

BOARD OF SELECTMEN
MEETING MINUTES

March 3, 2010

Approved on March 24, 2010

A meeting of the Orleans Board of Selectmen was held on Wednesday, March 03, 2010 in the Nauset Room of the Town Hall. Present were Chairman Jon R. Fuller, Selectman David M. Dunford, Selectman Mark E. Carron, Town Administrator John Kelly, Assistant Town Administrator Myra Suchenicz and Recording Secretary Kristen Holbrook.

Chairman Fuller called the meeting to order at 5:30 pm.

On a motion by Mr. Dunford, and seconded by Mr. Carron, the Board voted by way of roll call, to enter into executive session for the purpose of discussing strategy with respect to collective bargaining. The vote was 3-0-0, with Mr. Carron, Mr. Fuller, and Mr. Dunford all voting aye.

On a motion by Mr. Carron, and seconded by Mrs. Fulcher, the Board voted by way of roll call, to return to open session. The vote was 4-0-0, with Mr. Carron, Mrs. Fulcher, Mr. Fuller, and Mr. Dunford all voting aye.

Chairman Fuller reconvened the public session at 6:30 pm.

Public Comment: (00:00:22)

Hap Farrell, a resident of Orleans, spoke to the Board regarding the Fire Department expenditure of overtime.

Ben Buck, a resident of Orleans, spoke to the Board regarding the Comprehensive Wastewater Management Plan.

Approval of Minutes: (00:08:45)

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to approve the minutes of the September 10, 2009 executive session meeting as written. The vote was 4-0-0.

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to approve the minutes of the February 17, 2010 meeting as amended. The vote was 3-0-1. Mr. Dunford abstained from the vote.

Meet with Human Services Committee: (00:12:55)

The Board met with members of the Human Services Committee regarding their recommendations for funding. Mary Lyttle, acting Chair of the Human Services Committee presented the Board with information from the applications and requests and

the adjustments the Committee made taking into consideration the budgetary necessities.

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to accept the recommendation for funding from the Human Services Committee in the amount of \$64,871.00. The vote was 4-0-0.

Meet with Community Preservation Committee: (00:19:52)

The Board met with the Community Preservation Committee to discuss their final project recommendations for funding for fiscal year 2011. Julia Enroth, Chairwoman of the Community Preservation Committee presented the Board with information and background on the budget inclusions and funding from the Community Preservation Committee.

On a motion by Mrs. Fulcher, and seconded by Mr. Carron, the Board voted to accept the recommendation from the Community Preservation Committee, for funding in the amount of \$221,875.00 for placement on the Annual Town Meeting Warrant. The vote was 4-0-0.

Vote to reappoint Will Joy to The Old Kings Highway Regional Historic District Committee: (00:31:40)

On a motion by Mrs. Fulcher, and seconded by Mr. Dunford, the Board vote to reappoint Will Joy to the Old Kings Highway Regional Historic District Committee with a term ending date of 12/31/2010. The vote was 4-0-0.

Review Draft Charge to Agricultural Committee: (00:34:37)

Mr. Kelly presented the Board with the proposed charge for the Agricultural Advisory Committee.

On a motion by Mrs. Fulcher, and seconded by Mr. Dunford, the Board voted to approve the draft charge for the Agricultural Advisory Council with a change to bullet 2 deleting (November 2009) and replacing it with "See attached" and members will serve three-year overlapping terms, and deleting the phrase "and report on these no later than two years following the first meeting of the council". The vote was 4-0-0.

FY 2011 Budget Review: (00:49:50)

The Board met with Town of Orleans Finance Director David Withrow to discuss the changes in the updated 5-year financial plan. Mr. Carron asked if the Board shared his feelings on the messages delivered by the citizens that attended the capital plan hearing. Mr. Kelly replied that it remains important for the town to maintain its infrastructure.

