

COMMONWEALTH OF MASSACHUSETTS  
SPECIAL TOWN MEETING  
OCTOBER 16, 2008

FRANKLIN, SS.

To either of the Constables of the Town of Orange, in the County of Franklin:

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 RUTH B. SMITH AUDITORIUM, ORANGE TOWN HALL, 6 Prospect Street, Orange, Massachusetts 01364 on Thursday the **16th day of October, 2008 at 7:00 p.m.** then and there to act on the following articles:

The amount of money in the Stabilization Fund is

\$ 693.23

The amount of money in the Capital Stabilization Fund is

\$ 34,402.30

The amount of "Free Cash" for the General fund, certified by the Director of Accounts is \$ 115,320.13

The amount of "Retained Earnings" for the Water Enterprise Fund, certified by the Director of Accounts is \$ 60,556.00

The amount of "Retained Earnings" for the Sewer Enterprise Fund, certified by the Director of Accounts is \$ (25,759.00)

**ARTICLE 1: UNPAID BILL OF TOWN COUNSEL.**

To see if the Town will vote to transfer and appropriate the sum of \$1,298.00 from available funds for the payment of a prior fiscal year Town Counsel bill, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

**ARTICLE 1: UNPAID BILL OF TOWN COUNSEL.**

**Motion: I move that the Town vote to transfer and appropriate the sum of \$1,298.00 from Town Counsel Expense Account for the payment of a prior fiscal year Town Counsel bill.**

## **ARTICLE 2: UNPAID BILL OF TRANSFER STATION**

To see if the Town will vote to transfer and appropriate the sum of \$48.49 from available funds for the payment of a prior fiscal year water bill in the Transfer Station, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

## **ARTICLE 2: UNPAID BILL OF TRANSFER STATION**

**Motion: I move that the Town vote to transfer and appropriate the sum of \$48.49 from Sanitation Expense Account for the payment of a prior fiscal year water bill in the Transfer Station.**

## **ARTICLE 3: FUNDS TO REDUCE TAX RATE**

To see if the Town will vote to appropriate the following available funds to be specified at the Special Town Meeting to reduce the net amount of taxes to be raised for Fiscal Year 2009, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

## **ARTICLE 3: FUNDS TO REDUCE TAX RATE**

**Motion: I move that the Town vote to appropriate the following available funds to reduce the net amount of taxes to be raised for Fiscal Year 2009:**

\$115,320.13	From Free Cash
\$ 16,000.00	From Capital Stabilization Fund
\$ 26,085.12	From Fund Balance Reserved for Overlay Surplus

## **ARTICLE 4: LINE ITEMS TRANSFER**

To see if the Town will vote to transfer additional sums of money from available funds to the following FY 09 appropriations to be specified at the Special Town Meeting, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

## **ARTICLE 4: LINE ITEMS TRANSFER**

**Motion: I move that the Town vote to transfer \$18,467.00 from the WWTP May 1999 ATM Article for Roof Repairs to the Reserve Fund.**

## **ARTICLE 5: TOWN BUDGET FISCAL YEAR 2009**

To see if the Town will vote to rescind the vote of Article 15 of the Annual Town Meeting on 06/16/08, the Town Budget, Fiscal Year 2009, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

