

Original Text	Revised/Draft Text	Considerations
<u>ORIGINAL ARTICLE II – PURPOSES</u>	<u>ARTICLE II – PURPOSES – preliminary Board approval 2/20/14</u>	
<p>The purposes of this Trust shall be to assist in and promote the preservation of the natural beauties and rural character of the Town of Orleans by the conservation, preservation and maintenance of beaches, meadows, woodland, marshlands, swamp lands, wet lands, lands lying under water and other open areas and wild life habitat in said Orleans and the establishment of sound conservational practices; to provide suitable open spaces for the education and training of the public in nature lore, and for the related public outdoor activities; to develop walking trails and bridle paths; to engage in and encourage</p>	<p>The primary purpose of the Orleans Conservation Trust shall be to hold land in its natural state for conservation purposes forever. To this end, the Trust shall promote the conservation and preservation of woodlands, wetlands, open areas and wildlife habitat in Orleans and its surrounds for current and future generations, promote the enhanced quality of Orleans’ waters, including but not limited to reducing the density of development, provide for the education of the public in and of nature, and encourage passive recreation.</p>	<ul style="list-style-type: none"> • Consider first sentence as its own paragraph; then 2nd sentence as a separate paragraph. • One suggestion; list all else as "Permissible Activities". • Do we keep water quality refs in or not? Suggest adding "water" to list of things to conserve and preserve as another way to do it. • A member suggested re-adding science considerations. • Robinson: need to be clear about what we do. 990 purpose: "acquisition of land for conservation purposes". • Many urge clarity of (narrow) purpose; some "love" or like new purpose language. • A member liked "reduce density" but maybe tie to "preserve land to reduce density". Several: s/ focus on "acquire and manage open space".
<p>others to engage in, the scientific study of plants, animals, birds, fish, shellfish and other wild life in the Town of Orleans; and to do such other things as shall tend to beautify, enhance and improve the Town of Orleans;</p>	<p>The Trust intends to supplement and lessen the burden of local government in providing open space and land for natural resource protection for its citizens as envisioned in Article 97 of the Amendments to the Massachusetts Constitution.</p>	<ul style="list-style-type: none"> • Some suggestions to remove "lessen burden of govt" but Robinson argues strongly for it; Levite ref to NEFF case.
<p>and in furtherance of the above purposes to acquire by gift, purchase or otherwise real estate and personal property, both tangible and intangible, of every sort and description; to use such property, both real and personal, in such manner as the Trustees shall deem most appropriate to carry out such purposes,</p>	<p>In furtherance of the above purposes, the Trust shall acquire by gift and purchase, real estate and interests therein and personal property of every sort and description, and shall use such property in such manner as the Trustees deem most appropriate to carry out the Trust’s purposes.</p>	<ul style="list-style-type: none"> • Old and new are basically the same (despite concern of one or more members). • Some added sentence here about PR and educational activities related to promoting Trust, cultivating donors, conservation awareness.
<p>provided, however, that all property comprising this Trust and the net earnings thereof shall be used only in the United States of America exclusively for the benefit of all the inhabitants of the Town of Orleans for the conservational, educational and scientific purposes for which this Trust is formed as set forth in this Article and no part of the activities of the Trust shall consist of propaganda or otherwise attempting to influence legislation or the participation in or intervention in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office and no part of the net earnings of this Trust shall enure or be payable to or for the benefit of any private individual or corporation.</p>	<p>Notwithstanding any other provisions of this Article, the Trust is organized exclusively for one or more of the purposes specified in Section 501(c)(3) of the Internal Revenue Code of 1986, and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal Income Tax under Internal Revenue Code 501(c)(3) or corresponding provisions of any subsequent Federal Tax laws.</p>	<ul style="list-style-type: none"> • "New" is 501-C-3 focused; old precludes "propaganda". • Many want to preclude "propaganda" but Robinson gave oil pipeline example. • Several/many urge "no politics". • Some suggest re-added long sentence from old about no propaganda.