Mrs. Fulcher stated that the Board has been criticized in the past for not maintaining the infrastructure, and now are being criticized for spending money on maintaining the infrastructure.

Mr. Kelly explained that the old way to use the capital plan was for any item over 10,000 dollars, and ten years ago, it was decided that the capital plan was to help plan for large ticket items so that the Town could plan for the expenses. The town does not have the capacity to pay cash as you go; the capital plan items are bondable.

Mr. Kelly reviewed the Retiree Healthcare Contribution break down for the Board and asked the Board to vote to approve the 5% increase in healthcare contributions for retirees. Due to the impact of the increase the Board deferred a vote on this item pending further discussion and budget review.

The Board continued the review for the 2011 Budget Review for FY2011.

On a motion by Mr. Dunford, and seconded by Mr. Carron, the Board voted to draft a letter to the Marine Corps indicating the Town's desire to have the ceremony return to Orleans in 2011. The vote was 4-0-0.

Review draft index of Annual/Special Town Meeting warrant articles: (02:40:59)

The Board reviewed the draft index for the Annual and Special Town Meeting Warrant articles.

Wastewater Planning Issues/Updates as Necessary: (02:44:40)

There were no wastewater issues discussed.

Town Administrator's Report: (02:44:45)

Town Administrator John Kelly presented the Board with a request for a conservation restriction amendment on Sparrow Lane.

On a motion by Mrs. Fulcher, and seconded by Mr. Dunford, the Board voted to approve the Conservation Restriction amendment for the Sparrow Lane subdivision in South Orleans which modifies the number of bedrooms for two of the lots, but does not change the total number of bedrooms approved by the Planning Board for the subdivision. The vote was 4-0-0.

On a motion by Mr. Carron, and seconded by Mrs. Fulcher, the Board voted to approve the request of Arthur Duquette, owner/manager of the Nauset Beach Club Restaurant to temporarily close his business for the period of March 15, 2010 through March 29, 2010 for vacation and maintenance purposes and in accordance with the Rules and Regulations of the Local Liquor Licensing Authority. The vote was 4-0-0.

Mr. Kelly presented the Board with information on proposed changes to the fee schedule for the building department.

Mr. Kelly presented the Board with requests from the Zoning Board of Appeals to update their existing fee schedule.

Mr. Kelly informed the Board that the Cape Cod Commission would be holding a pro-forma hearing for procedural purposes on March 5, 2010 at 10:00 am, for the DRI on the proposed Stop and Shop gas station.

The Board received information on the reorganization of the Cape Cod Water Protection Collaborative.

The Board reviewed a draft general bylaw from the Police Chief regarding second hand dealers.

Mr. Kelly presented the Board with information that had been requested for location and construction that might impact the tri-town site.

Mr. Kelly also updated the Board on the Municipal Relief Bill.

Liaison Reports: (03:18:18)

Mr. Carron presented the Board with updates from recent meetings of the Finance Committee and the Board of Water and Sewer Commissioners.

Mrs. Fulcher presented the Board with information from the Nauset Regional Middle School.

Mr. Dunford presented the Board with an update from the Architectural Review Committee, and a recent meeting between NStar and the Eastham Board of Selectmen.

Any other business: (03:25:10)

Mr. Carron asked if the Board should entertain the idea of approaching the Town of Brewster with a possible regionalization effort for the Fire Department.

On a motion by Mr. Dunford, and seconded by Mr. Carron, the Board voted to direct the Town Administrator to inquire about an opportunity with the Town of Brewster to share Fire Department services. The vote was 4-0-0.

Mr. Carron also presented the Board with information on a possible cultural council event, and asked Mr. Kelly to reach out to other Boards and Committees regarding posting their meeting minutes on the website.

Mr. Fuller asked for an update on the repair status for the signs at Route 28 and Route 39.

Adjourn: (03:35:45)

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

Respectfully submitted,

Kristen Holbrook

Sims McGrath Jr., Clerk

Released: _____