

BOARD OF SELECTMEN
MEETING MINUTES

May 26, 2010

Approved on June 9, 2010

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TOWN CLERKS OFFICE
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A meeting of the Board of Selectmen was held on Wednesday, May 26, 2010, in the Nauset Room of the Town Hall. Present were Chairwoman Margie Fulcher, Vice-Chairman Sims McGrath Jr., Clerk Jon R. Fuller, Selectman David M. Dunford, Selectwoman Susan B. Christie, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairwoman Fulcher called the meeting to order at 6:30 pm.

Public Comment: (00:00:25)

John Hogkinson, a resident of Samoset Road, spoke to the Board regarding the Board's upcoming discussion to appeal to the Barnstable County Commissioners for their assistance in receiving a peer review of the Massachusetts Estuaries Project reports, methodology and linked models, by the National Academy of Sciences. Mr. Hodgkinson is not in favor of the Board referring the matter to the Barnstable County Commissioners for review by the National Academy of Sciences.

Approval of Minutes: (00:07:10)

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to approve the minutes of the April 21, 2010 meeting as written. The vote was 4-0-1. Mrs. Christie abstained from the vote.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to approve the minutes of the April 28, 2010 meeting as written. The vote was 4-0-1. Mrs. Christie abstained from the vote.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve the minutes of the April 28, 2010 executive session meeting as amended. The vote was 4-0-1. Mrs. Christie abstained from the vote.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve the minutes of the May 5, 2010 meeting as amended. The vote was 4-0-1. Mrs. Christie abstained from the vote.

Committee Interviews and Appointments: (00:12:03)

The Board met with and interviewed, Orleans resident, Greg Delory. Mr. Delory expressed his interest in serving on the Zoning Board of Appeals as an associate member.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to appoint Greg Delory to the Zoning Board of Appeals as an associate member, with a term ending date of June 30, 2011. The vote was 5-0-0.

The Board met with and interviewed Paul Edward McNulty and Charles Bechtold for vacant positions on the Planning Board.

Mr. Fuller informed the Board that there is a third candidate interested in serving on the Planning Board. Mr. Kelly recommended that the Board defer a decision until all of the potential candidates have been interviewed.

Annual Hawker's and Peddler's License: (00:27:42)

Mr. Kelly presented the Board with an application from Snow's Home and Garden Center for a Hawker's Peddler's License to sell bottled water and packaged snacks from a small cart on their property.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to approve the application of H. H Snow and Sons, Inc. d/b/a Snow's Home and Garden for a Hawkers and Peddlers License to sell bottled water, soda, juice and packaged snacks from his property located at 22 Main Street during the months of May through September from 10:00 am until 4:00 pm, subject to all approvals, bylaws, permits and licenses, said license to expire on December 31, 2010. The vote was 5-0-0.

Liaison Assignments and Committee Changes: (00:28:47)

Mrs. Fulcher presented the Board with a draft of the Board member's liaison assignments and committee changes.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to dissolve the Police Station Feasibility Review Committee and the Maintenance Facility Feasibility Study Committee. The vote was 5-0-0.

Vote to Approve Conservation Restriction on Hamilton Property (8 Acres next to Matthews' property in Brewster): (00:30:47)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve and sign the conservation restriction for the Hamilton Property/Clay Holes Vernal Pools (8 Acres next to the Matthew's Property) located in the Town of Brewster. The vote was 5-0-0.

Web Cam at Nauset Beach – Update: (00:40:25)

Mr. Kelly presented the Board with information on the fully operational Nauset Beach Web cam. Mr. Kelly informed the Board that the site had received more than 5,000 visitors in the first four days.

Police Consolidation Study – Next Steps: (00:49:45)

Mr. Kelly updated the Board on the most recent meeting of the Police Consolidation Committee. Mr. Kelly explained that the committee would be meeting on June 8, 2010 at 3:00 pm in Wellfleet, to reassess and move forward. Further the committee is interested in further study of the regionalization efforts for regional 911 and other services.

Town Administrator's Report: (00:53:55)

Mr. Kelly informed the Board that the Town had received a response from NStar regarding the cormorant problem at Cedar Pond. Mr. Dunford asked that Mr. Kelly follow-up with the Cape Cod Commission and the action they will be taking on the NStar Herbicide proposal.