REVENUE BUDGET				October 6, 2008
FISCAL YEAR 2009				
PROPERTY TAXES				
(1) Fiscal Year 2008 base	\$6,925,171.00			
(2) Plus 2.5%	\$173,129.28			
(3) Plus New Growth	\$117,691.00			
(4) Plus Override				
(5) Plus Debt Exclusion	-\$5,792.87	(see note #1)		
(6) Plus Capital Expenditure Exclusion				
Total Property Tax Revenue		\$7,210,198.41		
OTHER RECURRING REVENUE				
(1) State Aid - Cherry Sheet	\$8,047,794.00			
(2) Local Receipts	\$1,979,798.00			
(3) School Construction	\$365,455.00			
(4) Offset Receipts	\$0.00			
(5) Enterprise Receipts	\$173,250.00			
Total Other Recurring revenue		\$10,566,297.00		
OTHER AVAILABLE FUNDS				
(1) Free Cash	\$115,320.13			
(2) Capital Stabilization Fund	\$16,000.00			
(3) Overlay Surplus	\$26,085.12			
(4) Other Sale of Lots	\$30,684.00			
Total Other Available Funds		\$188,089.25		
TOTAL REVENUE				\$17,964,584.66
CHARGES AGAINST REVENUES				
(1) State & County Charges	\$488,788.00			
(2) Overlay	\$125,000.00			
(3) Offset-Cherry Sheet	\$373,087.00			
(4) Amounts Certified for Tax Title				
(5) Debt, Interest and Lease Payment	\$82,060.70			
(6) Final Court Judgements				
(7) Overlay Deficits				
(8) Art. ATM 06/16/08	\$4,500.00			
(9) Snow & Ice Deficits	\$187,390.92			
(10) Sewer Enterprise Fund Deficits	\$25,758.76			
(11) Group Health Ins. Trust Fund Deficit	\$0.00			
(12) Deferral of Teachers Pay	\$33,351.25			
TOTAL CHARGES AGAINST RECEIPTS				\$1,319,936.63
RECONCILIATION				
TOTAL REVENUES				\$17,964,584.66
TOTAL CHARGES AGAINST REVENUES				\$1,319,936.63
TOTAL AVAILABLE FOR LOCAL APPROPRIATIONS				\$16,644,648.03
BUDGET FY 09				\$16,642,803.00
		Total		\$1,845.03 Balance
Note 1:	Debt Exclusion	School Debt	\$151,811.80	
		School Bldg. Ass.	-\$365,455.00	
			-\$213,643.20	
		Fire Truck Debt		
		Mahar	\$207,850.33	
		Total	\$5,792.87	

BUDGETS	July 1,2007-June 30, 2008		July 1,2008-June 30, 2009	
	FY08		FY09	
<b>GENERAL GOVERNMENT:</b>				
Moderator's Salary 114	100.00		100.00	0.00
Selectmen's Salary 122	3,000.00		3,000.00	0.00
Selectmen's Expense 122	4,090.00		3,809.00	-281.00
Town Administrator Salary 129	67,040.13	MOU	70,560.00	3,519.87
Town Administrator Wages 129	34,982.23		36,024.00	1,041.77
Town Administrator Expense 129	21,780.00		14,741.00	-\$7,039.00
Finance Committee Expense 131	300.00		291.00	-\$9.00
Reserve Fund 132	32,421.01		21,000.00	-\$11,421.01
Town Accountant's Salary 135	43,374.20	MOU	45,681.00	2,306.80
Town Accountant's Wages 135	9,580.40	Contract Increase	10,596.00	1,015.60
Town Accountant Expense 135	3,575.00		4,605.00	1,030.00
Audit of Town Accounts 136	21,000.00		23,000.00	2,000.00
Board of Assessor's 141	3,000.00		3,000.00	0.00
Assistant Assessor's Wages 141	27,727.60	Contract Increase	30,003.00	2,275.40
Assessors Expense 141	16,789.00		7,914.00	-8,875.00
Treasurer's Salary 145	42,725.08		44,997.00	2,271.92
Treasurer's Wages 145	16,334.40	Contract Increase	21,102.00	4,767.60
Treasurer Expense 145	20,322.00		19,024.00	-1,298.00
Collector's Salary 146	40,176.93		42,314.00	2,137.07
Collector's Wages 146	13,599.00	Contract Increase	16,638.00	3,039.00
Collector's Expense 146	25,138.00		17,811.00	-7,327.00
Town Counsel 151	20,000.00		14,550.00	-5,450.00
Human Resource Board 152	250.00		242.00	-8.00
General Office Wages 159	9,951.00	Contract Increase	12,261.00	2,310.00
General Office Expense 159	38,776.00		39,770.00	994.00
Town Clerk's Salary 161	40,176.93		42,314.00	2,137.07
Town Clerk's Wages 161	2,250.00		3,999.00	1,749.00
Town Clerk's Expense 161	4,165.00		3,958.00	-207.00
Election & Registration 163	10,750.00		12,654.00	1,904.00
Conservation Com. Expense 171	620.00		601.00	-19.00
Planning Board Expense 175	2,865.00		2,780.00	-85.00
Zoning Board of Appeals 176	235.00		228.00	-7.00
Town Hall Maintenance 192	36,890.00		46,560.00	9,670.00
Town Reports 195	1,600.00		1,550.00	-50.00
Armory Maintenance 197	44,643.00		52,357.00	7,714.00
<b>Total General Government</b>	<b>660,226.91</b>		<b>670,034.00</b>	<b>9,807.09</b>
<b>PUBLIC SAFETY:</b>				
Police Chief Salary 210	81,723.00	Ratio Bill	84,175.00	2,452.00
Police Wages 210	740,479.00	Contract Increase	763,961.00	23,482.00
Police Dept Expense 212	76,937.00		83,003.00	6,066.00
Fire Chief Salary 220	68,215.10	Ratio Bill	75,240.00	7,024.90
Fire Wages 220	532,105.47	Contract Increase	534,267.00	2,161.53
Fire Dept Expense 221	153,848.00		154,002.00	154.00
Building Inspector's Salary 241	56,192.00	MOU	60,660.00	4,468.00
Building Inspector's Wages 241	7,018.00	Contract Increase	12,993.00	5,975.00
Building Inspectors Expense 241	9,030.00		3,150.00	-5,880.00
Electrical Inspector's Salary 245	23,712.00		24,424.00	712.00
Electrical Inspector's Alt. Wages 245	600.00		300.00	-300.00
Electrical Inspector's Travel Wages 245	1,433.00		1,720.00	287.00
Animal Inspector's Salary 249	650.00		650.00	0.00
Animal Inspector' Expense 249	50.00		25.00	-25.00
Dog Control Wages 292	5,125.00		0.00	-5,125.00
Dog Control Expense 292	3,000.00		0.00	-3,000.00
Tree Dept Wages 295	1,025.00		1,080.00	55.00
Tree Dept 295	10,000.00		4,820.00	-5,180.00
<b>Total Public Safety</b>	<b>1,771,142.57</b>		<b>1,804,470.00</b>	<b>33,327.43</b>

