

# **MOTIONS BOOK**

## **2024 ANNUAL TOWN MEETING**

**MAY 6, 2024**

**Prospective Main Motions as of April 24, 2023**

## **NOTE TO THE READER**

This document presents the *prospective* main motions that were expected to be made at Town Meeting. The motions herein are accurate as of April 23, 2024.

However, these motions may change between now and Town Meeting based on further discussions that may occur at the Finance Committee and/or the Select Board level.

Please see the Appendix of this document for more information on voting procedures and the Motion Chart as outlined in the General Bylaws. The rules of order for Town Meeting are outlined as:

### **§ 271-13 Rules of order.**

Rules of procedure not specifically provided by law or by these bylaws shall be determined by Town Meeting Time: Handbook of Parliamentary Law.

**ARTICLE 1: TOWN OFFICERS AND COMMITTEES**

I move that Article 1 be accepted and adopted as printed in the warrant.

**ARTICLE 2: REPORTS OF TOWN OFFICERS AND COMMITTEES**

I move that Article 2 be accepted and adopted as printed in the warrant.

**ARTICLE 3: ELECTED OFFICIALS' SALARIES**

I move that Article 3 be accepted and adopted as printed in the warrant.

**ARTICLE 4: TOWN OPERATING BUDGET**

I move that Article 4 be accepted and adopted as printed in the warrant, and that the sum of \$45,732,309 be appropriated for the purposes listed in Appendix B under the column titled “2025 Select Board Recommend” and further the sum of \$43,041,670 be raised and appropriated and the following amounts be transferred as follows:

\$2,000 from Septic Loan Betterment Fund, \$15,000 from the Skinequit Road Betterment Fund, \$50,000 from the Ginger Plum Lane Betterment Fund, \$78,000 from the Allen Harbor Betterment Fund, \$226,964 from the Cable PEG fund, \$95,200 from the Golf Improvement Receipts Reserved Fund, \$200,000 from the Water Ways Management Receipts Reserved Fund, \$200,000 from the Harbor Improvement & Maintenance Receipts Reserved Fund, \$400,000 from Overlay Surplus, \$861,327 from the Water Enterprise Fund, \$62,148 from Wastewater Enterprise Fund and \$500,000 from the Wastewater Special Purpose Stabilization Fund for the purpose of funding the Fiscal Year 2025 Operating Budget for a total budget appropriation of \$45,732,309 with the following changes to APPENDIX-B the 2025 Select Board Recommended budget, line item 131 Finance Committee Reserve Fund increase by \$75,000 to a total of \$125,000, and line item 220 Fire – S&W decrease by \$75,000 to a total of \$5,410,115.

**ARTICLE 5: MONOMOY REGIONAL SCHOOL DISTRICT BUDGET**

I move that Article 5 be accepted and adopted as printed in the warrant and that the sum of \$29,876,982 be raised and appropriated for the purpose of funding the Town of Harwich’s assessment for the FY 2025 annual operation of the Monomoy Regional School District.

**ARTICLE 6: CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET**

I move that Article 6 be accepted and adopted as printed in the warrant and that the sum of \$2,204,820 be raised and appropriated to fund the annual operation of the Cape Cod Regional Technical High School.

**ARTICLE 7: WATER DEPARTMENT BUDGET**

I move that Article 7 be accepted and adopted as printed in the warrant and that the sum of \$4,831,887 be transferred from the Water Department Receipts to fund the Water Enterprise Fund and to transfer of said appropriation \$50,000 from the Water Department Operating Budget to Other Post-Employment Benefits Trust Fund created under Article 8 of the May 6, 2014 Special Town Meeting.

**ARTICLE 8: WASTEWATER DEPARTMENT BUDGET**

I move that Article 8 be accepted and adopted as printed in the warrant and that \$50,000 be transferred from the Wastewater Department Receipts, \$100,000 be transferred from the Wastewater Enterprise Fund Retained Earnings and \$550,432 be raised and appropriated to fund the Wastewater Enterprise Fund operating budget. Total appropriation of \$700,432.

**ARTICLE 9: MONOMOY MIDDLE SCHOOL RENOVATION PROJECT**

I move that Article 9 be accepted and adopted and that the Town approve the \$2,500,000.00 debt authorized by the Monomoy Regional School District to pay costs of renovating and reconstructing the exterior siding of the

Monomoy Regional Middle School, including the payment of all costs incidental and related thereto, provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2-1/2, so-called).

[Note: Ballot Question #1 on the Annual Town Election Ballot – MAY 21, 2024]

**ARTICLE 10: PETITIONED ARTICLE – TREE PRESERVATION BYLAW**

I move that Article 10 be indefinitely postponed.