The Board received an update on the monthly revenue report from, Town of Orleans Finance Director, Mr. David Withrow.

Mr. Kelly also provided the Board with information from the Town of Eastham regarding the Town of Eastham filing special legislation for the adoption of the Room Occupancy Tax on Short Term Rentals. Mr. Kelly asked if the Board would like to pursue the possibility of taking steps similar to Eastham. The Board asked that this item be added to the agenda for the joint meeting of the Board of Selectmen and Board of Health for future discussion. Mrs. Christie stated that the Board of Health had previously discussed the issue and felt that it was not feasible because it would require additional staff for inspections. Mr. Fuller supported a future discussion of the issue.

Mr. Kelly announced that the Board of Health would be a sponsor for the Orleans Citizen's Forum on Tick Safety and Prevention. The meeting will be held in the Nauset Room and televised for informational purposes.

Mr. Kelly provided the Board with the draft minutes from the April 16, 2010 Tri-Town Board of Manager's meeting. Also Mr. Kelly informed the Board that the Board of Manager's had voted to adopt the budget for the facility at their most recent meeting.

Wastewater Planning Issues/Updates as Necessary: (01:33:05)

Mr. Kelly presented the Board with a draft letter composed by Director of Community Development and Planning, George Meservey and Wastewater Management Project Manager Ron Collins. Mr. Kelly further stated that in previous conversation UMASS Assistant Chancellor Mr. Hoey, had stated that SMAST would welcome a peer review.

The Board reviewed the draft letter to the Cape Cod Commission seeking support in referring the SMAST MEP model to the National Academy of Sciences for peer review. Mr. Fuller stated that the letter needs to show a reference to the previous conversation with Mr. Hoey.

Mr. Dunford agreed and stated that the letter is well written and asked that the carbon copy list should include federal, state and local representatives.

Mr. McGrath stated for the record, that this letter is in conjunction with other actions the Board is taking and the Board is making its best efforts to move forward. Mr. McGrath also stated that the letter is seeking further support for this referral, and should not be seen as a hand off of the responsibility. Mr. McGrath felt this was a first step in a two or three step process. Also would like to clarify that the models have been peer reviewed but the "linking" of the individual models, are what has not been reviewed. Mr. McGrath also stated that the Board needs to discuss whether or not the inclusion of questions is appropriate.

Mr. Kelly reminded the Board that there are eighty-nine embayments involved in the Massachusetts Estuaries Project; therefore this issue affects a huge area of southeastern Massachusetts. Mr. Kelly recommended the Board consider sending the letter to all fifteen Cape Cod towns to gain support for the review of this project.

Mrs. Fulcher stated that she agreed but she also had concerns and did not see the necessity of the attached questions. She also stated that it might be helpful for Mr. McGrath to work with the Town Administrator for revisions to the letter.

Mr. Dunford stated that he also supported sending the letter to all of the towns, and that he felt that the questions were useful.

Liaison Reports: (01:54:15)

Mr. Dunford updated the Board on a meeting of the Council on Aging. The walkway celebration will be Sunday June 6, 2010 at 2:30 pm.

Mr. Fuller reported that he had attended a meeting of the Planning Board.

Mrs. Fulcher informed the Board on a recent meeting of the Fourth of July Committee.

Any Other Business: (01:57:00)

Mr. Fuller asked that the Assistant Town Administrator report on the status of the Employee recognition program. He also reminded the Board that they should forward the completed evaluation form to him as soon as possible.

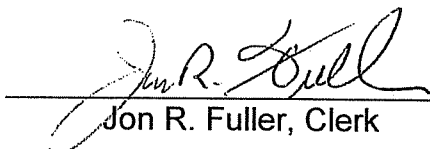
Mr. McGrath asked for the final version of the charge to Agricultural Committee, and Mrs. Fulcher asked if there have been any applications for the committee.

Adjourn: (02:02:00)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adjourn. The vote was 5-0-0.

Respectfully submitted,

Kristen Holbrook


Jon R. Fuller, Clerk