

BOARD OF SELECTMEN MEETING MINUTES

September 15, 2010

Approved on September 29, 2010

A meeting of the Orleans Board of Selectmen was held on Wednesday, September 15, 2010 in the Nauset Room of the Town Hall. Present were Chairwoman Margie Fulcher, Vice-Chairman Sims McGrath Jr., Clerk Jon R. Fuller, Selectwoman Susan B. Christie, Selectman David M. Dunford, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

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

Public Comment: (00:00:22)

Robert Setharis, a resident of Orleans, spoke to the Board regarding their previous discussion of their goals for fiscal year 2011. Mr. Setharis urged the Board to reconsider their decision to remove their goal as Park Commissioners to facilitate a strategy for appropriate plover, tern and Beach management plan.

Approval of Minutes: (00:01:30)

Mr. McGrath moved the Board to approve the minutes of the August 25, 2010 meeting. Mr. Fuller seconded the motion. After a brief discussion the Board decided to postpone approval of the minutes until extensive corrections could be made.

Committee Interview/Appointment: (00:07:28)

Mr. Freeman was not available to be interviewed for this appointment.

Meet with Finance Director: (00:08:02)

The Board met with Town of Orleans Finance Director David Withrow. Mr. Withrow presented the Board with his updated five-year financial plan for the Town of Orleans. Mr. Withrow presented the Board with a recap of fiscal year 2011 and reviewed the guidelines for proposition 2 ½.

Mr. Withrow gave a brief power point presentation regarding his five-year plan.

Joint Public Hearing FY12 Budget Priorities: (00:56:45)

The Board held a joint public hearing with the Finance Committee to discuss the FY12 budget priorities. Present from the Finance Committee were Laurence Hayward, Walter Bennett, Dale Fuller, Gwen Holden Kelly, John Hodgson, Mark E. Carron, Ed Barr and Paul Rooker. Finance Committee Chairman Hayward called the meeting of the Finance Committee to order at 7:30 pm.

Chairwoman Fulcher read the Public Hearing notice as published in the Cape Codder, and called for Public Comment.

Megan Geist-Fates, a resident of Orleans, spoke to the Board regarding the importance of maintaining the beauty and character of Orleans. Ms. Geist-Fates stated that she believes the Selectmen's' budget priorities should focus on the municipal employees, public safety employees, the education of the children in the community and the support of Snow Library.

Bob Jones, a resident of Twist Road, urged the Board to prioritize and preserve the quality of education in the Nauset Regional Schools. Mr. Jones informed the Board that many of the school committee members were in favor of seeking overrides in the coming months for FY12 in order to maintain the levels of service, programs and staffing that the school systems would like to provide.

Gwen Holden-Kelly asked if any of the federal grants would have any fiscal repercussions to the town in the coming years.

Nauset Regional School District Superintendent Dr. Richard Hoffman explained that while the money from the Race to the Top and JOBS/American Reinvestment and Recovery Act programs do have very stringent restrictions as to how the funds can be spent, there is no foreseeable impact to the Towns.

Mary Allen Bradley asked the Board what percentage of the health and welfare benefits for the Town Employees and School Employees, the Town was responsible for. Mr. Kelly replied that the Town's share was 75% of the cost of benefits. Ms. Bradley stated that she believes that for the upcoming years the Town and School employees need to accept a larger burden of the costs and sacrifice.

Ken Mayo, a resident of Finlay Road, commended the Finance Committee Chair on his leadership. Mr. Mayo asked the Finance Committee why they meet so often, and why they investigate issues that have no financial impact on the Town of Orleans. Mr. Mayo suggested that the Finance Committee look farther ahead than they have most recently, Mr. Mayo also stated that he does not believe there are enough Fire Firefighters on staff for the Town.

Robert Setharis, a resident of Orleans, spoke to the Board regarding the loss of revenue for ORV stickers due to Nauset Beach closures. Mr. Setharis, urged the Board to place the issue back on their list of goals for 2011.

