

BOARD OF SELECTMEN
MEETING MINUTES

August 11, 2010

Approved on September 8, 2010

A meeting of the Orleans Board of Selectmen was held on Wednesday, August 11, 2010 in the Nauset Room of the Town Hall. Present were Chairwoman Margie Fulcher, Clerk Jon R. Fuller, Selectman David M. Dunford and Selectwoman Susan B. Christie.

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

Public Comment: (00:00:15)

Judith Bruce, a member of the Orleans Pond Coalition, spoke to the Board regarding Orleans Water Quality. Ms. Bruce also provided the Board with a written copy of her comments, and also showed the Board samples of sea lettuce and photos she had taken recently in the estuaries around the Town of Orleans. Ms. Bruce urged the Board to move the wastewater plan forward in an attempt to repair the waters in Orleans.

John Hodgkinson, a resident of Orleans, spoke to the Board regarding the need for the Town of Orleans to move forward with the Comprehensive Wastewater Management Plan. He recommended that the Board cancel the request for the National Academy of Sciences review of the MEP report, and reconfirm the allocation of the funds for phase one pre-design.

Doug Pluciennik, a resident of Orleans, spoke to the Board regarding the Comprehensive Wastewater Management Plan. Mr. Pluciennik thanked Mr. Fuller, Mr. Dunford and Mrs. Christie for their support in seeking a National Academy of Sciences review of the MEP linked models.

Caroline Kennedy, Chair of the Water Quality Task Force, spoke to the Board regarding the water quality in the Town of Orleans. Ms. Kennedy informed the Board that there are only two water-testing stations that meet the dissolved oxygen levels of acceptability. Ms. Kennedy urged the Board to look at more than nitrogen levels in the water, as there are other factors necessary for acceptable water quality.

Ed Daly, a resident of Orleans, spoke to the Board regarding the letter the Board had submitted for a review of the MEP report by the National Academy of Sciences. Mr. Daly reported to the Board that the National Academy of Sciences would be interested in taking on the review and would be interested in reviewing the science of the MEP report.

Approval of Minutes: (00:31:15)

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to adopt the minutes of the July 14, 2010 meeting as written. The vote was 3-0-1; Mrs. Christie abstained, as she was not present for the meeting.

Meet with Police Chief and Fire Chief - Quarterly Update: (00:32:38)

The Board met with Orleans Police Chief Jeff Roy. Chief Roy presented the Board with his quarterly report for the Police Department.

Chief Roy announced that the Annual Police Block Party would be held on August 18th at 6:00 pm.

Chief Roy informed the Board that in anticipation of the fact that Ford Motor Company is no longer producing the models that the Town of Orleans currently uses for its patrol cars, the Department will need to make decision regarding what model will be used moving forward.

Chief Roy invited the Board to travel to Hopkinton when the Orleans Police Department receives their accreditation award.

Chief Roy asked that the citizens of Orleans call the station if they witness acts of vandalism.

Chief Roy also presented the Board with information on a recent speed limit assessment study for Beach Road. Chief Roy explained that he believes Beach Road to be a thickly settled area and should therefore be posted at 30 miles per hour.

Mr. Dunford asked if there was a feeling that posting the speed limit at 30 miles per hours would bring more compliance. Chief Roy stated that he believed it would help.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to support the recommendation of Orleans Police Chief Jeff Roy to post the speed limit on Beach Road at 30 miles per hour. The vote was 4-0-0.

Chief Roy stated that in terms of the bike path on Main Street, the Department is doing the best they can to get everyone on bikes and pedestrians across the street safely. They are monitoring the area as much as they can.

Mr. Fuller commended the Chief and thanked all of the officers for the fabulous jobs they are doing.

Chief Roy suggested that the Board consider making a special a reserve officer for Saturdays and Sundays and extending the position through October with the budget that is left over. The Board concurred.

The Board met with Orleans Fire Chief William Quinn and Matt Murphy, counsel for the State Sheriff's Department. Mr. Murphy explained that the Department requires written

contracts now due to the State requirements. Chief Quinn explained that this charge is nothing new, but has not been outlined in the past.

Mr. Fuller asked a question about the long distance calls billed for routing the calls to the dispatch center. Mr. Fuller asked if that call was included in the Fire Department budget. Mr. Kelly explained that the funding is accounted for through the telecommunications budget.

