

**TOWN OF ORLEANS  
TOWN MEETING WARRANTS**

for use at

**MONDAY, May 9, 2011  
ANNUAL TOWN MEETING - 6:30 PM  
&  
SPECIAL TOWN MEETING – 6:30 PM  
Nauset Middle School Gymnasium**



**ANNUAL ELECTION  
TUESDAY, May 17, 2011  
7:00 AM - 8:00 PM  
Council on Aging Senior Center**

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

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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:

1. Procedural Rules: The Moderator shall enforce procedural rules in accordance with general laws, the Charter, and these By-Laws.
2. 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.
3. 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.
4. Quorum: For all Town Meetings, both annual and special, there shall be required a quorum of two hundred (200) registered voters of the Town.
5. 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.
6. Moderator: Participation in Discussions: The Moderator, when acting as such, shall not participate in any discussions.
7. 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.
8. Motions in Writing: All motions shall be submitted in writing.
9. Withdrawal of Motions: A motion moved, seconded and stated may be withdrawn by the mover and the seconder.
10. Precedence of Motions: When a question is under debate, motions shall have precedence in the order of their arrangement shown on the attached chart.
11. 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.

12. 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.
13. 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.
14. 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.
15. Move the Question: Requires a second. Not debatable. Four-fifths (4/5) Vote. Terminates debate.
16. 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.
17. Amendments to Motions: The first amendment to a motion may be amended (secondary amendment). This secondary amendment may not itself be amended.
18. 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.”

19. 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 may be of help to you at Town Meeting.

The “Financial Plan” compares revenues and expenditures as adopted in FY11 with those proposed in FY12. The plan assumes adoption of all funding articles as recommended in the Annual Town Meeting warrant. As presented, the total expenditures in FY12 amount to \$29,193,000, an increase of \$1,654,000 or 6.0% from FY11. The total property tax levy would increase by 7.8% and the tax rate would increase by 6.9% to \$5.95 per thousand dollars of assessed valuation.

A “Tax Rate Information” table shows the tax rate and tax impact on a property valued at \$500,000 for articles that are funded by property taxes. The total estimated tax rate increase next year can be attributed to a number of items including Statutory Increase (\$453,000 or \$0.12); Debt Exclusions (\$490,000 or \$0.13); and General Overrides (\$570,000 or \$0.16).

The “Proposed Operating Budget” compares the FY11 adopted and FY12 proposed budgets and is broken down by department, line item description and amounts. In addition, “Capital Outlay Requests” are listed for all Town Departments, Orleans Elementary School and the Nauset Regional School District.

For FY12, the total proposed budget is \$28,312,929, inclusive of all non-school and school operating costs. This amount represents an increase of \$917,210 or 3.3% over FY11. In accordance with the Board of Selectmen’s Budget Policy, non-school and school operating costs (excluding debt) were capped at no more than a 2.5% increase in FY12. As proposed, the non-school operating budget is up 1% and the school (Orleans Elementary, Nauset and Cape Cod Tech) operating budgets are up 4.0%. The Board of Selectmen is recommending that the additional \$120,000 necessary to fund the portion of the school budgets that exceeds their Budget Policy guidelines be appropriated contingent upon the passage of a general override ballot question.

Finally, the warrant includes two additional charts that summarize the Town’s “Financing Sources” and “Expenditure Comparison By Organizational Group” for both FY11 and FY12.

John F. Kelly  
Town Administrator

**FINANCIAL PLAN  
FOR THE FISCAL YEARS 2011 & 2012  
(\$000)**

<u>REVENUES</u>	<u>ADOPTED FY 2011</u>	<u>PROPOSED FY 2012</u>	<u>DOLLAR CHANGE</u>	<u>PERCENT CHANGE</u>
<b>Property Tax</b>				
Property Tax (Base)	17,514	18,107	593	3.4%
Statutory Increase	438	453	15	3.4%
Growth	155	158	3	1.7%
Debt/Capital Exp. Exclusions	1,874	2,364	490	26.1%
Cape Cod Commission Act	136	139	3	2.5%
General Override	-	570	570	
Unused Levy Capacity	(26)	(142)	(116)	437.9%
Community Preserv. Surtax	591	637	46	7.8%
<b>Total Property Tax</b>	<b>20,681</b>	<b>22,285</b>	<b>1,604</b>	<b>7.8%</b>
Provision for Abatement/Exempt	(209)	(200)	9	-4.4%
<b>Non-Property Tax</b>				
State Aid	444	407	(37)	-8.3%
Motor Vehicle Excise	824	900	76	9.2%
Local Receipts	4,176	4,207	31	0.7%
Free Cash	432	287	(146)	-33.7%
Funds Resv. Appr./Other Avail.	1,003	918	(85)	-8.5%
Hotel Tax	188	390	202	107.0%
<b>Total Non Property Tax</b>	<b>7,067</b>	<b>7,108</b>	<b>41</b>	<b>0.6%</b>
<b>Total Revenues</b>	<b>27,539</b>	<b>29,193</b>	<b>1,654</b>	<b>6.0%</b>
<i>Assessed Value (est. as of 1/1/10)</i>	<i>3,606,901</i>	<i>3,636,901</i>	<i>30,000</i>	<i>0.8%</i>
<i>Tax Rate</i>	<i>5.57</i>	<i>5.95</i>	<i>0.38</i>	<i>6.9%</i>
<b>EXPENDITURES</b>				
<b>Non-School</b>				
Salaries and Wages	8,953	8,901	(52)	-0.6%
Fringe Benefits	2,003	2,084	80	4.0%
Pensions	1,277	1,302	25	2.0%
General Expenses	3,333	3,409	76	2.3%
State/County Assessments	467	504	37	7.9%
<b>Sub Total - Non Sch Operating</b>	<b>16,033</b>	<b>16,200</b>	<b>167</b>	<b>1.0%</b>
Capital Expenditures	611	539	(72)	-11.8%
Debt	2,352	3,068	715	30.4%
<b>Sub Total - Non Sch Capital/Debt</b>	<b>2,963</b>	<b>3,606</b>	<b>643</b>	<b>21.7%</b>
<b>Total - Non School</b>	<b>18,996</b>	<b>19,806</b>	<b>810</b>	<b>4.3%</b>
<b>School</b>				
Nauset Regional	3,592	3,703	111	3.1%
Debt	(17)	(153)	(136)	817.8%
NRS Capital Outlay	93	91	(2)	-2.1%
<b>Sub Total - NRS</b>	<b>3,668</b>	<b>3,641</b>	<b>(27)</b>	<b>-0.7%</b>
Orleans Elementary	3,061	3,135	75	2.4%
Fringe Benefits	730	765	35	4.8%
Pensions	82	94	12	14.7%
OES Capital Outlay	-	37	37	
<b>Sub Total - OES</b>	<b>3,872</b>	<b>4,031</b>	<b>159</b>	<b>4.1%</b>
C.C. Technical High	259	305	45	17.5%
<b>Total - Schools</b>	<b>7,800</b>	<b>7,977</b>	<b>177</b>	<b>2.3%</b>
<b>Other Expenses</b>				
Community Preserv. Expenses	600	530	(70)	-11.6%
Community Preserv. Fund	(9)	107	116	-1313.2%
Special Articles	152	774	621	408.0%
<b>Sub Total - Other Expenses</b>	<b>743</b>	<b>1,410</b>	<b>667</b>	<b>89.7%</b>
<b>Total Expenditures</b>	<b>27,539</b>	<b>29,193</b>	<b>1,654</b>	<b>6.0%</b>

**TAX RATE INFORMATION**  
**ESTIMATED FOR FISCAL YEAR 2012**

**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	\$ 36,369.01	\$ 5.00
\$ 0.05	\$ 181,845.05	\$ 25.00
\$ 0.10	\$ 363,690.10	\$ 50.00
\$ 0.20	\$ 727,380.20	\$ 100.00
\$ 0.30	\$ 1,091,070.30	\$ 150.00
\$ 0.40	\$ 1,454,760.40	\$ 200.00
\$ 0.50	\$ 1,818,450.50	\$ 250.00
\$ 0.60	\$ 2,182,140.60	\$ 300.00
\$ 0.70	\$ 2,545,830.70	\$ 350.00
\$ 0.80	\$ 2,909,520.80	\$ 400.00
\$ 0.90	\$ 3,273,210.90	\$ 450.00
\$ 1.00	\$ 3,636,901.00	\$ 500.00

**Per revenue raised increments:**

\$ 0.0003	\$ 1,000.00	\$ 0.14
\$ 0.0014	\$ 5,000.00	\$ 0.69
\$ 0.0027	\$ 10,000.00	\$ 1.37
\$ 0.0137	\$ 50,000.00	\$ 6.87
\$ 0.0275	\$ 100,000.00	\$ 13.75
\$ 0.1375	\$ 500,000.00	\$ 68.74
\$ 0.2750	\$ 1,000,000.00	\$ 137.48

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 2012. These figures should be considered as estimates only, since valuations can change annually.

**FINANCING SOURCES**  
**Adopted Fiscal Year 2011 vs. Proposed Fiscal Year 2012**

<b>FINANCING SOURCES</b>	<b>FY 2012 PERCENT OF TOTAL</b>	<b>FY 2011 ADOPTED</b>	<b>FY 2012 PROPOSED</b>	<b>PERCENT INCR/DECR</b>	<b>DOLLAR INCR/DECR</b>
Property Tax	76%	20,471,841	22,085,074	8%	1,613,232
Local Receipts	14%	4,175,682	4,206,687	1%	31,005
Other Available Funds	3%	1,003,110	918,181	-8%	(84,929)
Motor Vehicle Excise	3%	823,990	900,000	9%	76,010
State Aid	1%	443,790	406,876	-8%	(36,914)
Free Cash	1%	432,329	286,500	-34%	(145,829)
Hotel Tax	1%	188,440	390,000	107%	201,560
<b>Total</b>	<b>100%</b>	<b>27,539,182</b>	<b>29,193,318</b>	<b>6%</b>	<b>1,654,136</b>

**EXPENDITURE COMPARISON BY ORGANIZATIONAL GROUP**  
**Adopted Fiscal Year 2011 vs. Recommended Fiscal Year 2012**

<b>ORGANIZATIONAL UNIT</b>	<b>FY 2012 PERCENT OF TOTAL</b>	<b>FY 2011 ADOPTED</b>	<b>FY 2012 PROPOSED</b>	<b>PERCENT INCR./DECR.</b>	<b>DOLLAR INCR./DECR.</b>
Education (1)	27%	7,800,005	7,976,641	2%	176,636
Public Safety	18%	5,382,402	5,384,815	0%	2,413
Debt	11%	2,352,312	3,067,772	30%	715,460
Public Works	8%	2,364,137	2,380,131	1%	15,994
Fringe Benefits	7%	2,100,717	2,172,162	3%	71,445
General Government	7%	2,201,288	2,113,769	-4%	(87,519)
Culture & Recreation	6%	1,811,691	1,805,119	0%	(6,572)
Pensions	4%	1,276,877	1,302,132	2%	25,255
Human Services	3%	786,194	814,369	4%	28,175
Special Articles	2%	152,271	573,530	277%	421,259
Land Bank Expenses	2%	599,878	530,051	-12%	(69,827)
State & County Assess.	2%	467,193	503,943	8%	36,750
Insurance	1%	253,025	262,025	4%	9,000
Capital Expenditure	1%	-	200,000		200,000
<b>OTHER</b>					
Community Preserv. Fund	0%	(8,808)	106,860	-1313%	115,667
<b>Total</b>	<b>100%</b>	<b>27,539,182</b>	<b>29,193,318</b>	<b>6%</b>	<b>1,654,136</b>

(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.

# Finance Committee 2011 Report

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Dear Town Voters,

The Finance Committee is pleased to present to the citizens of Orleans the Committee's annual report for 2011. This report summarizes the Committee's view of the Town's financial outlook and highlights the challenges that we believe the Town must be prepared to address for the future.

The Finance Committee is charged with reviewing all matters of financial impact to the Town. To quote from the Orleans Home Rule Charter, "It is the responsibility of the Finance Committee to independently examine and analyze the Town's financial affairs, including proposed budgets, the Capital Improvements Plan, and all other proposals which would have a financial impact; and to inform the citizens of the Town of its findings and recommendations". We take this responsibility seriously and are committed to making informed judgments concerning the fiscal condition of the Town on behalf of all of our constituents.

## **Fiscal Conditions**

The last several years have been difficult ones for Town residents, employees, and managers. It is a credit to the Town leadership and staff that Orleans has weathered the financial and economic crisis that took hold of the Nation beginning in 2008, and we expect to see some continued improvements in the fiscal condition of the Town over the next year. However, we foresee continued pressure on the Budget and Capital Plan going forward. On the revenue side, future reductions in State and Federal aid are anticipated. On the expense side, costs are expected to continue to rise due to debt load and benefit expenses that exceed the inflation rate.

Last year at this time, the U. S. economy was struggling to come out of a deep recession. While the "numbers" appear to be getting better, these nominal improvements have had little positive impact on the lives of our citizens. The official rate of inflation, at 1.63%, is low, but the real costs for necessities such as food, gasoline, heating oil, and taxes are up dramatically over the past several years, while incomes from wages, pensions, social security, and interest income are frozen in place. Many of our citizens are caught in the squeeze between rising costs and fixed or reduced income. Interest rates remain at low levels, with 5 year T-bills at 2.0%, down 0.6% from a year ago. This negatively impacts not only Town revenues, but also those residents who are dependent upon investment income as the primary source of support for basic living expenses.

State reimbursements to the Town, Orleans Elementary School, and the Town share of the Nauset Regional School District budget are declining. State revenues declined by \$182,000 (\$1,509,000 in Fiscal Year 2011 and are projected to decrease to \$1,327,000 in FY2012). Meanwhile, state and county assessments increased by \$37,000.

The recently enacted meals tax has increased revenues from \$188,000 in Fiscal Year 2011 to \$390,000 in Fiscal Year 2012 - a \$202,000 increase.

## **The Numbers**

### *The Proposed Fiscal Year 2012 Budget*

The Fiscal Year 2012 budget that will be presented to Orleans voters for their consideration during the May 9, 2011, Town Meeting, reflects a 6% increase over the previous fiscal year, rising from \$27,539,000 for Fiscal Year 2011 to \$29,193,000 for Fiscal Year 2012. The Budget for Fiscal Year 2007 was \$24,525,000. Over the previous five years, Orleans' budget has increased by 19%.