Stewart Broatch, A resident of Orleans spoke to the Board regarding the lack of riders on the CCRTA busses. He stated that, for the Flex and H20 busses, the Town is paying too much for too few riders.

Judith Bruce, a resident of Orleans, spoke to the Board regarding the funding for the Comprehensive Wastewater Management Plan. Ms. Bruce urged the Board to provide

funding for a comparison of the centralized/decentralized issue as well as a consultant to answer any questions that may arise. Ms. Bruce also stated that her other priorities are the School System and Affordable Housing. She asked the Board to reconsider their decision not to institute a tax at rental properties.

Mr. Bennett asked why an additional \$50,000 is needed for the CWMP. Ms. Bruce replied that there needs to be funds available if additional information is needed.

Mary Lyttle, Chair of the Orleans Elementary School Committee and the Human Services Committee, spoke to the Board regarding the need for the Town to continue to fund and work with both committees.

Tim Linkkila, spoke to the Board regarding the increased taxes in the Town of Orleans.

Norma Quine, spoke to the Board regarding the high rents in the center of Orleans.

Ben Buck, a resident of Rock Harbor Road, spoke to the Board regarding the long term debt and unfunded liability that the Town will be facing in the coming years. Mr. Buck stated that he feels that privatization, limited hiring and consolidation may be solutions.

Diane Carreiro, the Principal of Orleans Elementary School, spoke to the Board regarding the Orleans Elementary School budget and the unexpected expenses that occur and cannot be planned for.

Mrs. Fulcher read a letter from Orleans resident Tom Finan, who was not able to attend the hearing. Mr. Finan urged the Board's to direct all of the Town Department's to review their fees annually so the fees may be kept current.

Mrs. Fulcher also read an email from Orleans residents Fran and Allan McClennan regarding the budget process and preserving the strengths of the Town of Orleans.

Mrs. Fulcher closed the public comment portion of the meeting and called for a brief recess before continuing the meeting.

Common Victualler: (02:15:40)

The Board met with Attorney Duane Landreth, regarding the application for a Common Victualler License for Global Montello Group Corp., d/b/a Mobil #2711. Mr. Landreth explained that the applicant has filed all of the necessary paperwork and is looking forward to doing business in the Town of Orleans.

Mr. Fuller asked if the applicant was aware of the local lighting and sign bylaws. Mr. Landreth stated that he would review the bylaws with the applicant.

Mr. McGrath asked if this is a new activity at this location. Mr. Landreth replied that the location has held this license in the past.

Mrs. Christie asked if the business was a franchise, Mr. Landreth replied that it is not.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to approve a Common Victualler License for Global Montello Group, Corp., d/b/a Mobil #2711 located at 109 Route 6A, said license to expire on December 31, 2010 and subject to all permits, bylaws, approvals and licenses in the Town of Orleans. The vote was 5-0-0.

Mrs. Fulcher asked if the other members of the Board would entertain a brief discussion about Mr. Setharis earlier comments urging the Board to make avoiding beach closures a priority for their 2011 Goals. Mrs. Fulcher asked that the Town Administrator to inquire as to the letter the Board had directed be sent regarding this issue. Mrs. Fulcher also asked if Mr. Dunford had presented the issue to the Cape Cod Selectmen and Councilor's Association. Mr. Dunford replied that he would bring the issue forth at an upcoming meeting. (02:22:50)

On a motion by Mr. Fuller, and seconded by Mr. McGrath the Board voted to reinstate the Board of Selectmen goal "As Park Commissioners work with the Parks Superintendent to facilitate the strategy for an appropriate plover, tern and beach management plan, including meeting with other Cape towns, state and federal wildlife management officials to create a enforced set of guidelines that would also allow local management of beach assets." for FY 2011. The vote was 5-0-0.

Mr. McGrath indicated that a member of another Cape Board would be getting in touch regarding the issue.

Mr. Kelly asked what approach the Board would like, send to other towns first or send to the state first.