		Requested by			
		School			
<b>EDUCATION:</b>					
Orange Elementary School 310	5,475,532.00	5,908,042.00	5,481,510.00	5,978.00	
R.C.Mahar Reg. School 391	3,278,813.00	3,339,011.00	3,242,016.00	-36,797.00	
Franklin Cty Tech 394	429,598.00	431,768.00	431,768.00	2,170.00	
<b>Total Education</b>	<b>9,183,943.00</b>	<b>9,678,821.00</b>	<b>9,155,294.00</b>	<b>-28,649.00</b>	
<b>Public Works &amp; Facilities</b>					
Highway/Sewer/Parks Supt.Salary 420	57,596.80	MOU	60,660.00	3,063.20	
Highway Wages 421	184,548.70	Contract Increase	173,475.00	-11,073.70	
Highway Adm.Construction & Maint. 421	178,541.50		183,317.00	4,775.50	
Snow & Ice 423	125,032.00		125,032.00	0.00	
Street Lights 424	35,901.00		34,824.00	-1,077.00	
Fr.Solid Waste 430	13,720.00		14,469.00	749.00	
Fr.Solid Haz. Waste Day 430	3,000.00		3,000.00	0.00	
Sanitation Salary 433	40,803.20	MOU	42,973.00	2,169.80	
Sanitation Wages 433	69,926.00	Contract Increase	81,046.00	11,120.00	
Sanitation Expense 433	154,549.00		134,620.00	-19,929.00	
Airport Manager's Salary 485	40,803.00	MOU	42,973.00	2,170.00	
Airport Wages 487	18,064.00	Contract Increase	21,003.00	2,939.00	
Airport Expense 482	19,365.00		28,477.00	9,112.00	
Airport Aviation Gas Sales & Exp.	45,000.00		55,000.00	10,000.00	
Cemetery Commissioners Salaries 490	600.00		600.00	0.00	
Cemetery Salary 491	36,507.19	MOU	38,449.00	1,941.81	
Cemetery Wages 491	56,551.00	Contract Increase	74,008.00	17,457.00	
Cemetery Dept. Expense 491	0.00		17,225.00	17,225.00	
Care of Cemeteries	0.00		8,000.00	8,000.00	
<b>Total Public Works &amp; Facilities</b>	<b>1,080,508.39</b>		<b>1,139,151.00</b>	<b>58,642.61</b>	
<b>HUMAN SERVICES:</b>					
Board of Health Commissioners Salaries 510	600.00		600.00	0.00	
Board of Health Wages 511	46,766.98	Contract Increase	50,197.00	3,430.02	
Board of Health Expense	0.00	Revolving Acct.	0.00		
Council of Aging Wages 541	12,948.00	Contract Increase	20,737.00	7,789.00	
Council of Aging Expense 541	1,558.00		914.00	-644.00	
Veterans' Services Adm. 543	7,812.00		8,379.00	567.00	
Veterans Benefits 544	18,000.00		20,000.00	2,000.00	
<b>Total Human Services</b>	<b>87,684.98</b>		<b>100,827.00</b>	<b>13,142.02</b>	
<b>CULTURE AND RECREATION</b>					
Library Director Salary 610	50,541.73	MOU	53,195.00	2,653.27	
Library Wages 610	114,504.00	Contract Increase	132,744.00	18,240.00	
Library Expense 610	84,956.27		70,027.00	-14,929.27	
Parks Wages 650	13,404.80	Contract Increase	13,060.00	-344.80	
Parks Expense 650	8,577.50		10,230.00	1,652.50	
Historical Comm. 691	500.00		485.00	-15.00	
<b>Total Cultural and Recreation</b>	<b>272,484.30</b>		<b>279,741.00</b>	<b>7,256.70</b>	

