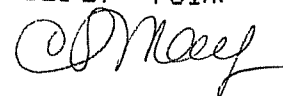


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BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES

February 10, 2010

Approved on February 24, 2010

An executive session meeting of the Orleans Board of Selectmen was held on Wednesday, February 10, 2010 in the Nauset Room of the Town Hall, for the purpose of discussing real property negotiations. Present were Chairman Jon R. Fuller, Clerk Sims McGrath Jr., Selectman Mark E. Carron, Selectman David M. Dunford, Town Administrator John Kelly, and Recording Secretary Kristen Holbrook.

Chairman Fuller called the meeting to order at 6:00 pm.

On a motion by Mr. Carron, and seconded by Mr. Dunford, the Board voted to enter into executive session for the purpose of discussing real property negotiations. The vote was 4-0-0, with Mr. McGrath, Mr. Dunford, Mr. Carron and Mr. Fuller all voting aye.

Alan McClennan, Chairman of the Open Space Committee, introduced Peter Johnson of the Brewster Conservation Trust and Mark Robinson of the Cape Cod Compact. Mr. McClennan spoke to the Board regarding the proposal to acquire the Matthews property in conjunction with the Town of Brewster. The Matthews family is still interested in selling the property even though the grant funding was not awarded. The Brewster Community Preservation Committee has voted to support a 50% cost of \$357, 000 for the purchase of the property. The Brewster Conservation Trust will purchase a small parcel of land, for wellhead conservation.

The Town of Orleans would be responsible for \$357,000 for a larger portion of land protection. The towns would then control most expansion northeast of the Matthews property. In the last four years Orleans has participated in 4 major property acquisitions.

Mrs. Fulcher joined the meeting at 6:16 pm.

Mr. McClennan further explained that the purchase and sales agreement currently in place expires on June 30, 2010, and then would be extended until December 31, 2010 so that the Town can pursue an additional grant through a different program in September. Mr. McClennan also informed the Board discussions of these land acquisitions have taken place in public sessions in the Town of Brewster. The Town of Orleans would hold conservation restrictions in all of the properties while the Town of Brewster would hold the titles for the property.

Mr. Robinson replied that the Hamilton property is under Purchase and Sales agreement, which is contingent on the purchase of the Matthews property. If the

Matthews property were not purchased then the sales agreement for the Hamilton property would be nullified. Additionally there are 3 parcels totaling 5 acres in the area, and all have been foreclosed on in the last 6 years. They are general municipal lands that can be used for any purpose. The intention is to have town meeting dedicate the land to conservation. This is the first time the Town of Brewster would be granting a conservation restriction. As to the grant, the Town of Brewster had all confidence that the grant would be awarded, however due to the Governors mid year budget cuts the grant award fund was considerably smaller than originally thought. The Town of Brewster is looking forward to applying for FY11 land grand money for renewed funds. It cannot be applied for until after the Annual Town Meeting.

Mr. Carron asked if the land would be purchased through the tax rolls.

Mr. Kelly replied that appropriation would come from Land Bank and Open Space funds in the capital fund.

Mr. McClennan stated that one other option is to use the left over funds from the Sparrow property. The money can be used to make the purchase price more attractive.

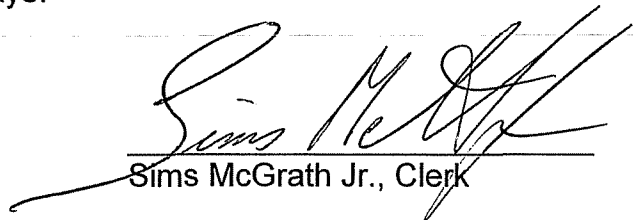
Mr. McClennan updated the Board on the negotiations for purchase of the Putnam Farm behind the Orleans District Courthouse. He explained that the property used to be assessed at 400,000, and Mr. McClennan thinks that the Town may be in a situation to purchase the Putnam Farm for around \$335,000 and use the Sparrow grant to make that feasible.

Mr. Kelly suggested that the Board have Mr. Withrow present, at a future date for discussions on financing options for the land purchases.

On a motion by Mr. Carron, and seconded by Mr. Dunford, the Board voted to authorize continued pursuit of the land acquisition, to seek funding in Sept of 2010, and have the Town Administrator and Finance Director present the Board with options for funding the purchase of the properties. Further the Board authorizes a draft article for the May Annual Town Meeting Warrant to pursue purchase of the Matthews Property for an amount not to exceed \$375,000. The vote was 5-0-0, with Mr. McGrath, Mr. Dunford, Mrs. Fulcher, Mr. Carron and Mr. Fuller all voting aye.

On a motion by Mr. Carron, and seconded by Mr. Dunford, the Board voted to return to open session. The vote was 5-0-0, with Mr. McGrath, Mr. Dunford, Mrs. Fulcher, Mr. Carron and Mr. Fuller all voting aye.

Respectfully submitted,
Kristen Holbrook



Sims McGrath Jr., Clerk

Released on 10/20/10