

BOARD OF SELECTMEN
MEETING MINUTES

February 17, 2010

Approved on March 3, 2010

A meeting of the Orleans Board of Selectmen was held on Wednesday, February 17, 2010 in the Nauset Room of the Town Hall. Present were Chairman Jon R. Fuller, Vice-Chairwoman Margie Fulcher, Clerk Sims McGrath Jr., Selectman Mark E. Carron, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

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

Public Comment: (00:00:12)

No public comment was offered.

Committee Interviews and Appointments: (00:00:20)

The Board met with and interviewed Erica Parra regarding her interest in serving on the Affordable Housing Committee.

On a motion by Mr. Carron, and seconded by Mrs. Fulcher, the Board voted to appoint Erica Parra to the Affordable Housing Committee with a term ending date of June 30, 2011. The vote was 4-0-0.

NSTAR 2010 Yearly Operational Plan: (00:02:20)

Town Administrator John Kelly presented the Board with information from NStar regarding the yearly operational plan for right of way maintenance. Mr. Kelly explained that the town had previously received assurance from NStar stating that there would be no spraying of herbicides prior to June of 2010. Mr. Kelly presented the Board with a letter to NStar regarding the town's position on the spraying of herbicides within the Town of Orleans watershed.

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to sign and send the letter dated February 17, 2010 addressed to William Hayes, Senior Arborist, NStar Electric and Gas Company, as amended. The vote was 4-0-0.

Town Administrator's Report: (00:11:29)

Mr. Kelly presented the Board with a request from the Conservation Commission in the amount of \$95.00 in order for one member of the commission to attend a workshop.

On a motion by Mr. Carron, and seconded by Mr. McGrath, the Board voted to approve the request of the Conservation Commission for the release of \$95.00 from the Wetlands Protection Fund for the purpose of attending a workshop

sponsored by the Mass Association of Conservation Commissions. The vote was 4-0-0.

Mr. Kelly updated the Board with his recommendation for the establishment of an Agricultural Commission or Agricultural Committee.

On a motion by Mrs. Fulcher, and seconded by Mr. McGrath, the Board voted to establish a standing Agricultural Advocacy Council, that will be advisory in nature, with a charge to be developed by the Board of Selectmen in two weeks. The vote was 4-0-0.

7:00 p.m. Meet with Snow Library Trustees to consider appointment to fill vacancy due to resignation: (00:32:20)

Due to a scheduling conflict the Snow Library Board of Trustees was not able to meet with the Board and the joint public meeting was cancelled.

Town Administrator's Report (continued): (00:32:55)

Town Administrator John Kelly updated the Board with information concerning the proposed acquisition of properties off of Route 39 in the Town of Brewster. Mr. Carron suggested that the Board inquire as to what would be required to fund the purchase through the Water Reserve Funds.

Mr. Kelly also presented the Board with information on the possible options for future uses of the Community Building. Mr. Kelly suggested that the Board have a discussion about the Community Building while reviewing the Parks and Beaches budget. Some of the options presented for the building include selling the building and property, leasing the unused portions of the building, leasing the entire building or demolition of the existing structure.

Mrs. Fulcher stated, for the record, that neither she nor the Parks and Beaches Superintendent has a financial interest in the town center.

7:30 p.m. Public Hearing - The Great Pacific Co., Inc. D/B/A Hunan Gourmet Transfer Annual All Alcoholic Common Victualler Liquor License: (00:54:53)

Chairman Fuller read the notice for the Public Hearing as published in the Cape Codder.

On a motion by Mr. McGrath, and seconded by Mrs. Fulcher, the Board voted to approve the transfer of Annual All Alcoholic Common Victualler Liquor License and issue a new Common Victualler License for the Great Pacific Company, Inc. d/b/a Hunan Gourmet, Siu Kuen Miu-Liu, Manager located at at 225 Cranberry Highway, Orleans, MA subject to all local and state permits licenses and approvals laws and bylaws and in accordance with the Town of Orleans Rules and Regulations of the Liquor Licensing Authority adopted December 21, 1994 amended August 9, 1995 and February 10, 2010 and M.G.L Chapter 138. Hours of operation shall be from 11:00 am to 11:00 pm Mondays through Sundays. Said

license to be issued after approval from the Alcoholic Beverage Control Commission is received and expiring on December 31, 2010. This license is subject to approval of the Board of Health. The vote was 4-0-0.

FY11 Budget Review: (01:01:58)

The Board met with Orleans Town Finance Director David Withrow to continue the review of the fiscal year 2011 budget.

Mr. Kelly suggested to the Board that they might wish to schedule a special day session Board of Selectmen's meeting in order to review the major departmental budgets in greater detail without interfering with the weekly Board meetings and business.

On a motion by Mrs. Fulcher, and seconded by Mr. Fuller, the Board voted to eliminate the \$1200 line item budgeted for attendance at the Massachusetts Council on Aging Annual Conference from the fiscal year 2011 COA budget. The vote was 4-0-0.

Wastewater Planning Issues/Updates as Necessary: (02:23:56)

Mr. Kelly updated the Board with a proposal from U.S. Geological Survey for groundwater monitoring at Namskaket Creek.

Town Administrator's report (continued): (02:25:45)

Mr. Kelly informed the Board of a request from the Planning Board to delay the revisions to the zoning bylaw concerning banners until the 2011 Annual Town Meeting.

On a motion by Mrs. Fulcher, and seconded by Mr. McGrath, the Board voted to hold over the Banner Bylaw amendments until 2011. The vote was 4-0-0.

Mr. Kelly presented the Board with an update of the local receipts comparison for January 2009 and January 2010.

Mr. Kelly informed the Board of a reserve fund transfer request presented to the Finance Committee to address unemployment insurance claims.

The Board received copies of meeting minutes from the Tri-Town Board of Managers meeting for the month of January 2010 from Mr. Kelly. Also included in the informational packets were copies of the Tri-Town Annual Report, Tri-Town Draft Capital Plan and the FY2011 Budget and septage flow rates by town.

Mr. Kelly informed the Board that the Marine Corp ceremony and concert traditionally held at Eldredge Park in the Town of Orleans would be held at the Dennis-Yarmouth Regional High School for 2010 in recognition of the active service related casualties from the Yarmouth area.

Liaison Reports: (02:51:30)

Mrs. Fulcher updated the Board on a recent meeting of the Nauset Regional School District Committee.

Mr. Carron updated the Board on a recent meeting of the Finance Committee.

Mr. Fuller updated the Board with information from recent meetings of the Planning Board and the Community Preservation Committee.

Any other business: (02:57:50)

Mr. Carron brought up a possible programming glitch on Channel 18 and some concern over poor audio quality. Mr. Carron also mentioned that there is a group of people interested in petitioning the town to layout Beach Road. Mr. Carron also asked if the Town would offer the Council on Aging Building for the citizen's forum for the Board of Selectmen's candidate debate.

Mr. McGrath informed the Board of a February 23, 2010 presentation by the Cape Cod Water Protection Collaborative on the comparison of centralized and decentralized wastewater options. There will also be a seminar with the Department of Environmental Protection on April 3, 2010 on Comprehensive Wastewater Management Plan guidance.

Adjourn: (03:12:05)

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

Respectfully submitted,
Kristen Holbrook

Sims McGrath Jr., Clerk