[Positive Motion for Patrick Otton] I move that Article 10 be accepted and adopted as printed in the warrant.

**ARTICLE 11: FUND CAPE COD COMMUNITY MEDIA CENTER**

I move that Article 11 be accepted and adopted as printed in the warrant and that the sum of \$158,273 be transferred from the PEG Access and Cable Related Fund for this purpose.

**ARTICLE 12. LEASE PURCHASE AGREEMENTS**

I move that Article 12 be indefinitely postponed.

**ARTICLE 13. PETITIONED – HOME RULE PETITION: PESTICIDES**

I move that Article 13 be accepted and adopted as printed in the warrant.

**ARTICLE 14. PETITIONED ARTICLE – AUTHORIZE SPECIAL ACT TO ENABLE HARWICH TO REGULATE THE APPLICATION OF FERTILIZERS**

[Positive Motion for Patrick Otton] I move that Article 14 be accepted and adopted as printed in the warrant.

**ARTICLE 15. PETITIONED ARTICLE - AFFIRM SUPPORT FOR A PUBLIC ACCESS OLYMPIC SWIMMING POOL AND FACILITIES AT THE HARWICH COMMUNITY CENTER**

[Positive Motion for Patrick Otton] I move that Article 15 be accepted and adopted as printed in the warrant.

**ARTICLE 16: ADOPT THE CAPITAL PLAN**

I move that Article 16 be accepted and adopted with the following changes to the FY 2025 column as set forth in Appendix C of this warrant, under the FY 2025 column add \$1,160,000 to the *Facility Maintenance 80 Parallel Street (Brooks Academy)* project, add \$2,500,000 to the *Golf Irrigation Update* project, and add \$1,500,000 to the *Public Works Road Maintenance/improvements* project.

**ARTICLE 17: CAPITAL OUTLAY PROJECTS FUNDED FROM VARIOUS SOURCES**

I move that this article be accepted and as printed in the warrant and that \$47,863 be transferred from the Cable PEG fund, \$240,000 be transferred from the Waterways Improvement Receipts Reserved Fund for this purpose.

**ARTICLE 18: CAPITAL OUTLAY PROJECTS FUNDED FROM FREE CASH**

I move that this article be accepted and adopted as printed in the warrant and further that the sum of \$2,892,000 be transferred from Free Cash for this purpose.

**ARTICLE 19: CAPITAL OUTLAY PROJECTS FUNDED FROM WATER RETAINED EARNINGS AND BORROWING**

I move that Article 19 be accepted and adopted as printed in the warrant and that \$2,402,000 be appropriated for purposes of the Article and that to meet this appropriation \$1,652,000 be transferred from the Water Enterprise

Fund Retained Earnings and that the Town authorize the Treasurer with the approval of the Select Board to borrow \$750,000 and to issue bonds and notes of the Town therefore pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority for the purpose of painting the Pleasant Lake Avenue Water Tank, including all costs incidental and related thereto.

*Requires a 2/3rds vote.*

**ARTICLE 20: CAPITAL OUTLAY PROJECTS FUNDED FROM WASTEWATER RETAINED EARNINGS**

I move that Article 20 be accepted and adopted as printed in the warrant and that \$75,000 be transferred from Wastewater Retained Earnings for this purpose.

**ARTICLE 21: ACQUISITION OF A CONSERVATION RESTRICTION FOR 1039 ROUTE 28**

I move that Article 21 be indefinitely postponed.

**ARTICLE 22: EXPENDITURE OF FUNDS FROM SALE OF 276 QUEEN ANNE ROAD**

I move that Article 22 be accepted and adopted as printed in the warrant and \$1,505,001 be transferred from the Sale of Land Receipt Reserved Fund (Sale of Land Sinking Fund) for this purpose.

*Requires a 2/3rds vote.*

**ARTICLE 23: CORRECT ARTICLE 24 FROM THE 2023 ANNUAL TOWN MEETING**

I move that Article 23 be accepted and adopted as printed in the warrant.

**ARTICLE 24: COMMUNITY PRESERVATION ACT –HOUSEKEEPING EXPENSES**

I move that Article 24 be accepted and adopted as printed in the warrant and that \$199,500 be transferred from Community Preservation Fund FY2025 Estimated Revenue to Open Space Reserve, that \$199,500 be transferred from Community Preservation Fund FY2025 Estimated Revenue to Historic Preservation Reserve, that \$199,500 be transferred from Community Preservation Fund FY2025 Estimated Revenue to Community Housing Reserve and that \$75,000 be transferred from Community Preservation Fund FY2025 Estimated Revenue for the purpose of Administrative Expenses for the Community Preservation Fund.

