

BOARD OF SELECTMEN
MEETING MINUTES

K. Dunford
TOWN OF ORLEANS
TOWN CLERKS OFFICE
09 MAR -9 PM 1:01

January 7, 2009

Approved on January 14, 2009

A meeting of the Orleans Board of Selectmen was held on Wednesday January 7, 2009 in the Nauset Room of the Orleans Town Hall. Present were Chairman David M. Dunford, Vice-Chairman Mark E. Carron, Clerk Jon R. Fuller, Selectwoman Margie Fulcher, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairman Dunford called the meeting to order at 6:30 pm.

Public Comment: (00:00:20)

Bob Donath, a resident of East Orleans, spoke to the Board in regard to a citizen-initiated petition, of over 500 names, to hold a special election for to fill Selectman Hinckley's un-expired term on the Board of Selectmen. He urged the Board to honor the petition and vote to hold a special election as soon as possible. (00:00:25)

Dick Philbrick, a resident of Barley Neck Road, spoke to the Board in regard to the need for a special election to fill Selectman Hinckley's un-expired term on the Board of Selectmen. (00:05:15)

Myra Suchenicz, Orleans' Assistant Town Administrator, announced the naming of Town Tree Warden, Dan Connolly, as Tree Warden of the Year, by the Massachusetts Tree Warden and Forrester's Association. She congratulated Mr. Connolly and thanked him for his service. (00:06:40)

Barry Cavanaugh, a resident of Tonset Road, spoke to the Board in regard to an article in the Cape Cod Times regarding the Nauset Regional School Committee's decision to increase the Superintendent of Schools salary by 10% in a time when most towns budgets are in crisis. (00:08:10)

Adopt Meeting Minutes: (00:09:20)

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the October 11, 2006 meeting as written. The vote was 4-0-0.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the 10/18/06 meeting as amended. The vote was 4-0-0.

On a motion by Mrs. Fulcher, and seconded by Mr. Dunford, the Board voted to adopt the minutes of the 12/13/06 meeting as written. The vote was 4-0-0.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the 12/20/06 meeting as amended. The vote was 4-0-0.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the 12/10/08 meeting as amended. The vote was 4-0-0.

Committee Interviews and Appointments: (00:15:30)

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to appoint Joseph Haddad to the Bike and Walkways Committee with a term expiration of June 30, 2010. The vote was 4-0-0.

Extension of Temporary Closing East Orleans Deli: (00:16:52)

Rob Sethares, owner/manager of the East Orleans Deli, spoke to the Board to ask permission to temporarily close the East Orleans Deli in order to make minor renovations.

On a motion by Mr. Fuller, and seconded by Mr. Carron, the Board voted approve the request of Robert Sethares, owner/manager of the DRJX Deli, LLC d/b/a East Orleans Deli, to temporarily close for the period of February 15th 2009 through March 31st 2009 for minor renovations in accordance with the rules and regulations of the Local Licenses Authority. The vote was 4-0-0.

The Board advised Mr. Sethares, that should he require additional time to complete the Renovations, he should contact the Town Administrator's office for an extension.

Special Election: (00:25:00)

The Board discussed the citizen's petition requesting that a special election be held to fill Selectman Hinckley's un-expired term on the Board of Selectmen. Mr. Kelly informed the Board that Town Counsel is of the opinion that the election should be held as soon as practical, such as Tuesday March 24, 2009.

Mr. Kelly informed the Board that the funds required for the special election would probably cause the Town Clerk's budget to run short and would require a reserve fund transfer prior to the Annual Election in May of 2009.

The dates for the special election also need to take into consideration the cut off dates for the nomination papers for the annual election.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to hold a Special Election for the current vacancy on the Board of Selectmen on March 24, 2009. The vote was 4-0-0.

Follow up with Consultant on Organizational Study Draft Report: (00:53:00)

The consultant from Matrix Consulting Group met with the Board to present the final draft of the report on the organizational study to the Board. The Board will be forwarding any questions, comments or concerns regarding to the report to the consultant prior to the final draft of the report.

Committee Appointments: (01:42:50)

Andrew Miao met with the Board in regard to his application for an open seat on the Old Kings Highway Regional Historic District.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to appoint Andrew Miao to the Old Kings Highway Regional Historic District with a term ending date of 6/30/2012.

Orleans Town Clerk Cynthia May met with the Board to discuss the time constraints, deadlines and financial needs for the upcoming special election.

Follow-up discussion to consider general bylaws addressing Noise and Littering:
(01:54:40)

Mr. Kelly spoke to the Board about the proposed noise and littering bylaws. Mr. Dunford and Mrs. Fulcher suggested that the Board look at the historical minutes from a previous meeting when the Board rejected these bylaws.

Town Administrator's Report: (02:00:45)

-Pleasant Bay Resource Management Plan Update

On a motion by Mr. Carron, and seconded by Mr. Fuller, the Board voted to sign the Pleasant Bay Resource Management Plan Update to extend the agreement for an additional 5 years through 2013. The vote was 4-0-0.

-Annual Budget Documentation

Mr. Kelly presented the Board with some ideas for the format in which he will be presenting the annual budget information.

The Board believes that the three ring binders are the best format and that they would like to eliminate as much duplication as possible.

-Projected Budget Shortfall

Mr. Kelly presented the Board with a copy of a memo sent to all of the Town department managers outlining the areas of interest in the budget in the hopes of eliminating the approaching budget shortfall of \$300,000.

-Grant Funding

Mr. Kelly provided the Board with a list of grants that the Town has applied for and in recent years. Mr. Withrow also provided the Board with a total dollar amount for the grants that the town has received in both past and present.

-Nauset Beach Agreement

Mr. Kelly informed the Board that the Nauset Beach Agreement is not quite final yet.

-Economic Stimulus Package

Mr. Kelly spoke to the Board in regard to the Federal Economic Stimulus Package. He presented the Board with a list of current projects that may be eligible for funding through the package. However he did caution the Board that the information for eligibility is not straightforward. "It's clearly unclear what the town is supposed to do."

Mr. Kelly asked the Board to consider Deputy Pike's compensation agreement. The Board preferred to refer this item to the January 14, 2009 agenda.

Liaison Reports: (02:54:45)

Mr. Fuller gave the Board an update of the December 18th Conservation Preservation Committee meeting.

Mrs. Fulcher gave updates on the Orleans Elementary School Committee meeting, and the Nauset Regional Schools Income Committee.

Mr. Carron gave updates on the January 7th meeting of the Water Commissioners and a December 18th meeting of the Board of Health.

Mr. Dunford gave an update of the Wastewater Management Validation and Design Committee meeting.

Any other business: (03:11:00)

Mr. Fuller inquired as to when the Citizen of the Year applications would be available. Mr. Kelly stated that the announcement would be in the paper either in January or February and the selection would take place in March.

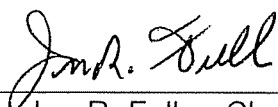
Mr. Carron asked if the Board would be receiving confirmation of their reservations for the MMA. Mr. Kelly stated that the reservation confirmations would be forth coming through the Town Administrator's office.

Mr. Dunford reminded the Board of several upcoming agenda items.

Adjourn: (03:14:05)

On a motion by Mr. Fuller, and seconded by Mr. Carron, the Board voted to adjourn. The vote was 4-0-0.

Respectfully submitted,
Kristen Holbrook



Jon R. Fuller, Clerk