## Finance Committee 2011 Report

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The major sources of Revenue for Fiscal Year 2012 and Fiscal Year 2007 are listed in the table below.

Source of Revenue	Proposed Fiscal Year 2012		Actual Fiscal Year 2007	
	Dollars	% of Revenue	Dollars	% of Revenue
Property Tax	\$22,285,000	76.3%	\$16,911,000	69.0%
Local Receipts	\$4,207,000	14.4%	\$3,932,000	16.0%
Motor Vehicle Excise	\$900,000	3.1%	\$1,145,000	4.6%
State Aid	\$407,000	1.4%	\$754,000	3.1%
Hotel/Meals Tax	\$390,000	1.3%	\$193,000	0.8%
Free Cash	\$287,000	1.0%	\$773,000	3.2%
Other	\$918,000	3.1%	\$1,009,000	4.1%

Likewise, we made the same comparison in expenses for Fiscal Year 2012 and Fiscal Year 2007.

Expenses	Proposed Fiscal Year 2012		Actual Fiscal Year 2007	
	Dollars	% of Expense	Dollars	% of Expense
Salaries and Benefits	\$12,287,000	42.1%	\$10,546,000	43.0%
School Expenses	\$7,977,000	27.3%	\$7,102,000	28.9%
General Expenses	\$3,409,000	11.7%	\$3,134,000	12.8%
Debt	\$3,068,000	10.5%	\$1,884,000	7.7%
State and County Assessments	\$504,000	1.7%	\$458,000	1.9%
Capital Outlay	\$539,000	1.8%	\$336,000	1.4%
Community Preservation	\$637,000	2.2%	\$483,000	2.0%
Special Articles	\$774,000	2.7%	\$457,000	1.9%

### *The Capital Improvement Plan*

The Capital Plan for Fiscal Year 2013 – 2017 provides the 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 subsequently approved at Town Meeting in the year it is to be funded.

The Capital Improvement Plan to be presented at this year's Town Meeting totals \$52,715,000. The breakdown of the Capital Improvement Plan is:

Fiscal Year 2013	\$6,620,000.
Fiscal Year 2014	\$745,000.
Fiscal Year 2015	\$42,450,000.
Fiscal Year 2016	\$450,000.
Fiscal Year 2017	\$2,450,000.

Of the total \$49,000,000 or 93% of the funds are for Wastewater Management Projects.

### **Meeting Future Challenges**

There is no shortage of challenges facing Orleans today as we look to the future. For each of us, enhancing the quality of life of our citizens and protecting and preserving the value of our natural assets are the most critical among these challenges.

## Finance Committee 2011 Report

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Orleans' assets are many and it is unique in its composition and character. The Town has great appeal to its residents and visitors alike who are drawn here by our many natural, well managed resources. Our Beaches, Conservation Areas, and Parks are exceptional. We have access to bay, ocean, and fresh water ponds. We have many conservation areas for walking and enjoying open space. Our parks are plentiful and well maintained. We have our own Cape Cod Baseball League team that draws people from miles around.

Orleans has one of the lowest tax rates on Cape Cod, and the taxes for most residents have been stable for many years. We are fortunate to have dedicated employees that maintain the town with all its attributes and work hard to support our citizens and visitors. We have low turnover in our workforce with many long-term employees.

The Nauset Region School system has a record of excellence in providing our children with a first class education and diverse programs. We offer students opportunities in all facets of the educational process. Our school system prepares students to excel, and 90% of our graduates go on to higher education. Ten years ago only 60% of our graduates went on to higher education. This improvement is dramatic, and our young adults need as much education as they can get to have more opportunities to be successful.

The Orleans Council of Aging does a wonderful job in providing services for our senior population. The facility offers many programs throughout the day appealing to a diverse area of interests from exercise to lunches to help with taxes and government services.

But, the challenges facing Orleans are significant as well. Orleans has the oldest population on Cape Cod which means increasing demand for services for seniors. Like most of the towns on the Cape, we also have a declining population. The 2010 Census showed a 7.1% decline in population from the 2000 Census. The average decline on Cape Cod was 2.8% over the same period. With fewer residents, we will have more pressure on costs unless we reduce our infrastructure to match the lower population.

A parallel decline in the number of young people in Orleans threatens to undermine the Town's business community and labor force – the future workers, trades people, and business owners in Orleans. We see several cause and effect issues – the lack of well paying jobs to attract a younger population and the relative high cost of housing on the Lower Cape which younger people cannot afford. Somehow we need to do a better job creating incentive and opportunity for a more balanced population of all ages.

Orleans does not have a large business base. The majority of our tax revenues are from residential property. The businesses we do have are under constant pressure to remain viable with our declining population. We do not see that situation changing in the future.

In addition to a declining population, many year-round residents leave Orleans for warmer climates for months at a time. This puts further pressure on our businesses as they try to maintain stable services through big swings in demand from a low in the winter months to a high in the summer with seasonal residents in full force.

# Finance Committee 2011 Report

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## **Critical Issues: Planning for the Long-term**

The fiscal demands on this Town have never been greater. The decisions that we make today about how and on what we spend our resources will impact the financial health and viability of our Town for the long-term. To that end, the Finance Committee believes that the following areas must be addressed as priorities:

### **Reducing the Debt Burden**

Debt is our fastest growing expense. The debt for Fiscal Year 2012 will rise by 30% over Fiscal Year 2011. For Fiscal Year 2012, the debt burden is 10.5% of our total expense. Last year the debt burden was 8.5% of our total expense. Looking out 3 years our debt burden in Fiscal Year 2015 is projected to be 13.8% of our expense. These increases are before the bulk of our wastewater expenses kick in. This clearly is a concern and could affect our cost of borrowing for future bonding. We must recognize this issue and come up with a plan to better manage the increase.

### **Achieving Long-Term Sustainability of our Schools**

Over the past 10 year period, the under 18 population has declined by 25.5% in Orleans. Our partners in the Nauset Regional School System have not fared any better. Brewster's decline is 24%; Eastham's decline is 35%; and the Wellfleet decline is 24.7%. We need to make some difficult decisions going forward if the decline in student population continues. We cannot continue to increase costs while the school-age population continues to decline.

### **Managing Expenses**

The challenge is to manage expenses for a stable tax rate, recognizing the increasing costs of labor, benefits and general expenses. With a declining population, we see the need to be more innovative in using our resources. We must be smarter using our assets in the town and share equipment and personnel among our departments. We need to consider regionalization to share resources of equipment and people between the towns on the Cape. This needs to be done in a reasonable and effective way, but the time is now to implement shared resources where it makes sense. We need to aggressively plan for the long term.

## **Conclusion**

We are truly fortunate to work and live in Orleans - a beautiful Town that cares about its citizens, visitors and employees and the quality of life that we all enjoy. We must work together over the next few years to maintain what we have, but we are confident that, with the right approach and leadership, it can and will be done.

## **Respectfully submitted,**

Laurence K. Hayward – Chair      Gwen Holden Kelly – Vice Chair      Mark Carron – Secretary

Rick Sigel      Dale Fuller      John Hodgson

Paul Rooker      Edwin Barr

# THE COMMONWEALTH OF MASSACHUSETTS

Barnstable SS.

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

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

Article 1.	Report of the Selectmen, Town Officers & Special Committees .....	19
Article 2.	Town/School Budget (FY12) .....	19
Article 3.	Capital Improvements Plan (FY13 – FY17) .....	28
Article 4.	Fund Technical Review & Cost Analysis of CWMP Options .....	39
Article 5.	Fund Town Buildings and Facilities Master Plan.....	40
Article 6.	Fund Community Preservation Act Program Budget (FY12).....	40
Article 7.	Revise Condo Project Description in CPA Fund Budget Approved in 2009.....	43
Article 8.	Fund Water Quality Drainage Improvements.....	44
Article 9.	Fund Town Pavement Management Program.....	44
Article 10.	Replace Municipal Piers, Docks and Boat Launch Ramp .....	45
Article 11.	Replace Water Dept. I & M Plant Filter Membrane Rack .....	46
Article 12.	Accept Transportation Bond Bill Funds .....	46
Article 13.	Holding State Harmless for Work .....	47
Article 14.	Authorization to Sell Surplus Equipment & Accept Gifts .....	47
Article 15.	Adopt M.G.L. Ch. 44, Sec. 53E ½ Revolving Accounts.....	48
Article 16.	Adopt M.G.L. Ch. 71 Sec.16B – Assessment Formula, Nauset Regional Schools	49
Article 17.	Transfer Water Service Connection Funds .....	50
Article 18.	Fund Visitor Management Services, Orleans Chamber of Commerce .....	50
Article 19.	Fund Eldredge Park Irrigation System.....	50
Article 20.	Fund Human Services Agencies Agreements .....	51
Article 21.	Fund Fourth of July Parade.....	53
Article 22.	Fund Elected Officials Compensation .....	53
Article 23.	Amend General Bylaw, Ch. 40: Personnel.....	54
Article 24.	Adopt M.G.L. Ch. 53 Sec. 9A – Deadline to Obtain Nomination Papers.....	54
Article 25.	Amend Zoning Bylaw Section 164-35, Signs (Eldredge Park) .....	55
Article 26.	Amend Zoning Bylaw Section 164-35, Signs (Street Banners).....	55
Article 27.	Amend Zoning Bylaw Sections 164-6, Location of Districts, Zoning Map and 164-17, Groundwater Protection Districts.....	56
Article 28.	Amend Zoning Bylaw Section 164-13, Schedule of Use Regulations .....	61
Article 29.	Amend Fees – Building Department .....	62
Article 30.	Amend Fees – Town Clerk and Treasurer/Tax Collector .....	62
Article 31.	Adopt Fee Schedule – Recreation Programs.....	63
Article 32.	Authorize Board of Selectmen to Lease Former Hubler Property Motel .....	63
Article 33.	Authorize Conservation Commission to Lease Putnam Property for Agricultural Use .....	64
Article 34.	Resolution – Corporate and Union Campaign Funding (By Petition) .....	64
Article 35.	Fund Wastewater Treatment Alternatives Study (By Petition) .....	65
Article 36.	Free Cash.....	67
Article 37.	Closing Article .....	67

**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.

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

**ARTICLE 2. TOWN / SCHOOL BUDGET (FY12)**

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, 2011 and ending June 30, 2012 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 are 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, 2011 - JUNE 30, 2012**

