

BOARD OF SELECTMEN
MEETING MINUTES

November 12, 2009

Approved on December 2, 2009

A meeting of the Orleans Board of Selectmen was held on Thursday, November 12, 2009, in the Nauset Room of the Town Hall. Present were Chairman Jon R. Fuller, Clerk Sims McGrath, Selectman David M. Dunford and Recording Secretary Kristen Holbrook.

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

Public Comment: (00:00:15)

Beverly Carney, a resident of Long View Drive, spoke to the Board regarding the Tri-Town Treatment Facility.

Paul Ammann, a resident of Orleans, spoke to the Board regarding an independent review of the three draft Cape Cod Bay MEP reports.

Gary Clinton, a resident of Nickerson Road and representative of the citizen committee for Decentralized Wastewater Options for Orleans, spoke to the Board regarding the decentralized wastewater system in the Town of Gloucester.

Approval of minutes: (00:11:50)

Due to the fact that there was not a quorum of eligible members present to approve the July 23, 2008 meeting, the Board postponed the vote on the minutes.

Committee Interviews and Appointments: (00:13:00)

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to appoint Mary Jane Curran with a term ending date of June 30, 2012, David Hubbard with a term ending date of June 30, 2011, Victor Noerdlinger with a term ending date of June 30, 2010, Kenneth Rowell with a term ending date of June 30, 2011 and Dick Philbrick with a term ending date of June 30, 2010 to the Renewable Energy and Wind Committee. The vote was 3-0-0.

The Board met with Mr. Matthew Cole regarding his interest in serving on the Zoning Board of Appeals.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to appoint Mr. Cole, to the Zoning Board of Appeals as an associate member with a term ending date of June 30, 2012. The vote was 3-0-0.

Meet with MIS Director Peter Van Dyck or Media Program Coordinator Sarah Eaton for overview of Virtual Town Hall and its polling capabilities: (00:19:45)

The Board met with Media Program Coordinator Sarah Eaton regarding the capabilities of the Virtual Town Hall Website. Ms. Eaton provided the Board with an overview of the current capabilities of the Orleans Town Website.

Meet with Board of Water & Sewer Commissioners Chairman and Assistant Town Planner John Jannell: (00:38:15)

The Board met with Dr. Ken McKusick, Chairman of the Board of Water and Sewer Commissioners. Dr. McKusick informed the Board the Board of Water and Sewer Commissioners had recently voted not to provide the citizens of Orleans with bottled water in the event of a “boil water” emergency. Dr. McKusick also asked that the Board support the Board of Water and Sewer Commissioners by signing a letter in support of a grant for the pursuit of the Wind Turbine project.

The Board met with Water Superintendent Lou Briganti. Mr. Briganti briefed the Board on the new Groundwater Rule that will go into effect December 1, 2009.

The Board met with Assistant Town Planner John Jannell spoke to the Board regarding the ARRA grant that is being offered for the pursuit of solar panels. Mr. Jannell asked the Board to consider supporting the grant application and authorize Town Administrator John Kelly to sign the application.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to support the ARRA Grant application and authorize the Town Administrator to sign the application. The vote was 3-0-0.

Mr. Jannell updated the Board on the ongoing Orleans Wind Energy Project. Mr. Jannell asked that the Board voted to sign and submit a letter of support for the project.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to authorize the Chairman to sign and submit the draft letter, as presented, in support for the grant application in pursuit of MTC grant funding for the Orleans Wind Energy Project. The vote was 3-0-0.

Meet with July 4th Committee: (01:14:35)

The Fourth of July Committee was unable to meet with the Board this evening.

Discuss Town Counsel’s opinion on Open Meeting Law and Sub-Committees, along with a review of the protocol for presenting Minority Reports by committee members: (01:14:50)

Due to Mr. Kelly’s absence the Board postponed this discussion.

Wastewater Planning Issues – Updates as necessary: (01:15:12)

Mr. Dunford stated that he was not in favor of the Board’s vote at the 11/4 meeting regarding the expenditure of funds. Mr. Dunford does not support the vote to expend funds in order to move forward with the MEPA process. Mr. Dunford asked that due to the importance of votes regarding the Comprehensive Wastewater Management Plan,

that the full complement of Board members be present when votes of this magnitude are taken.

Town Administrator's Report: (01:17:32)

Mr. Fuller informed the Board that the Town Administrator has taken a survey of the overtime expenditures associated with the Fourth of July celebrations and provided the Board with the information in anticipation of a meeting with the committee.

Mr. Fuller also presented the Board with information on a request from the Orleans Chamber of Commerce to use the Community Center's Courtyard or the vacant indoor space for the November 27, 2009 Christmas in Orleans celebration.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board to approve the use of the Community Center Courtyard by the Chamber of Commerce, for the Christmas in Orleans activities, on Friday, November 27, 2009 from 4pm to 8 pm.
The vote was 3-0-0.

Mr. Fuller presented the Board with information from Superintendent Hoffman, on cuts to school aid that will affect the fiscal year 2011 budget.

Mr. Fuller informed the Board of a meeting with the Elementary School Committee, in executive session, for the purpose of discussing strategy with respect to collective bargaining that is to take place on Monday, November 16, 2009 at 5:00 pm.

Mr. Fuller presented the Board with the monthly comparison of local estimated receipts.

Liaison Reports: (01:27:04)

Mr. McGrath updated the Board on a recent meeting of the Wastewater Management Steering Committee.

Mr. Fuller reported on a meeting of the Orleans Affordable Housing Committee.

Any other business: (01:32:15)

Mr. McGrath inquired about asking the MIS director about the collation of the water collection data.

Mr. Dunford informed the Board that he had received a communication regarding the Green Communities Act and its impact on the price of energy.

Mr. Fuller informed the Board that the lease of the Nauset Beach Snack Shack. Mr. Ohman's lease is expiring and the owner is asking for an extension.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to approve the amendment to extend the lease for Liam's Clam Shack, until November 15, 2011 with the caveat that the Board will consider a policy that

political fundraising events be prohibited in Town owned buildings. The vote was 3-0-0.

Adjourn: (01:42:20)

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to adjourn. The vote was 3-0-0.

Respectfully submitted,
Kristen Holbrook

Sims McGrath Jr., Clerk