three Million Two Hundred Eighty Eight Thousand Two Hundred and 00/100 Dollars (\$3,288,200.00) pursuant to Massachusetts General Laws, Chapter 29C and Chapter 44 Sec. 7 and 8, or any other enabling authority, and to issue bonds or notes of the Town therefor, provided however that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by the Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½ so called) the amounts required to pay the principal and interest on the borrowing approved by such vote, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

SUMMARY

The Orleans Water Quality Advisory Panel (OWQAP), appointed by the Board of Selectmen to work with a diverse range of active citizen groups to seek a mutually aggregable solution to the water quality needs of Orleans, reached a Consensus Agreement in March 2015 on goals and a conceptual Plan to efficiently and cost effectively meet water quality needs of the Town. To refine the approach and complete an Amended Water Quality Management Plan, the Town is implementing demonstration projects to validate performance and cost of non-traditional technologies; updating current knowledge of Orleans water quality conditions and needs through additional data collection, analysis, and estuarine computer simulation runs; evaluating potential disposal sites for treated discharge from the Downtown watershed; completing a 25% design for the sewerage system proposed for Orleans' Downtown area; developing a phased implementation plan to enable an affordable financial plan for all Orleans residents and businesses; and continuing to apply adaptive management principles to respond to future information.

In order to move the Amended Water Quality Plan and associated Adaptive Management Plan process forward, the Board of Selectmen proposes to fund the following activities from November 2016 through June 2017:

1. Continued Planning and Engineering (\$2,484,700): Effluent Disposal Site Studies; Demonstration Projects (Design & Implementation) for Shellfish/Aquaculture, Permeable Reactive Barriers and Nitrogen Removing Barriers; Facilities Engineering, including 25% Design for the Downtown Area; and Regulatory Coordination.
2. Adaptive Management Implementation (\$408,000): Water Quality Monitoring for MEP compliance & Project Baselines; MEP Study & Report Updates; Revisions to the 2010 Comprehensive Wastewater Management Plan for Cedar Pond and Rock Harbor Creek Watershed.
3. Program Management (\$335,500): Technical Oversight and Program Management; Public Engagement Coordination; Public-Private Partnership (P3) Evaluations and Financial Analysis.

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

ARTICLE 3. FUND CONSULTANT SERVICES FOR DEVELOPMENT OF COMPREHENSIVE DOWNTOWN ZONING AMENDMENT

To see if the Town will vote to transfer from available funds the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) for the purpose of securing the services of a land use professional to review and advise the Planning Board on a comprehensive zoning amendment which would allow and encourage appropriate development in the downtown districts, or to take any action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

PROPOSED MOTION

I move this article be accepted and adopted and that the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) be transferred from available funds for this purpose.

SUMMARY

The Planning Board is working to craft a significant zoning amendment for the downtown business districts. This article will provide funding for a review of the proposed amendments to ensure they are properly written, effective, and internally consistent with other sections of the bylaw. It is anticipated that the final bylaw will be brought to the May 2017 Town Meeting for consideration.

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

ARTICLE 4. FY 17 BUDGET ADJUSTMENTS

To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within current appropriations, such sums of money as necessary to supplement the operating budgets of the various Town departments for Fiscal Year 2017 as follows:

1. Transfer from the DPW Capital Outlay Account the sum of Eighty Four Thousand and 00/100 Dollars (\$84,000.00) to the DPW Salary Account for the purpose of paying actual costs for Beach personnel.
2. Transfer from the DPW Capital Outlay Account the sum of Seven Thousand and 00/100 Dollars (\$7,000.00) to the DPW Expense Account for the purpose of expanding the shark education program.
3. Transfer from the DPW Capital Outlay Account the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) to the Employee Health and Medicare Account to fund estimated costs for Natural Resources personnel.
4. Transfer the sum of Four Thousand Five Hundred and 00/100 Dollars (\$4,500.00), or any other sum, from the Building Department Salaries Account to the Building Department Expense Account to provide for additional contracted services.

5. Transfer from Free Cash the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), or any other sum, to the Insurance Notes and Bonds Account.

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

(Simple Majority Vote Required)

PROPOSED MOTION

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

SUMMARY

Items 1 through 3 corrects errors made on Article #2 of the May 9, 2016 Annual Town Meeting Warrant in which these expenses were misclassified as Capital Outlay when they should have been classified as Salary or Expense items. Item 4 is required to fund contracted services to cover a medical related absence in the Building department. Item 5 reflects an additional increase in the Town's Liability Insurance Coverage that was unanticipated at the time of the Annual Town Meeting.

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

ARTICLE 5. PAY BILLS OF PRIOR YEARS

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

(9/10 Vote Required)

PROPOSED MOTION

The motion will be made at Town Meeting and will include the total as of October 24, 2016, and a breakdown by Town department, vendor and amount.

SUMMARY

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

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

ARTICLE 6. FUND ENGINEERING STUDY FOR DREDGING - BY PETITION

To see if the Town will vote to raise and appropriate Two Hundred Thousand Dollars (\$200,000) for the purpose of funding the engineering study needed to obtain permits to dredge the Narrows along with the channels and rivers into the following ponds in Nauset and Pleasant Bay estuaries: Mill, Quanset, Pah Wah, Lonnie's, Aries, and Meetinghouse

or to take any other action relative thereto. (By Petition)

(3/4 Vote Required)

PROPOSED MOTION

I move that this article be accepted and adopted and that the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) be appropriated for this purpose and for costs incidental and related thereto, and that the Treasurer, with approval of the Board of Selectmen, is authorized to borrow the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) pursuant to Massachusetts General Laws, Chapter 44 Sec. 7 (17A), or any other enabling authority, and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

SUMMARY

The amount of sediment that has filled into these areas is impacting navigation, marine life and water quality. The last time the Town dredged in the Pleasant Bay and Nauset estuaries was in 1959 and, prior to then, in 1924. The policy to abandon this method of maintaining waterways is a failure. This article is a proposal to restore the Town's estuaries by removing some shoaling and using the material in areas where it is more beneficial. The increased tidal flow would improve the wild shellfishery, crustacean and fin fishery, and also marine plant life.

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

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)

PROPOSED MOTION

I move this meeting be adjourned.

Given under our hands this FIFTH day of OCTOBER in the year of our Lord TWO THOUSAND SIXTEEN.

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

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

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 Special Town Meeting to be held on Monday, October 24, 2016 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE fourteen (14) days before the date, time and place of the meeting, as within directed.

Paul Kelly, Constable

NOVEMBER 8, 2016
BALLOT QUESTION

The following question will appear on the November 8, 2016 Presidential Election Ballot.

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 an Amended Water Quality Management Plan and associated Adaptive Management Plan for the Town, including all expenses incidental and related thereto?"

YES _____ NO _____