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2011 ADOPTED</u>	<u>2012 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	304,006	317,151	13,145	4.3%
2		EXPENSE	128,566	128,566	-	0.0%
	TOTAL	SELECTMEN/TOWN ADMINISTRATOR	432,572	445,717	13,145	3.0%
	<b>123</b>	<b><u>TELEPHONE/COMMUNICATIONS</u></b>				
3		EXPENSE	29,265	29,265	-	0.0%
	TOTAL	TELEPHONE/COMMUNICATIONS	29,265	29,265	-	0.0%
	<b>124</b>	<b><u>MEDIA OPERATIONS</u></b>				
4		SALARY	56,923	57,883	960	1.7%
5		EXPENSE	19,898	19,713	(185)	-0.9%
6		CAPITAL OUTLAY	17,500	17,500	-	0.0%
	TOTAL	MEDIA OPERATIONS	94,321	95,096	775	0.8%
	<b>131</b>	<b><u>FINANCE COMMITTEE</u></b>				
7		EXPENSE	850	850	-	0.0%
8		RESERVE FUND	115,000	115,000	-	0.0%
	TOTAL	FINANCE COMMITTEE	115,850	115,850	-	0.0%
	<b>135</b>	<b><u>FINANCE DIRECTOR</u></b>				
9		SALARY	207,589	207,915	326	0.2%
10		EXPENSE	23,197	33,050	9,853	42.5%
	TOTAL	FINANCE DIRECTOR	230,786	240,965	10,179	4.4%
	<b>141</b>	<b><u>ASSESSING</u></b>				
11		SALARY	144,293	144,798	505	0.3%
12		EXPENSE	85,585	82,760	(2,825)	-3.3%
	TOTAL	ASSESSING	229,878	227,558	(2,320)	-1.0%
	<b>145</b>	<b><u>TREASURER/COLLECTOR</u></b>				
13		SALARY	190,546	192,457	1,911	1.0%
14		EXPENSE	37,996	36,992	(1,004)	-2.6%
	TOTAL	TREASURER/COLLECTOR	228,542	229,449	907	0.4%
	<b>155</b>	<b><u>MANAGEMENT INFORMATION SYSTEMS</u></b>				
15		SALARY	77,559	77,634	75	0.1%
16		EXPENSE	66,939	66,663	(276)	-0.4%
17		CAPITAL OUTLAY	55,000	55,000	-	0.0%
	TOTAL	MANAGEMENT INFORMATION SYSTEMS	199,498	199,297	(201)	-0.1%
	<b>161</b>	<b><u>TOWN CLERK/ELECTIONS/VOTER REG.</u></b>				
18		SALARY	112,695	113,381	686	0.6%
19		EXPENSE	16,141	14,226	(1,915)	-11.9%
	TOTAL	TOWN CLERK	128,836	127,607	(1,229)	-1.0%
	<b>171</b>	<b><u>CONSERVATION</u></b>				
20		SALARY	108,607	85,831	(22,776)	-21.0%
21		EXPENSE	5,083	3,603	(1,480)	-29.1%
	TOTAL	CONSERVATION	113,690	89,434	(24,256)	-21.3%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2011 ADOPTED</u>	<u>2012 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>175</b>	<b><u>PLANNING</u></b>				
22		SALARY	191,931	129,357	(62,574)	-32.6%
23		EXPENSE	4,790	4,590	(200)	-4.2%
	TOTAL	PLANNING	196,721	133,947	(62,774)	-31.9%
	<b>176</b>	<b><u>ZONING BOARD OF APPEALS</u></b>				
24		SALARY	7,431	7,431	-	0.0%
25		EXPENSE	2,812	2,812	-	0.0%
	TOTAL	ZONING BOARD OF APPEALS	10,243	10,243	-	0.0%
	<b>192</b>	<b><u>TOWN OFFICE BUILDING</u></b>				
26		SALARY	47,869	47,727	(142)	-0.3%
27		EXPENSE	92,986	88,511	(4,475)	-4.8%
28		CAPITAL OUTLAY	30,000	14,000	(16,000)	-53.3%
	TOTAL	TOWN OFFICE BUILDING	170,855	150,238	(20,617)	-12.1%
	<b>195</b>	<b><u>TOWN REPORTS/TOWN MEETING</u></b>				
29		EXPENSE	7,814	7,637	(177)	-2.3%
	TOTAL	TOWN REPORTS/TOWN MEETING	7,814	7,637	(177)	-2.3%
	<b>198</b>	<b><u>COMMUNITY CENTER</u></b>				
30		SALARY	3,660	3,647	(13)	-0.4%
31		EXPENSE	8,757	7,819	(938)	-10.7%
	TOTAL	COMMUNITY CENTER	12,417	11,466	(951)	-7.7%
	<b>TOTAL</b>	<b>GENERAL GOVERNMENT</b>	<b>2,201,288</b>	<b>2,113,769</b>	<b>(87,519)</b>	<b>-4.0%</b>
		<b>PUBLIC SAFETY</b>				
	<b>210</b>	<b><u>POLICE/COMMUNICATIONS</u></b>				
32		SALARY	1,894,899	1,928,726	33,827	1.8%
33		EXPENSE	156,355	154,915	(1,440)	-0.9%
34		CAPITAL OUTLAY	52,000	58,000	6,000	11.5%
	TOTAL	POLICE/COMMUNICATIONS	2,103,254	2,141,641	38,387	1.8%
	<b>211</b>	<b><u>POLICE BUILDING</u></b>				
35		SALARY	19,570	19,570	-	0.0%
36		EXPENSE	50,963	46,358	(4,605)	-9.0%
37		CAPITAL OUTLAY	-	34,500	34,500	
	TOTAL	POLICE BUILDING	70,533	100,428	29,895	42.4%
	<b>213</b>	<b><u>FUEL</u></b>				
38		EXPENSE	151,993	220,322	68,329	45.0%
	TOTAL	FUEL	151,993	220,322	68,329	45.0%
	<b>220</b>	<b><u>FIRE/RESCUE</u></b>				
39		SALARY	1,847,216	1,843,779	(3,437)	-0.2%
40		EXPENSE	277,847	303,347	25,500	9.2%
41		CAPITAL OUTLAY	275,000	27,500	(247,500)	-90.0%
	TOTAL	FIRE/RESCUE (see note 1)	2,400,063	2,174,626	(225,437)	-9.4%
	<b>221</b>	<b><u>FIRE BUILDING</u></b>				
42		EXPENSE	49,188	48,363	(825)	-1.7%
43		CAPITAL OUTLAY	15,000	86,000	71,000	473.3%
	TOTAL	FIRE BUILDING	64,188	134,363	70,175	109.3%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2011 ADOPTED</u>	<u>2012 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>241</b>	<b><u>BUILDING</u></b>				
44		SALARY	159,884	160,781	897	0.6%
45		EXPENSE	65,711	65,711	-	0.0%
	TOTAL	BUILDING	225,595	226,492	897	0.4%
	<b>242</b>	<b><u>BUILDING CODE BOARD OF APPEALS</u></b>				
46		SALARY	193	193	-	0.0%
47		EXPENSE	50	50	-	0.0%
	TOTAL	BUILDING CODE BOARD OF APPEALS	243	243	-	0.0%
	<b>291</b>	<b><u>CIVIL DEFENSE</u></b>				
48		SALARY	2,250	2,250	-	0.0%
49		EXPENSE	10,578	13,125	2,547	24.1%
	TOTAL	CIVIL DEFENSE	12,828	15,375	2,547	19.9%
	<b>294</b>	<b><u>TREE WARDEN</u></b>				
50		SALARY	57,330	57,480	150	0.3%
51		EXPENSE	24,115	24,115	-	0.0%
	TOTAL	TREE WARDEN	81,445	81,595	150	0.2%
	<b>295</b>	<b><u>SHELLFISH/HARBORMASTER</u></b>				
52		SALARY	218,423	220,693	2,270	1.0%
53		EXPENSE	53,837	54,037	200	0.4%
54		CAPITAL OUTLAY	-	15,000	15,000	
	TOTAL	SHELLFISH/HARBORMASTER	272,260	289,730	17,470	6.4%
	<b>TOTAL</b>	<b>PUBLIC SAFETY</b>	<b>5,382,402</b>	<b>5,384,815</b>	<b>2,413</b>	<b>0.0%</b>
		<b>EDUCATION</b>				
	<b>300</b>	<b><u>ORLEANS ELEMENTARY SCHOOL</u></b>				
55		SALARY	811,804	858,829	47,025	5.8%
56		EXPENSE	3,060,587	3,135,192	74,605	2.4%
57		CAPITAL OUTLAY	-	37,000	37,000	
	TOTAL	ORLEANS ELEMENTARY SCHOOL	3,872,391	4,031,021	158,630	4.1%
	<b>310</b>	<b><u>NAUSET REGIONAL ASSESSMENT</u></b>				
58		EXPENSE	3,575,490	3,550,202	(25,288)	-0.7%
59		CAPITAL OUTLAY - NRS D AGREEMENT	92,817	90,844	(1,973)	-2.1%
	TOTAL	NAUSET REGIONAL ASSESSMENT	3,668,307	3,641,046	(27,261)	-0.7%
	<b>330</b>	<b><u>CAPE COD TECHNICAL ASSESSMENT</u></b>				
60		EXPENSE	259,307	304,574	45,267	17.5%
	TOTAL	CAPE COD TECHNICAL ASSESSMENT	259,307	304,574	45,267	17.5%
	<b>TOTAL</b>	<b>EDUCATION</b>	<b>7,800,005</b>	<b>7,976,641</b>	<b>176,636</b>	<b>2.3%</b>
		<b>PUBLIC WORKS AND FACILITIES</b>				
	<b>421</b>	<b><u>HIGHWAY</u></b>				
61		SALARY	553,191	558,706	5,515	1.0%
62		EXPENSE	156,331	183,571	27,240	17.4%
63		CAPITAL OUTLAY	-	28,000	28,000	
	TOTAL	HIGHWAY	709,522	770,277	60,755	8.6%
	<b>423</b>	<b><u>SNOW REMOVAL</u></b>				
64		SALARY	31,202	31,202	-	0.0%
65		EXPENSE	57,079	57,079	-	0.0%
	TOTAL	SNOW REMOVAL	88,281	88,281	-	0.0%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2011 ADOPTED</u>	<u>2012 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>424</b>	<b>STREET LIGHTS</b>				
66		EXPENSE	28,000	25,700	(2,300)	-8.2%
	TOTAL	STREET LIGHTS	28,000	25,700	(2,300)	-8.2%
	<b>431</b>	<b>TRANSFER STATION</b>				
67		SALARY	175,119	176,871	1,752	1.0%
68		EXPENSE	293,697	268,087	(25,610)	-8.7%
69		CAPITAL OUTLAY	21,000	-	(21,000)	-100.0%
	TOTAL	TRANSFER STATION	489,816	444,958	(44,858)	-9.2%
	<b>440</b>	<b>SEWERAGE COLLECTION</b>				
70		SALARY	41,000	31,000	(10,000)	-24.4%
71		EXPENSE	1,000	1,000	-	0.0%
	TOTAL	SEWERAGE COLLECTION	42,000	32,000	(10,000)	-23.8%
	<b>450</b>	<b>WATER</b>				
72		SALARY	512,596	515,037	2,441	0.5%
73		EXPENSE	415,922	387,878	(28,044)	-6.7%
74		CAPITAL OUTLAY	78,000	116,000	38,000	48.7%
	TOTAL	WATER-SRF (see note 2)	1,006,518	1,018,915	12,397	1.2%
	<b>TOTAL</b>	<b>PUBLIC WORKS AND FACILITIES</b>	<b>2,364,137</b>	<b>2,380,131</b>	<b>25,994</b>	<b>0.7%</b>
		<b>HUMAN SERVICES</b>				
	<b>510</b>	<b>HEALTH</b>				
75		SALARY	203,370	205,406	2,036	1.0%
76		EXPENSE	55,282	55,281	(1)	0.0%
	TOTAL	HEALTH	258,652	260,687	2,035	0.8%
	<b>541</b>	<b>COUNCIL ON AGING</b>				
77		SALARY	397,530	401,464	3,934	1.0%
78		EXPENSE	85,726	82,726	(3,000)	-3.5%
79		CAPITAL OUTLAY	5,000	5,000	-	0.0%
	TOTAL	COUNCIL ON AGING	488,256	489,190	934	0.2%
	<b>543</b>	<b>VETERANS BENEFITS</b>				
80		EXPENSE	39,286	64,492	25,206	64.2%
	TOTAL	VETERANS BENEFITS	39,286	64,492	25,206	64.2%
	<b>TOTAL</b>	<b>HUMAN SERVICES</b>	<b>786,194</b>	<b>814,369</b>	<b>28,175</b>	<b>3.6%</b>
		<b>CULTURE AND RECREATION</b>				
	<b>610</b>	<b>SNOW LIBRARY</b>				
81		SALARY	371,989	373,407	1,418	0.4%
82		EXPENSE	127,481	136,674	9,193	7.2%
83		CAPITAL OUTLAY	18,000	32,000	14,000	77.8%
	TOTAL	SNOW LIBRARY	517,470	542,081	24,611	4.8%
	<b>630</b>	<b>RECREATION</b>				
84		SALARY	98,615	98,819	204	0.2%
85		EXPENSE	16,060	11,910	(4,150)	-25.8%
	TOTAL	RECREATION	114,675	110,729	(3,946)	-3.4%
	<b>649</b>	<b>WINDMILL</b>				
86		SALARY	3,099	3,099	-	0.0%
87		EXPENSE	3,975	3,750	(225)	-5.7%
	TOTAL	WINDMILL	7,074	6,849	(225)	-3.2%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2011 ADOPTED</u>	<u>2012 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>650</b>	<b><u>PARKS &amp; BEACHES</u></b>				
88		SALARY	910,907	886,085	(24,822)	-2.7%
89		EXPENSE	212,992	204,730	(8,262)	-3.9%
90		CAPITAL OUTLAY	44,000	50,000	6,000	13.6%
	TOTAL	PARKS & BEACHES	1,167,899	1,140,815	(27,084)	-2.3%
	<b>690</b>	<b><u>OLD KINGS HIGHWAY REG DISTRICT</u></b>				
91		SALARY	1,448	1,505	57	3.9%
92		EXPENSE	625	640	15	2.4%
	TOTAL	OLD KINGS HIGHWAY REG DISTRICT	2,073	2,145	72	3.5%
	<b>692</b>	<b><u>MEMORIAL &amp; VETERANS DAY</u></b>				
93		EXPENSE	2,000	2,000	-	0.0%
	TOTAL	MEMORIAL & VETERANS DAY	2,000	2,000	-	0.0%
	<b>699</b>	<b><u>SPECIAL EVENTS &amp; INFORMATION</u></b>				
94		EXPENSE	500	500	-	0.0%
	TOTAL	SPECIAL EVENTS & INFORMATION	500	500	-	0.0%
	<b>TOTAL</b>	<b>CULTURE AND RECREATION</b>	<b>1,811,691</b>	<b>1,805,119</b>	<b>(6,572)</b>	<b>-0.4%</b>
		<b>DEBT SERVICE</b>				
	<b>710</b>	<b><u>PRINCIPAL - NOTES &amp; BONDS</u></b>				
95		EXPENSE	2,036,000	2,519,212	483,212	23.7%
	TOTAL	PRINCIPAL - NOTES & BONDS	2,036,000	2,519,212	483,212	23.7%
	<b>751</b>	<b><u>INTEREST - NOTES &amp; BONDS</u></b>				
96		EXPENSE	916,190	1,078,611	162,421	17.7%
	TOTAL	INTEREST - NOTES & BONDS	916,190	1,078,611	162,421	17.7%
	<b>TOTAL</b>	<b>DEBT SERVICE</b>	<b>2,952,190</b>	<b>3,597,823</b>	<b>645,633</b>	<b>21.9%</b>
		<b>INTERGOVERNMENTAL/INSURANCE</b>				
	<b>820</b>	<b><u>STATE ASSESSMENTS</u></b>				
97		EXPENSE	159,473	174,437	14,964	9.4%
	TOTAL	STATE ASSESSMENTS	159,473	174,437	14,964	9.4%
	<b>830</b>	<b><u>COUNTY ASSESSMENTS</u></b>				
98		SALARY	1,276,877	1,302,132	25,255	2.0%
99		EXPENSE	266,920	288,482	21,562	8.1%
	TOTAL	COUNTY ASSESSMENTS	1,543,797	1,590,614	46,817	3.0%
	<b>840</b>	<b><u>OTHER STATE &amp; COUNTY CHARGES</u></b>				
100		EXPENSE	40,800	41,024	224	0.5%
	TOTAL	OTHER STATE & COUNTY CHARGES	40,800	41,024	224	0.5%
	<b>912</b>	<b><u>INSURANCE NOTES AND BONDS</u></b>				
101		EXPENSE	350,525	350,525	-	0.0%
	TOTAL	INSURANCE NOTES AND BONDS	350,525	350,525	-	0.0%
	<b>913</b>	<b><u>UNEMPLOYMENT COMPENSATION</u></b>				
102		EXPENSE	26,693	25,594	(1,099)	-4.1%
	TOTAL	UNEMPLOYMENT COMPENSATION	26,693	25,594	(1,099)	-4.1%
	<b>914</b>	<b><u>EMPLOYEE HEALTH &amp; MEDICARE</u></b>				
103		SALARY	1,976,524	2,058,068	81,544	4.1%
	TOTAL	EMPLOYEE HEALTH & MEDICARE	1,976,524	2,058,068	81,544	4.1%

<u>LINE #</u>	<u>CODE</u>	<u>DEPARTMENT</u>	<u>2011 ADOPTED</u>	<u>2012 PROPOSED</u>	<u>DOLLAR CHANGE</u>	<u>PCT CHANGE</u>
	<b>TOTAL</b>	<b>INTERGOVERNMENTAL/INSURANCE</b>	4,097,812	4,240,262	142,450	3.5%
	<b>GRAND TOTAL</b>		<u>27,395,719</u>	<u>28,312,929</u>	<u>917,210</u>	<u>3.3%</u>
		TOTAL-OPERATING BUDGETS	27,395,719	28,312,929	917,210	3.3%
		SPECIAL ARTICLES	152,271	573,530	421,259	276.7%
		COMMUNITY PRESERVATION FUND	(8,808)	106,860	115,667	-1313.2%
		CAPITAL PLAN SPECIAL ARTICLES	-	200,000	200,000	
		<b>GRAND TOTAL</b>	<u>27,539,182</u>	<u>29,193,318</u>	<u>1,654,136</u>	<u>6.0%</u>

Note 1 \$ 548,700 of appropriations for the FY 2012 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.