**ARTICLE 25: COMMUNITY PRESERVATION ACT – BEACH AUTOMATED EXTERNAL DEFIBRILLATOR (AED) ACQUISITION**

I move that Article 25 be accepted and adopted as printed in the warrant and that \$39,000 be appropriated for this purpose and that \$17,300 be transferred from Community Preservation Fund FY2025 Estimated Revenue and \$21,700 be transferred from the Community Preservation Fund Undesignated Fund Balance.

**ARTICLE 26: COMMUNITY PRESERVATION ACT – COLD BROOK TRAILHEAD AND PUBLIC ACCESS PROJECT**

I move that Article 26 be accepted and adopted as printed in the warrant and that \$250,000 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 27: COMMUNITY PRESERVATION ACT – HARWICH POLICE SOCCER CLUB STREET SOCCER PITCH**

I move that Article 27 be accepted and adopted as printed in the warrant and that \$48,700 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 28: COMMUNITY PRESERVATION ACT – AFFORDABLE HOUSING TRUST FUNDS**

I move that Article 28 be accepted and adopted as printed in the warrant and that \$500,000 be appropriated for this purpose and that \$199,500 be transferred from the Community Preservation Fund Community Housing Reserve Fund and that \$300,500 be transferred from Community Preservation Fund FY2025 Estimated Revenue.

**ARTICLE 29: COMMUNITY PRESERVATION ACT – LOWER CAPE HOUSING INSTITUTE**

I move that Article 29 be accepted and adopted as printed in the warrant and that \$7,500 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 30: COMMUNITY PRESERVATION ACT – MONOMOY REGIONAL SCHOOL DISTRICT PRESS BOX PROJECT**

I move that Article 30 be accepted and adopted as printed in the warrant and that \$100,000 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 31: COMMUNITY PRESERVATION ACT – NORTH WOODS AND WATER SUPPLY PROTECTION PROJECT**

I move that Article 31 be accepted and adopted as printed in the warrant and that \$100,000 be transferred from Community Preservation Fund FY2025 Open Space Reserve Fund for this purpose.

**ARTICLE 32: COMMUNITY PRESERVATION ACT – 203 BANK STREET FIREHOUSE HOUSING**

I move that Article 32 be accepted and adopted as printed in the warrant and that \$400,000 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 33: COMMUNITY PRESERVATION ACT – RED RIVER VALLEY LAND AND WATER PROTECTION PROJECT**

I move that Article 33 be accepted and adopted as printed in the warrant and that \$150,000 be appropriated for this purpose and that \$99,500 be transferred from the Community Preservation Fund Open Space Reserve Fund and that \$50,500 be transferred from Community Preservation Fund FY2025 Estimated Revenue.

**ARTICLE 34: COMMUNITY PRESERVATION ACT – SENIOR MEMORIAL SOFTBALL FIELD FENCING**

I move that Article 34 be accepted and adopted as printed in the warrant and that \$110,000 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 35: COMMUNITY PRESERVATION ACT – SOUTH HARWICH GRAVESTONE CONSERVATION**

I move that Article 35 be accepted and adopted as printed in the warrant and that \$23,000 be transferred from Community Preservation Fund FY2025 Community Preservation Historic Reserve Fund for this purpose.

**ARTICLE 36: COMMUNITY PRESERVATION ACT – VETERANS MEMORIAL COMPLEX ELECTRIC IRRIGATION REPLACEMENT**

I move that Article 36 be accepted and adopted as printed in the warrant and that \$37,000 be transferred from Community Preservation Fund FY2025 Estimated Revenue for this purpose.

**ARTICLE 37. REPURPOSE ARTICLE 31 OF THE 2013 ANNUAL TOWN MEETING**

I move that Article 37 be accepted and adopted as printed in the warrant.

**ARTICLE 38. FUND FISCAL YEAR 2024 WASTEWATER DEBT**

I move that Article 38 be accepted and adopted and that \$858,742 be transferred from the Wastewater Enterprise Fund Retained Earnings to the FY2024 Wastewater Enterprise Fund operating budget for the purpose of debt payments.

**ARTICLE 39. ANNUAL DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION**

I move that Article 39 be accepted and adopted as printed in the warrant.

**ARTICLE 40. TRANSFER 172 QUEEN ANNE ROAD FOR DISPOSITON**

I move that Article 40 be accepted and adopted as printed in the warrant.

*Requires a 2/3rds vote.*

**ARTICLE 41. TRANSFER 174 QUEEN ANNE ROAD FOR DISPOSITON**

I move that Article 41 be accepted and adopted as printed in the warrant.

