

BOARD OF SELECTMEN  
MEETING MINUTES

June 9, 2010

Approved on June 23, 2010

TOWN OF ORLEANS  
TOWN CLERKS OFFICE  
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A meeting of the Orleans Board of Selectmen was held on Wednesday, June 09, 2010 in the Nauset Room of the Orleans Town Hall. Present were Chairwoman Margie Fulcher, 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: (00:00:10)

No public comment was offered.

Approval of Minutes: (00:00:20)

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to adopt the minutes of the May 26, 2010 meeting as written.** The vote was 4-0-0.

Meet with Stop & Shop Representatives: (00:01:10)

The Board met with Andrew Singer an attorney for Stop and Shop. Mr. Singer informed the Board that the Stop and Shop has withdrawn its application for a gas station at Cranberry Cove Plaza, due to the fact that the permitting process had become too costly, but Stop and Shop would like to leave the door open for reopening the permitting process in the future.

Mr. Dunford thanked Mr. Singer and the Company for their consideration and stated that he is always open to discussion.

Public Comment: (00:03:50)

Elizabeth DeLima, President of the Orleans Citizen's Forum, invited the Board to attend the public informational forum being hosted by the Orleans Board of Health in partnership with the Orleans Citizen's Forum Tuesday, June 15th at 5:30 to 7:30 pm in the Nauset Room.

Update Designation of Special Municipal Employees: (00:06:55)

Mr. Kelly presented the Board with an updated list of the Special Municipal Employees. Mr. Kelly pointed out that the Police Station Feasibility Committee and the Town Maintenance Facility Committee have been sunsetted and therefore needed to be removed from the list.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to classify the positions listed on the attached memo dated June 9, 2010 as Special**

**Municipal Employees pursuant to Massachusetts General Laws Chapter 268A, as amended.** The vote was 4-0-0.

Committee Interviews and Appointments: (00:07:51)

The Board met with and interviewed Orleans citizen Michael P. Marnik regarding his interest in serving as a member of the Zoning Board of Appeals. Mr. Marnik stated that he feels that he would be an asset to the committee. He also stated that he has recently moved to Orleans and would like to assimilate into the community.

**On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to elevate Zoning Board of Appeals associate member Matthew Cole to a Regular Member with a term ending date of June 30, 2012.** The vote was 4-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to appoint Michael P. Marnik to the Zoning Board of Appeals as an associate member with a term ending date of June 30, 2013.** The vote was 4-0-0.

**On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to reappoint William Pearsall to the Zoning Board of Appeals, as a Regular Member with a term ending date of June 30, 2013.** The vote was 4-0-0.

Annual Committee Reappointments: (00:17:45)

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to reappoint Susan Sasso to the Affordable Housing Committee with a term ending date of June 30, 2013.** The vote was 4-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to reappoint John Kelsey to the Architectural Review Committee with a term ending date of June 30, 2013.** The vote was 4-0-0.

**On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to reappoint Mary Lou Cassese to the Board of Assessors with a term ending date of June 30, 2013.** The vote was 4-0-0.

**On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to reappoint Robert Royce to the Conservation Commission with a term ending date of June 30, 2013.** The vote was 4-0-0.

Affordable Housing Committee: (00:22:35)

The Board reviewed the draft charge of the Affordable Housing Committee. The Affordable Housing Committee reviewed and updated the charge on May 13, 2010 and asks that the Board voted to adopt the charge for the Affordable Housing Committee as amended.

Follow up on Discussion of CIP Options and Recommendations: (00:30:10)

Mr. Kelly provided the Board with a draft scope of work for an existing conditions assessment and feasibility study. Mr. Kelly informed the Board that the Town has some funding available to address the study for the maintenance facilities. However there is no funding available for Snow Library or the Orleans Fire Station. A feasibility study has already been completed for the Police Station. He will ask the Finance Committee to consider a reserve fund transfer in the amount of \$20,000 to cover the study for the Library and the Fire Station. The Finance Committee will consider the transfer at their meeting June 10, 2010 in order to meet the time constraints necessary for the fiscal year. Mr. Kelly stated that his goal is to have the study completed within 4 months. He has also suggested that the Board of Selectmen act as the review committee for the study. Mr. Kelly asked the Board if they were comfortable with the draft RFP and to authorize Mr. Kelly to move forward with the reserve fund transfer request.

