

BOARD OF SELECTMEN
MEETING MINUTES

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

January 14, 2009

Approved on January 28, 2009

A meeting of the Orleans Board of Selectmen was held on Wednesday January 14, 2009 in the Nauset Room of the 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: (00:00:25)

Hap. Farrell, a resident of Eldredge Park Way, spoke to the Board about the Rock Harbor Parking Lot and Beach Area, the history of the area, and its importance to the town.

Steve Ellis, owner of a charter fishing boat out of Rock Harbor, spoke to the Board to emphasize the need to keep the Rock Harbor Parking Lot and Beach Area open.

Diane Johnson, a resident of Beach Road in Orleans, spoke to the Board about the importance of the Rock Harbor Town Landing for the citizens of Orleans in terms of recreation and scenery.

Due to the abundance of citizens wishing to speak at public comment, Chairman Dunford called a brief suspension, in order to commence with the Public Hearing for David Slack's Shellfish Grant Reconfiguration and Expansion Application.

Shellfish Grant Reconfiguration and Expansion Application: (00:18:00)

Chairman Dunford read the Public Notice for the hearing as published in the Cape Codder and called the public hearing to order.

Orleans Harbor Master Dawson Farber introduced the grant reconfiguration application to the Board and recommended the Board vote to authorize the application.

Julie Winslow, a resident of Orleans, spoke on behalf of Mr. Slack.

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

On a motion by Mr. Carron, and seconded by Mr. Fuller, the Board voted to approve the application for the reconfiguration and expansion of Shellfish Grant number 59 in Little Pleasant Bay issued to David Slack for 25 Namskaket Road Orleans, MA per the application filed with the Shellfish Department on August 26, 2008 with said license to expire on November 23, 2011. This license does not grant any property rights. It does not authorize any injury to private property or invasion of private rights.

The vote was 4-0-0.

Public Comment Continued: (00:26:02)

John Hodgkinson, a resident of Samoset Road in Orleans, spoke to the Board regarding a letter he sent to the Board about the Wastewater Management Steering Committee and the Wastewater Management Validation and Design Committee. He asked the Board to consider clarifying the charges of the two committees.

Julie Winslow, a resident of Orleans, spoke to the Board to emphasize the need for an agricultural commission for the town.

Adopt Meeting Minutes: (00:33:00)

On a motion by Mr. Carron, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the December 17, 2008 meeting as amended. The vote was 4-0-0.

On a motion by Mr. Carron, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the January 7, 2009 meeting as amended. The vote was 4-0-0.

Recommendation on Rock Harbor Parking Lot and Beach Plan: (00:36:25)

Orleans Harbormaster Dawson Farber presented the Board with a memo outlining his recommendation for the Rock Harbor Beach and Parking Lot Area. Mr. Farber stated that it is not his intention to stop access to the lower area of the Beach and Mr. Dunford concurred. Mr. Farber stated that he does not wish to eliminate the area of recreation, but only to limit the amount of sunbathing on the upper portion of the Beach.

Mr. Farber stated that increasing the emptying schedule of the trash bins and dumpster and portable toilets, dumpsters daily, toilets daily, would improve the situation but would also incur additional cost to the town.

Mr. Fuller stated that the purpose of a pay booth to use the Rock Harbor parking lot would be to maintain the landing, but the cost of the attendant would negate any monetary gain to maintain the lot. The town needs to think about what they can do to limit the abuse, while still keeping the area open to the residents of Orleans.

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to remove the two portable toilets and the two four yard dumpsters from the Rock Harbor Town Landing, and plant Rosa Rugosa on approximately 5,000 square feet of the beach area at the Rock Harbor Town Landing per the recommendations made by Harbormaster Dawson Farber for a net savings of \$2,400. The vote was 4-0-0.

Meet with Consultant to review draft report on the Classification and Compensation Study: (01:02:00)

Assistant Town Administrator Myra Suchenicz introduced the consultant Donald Jacobs of D.I Jacobs Consulting Company, to review the Classification and Compensation Study for the Board. Mr. Jacobs spoke to the Board to present his preliminary findings in the Classification and Compensation Study. Mr. Jacobs also updated the Board on the status of the study and the approximate timeline for completion.

Nauset Beach Agreement Modification: (01:40:15)

Mr. Kelly presented the Board with a copy of the Nauset Beach Agreement and summarized the language clarifications made by the town of Chatham. Mr. Kelly informed the Board that the Chatham Board of Selectmen had signed the modification agreement.

On a motion by Mr. Carron, and seconded by Mrs. Fulcher, the Board voted to sign and execute the modified Nauset Beach Agreement with the Town of Chatham dated January 13, 2009 and expiring January 12, 2012. This agreement will be reviewed annually. The vote was 4-0-0.

Review Proposed Capital Improvements Plan FY 2011 – FY 2015: (01:53:50)

Mr. Kelly provided the Board with the Capital Improvement Plan documents as requested. The Board discussed the changes made and the financial implications of the plan. He also explained the changes made in the plan and his recommendations for the upcoming fiscal years.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to refer the proposed Capital Improvements Plan for Fiscal Years 2011 through 2015 to the Finance Committee with the understanding that the Board reserves the right to make changes as they deem necessary. The vote was 4-0-0.

Discuss the possible establishment of an Agricultural Commission: (02:16:42)

Town Administrator John Kelly provided the Board with information from Orleans Director of Community Development and Planning George Meservey, for creating an agricultural commission in the town of Orleans.

On a motion by Mr. Carron and seconded by Mrs. Fulcher, the Board voted to request that the Town Administrator continue with research for creating an Agricultural Commission, consisting of five members, for the Town of Orleans and create a draft charge for such a commission and return to the Board for their review. The vote was 4-0-0.

Town Administrator's Report: (02:32:28)

Mr. Kelly provided the Board with a copy of the latest report for the Cape Cod Regional Transit Authority. The Cape Cod Regional Transit Authority will not meet again until February and Mr. Kelly will keep the Board informed of any developments and possible financial implications for Orleans.

Mr. Kelly spoke to the Board about the bids received in response to the Request for Proposals for the Peer Review of the Mass Estuaries Project Report on the Pleasant Bay System.

Mr. Kelly provided the Board with the final draft of the compensation agreement for Deputy Pike.

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to execute the compensation agreement with Deputy Pike. The vote was 4-0-0.

Liaison Reports: (02:52:10)

Mr. Fuller reported on meetings of the Community Preservation Committee and the Planning Board.

Mrs. Fulcher reported on a Nauset Regional School Committee Meeting. Mrs. Fulcher also suggested that the Board meet with the Orleans representatives on the Nauset Regional School Committee prior to March 1, 2009 in order to discuss the progression of the budget process.

Mr. Carron reviewed a Board of Health Meeting and a Finance Committee Meeting.

Any other business: (03:08:54)

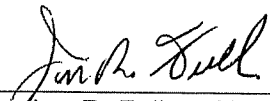
Mr. Carron mentioned an email he received regarding an upcoming Solid Waste Committee meeting.

Mrs. Fulcher asked the Board's feelings on Mr. Hodgkinson's letter and comments during Public Speak.

Adjourn: (03:22:25)

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

Respectfully submitted,
Kristen Holbrook



Jon R. Fuller, Clerk