<b>Debt Service: 710,751.8 752</b>				
Airpark Industrial Park Debt ('11)	11,700.00		11,700.00	0.00
New School Dept ('09,10)	278,160.00		143,160.00	-135,000.00
Fire Engine ('08)	25,000.00		0.00	-25,000.00
Landfill Cap & Close ('18)	60,000.00		60,000.00	0.00
Sewer Facilities Study ('19)	ARTICLE		ARTICLE	0.00
Comm Septic Mgmt. Program ('19)	ARTICLE		ARTICLE	0.00
Brookside Sewer Project ('08)	ARTICLE		ARTICLE	0.00
Sewer Replacement Line	ARTICLE		ARTICLE	0.00
Lake Ave. Betterments	ARTICLE		ARTICLE	0.00
Highway Garage	52,000.00		52,000.00	0.00
Highway and Landfill Trucks	36,000.00		36,000.00	0.00
Long-Term Interest, New School	20,931.40		8,652.00	-12,279.40
Long Term Interest, All Others	47,286.00		39,558.00	-7,728.00
Mahar Project	133,478.96		221,849.00	88,370.04
Short Term & Other Interest	5,000.00		26,677.00	21,677.00
<b>Total Debt Service</b>	<b>669,556.36</b>		<b>599,596.00</b>	<b>-69,960.36</b>
<b>INSURANCE AND MISCELLANEOUS:</b>				
Frank Council of Govt Assessment 830	35,891.77		39,198.00	3,306.23
Franklin Cty. Retirement Assessment 911	658,662.00		687,182.00	28,520.00
Workers Compensation 912	54,753.16		48,804.00	-5,949.16
Unemployment Compensation 913	25,000.00		25,000.00	0.00
Group Health & Life Insurance 914	1,495,257.00		1,837,486.00	342,229.00
Medicare Insurance Tax Costs 916	95,716.92		100,503.00	4,786.08
Police & Fire Accident 944	0.00		54,608.00	54,608.00
General Town Insurance 945	175,473.07		100,909.00	-46,645.00
<b>Total Ins. &amp; Misc.</b>	<b>2,540,753.92</b>		<b>2,893,690.00</b>	<b>352,936.08</b>
<b>GRAND TOTALS:</b>	<b>16,266,300.43</b>		<b>16,642,803.00</b>	<b>376,502.57</b>

## ARTICLE 5: TOWN BUDGET FISCAL YEAR 2009

**Motion:** I move that the Town vote to rescind the vote of Article 15 of the Annual Town Meeting on 06/16/08, the Town Budget, Fiscal Year 2009.