**OPERATING BUDGET  
CAPITAL OUTLAY REQUESTS  
\$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	17	Upgrade Computer Hardware and Software	\$55,000
Town Office Buildings	28	Replace Shared Vehicle	\$14,000
Police/Communications	34	Replace Two Police Vehicles	\$58,000
Police Building	37	Cape Light Compact Improvements	\$34,500
Fire/Rescue	41	Replace Off Road Utility Vehicle (\$15k), Camera/Radio Grant Match (\$12.5k)	\$27,500
Fire/Rescue Building	43	Replace Exterior Trim (\$10k), Replace Generator (\$50k) Driveway Repairs (\$20k)	\$80,000
Shellfish/Harbormaster	54	Rock Harbor Fuel Dispensers	\$15,000
Highway	63	Asphalt Hot Box (\$20k)	\$20,000
Water	74	Roof Repair (\$12k), Replace Meters (\$54k), Replace Dump Truck (\$50k)	\$116,000
Snow Library	83	Replace Heating System	\$32,000
Parks & Beaches	90	Replenish Sand Skaket (\$19k), Replace Pick-Up (\$18k) Replace Club Car (\$13k)	\$50,000
<b>SUB TOTAL - NON SCHOOL</b>			<u>\$519,500</u>
Orleans Elementary School	57	Exterior Doors (\$20k), Walk-In Freezer (\$17k)	\$37,000
<b>SUB TOTAL - SCHOOL</b>			<u>\$37,000</u>
<b>GRAND TOTAL</b>			<u><u>\$556,500</u></u>

**NAUSET REGIONAL SCHOOL DISTRICT - CAPITAL OUTLAY REQUESTS  
PER N.R.S.D AGREEMENT**

<b>HIGH SCHOOL</b>	<b>FY <u>2011</u></b>	<b>FY <u>2012</u></b>	<b>FY <u>2013</u></b>	<b>FY <u>2014</u></b>	<b>FY <u>2015</u></b>	<b>Totals</b>
1 EXTERIOR DOOR REPLACEMENT	10,000					10,000
2 BUS/VAN ADDITION/REPLACEMENT			20,000			20,000
3 TECHNOLOGY PLAN	20,000	50,000	20,000	77,000	50,000	217,000
4 LOCKER REPLACEMENT			20,000			20,000
5 REPLACE WINDOWS IN ORIGINAL BUILDINGS	20,000					20,000
6 REPLACE CARPET: Office Lobby, Auditorium, Library	15,000	30,000		20,000		65,000
7 REPLACE MOWER				30,000		30,000
8 REPLACE LAB STATIONS / RENOVATE CLASSROOM	75,000			85,000	87,000	247,000
9 PARKING LOT RESURFACING			75,000	50,000		125,000
10 RESURFACE TRACK	50,000					50,000
11 COURTYARD HEAVES/CRACKS/DEPRESSIONS		35,000	35,000	35,000	35,000	140,000
12 DEMOLISH PORTABLE CLASSROOMS			15,000			15,000
13 INTERIOR DOOR REPLACEMENT	10,000	10,000				20,000
14 REPLACE WOOD SIDING		50,000	50,000	50,000		150,000
15 REPLACE VINYL TILE - N BUILDING			12,000	12,000	12,000	36,000
16 REPLACE PHONE SYSTEM			35,000			35,000
17 SCHOOL FURNITURE		20,000				20,000
18 CUSTODIAL EQUIPMENT			10,000			10,000
19 BUILDINGS NEEDS ASSESSMENT STUDY	30,000					30,000
20 CAFETERIA RENOVATION		74,000				74,000
<b>TOTAL HIGH SCHOOL</b>	<b>230,000</b>	<b>269,000</b>	<b>292,000</b>	<b>359,000</b>	<b>184,000</b>	<b>1,334,000</b>
<b>MIDDLE SCHOOL</b>						
1 REPAIR RUBBER MEMBRANE ROOF	20,000	10,000	20,000		250,000	300,000
2 TECHNOLOGY PLAN	25,000	25,000	25,000	50,000		125,000
3 REPLACE CARPET WITH TILE		22,500	25,000	25,000		72,500
4 SEAL PARKING LOT		8,500				8,500
5 REPLACE BOILER DRUMS		11,000	11,000			22,000
6 UPGRADE TELEPHONE SYSTEM			30,000			30,000
7 REPLACE WINDOWS	20,000					20,000
8 REPLACE MULLIONS / DOORS		20,000	15,000			35,000
9 REPLACE ROOF FANS	10,000					10,000
10 PAINT EXTERIOR PIPES, STAIRS, CUPOLA		10,000				10,000
11 REPLACE AIR COMPRESSOR		10,000				10,000
12 DUCT WORK CLEANING	15,000					15,000
13 PA SOUND SYSTEM	10,000					10,000
14 ELEVATOR CONTROLS	20,000	25,000				45,000
15 SCHOOL FURNITURE			10,000			10,000
16 OIL BURNER UPGRADES			25,000	25,000	25,000	75,000
17 TECHNOLOGY INFRASTRUCTURE	9,000	26,000	6,000			41,000
18 NEW DRAINAGE & CARPET	40,000					40,000
19 BUILDING NEEDS ASSESSMENT STUDY	20,000					20,000
<b>TOTAL MIDDLE SCHOOL</b>	<b>189,000</b>	<b>168,000</b>	<b>167,000</b>	<b>100,000</b>	<b>275,000</b>	<b>859,000</b>
<b>CENTRAL OFFICE</b>						
RELOCATE CENTRAL OFFICE TO MIDDLE SCHOOL	5,000					5,000
REPLACE SIDEWALL SHINGLES	25,000					25,000
MINOR CAPITAL REPAIRS	10,000					10,000
REPLACE CARPETING			22,000			22,000
<b>TOTAL CENTRAL OFFICE</b>	<b>40,000</b>	<b>22,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30,000</b>
<b>TOTAL CAPITAL PLAN</b>	<b>459,000</b>	<b>459,000</b>	<b>459,000</b>	<b>459,000</b>	<b>459,000</b>	<b>2,295,000</b>

**ORLEANS REGIONAL MAXIMUM SHARE**

92,817      90,844

### **SUMMARY**

This article would set and fund the operational budgets for the normal operation for all Town functions in the amount of \$28,312,929 for the fiscal year beginning July 1, 2011 and ending June 30, 2012. Of the total, the amount of \$120,000 to fund a portion of the budget for the Orleans Elementary School, Nauset Regional School District, and the Cape Cod Regional Technical High School is recommended for appropriation contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Law, Chapter 59 §21C (Proposition 2½), paragraphs (g) and (m).

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	4 – YES	2 – NO	0 – ABSTAIN

### **ARTICLE 3. CAPITAL IMPROVEMENTS PLAN**

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)

**CAPITAL IMPROVEMENTS PLAN  
FY13 - FY17**

Project Descriptions	Adopted	Budgeted	Proposed				
	FY12	FY12	FY13	FY14	FY15	FY16	FY17
<b>BOARD OF SELECTMEN/TOWN ADMINISTRATOR</b>							
Town Buildings and Facilities Master Plan	0	50,000					
<b>COMMUNITY PRESERVATION ACT</b>							
Program Activity Funding	537,836	537,836	(1)	(1)	(1)	(1)	(1)
<b>ELEMENTARY SCHOOL</b>							
Replace Community Playground			250,000				
<b>HIGHWAY DEPARTMENT</b>							
Water Quality Drainage Improvements (NR-6)(NR12)	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Town Pavement Management Program (T-1)	300,000	300,000	300,000	300,000	300,000	300,000	300,000
Replace Street Sweeper			170,000				
Replace Dump Truck w/Catch Basin Cleaner				120,000			
<b>PROPERTY ACQUISITION</b>							
Open Space Purchases (OS-2)	455,000	(2)	(2)				
Affordable Housing Development (AH-1)	350,000	(3)	(3)				
Wastewater Management Purchases (CF-27)(CF-28)(CF-33)	1,500,000	(4)	(4)	(4)			
<b>PLANNING DEPARTMENT</b>							
Wastewater Management Plan Implementation (CF-27)(CF-28)							
Technical Review and Cost Analysis of CWMP Options	0	150,000					
Design Engineering Services (Phase 1)			5,000,000				
Construction (Phase 1)					42,000,000		
Design Engineering Services (Phase 2)							2,000,000

**CAPITAL IMPROVEMENTS PLAN  
FY13 - FY17**

Project Descriptions	Adopted	Budgeted	Proposed				
	FY12	FY12	FY13	FY14	FY15	FY16	FY17
<b>SHELLFISH/HARBORMASTER DEPARTMENT</b>							
Replace Town Piers, Docks and Ramps (CF-19)	320,000	250,000					
<b>TRANSFER STATION</b>							
Replace Front End Loader				175,000			
<b>WATER DEPARTMENT</b>							
I & M Plant - Filter Membrane Rack Replacements	285,000	285,000					
Update and Paint Storage Tank No. 2			750,000				
<b>TOTALS</b>	<b>3,897,836</b>	<b>1,722,836</b>	<b>6,620,000</b>	<b>745,000</b>	<b>42,450,000</b>	<b>450,000</b>	<b>2,450,000</b>

**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 (estimated at 24% or \$139,000), fund reserves for Historical Resources (\$122,730), Community Housing (\$228,606) and fund balance for Open Space (\$47,500). Remaining Community Preservation Fund Balance and the proceeds from the Community Preservation Surtax will be used primarily to pay debt amortization costs for previous open space purchases funded by long term debt.

**(2)** Open Space Purchases can be made in FY12 up to \$455,000. The balance available for FY13 will be determined based on any expenditures made during the previous year.

**(3)** Affordable Housing Development purchases can be made in FY12 up to \$350,000. The balance available for FY13 will be determined based on any expenditures made during the previous year.

**(4)** Wastewater Management purchases can be made in FY12 up to \$1,500,000. The balance available for FY13 - FY14 will be determined based on any expenditures made during the previous year.

Date: January 14, 2011

Revised: March 23, 2011

Approved: March 23, 2011

ITEM	ORLEANS COMPREHENSIVE PLAN IMPLEMENTATION PROGRAM DESCRIPTIONS
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-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-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 ground 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

**CAPITAL BUDGET  
FY 2012**

<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
<b>BOARD OF SELECTMEN/TOWN ADMINISTRATOR</b>		
Town Buildings and Facilities Master Plan	\$50,000	Available Funds
<b>COMMUNITY PRESERVATION ACT</b>		
Program Activity Funding	\$537,836	Available Funds (CPA)
<b>HIGHWAY DEPARTMENT</b>		
Water Quality Drainage Improvements	\$150,000	General Override
Town Pavement Management Program	\$300,000	General Override
<b>PLANNING DEPARTMENT</b>		
Technical Review and Cost Analysis of CWMP Options	\$150,000	Available Funds
<b>SHELLFISH/HARBORMASTER DEPARTMENT</b>		
Replaced Town Piers, Docks and Ramps	\$250,000	Bonding
<b>WATER DEPARTMENT</b>		
I&M Plant - Filter Membrane Rack Replacements	\$285,000	Bonding (Water Reserves)
<b>TOTAL</b>	<b>\$1,722,836</b>	

**Note:** In May 2009, Town Meeting last adopted the Capital Improvements Plan (CIP) which included specific projects to be completed in FY12 . These projects are shown in the "Adopted FY12" column of the CIP. Projects shown in the "Budgeted FY12" column represent those items in the Capital Budget as described above. A number of project changes are being proposed for FY13 - FY15 (the remaining three years covered in that five year CIP) and are outlined below for information purposes.

**Changes in Project Start Dates:** Wastewater Managment Plan Implementation Phase 1 Design (FY13) and Construction (FY13 to FY15); Phase II Design (FY15 to FY17).

**Projects Added:** Elementary School Community Playground (FY 13); Water Storage Tank Painting (FY13).

**Projects Removed:** Fire Station Renovation/Addition Feasibility Study (FY14) and Design (FY15); Snow Library Renovation/Addition Feasibility Study (FY13), Design (FY14) and Construction (FY15).

## FY13 PROJECT DESCRIPTIONS

### COMMUNITY PRESERVATION ACT – PROGRAM ACTIVITY FUNDING

Annually, under the CPA Orleans will receive matching funds to its current CPA 3% surtax from the Commonwealth's CPA Trust Fund. The amount currently available for appropriation is \$537,836. 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

### ELEMENTARY SCHOOL – REPLACE COMMUNITY PLAYGROUND

This project includes the removal and replacement of the current structure focusing on overall child safety and ADA compliance. The Orleans Community Playground was constructed in 1987 by Robert Leathers and Associates. Its location behind the school allows for the children to use it extensively during recess times and the public frequently uses the playground over the summer and on weekends when school is not in session. Makeshift repairs have taken place on site for a temporary fix during most recent years. The current estimate to replace the structure is \$350,000. Of this amount, it is proposed that \$100,000 be offset by fund raising efforts. A Playground Committee has been formed and the School Council has begun compilation of fundraising ideas that would reach out into the community.

Total Estimated Cost:	\$250,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design
Average Annual P&I	\$55,600

### HIGHWAY DEPARTMENT – WATER QUALITY DRAINAGE IMPROVEMENTS

This annual project involves 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 Massachusetts DEP Water Quality requirements. Various state and federal agencies do offer limited grant funding to address storm water issues. As proposed, annual funding requests will be based on a proposed project schedule.