Mrs. Christie asked if the Board would be able to visit the sites that are being studied, Mr. Kelly replied that the Board is welcome to visit the sites as well.

Mr. Dunford stated that he did not feel that the Board of Selectmen was qualified to act as a review committee in this instance.

Mr. Kelly replied that the goal of having the Board act as the review committee would be to have the Board understand the needs and costs. Mr. Collins and other staff would provide the engineering expertise in terms of the capital need of the Town of Orleans going forward.

Mr. Fuller stated that the proposal is a good back-up document. The study, when completed should generate the necessary evidence in terms of the deficiencies and needs for the Town of Orleans, to support and substantiate the CIP.

Mrs. Fulcher stated that the study would help provide the information that is needed. She also appreciates keeping the Board of Selectmen in the scope of the study.

Mr. Dunford agreed and stated that it is a visible and correct effort, and suggested that bidders on the RFP should be excluded from future work on these projects.

Mr. Kelly stated that in doing so the Town might unintentionally exclude an affordable and qualified firm.

Mrs. Fulcher stated that she feels comfortable with the decision and projects awarded based on the scored system that is used by the Town.

Mr. Kelly explained that the qualification-based selection protects the interests of the Town.

Mr. Dunford replied that he is talking about giving the best possible impression to the residents. He only wishes to have no perception of conflicts.

Mrs. Fulcher stated that she supports the document as presented. Mr. Fuller stated that he felt the Board should wait until all five Board members were present for discussion.

**On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to accept the draft of the study and authorize Mr. Kelly to move forward with the study. The vote was 3-1-0, Mr. Dunford voted nay.**

Town Administrator's Report: (00:59:45)

**On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to accept the resignation of Gerard Csaposs from the Commission on Disabilities with regret and gratitude. The vote was 4-0-0.**

Mr. Kelly presented the Board with an invitation to the AmeriCorps Cape Cod graduation and community recognition ceremony on Thursday, July 22, 2010 at the Cape Cod Community College.

Mr. Kelly explained that there is a self-help grant available for reimbursement of the purchase of the Putnam Property, in order for the Town of Orleans to be eligible to apply for the grant, the Board must vote to authorize the Town Administrator to submit the applications.

**On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to authorize the Town Administrator, Community Preservation Committee and the Conservation Commission to prepare and submit applications to the Commonwealth of Massachusetts Division of Conservation Services reimbursement program including the LAND program for the FY11 grant round for the 13 acre Putnam Property at Boat Meadow Creek. And further the Board certifies by said vote that the Town Administrator is authorized to sign any contracts and provide legal assurances and understandings to the Commonwealth regarding said applications and awards, and to serve as the Project Manager and primary local contact on matters relating to communications with the Division on Conservation Services regarding these applications, on behalf of the Town of Orleans, and that his signature shall bind the Town regarding the intent of said documents. The vote was 4-0-0.**

Wastewater Planning Issues/Updates as Necessary: (01:09:25)

No wastewater issues were offered for discussion.

Liaison Reports: (01:09:35)

Mrs. Christie reported on meetings of the Board of Health, the Community Preservation Committee, the Cultural Council and the Snow Library Board of Trustees.

Mr. Fuller reported on a meeting of the Bike and Walkways Committee.

Any other business: (01:16:00)

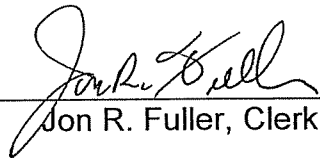
No other business was discussed.

Adjourn: (01:16:10)

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

Respectfully submitted,

Kristen Holbrook

  
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Jon R. Fuller, Clerk