## ARTICLE 6: TOWN BUDGET FISCAL YEAR 2009

To see if the Town will vote to raise and appropriate such sums of money for the purpose of funding the Town budget for Fiscal Year 2009, with each line in the presented budget to be considered a separate appropriation, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

## ARTICLE 6: TOWN BUDGET FISCAL YEAR 2009

**Motion:** I move that the Town vote to appropriate \$16,642,803.00 for the purpose of funding the town budget for fiscal year 2009, with each line in the presented budget to be considered a separate appropriation, with subtotals as follows:

General Government	670,034.00
Public Safety	1,804,470.00
Orange Elementary Schools	5,481,510.00
Ralph C. Mahar Regional School	3,242,016.00
Franklin Cty. Tech. School Assessment	431,768.00
Public Works & Facilities	1,139,151.00
Human Services	100,827.00
Culture and Recreation	279,741.00
Debt Service	599,596.00
Insurance and Miscellaneous	<u>2,893,690.00</u>
<b>GRAND TOTAL</b>	<b>16,642,803.00</b>

and that \$16,642,803.00 be raised as follows: Raise & Appropriate \$16,612,119.00 and transfer \$30,684 from Receipts Reserved for Appropriation – Sale of Lots.

## ARTICLE 7: FEES ISSUED ON DEMAND FOR PAYMENTS OF DELINQUENT TAXES

To see if the Town will vote to charge for each written demand issued by the Collector a fee of \$10.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Law chapter 60, Section 15, effective as of November 3, 2008, or take any other action relative thereto or thereon.

(Recommended by Finance Committee)

## ARTICLE 7: FEES ISSUED ON DEMAND FOR PAYMENTS OF DELINQUENT TAXES

**Motion:** I move that the Town vote to charge for each written demand issued by the Collector a fee of \$10.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Law chapter 60, Section 15, effective as of November 3, 2008.

## ARTICLE 8: WATER USE RESTRICTION BYLAW

To see if the Town will vote to adopt the Water use Restriction Bylaw by the Water Department voted by the Board of Water Commissioners October 16, 2008, or take any other action relative thereto or thereon.

### Section 1      Authority

This bylaw is adopted by the Town under its police powers to protect public health and welfare and its powers under M.G.L. c.40, §21 et seg, and implements the Town's authority to regulate water use pursuant to M.G.L. c.41, §69B. This bylaw also implements the Town's authority under M.G.L. c.40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

### Section 2      Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection.

### Section 3      Definitions

Person shall mean any individual, corporation trust, partnership or association, or other entity.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21G. §15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to Section 4 of this bylaw.

Water Users or Water Consumers shall mean all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

<u>Section 4</u>	<u>Declaration of a State of Water Supply Conservation</u> The Town, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a State of Water Conservation shall be given under Section 6 of this bylaw before it may be enforced.
<u>Section 5</u>	<u>Restricted Water Uses</u> A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, condition or requirements shall be included in the public notice required under Section 6. <ul style="list-style-type: none"><li>a) <u>Odd/Even Day Outdoor Watering</u> Outdoor watering by water users with odd numbered addresses is restricted to odd numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days.</li><li>b) <u>Outdoor Watering Ban</u> Outdoor watering is prohibited.</li><li>c) <u>Outdoor Watering Hours</u> Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.</li><li>d) <u>Filling Swimming Pools</u> Filling of swimming pools is prohibited.</li><li>e) <u>Automatic Sprinkler Use</u> The use of automatic sprinkler systems is prohibited.</li></ul>
<u>Section 6</u>	<u>Public Notification of a State of Water Supply Conservation; Notification of DEP</u> Notification of any provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restrictions imposed under Section 5 shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

Section 7 **Termination of a State of Water Supply Conservation; Notice**  
A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by Section 6.