Total Estimated Cost:	\$150,000
Method of Financing:	Available Funds (FY12 Gen. Override)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design

### HIGHWAY DEPARTMENT – TOWN PAVEMENT MANAGEMENT PROGRAM

This project involves funding for the local share of the town's ongoing 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. As proposed, annual funding requests for roadway and drainage projects would be based on a proposed project schedule. Annual funding for laid out public roads is supplemented by State Chapter 90 aid, which for FY12 is \$293,000.

Total Estimated Cost:	\$300,000
Method of Financing:	Available Funds (FY12 Gen. Override)
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

### HIGHWAY DEPARTMENT – REPLACE STREET SWEEPER

This item involves the replacement of the street sweeper in the Highway Department that was purchased in 2004. The sweeper is used to clean the 56 miles of public roads and the town owned parking lots.

Total Estimated Cost:	\$170,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	3 Months for Completion
Estimated Annual Cost O/M:	\$5,000
Estimated Annual P & I	\$37,800

### 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 1/14/11 is \$455,000.

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	\$55,000

### 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 01/14/11 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	\$42,200

**PROPERTY ACQUISITION – WASTEWATER MANAGEMENT PURCHASES**

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.

Total Estimated Cost:	\$1,500,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	Open
Estimated Annual Cost O/M:	N/A – Dependent upon purpose
Average Annual P&I	\$181,000

**PLANNING DEPARTMENT – WASTEWATER MANAGEMENT PLAN IMPLEMENTATION DESIGN ENGINEERING SERVICES (PHASE 1)**

This project involves the completion of the final design necessary for construction of Phase 1 of the treatment facility and collection system based upon the Town Meeting approval of the Comprehensive Wastewater Management Plan in October 2008. Funds would primarily be used to obtain engineering services to develop construction plans and specifications for public bidding. Associated expenses will include permitting, surveys, obtaining necessary land and easements, legal services, and other activities required to prepare for construction of wastewater treatment, collection, and disposal works. Transition issues at the Tri-town Septage Treatment Facility may also need to be addressed in order to provide for continued services during construction.

Total Estimated Cost:	\$5,000,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$355,000

**WATER DEPARTMENT – UPDATE AND PAINT STORAGE TANK NO. 2**

This item involves the town’s water storage tank no.2 that was last painted in 1991 and is currently showing signs of coating failure. The Department of Environmental Protection has adopted new regulations for storage tanks that would also be addressed at the time of painting.

Total Estimated Cost:	\$750,000
Method of Financing:	Bonding (10 years)
Recommended Schedule:	3 Months
Estimated Annual Cost O/M:	N/A
Average Annual P&I	\$90,500

## FY14 PROJECT DESCRIPTIONS

### HIGHWAY DEPARTMENT – WATER QUALITY DRAINAGE IMPROVEMENTS

This annual project involves 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.

Total Estimated Cost:	\$150,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design

### HIGHWAY DEPARTMENT – TOWN PAVEMENT MANAGEMENT PROGRAM

This annual project involves funding for the local share of the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways. The Town currently maintains approximately 56 miles of public roadways.

Total Estimated Cost:	\$300,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

### HIGHWAY DEPARTMENT – REPLACE DUMP TRUCK EQUIPPED WITH A CATCH BASIN CLEANER

This item would replace a Dump Truck Equipped with a Catch Basin Cleaner in the Highway Department. The vehicle is used to remove sediment from catch basins throughout town in an effort to improve drainage system performance and address environmental concerns of contaminated runoff to our surrounding estuaries. The dump truck is also used to haul materials, equipment and plow snow for the Highway Department and it is used by other departments to move equipment, materials and various structures at the assorted seasonal facilities in town.

Total Estimated Cost:	\$120,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	3 Months for completion
Estimated Annual Cost O/M:	\$ 1,800
Average Annual P&I	\$26,700

### TRANSFER STATION – REPLACE FRONT END LOADER

This item would replace a Front End Loader at the Transfer Station originally purchased in 2000. The loader is utilized for varied tasks at the Transfer Station as well as several other town departments including the loading and off loading of various equipment, materials and supplies and maintaining the composting area. In the winter it is used for snow removal in the downtown area, plowing the larger town parking lots and plowing some main roads in heavier snow events.

Total Estimated Cost:	\$175,000
Method of Financing:	Bonding (5 years)
Recommended Schedule:	3 Months for completion
Estimated Annual Cost O/M:	\$ 1,500
Average Annual P&I	\$38,900

## FY15 PROJECT DESCRIPTIONS

### HIGHWAY DEPARTMENT – WATER QUALITY DRAINAGE IMPROVEMENTS

This annual project involves 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.

Total Estimated Cost:	\$150,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design

### HIGHWAY DEPARTMENT – TOWN PAVEMENT MANAGEMENT PROGRAM

This annual project involves funding for the local share of the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways. The Town currently maintains approximately 56 miles of public roadways.

Total Estimated Cost:	\$300,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

### PLANNING DEPARTMENT – WASTEWATER MANAGEMENT PLAN IMPLEMENTATION CONSTRUCTION (PHASE 1)

This project involves the construction of the first phase of the wastewater treatment infrastructure identified in the comprehensive wastewater management plan. A sewage treatment facility at the Tri-town site on Bay Ridge Lane, and the Phase 1 collection system will be installed. In this phase, 560 homes will be connected to public sewer service. Funding will provide core infrastructure in the treatment facilities, collection, and disposal systems that will support subsequent phases of the plan.

Total Estimated Cost:	\$42,000,000
Method of Financing:	Bonding (30 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$2,376,500

## FY16 PROJECT DESCRIPTIONS

### HIGHWAY DEPARTMENT – WATER QUALITY DRAINAGE IMPROVEMENTS

This annual project involves 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.

Total Estimated Cost:	\$150,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design

### HIGHWAY DEPARTMENT – TOWN PAVEMENT MANAGEMENT PROGRAM

This annual project involves funding for the local share of the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways. The Town currently maintains approximately 56 miles of public roadways.

Total Estimated Cost:	\$300,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

### **FY17 PROJECT DESCRIPTIONS**

### HIGHWAY DEPARTMENT – WATER QUALITY DRAINAGE IMPROVEMENTS

This annual project involves 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.

Total Estimated Cost:	\$150,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	To be developed during design

### HIGHWAY DEPARTMENT – TOWN PAVEMENT MANAGEMENT PROGRAM

This annual project involves funding for the local share of the town's ongoing pavement management program to repair, resurface, and reconstruct town roadways. The Town currently maintains approximately 56 miles of public roadways.

Total Estimated Cost:	\$300,000
Method of Financing:	Stabilization Fund
Recommended Schedule:	12 Months
Estimated Annual Cost O/M:	N/A

### PLANNING DEPARTMENT – WASTEWATER MANAGEMENT PLAN IMPLEMENTATION DESIGN ENGINEERING SERVICES (PHASE 2)

This project involves the completion of the final design necessary for construction of Phase 2 collection system based upon the Town Meeting approval of the Comprehensive Wastewater Management Plan in October 2008. Funds would primarily be used to obtain engineering services to develop construction plans and specifications for public bidding. Associated expenses will include permitting, surveys, obtaining necessary land and easements, legal services, and other activities required to prepare for construction of wastewater treatment, collection, and disposal works.

Total Estimated Cost:	\$2,000,000
Method of Financing:	Bonding (20 years)
Recommended Schedule:	24 Months
Estimated Annual Cost O/M:	To be determined during design
Average Annual P&I	\$142,000

## **SUMMARY**

In accordance with Chapter 8-5-1 of the Charter, the Town Administrator shall prepare a five year Capital Improvements Plan (CIP), which shall be designed to deal with 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 ½ override or exclusion, or other available funds. Non-CIP projects or expenditures budgeted in excess of \$10,000, including motor vehicle and equipment purchases, facility repairs, or materials and supplies will continue to be presented in the annual operating budget as capital outlay requests summarized by department.

As presented, the CIP includes all proposed projects to be undertaken for the period beginning July 1, 2012 (FY13) through June 30, 2017 (FY17).

Projects that are being proposed for funding in FY12 make up the Capital Budget and these projects will be presented as individual articles in the town meeting warrant for consideration. The Capital Budget projects were either "Adopted" in the CIP at the May 2009 town meeting or are new and being "Budgeted" for the first time in FY12. 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>	5 – YES	1 – NO	1 – ABSTAIN

## **ARTICLE 4. FUND TECHNICAL REVIEW & COST ANALYSIS OF CWMP OPTIONS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) for the purpose of funding a technical review and cost analysis of the Town's Comprehensive Wastewater Management Plan options, 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)

(3/4 Vote Required)

**SUMMARY**

This project will provide an objective review of wastewater management alternatives. An outside engineering consultant will be asked to evaluate the centralized and decentralized alternatives in the draft Comprehensive Wastewater Management Plan (CWMP). The consultant may also consider other alternatives not in the CWMP. The work will require the development of preliminary plans for collection, treatment, and disposal systems for each of the two main alternatives. Preliminary plans will be used to develop a full cost comparison between the alternatives. Costs to be developed and compared will include all project life cycle costs, including capital costs, land acquisition, legal, financing, operations, and maintenance.

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

**ARTICLE 5. FUND TOWN BUILDINGS AND FACILITIES MASTER PLAN**

To see if the Town will vote to transfer the sum of Thirty Four Thousand Eight Hundred Twenty and 00/100 Dollars (\$34,820.00) from the appropriation made under Article 8 of the May 12, 2008 Annual Town Meeting and raise and appropriate and/or transfer from available funds the sum of Fifteen Thousand One Hundred Eighty and 00/100 Dollars (\$15,180.00) for the purpose of funding a town buildings and facilities master plan, including all expenses incidental and related thereto, or to take any other action relative thereto. (Board of Selectmen)

(3/4 Vote Required)

**SUMMARY**

As part of the changes to the Capital Improvements Plan this year, the four major building renovation/replacement projects previously included in the Plan have been removed. The current Plan does not anticipate any major building projects over the next five years. This approach requires the town to undertake a comprehensive review of all of our building and facilities. As proposed, this study would include an architectural and engineering assessment of existing building and systems, code compliance and site conditions to determine the extent of existing deficiencies and options to address these needs on a priority basis over the next ten years. The town buildings to be included in the study are the Community Building, Elementary School, Fire Station, Highway and Parks Maintenance, Police Station, Snow Library, and Town Hall Annex.

**BOS:** 5 – YES 0 – NO 0 – ABSTAIN  
**FC:** 3 – YES 5 – NO 0 – ABSTAIN

**ARTICLE 6. 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 2012 Community Preservation budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund’s Annual Revenues and/or available funds for the payment of debt service, the

undertaking of Community Preservation projects, the Administrative Expenses of the Community Preservation Committee and all other necessary and proper expenses for FY12, or to 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 2012 Community Preservation Fund revenues, unless otherwise specified, for fiscal year 2012 community preservation purposes, with each item considered a separate appropriation:

<u>PURPOSE</u>	<u>RECOMMENDED AMOUNT AND SOURCE</u>			
	<u>FY12 Est. Surtax</u>	<u>FY12 Est. State Share</u>	<u>Fund Balance</u>	<u>Total</u>
<i>Appropriations:</i>				
1) Debt service expenses (Note 1)	530,051			530,051
2) Project #1 Sea Call Farm Pasture Rehabilitation		16,775		16,775
3) Project #2 OHS Document/Photograph Preservation II		29,000		29,000
4) Project #3 OHS Property & Septic System Survey	20,000			20,000
5) Project #4 Snow Library Cape Codder Digitization		17,000		17,000
6) Project #5 Open Space Pre-Acquisition Funds	24,000			24,000
7) Project #6 Putnam Farm Rehab. & Restoration			47,500	47,500
8) Committee Expenses	10,000			10,000
<i>Reserves:</i>				
Open Space				
Historic Resources			2,138	2,138
Community Housing	675	76,225	2,138	79,038
Unallocated				
<b>Grand Total</b>	<b>584,726</b>	<b>139,000</b>	<b>51,776</b>	<b>775,502</b>

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

	<u>Historic Resources</u>	<u>Community Housing</u>
<b>ENDING BALANCE OF RESERVES</b>	124,868	307,644

**Project 1: Sea Call Farm Pasture Rehabilitation**

Applicant: Sea Call Farm Supporters, Inc.

Amount: \$ 16,775

Sea Call Farm Supporters, Inc. requests funds for rehabilitation of the pasture, a historic element of Sea Call Farm as listed on the National Register of Historic Places. The pasture is badly degraded, but if rehabilitated would add to the historic and recreational value of the Farm. The buildings and orchard have been considerably restored in recent years. The Committee recommends funding of the pasture rehabilitation.

**Project 2: Preservation of Photographs and Documents**

Applicant: Orleans Historical Society  
Amount: \$29,000

The Orleans Historical Society, the Town's largest repository of cultural artifacts, historic photographs and archival records, seeks funding to continue the preservation, digitization and storage of selected photographs and documents from its collections by a professional archivist. The CPA has already provided funding for the first year of this three-year project. The Committee recommends funding of the remainder of the project.

**Project 3: Land and Septic Survey**

Applicant: Orleans Historical Society  
Amount: \$20,000

The Orleans Historical Society requests funds to conduct a land and septic system survey and legal research for the Meeting House Museum property at 3 River Rd. The OHS needs additional space for storage, functions and office activities, and will review options to better utilize the current site which has two buildings on it – the Meeting House Museum and the Hurd Chapel. The CPC recommends funding for the survey.

**Project 4: Digitization of the Cape Codder**

Applicant: Snow Library  
Amount: \$17,000

The Snow Library has asked for partial funding to create a digital record of the “Cape Codder” from 1946 to the present. The contents of the newspaper would also be indexed and available through the library website. The estimated cost of the entire project is \$64,898. The CPC recommends that \$17,000 be appropriated for this project as a match to the \$17,000 being committed by the Snow Library Trustees.

**Project 5: Open Space Pre- Acquisition Funds**

Applicant: Open Space Committee  
Amount: \$24,000

The Open Space Committee requests funds for pre-acquisition costs for open space purchases including appraisals, flexibility studies, legal fees, engineering surveys, grant applications and all other costs incurred prior to a recommendation for action by Town Meeting. The CPC is recommending \$24,000, an amount sufficient to cover approximately a two-year period for such costs.