Final Adoption Board of Selectmen Policies: (02:28:55)

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to adopt the Board of Selectmen Policy A-2, revised on September 8, 2010 titled Board of Selectmen Organization as presented. The vote was 4-0-1; Mr. Fuller abstained from the vote.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adopt the Board of Selectmen policy A-3, revised on September 8, 2010 titled Selectmen Meeting Agendas as amended. The vote was 5-0-0.

On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to adopt the Board of Selectmen policy A-4, newly created on September 8, 2010 titled Public Comment as presented. The vote was 5-0-0.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adopt the Board of Selectmen policy G-9, revised on September 8, 2010 titled

Performance Evaluation, Town Administrator, Police and Fire Chief, and Director of Town Finance as amended. The vote was 5-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adopt the Board of Selectmen policy G-11, revised on September 8, 2010 titled Complaints regarding personnel as amended. The vote was 5-0-0.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to adopt the Board of Selectmen policy K-1, revised on September 8, 2010 titled Temporary Sign Permits as presented. The vote was 5-0-0.

Temporary Common Victualler: (02:49:41)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve the temporary one-day Common Victualler license to be issued to the International Order of ODD Fellows d/b/a Odd Fellows, Anne Marie Gill, agent, to sell hot dogs, hamburgers, shellfish and chowder for the Ed Gill Memorial 5K Run event to be held on September 26, 2010 at the Odd Fellows, located at 2 Namskaket Road from 11:00 am – 2:00 pm and waive the licensing fee and reduce the filing fee to \$10.00. The vote was 5-0-0.

Town Administrator Overview of Draft Capital Improvement Plan for FY11-FY16: (02:50:35)

Mr. Kelly provided the Board with the information for the Capital Improvement Plan for FY11 through FY16. Mr. Kelly explained that he recommends that the Board include and article for the Special Town Meeting to approve a new Capital Improvement Plan.

Mrs. Christie asked if the Town Charter demanded a five-year length, Mr. Kelly replied that the five-year Capital Improvement Plan is the minimum allowed by the Town of Orleans Charter, Mr. Kelly further stated that he would be in favor of making the Capital Improvement Plan cover a longer period of time.

Mrs. Fulcher asked if the Board was interested in discussing the length of the Capital Improvement Plan.

Mrs. Christie stated she would like to see the Capital Improvement Plan extended to cover a ten-year plan.

Wastewater Planning Issues/Updates as Necessary: (03:22:40)

Mr. Kelly presented the Board with the draft letter to the Barnstable County Commissioners.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to approve and sign the letter as amended, inserting a line stating that the Board would like to receive a response within 30 days. The vote was 5-0-0.

Mr. McGrath asked that the letter reflect and acknowledge the County's current efforts and that it also mention the fact that the study timeline for the National Academy of Sciences peer review is an estimated 12-18 months. Mr. McGrath also stressed the fact that the letter should be in the spirit of cooperation.

Town Administrator's Report: (03:40:12)

Mr. Kelly presented the Board with information on the need for a comprehensive review of the fee schedules for the Town. Mr. Kelly further stated that he has directed all departments to review their fee schedules and report back to his office with comparisons and recommendations for the Board to consider.

Mr. Kelly provided the Board with three letters of commendation for Town employees for consideration of the employee recognition program.

Liaison Reports: (03:47:10)

Mr. Fuller announced that the Planning Board would be hosting a meeting on the Village Center Market Study. All interested parties are invited to attend the presentation of the study at the Planning Board meeting scheduled for September 21, 2010 at 7:00 pm in the Nauset Room.

Any other business: (03:48:28)

Mrs. Fulcher presented the Board with information for the next joint meeting regarding tri-town facility. The Board would find it most convenient to meet on October 18, 2010 at 5:00 pm at the Eastham Town Hall.

Mrs. Fulcher also noted a letter the Board had received regarding increased traffic noise on Finlay Road. Mr. Kelly replied that he had referred the matter to the Police Chief for review by the Traffic Study Committee.

Mr. McGrath noted that the agenda planner for October 20, 2010 indicates a review of the draft zoning for Eldredge Field Improvements. He asked that the Orleans Athletic Association be notified regarding the meeting date.

Adjourn: (03:56:45)

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