Section 8 **State of Water Emergency; Compliance with DEP Orders**  
Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

Section 9 **Penalties**  
Any person violating this bylaw shall be liable to the Town of Orange Water Department in the amount of \$50.00 for the first violation and \$100 for each subsequent violation which shall inure to the Town for such uses as the Board of Water Commissioners may direct. Fines shall be recovered by indictment, or through the collection process, or on complaint before the District Court, or by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Each day of violation shall constitute a separate offense.

Section 10 **Enforcement**  
This bylaw will be enforced by the Orange Water Department and the Orange Police Department.

Section 11 **Severability**  
This invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof.

## **ARTICLE 8: WATER USE RESTRICTION BYLAW**

**Motion: I move that the Town vote Article 8 as printed.**

### **ARTICLE 9: ACCEPTANCE OF DREW BOULEVARD AND OAK DRIVE**

To see if the Town will vote to rescind the vote of Article 28 Acceptance of Drew Boulevard and Oak Drive of the Annual Town Meeting on 06/16/08, or take any other action relative thereto or thereon.

### **ARTICLE 9: ACCEPTANCE OF DREW BOULEVARD AND OAK DRIVE**

**Motion: I move that the Town vote to rescind the vote of Article 28 Acceptance of Drew Boulevard and Oak Drive of the Annual Town Meeting on 06/16/08.**

## ARTICLE 10: ACCEPTANCE OF DREW BOULEVARD AND OAK DRIVE

To see if the Town will vote to accept for the sum of ONE AND 00/100 DOLLAR (\$1.00) a tract of land situated on Drew Boulevard and Oak Drive, located in the Town of Orange, Franklin County, Massachusetts, bounded and described:

Being a portion of the premises conveyed to HBM Properties, LLC, a Massachusetts Limited Liability Company, by deed of Larry M. LaClaire dated December 16, 2003 and recorded in the Franklin County Registry of Deeds in Book 4495, Page 80.

The premises shown as Drew Boulevard and Oak Drive on a plan of land entitled "Definitive Subdivision Plan of Land in Orange, Massachusetts prepared for Earl & Phyllis Drew" dated November 14, 2001 and last revised on February 17, 2003 by MacLeay Associates, Inc. ("Plan") and recorded in the Franklin County Registry of Deeds in Plan Book 113, Page 15, being more particularly bound and described as follows:

Beginning at an iron pin to be set at the southeasterly corner of the premises on the northerly side of Pine Avenue,

thence N. 05° 52' 31" E. along Lot 38 on the Plan a distance of 150.00 feet to an iron pin to be set;

thence N. 05° 52' 31" E. a distance of 52.97 feet to a concrete bound to be set;

thence along a curve to the left having a radius of 325.00 feet a distance of 153.15 feet to a concrete bound to be set, the last two courses being along Lot 14 on the Plan;

thence N. 21° 07' 29" W. along Lot 15 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N. 21° 07' 29" W. along Lot 16 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N. 21° 07' 29" W. a distance of 114.84 feet to a concrete bound to be set;

thence along a curve to the right having a radius of 275.00 feet a distance of 117.59 feet to an iron pin to be set, the last two courses being along Lot 17 on the Plan;

thence along a curve to the right having a radius of 275.00 feet a distance of 31.98 feet to a concrete bound to be set;

thence N. 03° 22' 31" E. a distance of 171.03 feet to a iron pin to be set, the last two courses being along Lot 18 on the Plan;

thence N. 03° 22' 31" E. along Lot 19 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N. 03° 22' 31" E. along Lot 20 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N. 03° 22' 31" E. along Lot 21 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N. 03° 22' 31" E. a distance of 93.81 feet to a concrete bound to be set;

thence along a curve to the right having a radius of 100.00 feet a distance of 57.60 feet to a concrete bound to be set;

thence N. 36° 22' 31" E. a distance of 130.05 feet to a concrete bound to be set, the last three courses being along Lot 22 on the Plan;

thence N. 35° 40' 26" E. along land now or formerly of Earl Drew, Jr. a distance of 73.55 feet to a concrete bound to be set;

thence along a curve to the left having a radius of 60.00 feet along land now or formerly of Earl & Phyllis Drew a distance of 254.52 feet to a concrete bound to be set;