*Requires a 2/3rds vote.*

**ARTICLE 42. TRANSFER 246 QUEEN ANNE ROAD FOR DISPOSITON**

I move that Article 42 be accepted and adopted as printed in the warrant.

*Requires a 2/3rds vote.*

**ARTICLE 43. AMEND CHAPTER 7 OF THE GENERAL BYLAWS**

I move that Article 43 be accepted and adopted as printed in the warrant.

**ARTICLE 44. AMEND CHAPTER 271 OF THE GENERAL BYLAWS**

I move that Article 44 be accepted and adopted as printed in the warrant.

**ARTICLE 45. AMENDMENTS TO THE HARWICH CHARTER**

I move that Article 45 be accepted and adopted as printed in the warrant.

*Requires a 2/3rds vote.*

**ARTICLE 46. PETITIONED ARTICLE - HOME RULE PETITION – ATTAINABLE HOUSING**

I move that Article 46 be accepted and adopted as printed in the warrant.

**ARTICLE 47. DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT LIBRARY**

I move that Article 47 be accepted and adopted and that \$20,000 be raised and appropriated for this purpose.

**ARTICLE 48. PROMOTE THE TOWN OF HARWICH**

I move that Article 48 be accepted and adopted and that \$50,000 be raised and appropriated for this purpose.

**ARTICLE 49. ANNUAL ALLOCATION FOR LOCAL CULTURAL COUNCIL GRANTS**

I move that Article 49 be accepted and adopted and that \$4,000 be raised and appropriated for this purpose.

**ARTICLE 50. FUND ELECTRONIC VOTING AT TOWN MEETINGS**

I move that Article 50 be accepted and adopted as printed in the warrant.

**ARTICLE 51. SUPPLEMENTAL APPROPRIATION FOR PHASE 3 WATERSHED MANAGEMENT PLAN CONSTRUCTION CONTRACTS**

I move that Article 51 be accepted and adopted as printed in the warrant.

*Requires a 2/3 vote.*

**ARTICLE 52. FUND A SEWER ASSISTANCE GRANT PROGRAM**

I move that Article 52 be accepted and adopted and that \$100,000 be transferred from the Wastewater Enterprise Fund Reserved for Special Purpose fund for this purpose.

**ARTICLE 53. HERRING FISHERIES**

I move that Article 53 be accepted and adopted as printed in the warrant.

**VOTING PROCEDURES**



- I A quorum, 150 registered voters, must be present in order to conduct business. The only motion in order when no quorum is present is a motion to adjourn.
- II A two-thirds majority of the Town Meeting shall be required for inclusion of any Capital Outlay, unless it was included in the Capital Outlay Plan adopted at the preceding Town Meeting.
- III All motions introduced at the Town Meeting shall be in writing when required by the Moderator.
- IV Voters are limited to two times speaking on any one question; the total time speaking not to exceed 10 minutes.
- V Only registered voters shall occupy the meeting “floor”.
- VI No voter will be allowed to speak until he or she is recognized by the Moderator.
- VII Motion requiring more than a simple majority to pass:
  - A. To reconsider a vote on a motion –  $\frac{3}{4}$  majority (this motion must be made prior to the next adjournment of the meeting).
  - B. To consider articles in an order other than as appears on the warrant –  $\frac{3}{4}$  majority.
  - C. To pay unpaid bills –  $\frac{4}{5}$  majority at the Annual Town Meeting,  $\frac{9}{10}$  majority at a Special Town Meeting.
  - D. To move the previous question (terminate debate) –  $\frac{3}{4}$  majority.
- VIII Quorum cannot be questioned after a motion has been made and seconded.

TOWN MEETING

271 Attachment 1

Town of Harwich

Motion Chart

§ 271-11

(Application of rules is indicated by an X)

Motions	Debatable	Non Debatable	Amendable	Non Amendable	Second Request	Second Not Required	Majority Vote	2/3 Vote	3/4 Vote	May Reconsider	Cannot Reconsider
Adjourn		X		X	X		X				X
Adjourn (in a time certain)	X		X		X		X			X	
Amendment	X		X		X		X			X	
Adopt a resolution	X		X		X		X				X
Accept and adopt	X		X		X		X <sup>1</sup>			X	
Postpone indefinitely	X			X	X		X			X	
Previous question; terminate debate		X		X	X				X		X
Reconsider <sup>2</sup>	X			X	X				X		X
Consider articles out of order	X		X		X				X		X
Point of order		X					X				

**NOTES:**

1. Unless a greater than simple majority is required by General Laws or Town of Harwich Bylaws.
2. See § 271-9.