**Project 6: Putnam Farm Rehabilitation and Restoration**

Applicant: Conservation Commission and Open Space Committee  
Amount: \$47,500

The Conservation Commission and Open Space Committee are requesting funds for the rehabilitation and restoration of Putnam Farm, which has been determined by the Historical Commission to be “significant to the history of the Town of Orleans”. This site is deteriorated and must be rehabilitated and restored to allow the return of agriculture

to this significant historical landscape. The CPC is recommending the transfer of \$47,500 from grant funds within the CP Fund Balance which have been reserved for projects undertaken by the Open Space Committee.

**Committee Expenses: Maximum Allowable \$38,450; CP Committee Voted \$10,000**

The Community Preservation Act permits the CPC to allocate up to 5 percent of annual revenues (surtax and state share) for operating and administrative expenses. For FY 2012, the 5% would be \$38,450. However, due to reductions in state funding, the CPC recommends that only \$10,000 be used for this purpose. The Committee anticipates using the funds for legal consultation, secretarial services, supplies, maintaining records and, if funding permits, potential studies directed toward effectively realizing the Town's possibilities in the areas of open space, community housing, and historic resources. Unused funds at the end of the fiscal year revert to the fund balance for future projects.

**Community Housing Reserve: CP Committee Voted a Total of \$79,038**

The Community Preservation Act requires that "not less than 10 percent of the annual revenues" (estimated to be approximately \$769,000 for FY 2012) be used for each of the primary community preservation areas - open space, community housing and historic resources. Since there were no community housing applications for FY 2012, the CP Committee recommends that \$76,900, or 10 percent of the estimated revenues, be set aside for future housing purposes in order to adhere to this provision of the Act. Moreover, the Committee recommends that an additional \$2,138 be appropriated for community housing reserves in order to "make-up" the difference between 10% of the FY 2011 estimated revenues (amount appropriated for community housing in FY 2011) and 10% of the FY 2011 actual revenues (a greater amount). The total amount for Community Housing Reserves is, thus, \$79,038 (\$76,900 + \$2,138).

**Historic Resources Reserves: CP Committee Voted \$2,138**

Since the FY 2011 actual annual revenues were more than the estimated annual revenues and the amount appropriated for historic resources for FY2011 was based on 10% of the estimated revenues, the CP Committee is recommending that the difference in calculations (\$2,138) be placed in Historic Resources Reserves.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	5 – YES	1 – NO	0 – ABSTAIN

**ARTICLE 7. REVISE CONDO PURCHASE PROJECT DESCRIPTION IN CPA FUND BUDGET APPROVED AT 2009 ANNUAL TOWN MEETING**

To see if the Town will vote to amend the action taken under Article 4 of the 2009 Annual Town Meeting, the Community Preservation Act Budget, Project 4: Condominium Purchase Program Description, by deleting the phrase "income qualified first time home buyers" and inserting therein, "income qualified home buyers or renters," or take any other action relative thereto. (Community Preservation Committee)

**SUMMARY**

This article would increase the flexibility of the Condominium Purchase Program, a community housing program which subsidizes the purchase of condominium units, by allowing a broader category of income qualified home buyers (not just first time home buyers) and also income qualified renters. The units could be used for home ownership or rental. This revision is requested by the Orleans Affordable Housing Committee in order to respond to changing community housing market conditions and needs.

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

**ARTICLE 8. HIGHWAY DEPT. – WATER QUALITY DRAINAGE IMPROVEMENTS**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00), 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; provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Law Chapter 59 Sec. 21C (Proposition 2 ½) paragraphs (g) and (m), which ballot question provides for the establishment of a stabilization fund, 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 proposed as a general override instead of bonding. A stabilization fund will be established and the funds appropriated annually by Town Meeting vote.

**BOS:**            4 – YES            0 – NO            1 – ABSTAIN  
**FC:**             6 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 9. HIGHWAY DEPT. – TOWN PAVEMENT MANAGEMENT PROGRAM**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) 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; provided however that such appropriation shall be contingent upon the passage of a general override ballot question under the provisions of Massachusetts General Law Chapter 59 Sec. 21C (Proposition 2 ½) paragraphs (g) and (m), which ballot question provides for the establishment of a stabilization fund, 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 FY12 that may otherwise be delayed. Funding for this article is proposed as a general override instead of bonding. A stabilization fund will be established and the funds appropriated annually by Town Meeting vote. In addition to local funding of roadway projects, the Town receives State Aid Chapter 90 funds each year; our FY12 apportionment is \$293,058.

<b>BOS:</b>	4 – YES	0 – NO	1 – ABSTAIN
<b>FC:</b>	6 – YES	0 – NO	0 – ABSTAIN

### **ARTICLE 10. SHELLFISH/HARBORMASTER DEPARTMENT - REPLACE MUNICIPAL PIERS, DOCKS AND BOAT LAUNCH RAMP**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) for the purpose of funding the replacement of municipal piers at Rock Harbor and boat launch ramp at River Road town landing, 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 § 21 C (Proposition 2 ½) 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**

This project replaces the boat launch ramp at the River Road town landing, which is one of our most heavily used and is in poor condition, and the floating docks in the outer portion of Rock Harbor, which were constructed and installed in the late 1980's. Funding includes the cost of engineering and design, removal of existing facilities and installation of a new concrete launch ramp with an estimated useful life of 20 years.

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

**ARTICLE 11. WATER DEPARTMENT – I&M PLANT FILTER MEMBRANE RACK REPLACEMENT**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Two Hundred Eighty-five Thousand and 00/100 Dollars (\$285,000.00) for the purpose of funding the replacement of Water Treatment Plant membranes, as needed, 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 § 21 C (Proposition 2 ½) amounts required to pay the principal and interest of the borrowing approved by such vote 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 replaces the original Water Treatment Plant Membranes that were supplied with a 5-year performance warranty. The supplier and other experienced professionals advised planning for the replacement as the warranty expired. Three racks are being replaced over three years; approval of this article will fund the third replacement rack.

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

**ARTICLE 12. 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 FY12 apportionment is \$293,058.

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

**ARTICLE 13. 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:**         8 – YES        0 – NO        0 – ABSTAIN

**ARTICLE 14. 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:**             8 – YES            0 – NO            0 – ABSTAIN

**ARTICLE 15. ADOPT M.G.L. CHAPTER 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 Seventy-Five Thousand and 00/100 Dollars (\$75,000.00). 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 Van Transportation Account, said account not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00). The Account will be used to fund driver salaries, vehicle maintenance and other necessary expenses related to the van 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 Ten Thousand and 00/100 Dollars (\$10,000.00). 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 Gavigan Property Account, said account not to exceed Eighteen Thousand and 00/100 Dollars (\$18,000.00). The Account will be used to pay utility and other necessary expenses associated with the rental of the property located on Wildflower Lane. 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.

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 are sold to the general public and the funds collected are placed in a special account that allows for the purchase of additional bins and containers.
- 2) A revolving fund for the specific receipts, fees and charges for programs, services and activities of the Council on Aging. The Town Accountant accounts for the funds separately from other monies of the Town and credit includes only departmental receipts received in connection with these programs.
- 3) A revolving fund for use by the Council on Aging to offset expenses related to the operation and maintenance of the Roadrunner passenger vans with monies collected through a van sponsorship program. The Town Accountant accounts for the funds separately from other monies of the Town and credit includes only departmental receipts received in connection with this program.
- 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 property. 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.

This article authorizes the establishment of revolving accounts and must be voted on annually.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	8 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 16. 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 FY13 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:** 8 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 17. TRANSFER WATER SERVICE CONNECTION FUNDS**

To see if the Town will vote to transfer the sum of Twenty Five Thousand and 00/100 Dollars (\$25,000.00) 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 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:** 8 – YES 0 – NO 0 – ABSTAIN

**ARTICLE 18. 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 Nineteen Thousand Five Hundred Fifty and 0/100 Dollars (\$19,550.00), 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 managing summer visitors, making the Town more user-friendly and improving the visual image of the Town, 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 Town's Visitor Information Center, staffing, printed materials, displays and fixtures; and projects and functions designed to make the Town of Orleans more user-friendly and safe for residents and visitors.

*Fiscal Year 2012 tax rate impact of \$0.005 per thousand valuation.*

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

**ARTICLE 19. FUND ELDREDGE PARK IRRIGATION SYSTEM**

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), or any other sum, to fund



- (no FY11 application, FY10 funding \$2,000)
- The projected number of Orleans' residents to be served in FY12 is 6.

**Cape Cod Child Development** provides childcare, education and developmental intervention, and family support services. The primary mission is to offer child centered, family focused programs that are affordable, accessible, and of the highest quality.

- (FY11 funding \$2,500)
- The projected number of Orleans' residents to be served in FY12 is 30.

**Consumer Assistance Council, Inc.** assists consumers by providing information so they are aware of their legal rights should they have difficulties dealing with a business.

- (FY11 funding \$250)
- The projected number of Orleans' residents to be served in FY12 is 200.

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

- (FY11 funding \$2,500)
- The projected number of Orleans' residents to be served in FY12 is 70.

**Gosnold, Inc.** provides inpatient care and offer outpatient services for all aspects of substance abuse and mental health treatment to those affected with addiction, substance abuse and/or mental health illness.

- (FY11 funding \$7,000)
- The projected number of Orleans' residents to be served in FY12 is 100.

**The Homeless Prevention Council** serves Orleans residents who are homeless or at risk of homelessness.

- (FY11 funding \$5,244)
- The projected number of Orleans' residents to be served in FY12 is 341.

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

- (FY11 funding \$4,500)
- The projected number of Orleans' residents to be served in FY12 is 95.

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

- (FY11 funding \$7,000)
- The projected number of Orleans households to be served in FY12 is 203.

**Orleans After School Activities Program** provides safe, quality after-school care for Orleans Elementary School students after school, during vacations and in the summer.

- (FY11 funding \$15,000)
- The projected number of Orleans children to be served in FY12 is 85 (70 families).

**Sight Loss Services, Inc.** provides assistance to Orleans residents who are newly blind, visually impaired or affected with progressive eye disease.

- (FY11 funding \$850)
- The projected number of Orleans' residents to be served in FY12 is 87.

**South Coast Legal Services, Inc.**, formerly Legal Services for Cape Cod and Islands, Inc. provides free legal advice and representation to Orleans residents over the age of sixty, despite income, through the Elder Law Project.

- (FY11 funding \$2,000)
- The projected number of Orleans' residents to be served in FY12 is 25.

*Fiscal Year 2012 tax rate impact of \$0.014 per thousand.*

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

#### **ARTICLE 21. FUND FOURTH OF JULY PARADE**

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> parade 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 July 4<sup>th</sup> parade in the Town of Orleans in July, 2012. The funding request could be reduced by private fund raising activities.

*Fiscal Year 2012 tax rate impact of \$0.002 per thousand.*

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	8 – YES	0 – NO	0 – ABSTAIN

#### **ARTICLE 22. FUND ELECTED OFFICIALS COMPENSATION (FY12)**

To see if the Town will vote to fix the salaries of elected officials for the twelve month period beginning July 1, 2011 as follows:

- |                           |                |
|---------------------------|----------------|
| 1) Board of Selectmen (5) | \$1,000.00     |
| 3) Moderator (1)          | \$ 150.00      |
| 4) Constables (2)         | \$ 100.00 each |

and to raise and appropriate and/or transfer from available funds the sum of Five Thousand Three Hundred Fifty and 00/100 Dollars (\$5,350.00) 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 fund the Board of Selectmen, Moderator and Constables compensation for Fiscal Year 2012.

*Fiscal Year 2012 tax rate impact of \$0.001 per thousand.*

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	8 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 23. 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 Advisory Board membership, temporary emergency assignments, and the employee grievance process. The Board scheduled a public hearing on revisions to the bylaw prior to Town Meeting.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	8 – YES	0 – NO	0 – ABSTAIN

**ARTICLE 24. ADOPT M.G.L. CH. 53 §9A: DEADLINE TO OBTAIN NOMINATION PAPERS**

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 53, § 9A, which would make the final date for obtaining blank nomination papers for nomination to city or town office to be forty-eight weekday hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

Currently the last day to obtain nomination papers is the same as the last day to submit them. By accepting M.G.L. Ch. 53 §9A, the last day to obtain nomination papers would be two days prior to the last day to submit.

<b>BOS:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	No significant fiscal impact		

**ARTICLE 25. AMEND ZONING BYLAW SECTION 164-35, SIGNS**

To see if the Town will vote to add a new Section 164-35. M. to read as follows:

**M. Eldredge Park Sponsorship Banner Signs**

Notwithstanding anything in this Section 164-35 to the contrary, banner signs may be displayed at the Town-owned property shown as Parcel 1 on the Town Assessor’s Map 41 and known as Eldredge Park, by non-profit organizations having a license or use agreement with the Town for the use of Eldredge Park, subject to the following conditions: (a) banner signs shall be limited to signs recognizing sponsors of the non-profit organization, (b) issuance of a sign permit from the Building Commissioner, (c) the approval of the Park Commissioners, (d) banner signs may be displayed for up to 90 days and must be removed promptly after the permitted time period, (e) banners may only be placed on approved locations on the dugouts or fence, (f) placement and removal of the banner shall be done by the licensed non-profit organization, (g) all banners must be kept in good repair, (f) subject to any rules and regulations of the Park Commissioners and the Park Commissioners are authorized to promulgate rules and regulations as they deem necessary to carry out the provisions of this section.

The Town is the owner of Eldredge Park located on the corner of Eldredge Parkway and South Orleans Road (Route 28) in Orleans, MA.

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

(2/3 vote required)

**SUMMARY**

Under the existing bylaw, banner signs for off-premises businesses are prohibited. This amendment would allow banner signs to be displayed at Town-owned Eldredge Park by sponsors of non-profit organizations that use the park, including the Cape Cod League baseball team and the annual Pops in the Park concert. The bylaw would authorize the Park Commissioners to adopt regulations on details such as time, size and location.