thence S. 27° 22' 43" E. a distance of 23.74 feet to a concrete bound to be set;

thence along a curve to the right having a radius of 30.00 feet a distance of 33.38 feet to a concrete bound to be set;

thence along the westerly sideline of Drew Boulevard a distance of 111.95 feet to a concrete bound to be set;

thence along a curve to the left having a radius of 150.00 feet a distance of 33.39 feet to an iron pin to be set, the last four courses being along Lot 23 on the Plan;

thence along a curve to the left having a radius of 150.00 feet a distance of 53.00 feet to a concrete bound to be set;

thence S. 03° 22' 31" E. a distance of 147.97 feet to an unmonumental point;

thence along a curve to the left having a radius of 30.00 feet a distance of 47.12 feet to a concrete bound to be set;

thence N. 86° 37' 29" W. a distance of 174.03 feet to an iron pin to be set, the last four courses being along Lot 24 on the Plan;

thence N.  $86^{\circ} 37' 29''$  W. a distance of 65.00 feet to a concrete bound to be set; thence along a curve to the left having a radius of 175.00 feet a distance of 182.15 feet to a concrete bound to be set, the last two courses being along Lot 25 on the Plan;

thence S.  $33^{\circ} 44' 25''$  W. along Lot 26 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $33^{\circ} 44' 25''$  W. along Lot 27 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $33^{\circ} 44' 25''$  W. along Lot 28 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $33^{\circ} 44' 25''$  W. along Lot 29 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $33^{\circ} 44' 25''$  W. along Lot 30 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $33^{\circ} 44' 25''$  W. a distance of 65.96 feet to a concrete bound to be set; thence along a curve to the right having a radius of 275.00 feet a distance of 90.45 feet to a concrete bound to be set;

thence S.  $52^{\circ} 35' 07''$  W. a distance of 404.61 feet to a concrete bound to be set on the northerly sideline of Tully Road, the last three courses being along Lot 31 on the Plan;

thence S.  $37^{\circ} 24' 53''$  E. along Tully Road a distance of 50.00 feet to a concrete bound to be set;

thence N.  $52^{\circ} 35' 07''$  E. a distance of 404.61 feet to a concrete bound to be set; thence along a curve to the left having a radius of 325.00 feet a distance of 36.90 feet to a point, the last two courses being along Lot 1 on the Plan;

thence along a curve to the left having a radius 325.00 feet a distance of 70.00 feet to a concrete bound to be set;

thence N.  $33^{\circ} 44' 25''$  E. a distance of 130.96 feet to an iron pin to be set, the last two courses being along Lot 2 on the Plan;

thence N.  $33^{\circ} 44' 25''$  E. along Lot 3 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N.  $33^{\circ} 44' 25''$  E. along Lot 4 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence N.  $33^{\circ} 44' 25''$  E. along Lot 5 on the Plan a distance of 200.00 to an iron pin to be set;

thence N.  $33^{\circ} 44' 25''$  E. along Lot 6 on the Plan a distance of 200.00 to an unmonumental point;

thence N.  $33^{\circ} 44' 25''$  E. a distance of 135.00 feet to a concrete bound to be set;

thence along a curve to the right having a radius of 125.00 feet a distance 130.10 feet to a concrete bound to be set;

thence S.  $86^{\circ} 37' 29''$  E. a distance of 69.03 feet to an iron pin to be set, the last three courses being along Lot 7 on the Plan;

thence S.  $86^{\circ} 37' 29''$  E. a distance of 170.00 feet to a concrete bound to be set;

thence along a curve to the right having a radius of 30.00 feet a distance of 47.12 feet to an unmonumental point;

thence S.  $03^{\circ} 22' 31''$  W. a distance of 209.87 feet to an iron pin to be set, the last three courses being along Lot 8 on the Plan.