Mr. Dunford asked what the line “the fee shall be ½ of the yearly fee.” Mr. Murphy explained that it is a typo and to strike out “½”. Mr. Dunford asked if everything has been worked out with CMED, as of right now all of the departments that have contracts for CMED will not be charged, and the Sheriff is seeking more funding, should he not find the funding the state historically would fund that.

Mr. Fuller stated that this appears to be the most economical way to go.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to sign the Conditions and Operating Policies for the Operation of a Fire Dispatch Center for the Town of Orleans By the Barnstable County Sheriff’s Office. The vote was 4-0-0.

Chief Quinn presented the Board with his quarterly report for the Fire Department. Mr. Dunford asked if there were a way to restrict the vacation time during the summer months. Chief Quinn replied that there are contractual restrictions on vacations time. Mr. Dunford asked what the injury situation was for the Fire Department; Chief Quinn stated that for 1 member it looks promising for the other he is unsure.

Mrs. Fulcher stated that the Board might wish to discuss some contractual changes at future date.

Change of Manager & Change of Corporation Name – Harrison & Taylor, Inc. dba Nauset Fish & Lobster Pool: (01:21:00)

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to approve the request for change of manager from Herbert Harrison to Ronald E. Harrison and the corporation name change from Harrison & Taylor, Inc. to Nauset Fish Market Inc. on the current annual Wine and Malt Beverage Package Good Store liquor license for Harrison & Taylor, Inc. d/b/a Nauset Fish and Lobster Pool located at 38 Cranberry Highway, subject to approval by the Criminal History Systems Board. The vote was 4-0-0.

Vote to appoint Election Officials: (01:23:20)

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to appoint the election workers, wardens and deputy wardens as listed in the memo dated August 11, 2010 for terms commencing on September 1, 2010 and expiring August 31, 2011. The vote was 4-0-0.

Wastewater Planning Issues/Updates as Necessary: (01:25:38)

Mr. Kelly provided the Board with a draft letter to Massachusetts Congressman and Senators requesting support of an independent review of the Massachusetts Estuaries Project linked model and methodology by the National Academy of Sciences.

Mr. Fuller stated that the letter needs to have a timeline for response.

Mrs. Fulcher stated that she abstained from the previous vote due to the fact that while she agrees with some points she is afraid that the referral will slow down the progress of the Comprehensive Wastewater Management Plan. Mrs. Fulcher further stated that she would not be signing the letter, as she is fully satisfied that the County will do a thorough job at no cost to the Town.

Mr. Kelly asked the Board members to stop by the Town Hall on Friday to sign the letter.

Mrs. Christie stated that she voted to send the letter because she wants every avenue explored, and that she is also pleased with the County's decision.

Mrs. Fulcher stated that the County has stepped forward to offer their services.

Mr. Dunford replied that he believes that this is a surface review at best, as it will be done within a 2-3 day period.

Mr. Fuller stated that he is grateful for the County's decision to support a peer review of the science for the Massachusetts Estuaries Project models. What he is most concerned about is the lack of the Nauset Estuary Report that has been withheld for years. Mr. Fuller further stated that he feels it is necessary for the Board.

Town Administrator's Report: (01:48:51)

Mr. Kelly presented the Board with information on the Chamber of Commerce sidewalk sale.

On a motion by Sue Christie, and seconded by Mr. Dunford, the Board voted to approve the annual sidewalk sales for retailers in the Main Street area on Friday August 13, 2010 and Saturday August 14, 2010 from 10:00 am to 6:00 pm. The vote was 4-0-0.

Mr. Kelly provided the Board with the updated information for the annual receipts.

Mr. Kelly provided the Board with a written communication from an attorney representing a number of owners on Aspinet Road.

Liaison Reports: (01:56:40)

Mrs. Christie updated the Board with information from recent meetings of the Orleans Cultural Council and the Snow Library Board of Trustees.

Mr. Fuller presented the Board with information from a recent meeting of the Bikeways Committee, which failed to gain a quorum and has been rescheduled for August 13, 2010, and a meeting of the Planning Board.

Any other business: (02:03:50)

Mr. Fuller asked about a notice from the Zoning Board of Appeals regarding a change to their fees.

Adjourn: (02:05:50)

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

Respectfully submitted,
Kristen Holbrook

Jon R. Fuller, Clerk