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

**ARTICLE 26. AMEND ZONING BYLAW SECTION 164-35, SIGNS**

To see if the Town will vote to amend 164-35. K. to read as follows:

K. Notwithstanding anything else contained in Section 164-35 to the contrary banners advertising **Town sponsored events or any other events which the Board of Selectmen determine after due consideration provide significant public benefit** ~~civic, cultural and/or athletic events conducted by non-profit entity~~, may be placed at a location 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 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. Any such banner 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.

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

(2/3 vote required)

### SUMMARY

Banners over the street informing the public of upcoming events are allowed to be displayed at Main Street and Eldredge Park Way. At present, such events are limited to those of non-profit entities. The amendment would allow the Board of Selectmen to consider requests from other organizations, provided there is a public benefit. This could include arts exhibits or crafts fairs that have been conducted in Orleans in the past, subject to the adoption of regulations by the Board of Selectmen.

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

## ARTICLE 27. AMEND ZONING BYLAW SECTIONS 164-6, LOCATION OF DISTRICTS, ZONING MAP and 164-17, GROUNDWATER PROTECTION DISTRICTS.

To see if the Town will vote to amend Section 164-6. B. Overlay Districts to read as follows:

### B. Overlay Districts

**B. Groundwater Protection Districts.** The Town of Orleans is hereby divided into ~~four~~three Groundwater Protection Districts which shall be considered to be superimposed over any other districts established by the Town Zoning Bylaws. Land in each Groundwater Protection District shall be subject to the requirements of this Section 164-17 as well as all other requirements of the Town By-laws which apply to the underlying zoning districts. A map entitled "Zoning and Proposed Groundwater Protection Districts Map~~Town of Orleans Proposed groundwater Protection districts~~" dated ~~June 7, 1991~~ December 21, 2011 showing the locations of the ~~three~~four Groundwater Protection Districts is on file for public reference in the offices of the Town Clerk, Town Planner and Water Department. The ~~three~~four Groundwater Protection Districts are defined as follows:

**District 1** consists of Town Watershed      properties ~~#15 and #91~~ as ~~shown~~delineated on the above referenced map entitled "Zoning and Proposed Groundwater Protection Districts Map~~Town of Orleans Proposed Groundwater Protection Districts~~" dated ~~June 7, 1991~~ December 21, 2011. District 1 includes those properties shown as parcels 54-1, 68-5, 68-7, 75-119, 81-5, 81-9, 81-10,

and ~~87-5, 81-05, 81-09, 75-119, 75-87, 68-05 and 68-07~~ on the Town of Orleans Assessor's maps as of ~~December 31, 2010~~ January 24, 2004.

**District 2** consists of all land located in the Zones of Contribution for Town public water supply wells as determined by the Cape Cod Commission in accordance with Massachusetts Department of Environmental Protection regulations, except those portions of the Zones located within District 1, as delineated on the above-referenced map entitled "Zoning and Proposed Groundwater Protection Districts Map of Orleans Proposed Groundwater Protection Districts" dated ~~December 21, 2011~~ June 7, 1994.

**District 3** consists of ~~areas formerly established by the Town as part of the Water Resource District as delineated on the above-referenced map entitled "Town of Orleans Proposed Groundwater Protection Districts" dated June 7, 1994.~~

**District 4** ~~consists of all the areas of the Town except those within Districts 1 or 2 or 3, as delineated on the above-referenced map entitled "Zoning and Proposed Groundwater Protection Districts Map Town of Orleans Proposed Groundwater Protection Districts" dated December 21, 2011~~ June 7, 1994.

And further to see if the Town will vote to amend Section 164-17 as follows:

## **§164-17 Groundwater Protection Districts**

### **B. Definitions**

1. **Aquifer:** A porous water-bearing geologic formation generally restricted to material capable of yielding an appreciable supply of water.
2. **Groundwater Protection District:** One of four such areas which together comprise the entire Town of Orleans and for which there are specified lot requirements and use restrictions.
3. **Zone of Contribution:** That portion of an aquifer which contributes water to a well and through which contaminants are likely to move and reach the well; it is represented on the surface by the area whose land uses can affect the well's water quality. Zones of Contribution for Orleans public water supply wells have been determined by the Cape Cod Commission in accordance with Massachusetts Department of Environmental Protection regulations.

**C. Scope of Authority/District Delineation:** The Town of Orleans is hereby divided into ~~four~~ three Groundwater Protection Districts which shall be considered to be superimposed over any other districts established by the Town Zoning By-laws. Land in each Groundwater Protection District shall be subject to the requirements to this Section 164-17 as well as all other requirements of Town By-laws which apply to the underlying zoning districts. A map entitled "~~Town of Orleans Proposed Groundwater Protection Districts~~ Zoning and Proposed Groundwater Protection Districts Map" dated ~~June 7, 1994~~ December 21, 2011 showing the locations of the ~~four~~ three Groundwater Protection Districts is on file

for public reference in the offices of the Town Clerk, Town Planner and Water Department. The ~~three~~<sup>four</sup> Groundwater Protection Districts are defined as follows:

**District 1** consists of Town Watershed Properties ~~#15 and #91~~ as delineated on the above-referenced map entitled "Zoning and Proposed Groundwater Protection Districts Map~~Town of Orleans Proposed Groundwater Protection Districts~~," dated ~~June 7, 1994~~December 21, 2011. District 1 also includes those properties shown as parcels 54-1, 68-5, 68-7, 75-119, 81-5, 81-9, 81-10, and 87-5 on the Town of Orleans Assessor's maps as of ~~January 24, 2004~~December 31, 2010.

**District 2** consists of all land located in the Zones of Contribution for Town public water supply wells as determined by the Cape Cod Commission in accordance with Massachusetts Department of Environmental Protection regulations, except those portions of the Zones located within District 1, as delineated on the above-referenced map entitled "Zoning and Proposed Groundwater Protection Districts Map~~Town of Orleans Proposed Groundwater Protection Districts~~" dated ~~June 7, 1994~~December 21, 2011.

**District 3** consists of areas formerly established by the Town as part of the Water Resource District as delineated on the above-referenced map entitled "Town of Orleans Proposed Groundwater Protection Districts" dated June 7, 1994.

**District 4** consists of all the areas of the Town except those within Districts ~~1 and 2~~<sup>1 and 3</sup>, as delineated on the above-referenced map entitled "Zoning and Proposed Groundwater Protection Districts Map~~Town of Orleans Proposed Groundwater Protection Districts~~" dated ~~June 7, 1994~~December 21, 2011.

If a Groundwater Protection District boundary passes through a lot which cannot be subdivided, such entire lot shall be deemed to be within the District providing the higher level of groundwater protection. If a Groundwater Protection District boundary passes through a lot which may be subdivided, such lot shall be comprised of portions of two Groundwater Protection Districts as delineated by the District boundary; and if such a lot is subsequently subdivided, any created lots will be treated in the same way as a lot which cannot be subdivided.

## D. District Regulations

### 3. District 3:

- a. ~~Lot Requirements:~~ All lots are required to meet the following conditions, and a site plan showing compliance with these conditions must be approved by the Building Inspector prior to the commencement of any site clearing or construction.

- ~~1) At least 30% of a lot area shall be retained in its natural state except for minor removal of existing trees and ground vegetation.~~
- ~~2) No more than 40% of a lot area may be rendered impervious.~~
- ~~b. The Board of Appeals may grant a Special Permit allowing a lot requirement contained in Section 164-17D-3-a to be reduced, provided the Board of Appeals makes the findings required under sections 164-17E and 164-44.~~

~~a. Land Uses~~

~~1) Allowed: All uses permitted in the underlying zoning districts except those specifically listed as Special Permit or prohibited uses.~~

~~2) By Special Permit, provided the Board of Appeals makes the findings required under Section 164-17E and 164-44:~~

~~a. Sales, storage or transportation of fuel oil or gasoline as a principal use.~~

~~b. Any use which involves on-site disposal of process wastes from operations other than personal hygiene and food for residents, patrons and employees.~~

~~c. Any use, other than a single family dwelling, with a sewage flow, as determined by Title V of the State Environmental Code, exceeding 110 gallons per day per 10,000 square feet of lot area or exceeding 15,000 gallons per day regardless of lot area.~~

~~d. Any use involving generation, use or disposal of toxic or hazardous materials in quantities greater than associated with normal household use.~~

~~3) Prohibited:~~

~~a) Sanitary landfills, open dumps and junkyard.~~

~~b) Municipal sewage treatment facilities with on-site disposal of secondary-treated effluent.~~

~~c) Road salt stockpiles.~~

~~d) Car washes, laundries, dry cleaning and metal plating facilities.~~

~~e) Boat and motor vehicle service and repair.~~

- ~~f) Chemical and biological laboratories.~~
- ~~g) Any other use which involves as its principal activity the manufacture, use, storage, transportation or disposal of toxic or hazardous materials.~~
- ~~d. Within District 3 the following design and operations guidelines shall be observed, except for lots containing single family dwellings:
 
  - ~~1) **Safeguards:** Provisions shall be made to protect against toxic or hazardous materials discharge or loss through corrosion, accidental damage, spillage or vandalism through such measures as provision for spill control in the vicinity of chemical or fuel delivery points, secure storage areas for toxic or hazardous materials and indoor storage provision for corrodible or dissolvable materials.~~
  - ~~2) **Location:** Where a lot is partially in both Districts 3 and 4, such potential pollution sources as on-site waste disposal systems shall, to the degree feasible, be located in District 4.~~
  - ~~3) **Disposal:** For any toxic or hazardous wastes to be produced in quantities greater than those associated with normal household use, the availability and feasibility of safe disposal must be demonstrated.~~
  - ~~4) **Drainage:** All runoff from impervious surfaces of a lot shall be recharged on that lot and diverted towards areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are not feasible and shall be preceded by oil, grease and sediment traps to facilitate removal of contamination.~~~~
- ~~e. The cultivation, propagation and harvesting of cranberries will not be subject to the restrictions of this Section 164-17D-3).~~

~~4. District 4:~~

- ~~a. No lot requirements in addition to those existing for the underlying zoning districts are applied to District 4-3.~~
- ~~b. All land uses permitted in the underlying zoning districts are permitted in District 4-3.~~

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

(2/3 vote required)

**SUMMARY**

Groundwater Protection Districts are reviewed and approved by the Mass. Dept. of Environmental Protection and are developed by professional hydrologists using sophisticated groundwater models. Modern analysis techniques used by the DEP have

made the previous District 3 classification obsolete, yet it remains in the Zoning Bylaw. This amendment provides updated references to the Groundwater Protection District Map, but does not propose to amend boundaries for Districts 1 or 2. District 3, which is defined as “areas formerly part of a water protection district,” would be eliminated.

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

**ARTICLE 28. AMEND THE ZONING BYLAWS SECTION 164-13, SCHEDULE OF USE REGULATIONS**

To see if the Town will vote to amend the Orleans Zoning Bylaws by changing section 164-13 to read as follows:

P= Use Permitted O= Use Prohibited A= Use allowed: A, under Special Permit by Board of Appeals as provided in § 164-44

AGRICULTURAL	R	RB	LB	GB	VC <sup>5</sup>	I	CD <sup>6</sup>	SC	MB
<del>Display and sale from roadside stands or otherwise of natural products, Roadside stand for display and sale of natural products, 100 s.f. in area or larger</del>	O	P	P	P	P	O	O	O	O

COMMERCIAL	R	RB	LB	GB	VC <sup>5</sup>	I	CD <sup>6</sup>	SC	MB
<u>Health club, fitness center</u>	<u>O</u>	<u>P<sup>2</sup></u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>O</u>	<u>O</u>	<u>O</u>
<u>Museum</u>	<u>O</u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>P<sup>4</sup></u>	<u>O</u>	<u>O</u>	<u>O</u>

ACCESSORY USE	R	RB	LB	GB	VC <sup>5</sup>	I	CD <sup>6</sup>	SC	MB
<u>Roadside stand, for products raised on the premises, less than 100 s.f. in area</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

(2) Total retail business floor area, exclusive of storage and office space, shall be limited to 1,500 sq. ft. per business. No parking within the Front and Side yard setbacks is permitted.

(4) Except “A” if creating more than 2,500 square feet of gross floor area in commercial use whether through new construction, addition, or change of use. Such special permits are subject to §164-38 and §164-39.

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

(2/3 vote required)

**SUMMARY**

Three amendments to the Schedule of Use Regulations are proposed. Currently roadside stands are permitted only in business districts. The amendment allows roadside stands smaller than 100 s.f. in all zoning districts, but continues to limit larger stands to business districts. The proposal also adds the categories of Health Club and Museum to the table and allows them within business districts as shown.

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

**ARTICLE 29. AMEND FEES - BUILDING DEPARTMENT**

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

(Simple Majority Vote Required)

**SUMMARY**

Fees for the Building Department have not been increased in six years. The proposed changes include fees related to building permits, annual building inspection fees, electrical permits, and plumbing and gas permits. In accordance with the General Bylaws of the Town, Article VII, § 94-8, the Board of Selectmen may not increase fees more than 5% without Town Meeting approval. Since the proposed fees exceed 5%, Town Meeting authorization is required. The changes will be phased in over two years.

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

**ARTICLE 30. AMEND FEES - TOWN CLERK AND TREASURER/COLLECTOR**

To see if the Town will vote to increase the fees entitled “Town Clerk Fees” and “Treasurer/Collector Fees” as outlined in the amended fee schedule on file with the Town Clerk, 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 abstracts of records of birth, death and marriage. The Treasurer/Collector proposes to increase the fees for demand charges, excluding boats, and municipal lien certificates. In accordance with M.G.L. Ch. 262 §34, the Town Clerk may not increase fees without Town Meeting approval. Since the proposed Treasurer/Collector fees exceed 5%, Town Meeting authorization is also required under General Bylaw Article VII, section 94-8.

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

**ARTICLE 31. ADOPT FEES – RECREATION PROGRAMS**

To see if the Town will vote to adopt the fee schedule entitled “Recreation Fees” as outlined in the amended fee schedule on file with the Town Clerk, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The recreation fee schedule includes a weekly fee during the summer for arts and crafts; a materials fee for arts and crafts, an adult basketball program fee, and a non-resident participation fee for summer programs. Fees collected would be placed in a revolving account for recreation and be used to pay direct program related costs. In accordance with General Bylaw Article VII, section 94-8, new fees require Town Meeting authorization.