thence S.  $03^{\circ} 22' 31''$  W. along Lot 9 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $03^{\circ} 22' 31''$  W. a distance of 171.03 feet to a concrete bound to be set;

thence along a curve to the left having a radius of 325.00 feet a distance of 67.68 feet to an iron pin to be set, the last two courses being along Lot 10 on the Plan;

thence along a curve to the left having a radius of 325.00 feet a distance of 71.31 feet to a concrete bound to be set;

thence S.  $21^{\circ} 07' 29''$  E. a distance of 134.19 feet to an iron pin to be set, the last two courses being along Lot 11 on the Plan;

thence S.  $21^{\circ} 07' 29''$  E. a distance along Lot 12 on the Plan a distance of 200.00 feet to an iron pin to be set;

thence S.  $21^{\circ} 07' 29''$  E. a distance of 180.65 feet to a concrete bound to be set;

thence along a curve to the right having a radius of 275.00 feet a distance of 129.59 feet to a concrete bound to be set;

thence S. 05° 52' 31" W. a distance of 52.98 feet to an iron pin to be set, the last three courses being along Lot 13 on the Plan;

thence S. 05° 52' 31" W. along Lot 39 on the Plan a distance of 150.00 feet to an iron pin to be set on the northerly sideline of Pine Avenue;

thence S. 84° 07' 49" E. along the northerly sideline of Pine Avenue a distance of 50.00 feet to the iron pin to be set at the point of beginning.

Together with an easement to install, maintain, repair and replace a fire cistern approximately as shown as Fire Cistern Easement on the Plan.

Together with easement to install drainage systems as shown as Drainage Easement #1, Drainage Easement #2, Drainage Easement #3, Drainage Easement #4, Drainage Easement #5 and Drainage Easement #6 on the Plan and to repair, maintain and replace said drainage systems.

Together with easement to install drop inlets located on lots 25, 26, 27 and 28 on the Plan and to repair, maintain and replace said drainage structures.

## **ARTICLE 10: ACCEPTANCE OF DREW BOULEVARD AND OAK DRIVE**

**Motion: I move that the Town vote Article 10 as printed.**

## **ARTICLE 11: Town of Orange Zoning Bylaws by adopting, under Section 2110**

To see if the Town will vote to amend the Town of Orange Zoning Bylaws by adopting, under Section 2110, the Official Zoning Map for the Town of Orange dated October 16, 2008 which clarifies the Commercial Area Revitalization District (CARD) boundary lines and adds the Priority Development Sites (PDSs), or take any other action relative thereto or thereon.

## **ARTICLE 11: Town of Orange Zoning Bylaws by adopting, under Section 2110**

**Motion: I move that the Town vote to amend the Town of Orange Zoning Bylaws by adopting, under Section 2110, the Official Zoning Map for the Town of Orange dated October 16, 2008 which clarifies the Commercial Area Revitalization District (CARD) boundary lines and adds the Priority Development Sites (PDSs) and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Orange.**

### **ARTICLE 12: Amend the Use Regulation Schedule (Section 2230)**

To see if the Town will vote to amend the Use Regulation Schedule (Section 2230) of the Town of Orange Zoning Bylaws to reflect the inclusion of the PDSs in the CARD District Regulations and to change the requirements for one- and two-family dwellings in the CARD from being allowed by-right (Y) to requiring a Special Permit (SP), or take any other action relative thereto or thereon.

### **ARTICLE 12: Amend the Use Regulation Schedule (Section 2230)**

**Motion:** I move that the Town vote to amend the Use Regulation Schedule (Section 2230) of the Town of Orange Zoning Bylaws to reflect the inclusion of the PDSs in the CARD District Regulations and to change the requirements for one- and two-family dwellings in the CARD from being allowed by-right (Y) to requiring a Special Permit (SP) and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Orange.

### **ARTICLE 13: Amend the Dimensional Schedule (Section 2330)**

To see if the Town will vote to amend the Dimensional Schedule (Section 2330) of the Town of Orange Zoning Bylaws by deleting the front, side and rear yard minimum requirements in the CARD District, or take any other action relative thereto or thereon.

### **ARTICLE 13: Amend the Dimensional Schedule (Section 2330)**

**Motion:** I move that the Town vote to amend the Dimensional Schedule (Section 2330) of the Town of Orange Zoning Bylaws by deleting the front, side and rear yard minimum requirements in the CARD District and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Orange.