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

**ARTICLE 32. AUTHORIZE BOARD OF SELECTMEN TO LEASE FORMER HUBLER PROPERTY MOTEL**

To see if the Town will vote to authorize the Board of Selectmen to lease or enter into an operating agreement for the real property or a portion(s) thereof, together with the buildings thereon, located on Beach Road in East Orleans, Massachusetts, acquired by the Town under the action taken under Article 7 of the Orleans Special Town Meeting held on May 10, 2010 (the so-called Hubler property), for motel purposes on such terms and conditions as the Board of Selectmen deem appropriate. The Hubler property consists of Lots A, 1, 2, 3, and 4, together with a portion of thirty-foot wide way, all as shown on a Plan of Land recorded in the Barnstable County Registry of Deeds in Plan Book 576, Page 5 and title was vested in the Town under a deed recorded in the Barnstable County Registry of Deeds in Book 24886, Page 263. Provided, however, that the terms and conditions of such lease or operating agreement shall be consistent with the terms and conditions of the bond(s) issued by the Town in acquiring the property and provided, further, that, if needed, the Board of Selectmen are further authorized to petition the Great and General Court for special legislation to authorize the Town to enter into any such lease or operating agreement to conduct the said use on the property or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The Town Meeting voted the purchase of the Hubler property at the May 2010 Special Town Meeting for general municipal purposes, with the long-range purpose being the relocation and expansion of the Nauset Beach parking lot. In the short term, the Board of Selectmen is exploring interim uses for the property which may generate income to the Town to offset the future construction cost of a parking lot on the property.

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

**ARTICLE 33. AUTHORIZE CONSERVATION COMMISSION TO LEASE PUTNAM PROPERTY FOR AGRICULTURAL USE**

To see if the Town will vote to authorize the Conservation Commission to lease the property, or a portion(s) thereof, located at 50 Bridge Road, Orleans, Massachusetts, acquired by the Town under the vote taken under Article 8 of the Orleans Special Town Meeting held on May 10, 2010, which property is shown on a Plan recorded in the Barnstable County Registry of Deeds in Plan Book 638, Page 27, (the so-called Putnam property) for agricultural purposes, on such terms and conditions as the Conservation Commission deems appropriate. The deed to the Town is recorded in the Barnstable County Registry of Deeds in Book 25134, Page 302. Provided, however, that the terms and conditions of such lease shall be consistent with the terms and conditions of the bond(s) issued by the Town in acquiring the property and provided, further, that any such lease shall be consistent with the terms and conditions of the Project Agreement between the Town and the Executive Office of Energy and Environmental Affairs, Division of Conservation Services, dated Dec. 9, 2010, to which the Putnam property is subject, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

The Town Meeting voted to purchase the property known as Putnam Farm in May of 2010 for conservation, open space, passive recreation, and agricultural purposes. The Town acting through the Conservation Commission took title on December 28<sup>th</sup> 2010. The Open Space Committee and the Conservation Commission have been preparing a management plan for the property to be submitted to the state for approval in the spring of 2011. It has become clear that there is interest by agricultural interests to lease portions of the Putnam Farm for agricultural purposes. The Conservation Commission is not allowed to lease its holdings without the approval of the Town.

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

**ARTICLE 34. RESOLUTION – ALLOW CONGRESS TO REVOKE CONDITIONS OF CORPORATE AND UNION CAMPAIGN FUNDING – BY PETITION**

To see if the Town will vote to pass the following resolution:

We, the voters of the Orleans Town Meeting, affirm our belief that the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations.

We believe that the United States Supreme Court's ruling in Citizens United v. FEC, which allows corporations and unions to pay advocacy groups unlimited funds to influence elections, threatens democracy by allowing corporations to cause the election of candidates who will serve themselves, not ordinary citizens.

The people of the United States through their legislators have previously amended the Constitution to regulate elections and federal officeholding nine times.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE VOTERS OF THE ORLEANS TOWN MEETING, CALL UPON THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO RESTORE THE FIRST AMENDMENT AND FAIR ELECTIONS TO THE PEOPLE, AND FURTHER, WE CALL UPON THE MASSACHUSETTS GENERAL COURT TO PASS ONE OR MORE RESOLUTIONS ASKING THOSE ACTIONS.

We ask Orleans officials to send a copy of this resolution to the state and federal representatives and senators serving Orleans, and to the Governor of the Commonwealth of Massachusetts and the President of the United States. (By Petition)

(Simple Majority Vote Required)

#### **SUMMARY**

The Supreme Court's Jan. 21, 2010 Citizens United (CU) v. Federal Election Commission (FEC) decision allows domestic and foreign-based corporations and unions to pay advocacy groups unlimited funds to influence elections. Corporate treasuries dwarf treasuries of unions, individuals and public interest groups, thus allowing corporations to potentially cause the election of candidates who will serve them, not ordinary people. The Supreme Court decision is undemocratic: in a democracy the people rule, and the only way to overrule this decision is by amending the Constitution of the United States. This non-binding resolution asks that Congress pass and send to the states for ratification a Constitutional Amendment allowing Congress the right to revoke corporations' and unions' right to spend unlimited funds to influence elections, and supports Massachusetts legislative efforts to bring that about. It would not affect the free-speech rights of human beings, including corporate and union officials, to advocate and spend money for their political goals.

**BOS:** 4 – YES 1 – NO 0 – ABSTAIN  
**FC:** No significant fiscal impact

#### **ARTICLE 35. FUND WASTEWATER TREATMENT ALTERNATIVES STUDY – BY PETITION**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of \$150,000 for the purpose of conducting a comparison cost study of the Orleans CWMP centralized system and a decentralized alternative (septic tank effluent) wastewater management system. The study shall be conducted as follows:

**OBJECTIVE:** The objective of the study is to compare preliminary cost estimates for the following two wastewater management scenarios:

**Scenario #1:** Develop Town-wide preliminary conceptual designs with capital, operating and maintenance cost estimates for two alternatives to address nitrogen issues in Orleans as outlined in the current CWMP core program.

**ALTERNATIVE 1:** The present CWMP concept, which uses conventional gravity drain sewage collection (big pipe) and centralized treatment and disposal as described in the CWMP core program.

**ALTERNATIVE 2:** Decentralized treatment and disposal systems employing septic tank effluent (STE) collection (small pipe).

**Scenario #2:** Develop preliminary conceptual designs for the same two alternatives listed in Scenario #1 with capital, operating and maintenance cost estimates for wastewater collection, treatment and disposal to serve only the Phase 1 (Village Center) area as defined in the current CWMP.

**REQUIREMENTS:**

1. The Alternative 1 designs (conventional centralized system) developed in response to the Town-wide and Phase 1 (Village Center) scenarios shall be developed by an environmental engineering firm with demonstrated experience in centralized wastewater management.
2. The Alternative 2 designs (decentralized system) developed in response to the Town-wide and Phase 1 (Village Center) scenarios shall be developed by a second environmental engineering firm, unaffiliated with the first firm, which has demonstrated experience with the engineering design of decentralized wastewater systems including septic tank effluent collection systems.
3. After acceptance by the Town, the four preliminary conceptual designs will be provided to an independent Professional Cost Estimator, unaffiliated with the engineering firms, who shall estimate the capital, operating and maintenance costs for each design.

**IMPLEMENTATION:**

The entirety of the study described in this article shall be managed by a committee of five (5) persons to be selected and appointed by the Board of Selectmen. None of the committee members may be members of current Town or County committees, boards or commissions at the time of Town Meeting approval of this study. Because the study requires the committee to understand and evaluate detailed engineering solutions and major project financial analysis, at least three of the committee members selected by the Board of Selectmen shall hold bachelor level or higher degrees in chemical, civil, environmental or mechanical engineering. In addition, at least one committee member shall have educational qualification and professional experience in large project financial analysis.

**STUDY SCHEDULE AND COST:** It is estimated that the study will cost \$150,000. At least three (3) months prior to any Town Meeting during which approval will be sought for design and engineering funds for any wastewater remediation project, the full report of the completed study, including supporting documentation, shall be made public. At least one (1) month prior to such Town Meeting a Public Hearing shall be held to hear public comments on the study, or take any other action thereto. (By Petition)

(3/4 Vote Required)

**SUMMARY**

The article provides the Town with an independent, objective cost comparison of centralized, as proposed in the CWMP, and decentralized wastewater alternatives. As an example, the Town of Mashpee has already obtained centralized and decentralized alternatives from two independent consultants. It is proposed under this Article that the Town committee conducting the cost comparison study include at least three engineers

and one person with financial analysis experience in order that the committee have the depth of professional experience needed to knowledgeably examine and discuss the alternatives with the engineering consultants assisting the Town.

**BOS:** 0 – YES 3 – NO 2 – ABSTAIN  
**FC:** Recommendation to be made at Town Meeting

### **ARTICLE 36. 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 taxes for FY 2012.

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

### **ARTICLE 37. 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 TWENTIETH of APRIL in the year of our Lord TWO THOUSAND ELEVEN.

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

Margie Fulcher, Chairwoman  
Sims McGrath, Jr.  
David M. Dunford  
Jon R. Fuller  
Susan B. Christie  
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 said Warrants for the Annual and Special Town Meetings to be held on Monday, May 9, 2011 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 NINTH day of MAY in the year TWO THOUSAND ELEVEN at 6:30 P.M. to act on the following:

**ARTICLES**

Article 1.	Pay Bills of Prior Years .....	68
Article 2.	Transfer Article .....	68
Article 3.	Rock Harbor Land Lease Authorization.....	69
Article 4.	Closing Article .....	70

**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 2011 as follows:

- 1) 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 Salary Account.
- 2) Transfer the sum of One Hundred Eighty and 00/100 Dollars (\$180.00) from the Police Department Overtime Account to the Police Detail Account.
- 3) Transfer the sum of Fifty Five Thousand Six Hundred Eighty Nine and 00/100 Dollars (\$55,689.00) from Available Funds (insurance recovery) and Forty Thousand Seven Hundred Twenty Eight and 00/100 Dollars (\$40,728.00) from the Ambulance Receipts Reserve For Appropriation Account for a total of Ninety Six Thousand Four Hundred Seventeen and 00/100 Dollars (\$96,417.00), or any other sum, to the Fire Department Salary Account in the amount of Twenty Six Thousand Four Hundred Seventeen and 00/100 Dollars (\$26,417) and to the Fire Department Overtime Account the amount of Seventy Thousand and 00/100 Dollars (\$70,000.00).
- 4) Transfer the sum of Five Thousand and 00/100 Dollars (\$5,000.00), or any other sum, from Available Funds to the Building Department Expense Account.

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

(Simple Majority Vote Required)

#### **SUMMARY**

- 1) These funds will be used to provide required overtime coverage related to both injured-on-duty and off-duty leave of absences and the resulting shift vacancies that have to be filled.
- 2) These funds will be used to correct the billing for an outside detail assignment.
- 3) These funds will be used to fund the salary related costs associated with the retirement of a firefighter and provide required overtime coverage related to injured-on-duty leaves of absence and the resulting shift vacancies that have to be filled.
- 4) These funds will be used by the town to remove an unsafe house on Old Timers Lane and then assess the costs as a lien on the property.

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

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

### **ARTICLE 3. ROCK HARBOR LAND LEASE AUTHORIZATION**

To see if the Town will vote to authorize the Board of Selectmen to enter into a five-year lease of a Town-owned parcel of land consisting of approximately .05 acres, located at Rock Harbor, on such terms as they deem appropriate, or to take any other action relative thereto. (Board of Selectmen)

(Simple Majority Vote Required)

**SUMMARY**

Approval of this article will authorize the Board of Selectmen to enter into a contract to lease .05 acres of land located at Rock Harbor for a period of five years. Currently the land is leased to Young’s Fish Market. The building that houses Young’s Fish Market is owned by the business leasing the land. Under Massachusetts General Law an affirmative vote of Town Meeting is required for the Town to enter into certain leases for more than three years. The current lease expires on May 31, 2011.

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

**ARTICLE 4. 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 TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND ELEVEN.

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

Margie Fulcher, Chairwoman  
Sims McGrath, Jr.  
David M. Dunford  
Jon R. Fuller  
Susan B. Christie

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 9, 2011 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 and Precinct #2, in the Council on Aging Senior Center in said Orleans on Tuesday the SEVENTEENTH day of MAY in the year TWO THOUSAND ELEVEN 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 term)
- 1 Orleans Housing Authority (5 year term)
- 1 Nauset Regional School Committee (3 year term)
- 2 Orleans Elementary School Committee (3 year terms)
- 2 Trustees for Snow Library (3 year terms)

**QUESTION 1.**

Shall the Town of Orleans be allowed to assess an additional \$120,000 in real estate and personal property taxes for the purpose of funding a portion of the budget for the Orleans Elementary School, the Nauset Regional School District, and the Cape Cod Regional Technical High School for the fiscal year beginning July 1, 2011?

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

**QUESTION 2.**

Shall the Town of Orleans be allowed to assess an additional \$150,000 in real estate and personal property taxes for the purposes of funding a drainage infrastructure systems stabilization fund for the fiscal year beginning July 1, 2011?

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

**QUESTION 3.**

Shall the Town of Orleans be allowed to assess an additional \$300,000 in real estate and personal property taxes for the purposes of funding a pavement management program stabilization fund for the fiscal year beginning July 1, 2011?

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

**QUESTION 4.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the replacement of municipal piers at Rock Harbor and boat launch ramp at River Road, including all expenses incidental and related thereto?

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

**QUESTION 5.**

Shall the Town of Orleans be allowed to exempt from the provisions of proposition 2½, so-called, the amounts required to pay for the bond issued in order to fund the replacement of Water Treatment Plant membranes, as needed, 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 TWENTIETH day of APRIL in the year of our Lord TWO THOUSAND ELEVEN.

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

Margie Fulcher, Chairwoman  
Sims McGrath, Jr.  
David M. Dunford  
Jon R. Fuller  
Susan B. Christie

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 said Warrant for the Annual Town Election to be held on Tuesday, May 17, 2011 at the ORLEANS POST OFFICE, SOUTH ORLEANS POST OFFICE, and EAST ORLEANS POST OFFICE seven (7) days before the date, time and place of the meeting, as within directed.

Mary E. Stevens, Constable