

BOARD OF SELECTMEN
MEETING MINUTES

September 29, 2010

Approved on October 20, 2010

A meeting of the Orleans Board of Selectmen was held on Wednesday, September 29, 2010 in the Nauset room of the Orleans Town Hall. Present were Chairwoman Margie Fulcher, Vice-Chairman Sims McGrath Jr., Clerk Jon R. Fuller, Selectman David M. Dunford, Selectwoman Susan B. Christie, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Call to order: (00:00:01)

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

Public Comment: (00:00:10)

Jeff Eagles, a resident of Orleans, spoke to the Board on behalf of the Orleans citizens review panel. Mr. Eagles presented the Board with a letter regarding their questions the committee would like to see answered by the Massachusetts Department of Environmental Protection. Mr. Eagles asked that the Board forward the list of questions along to SMAST and the Massachusetts Department of Environmental Protection, and also asked that the Board publish the committee's findings and list of questions on the Town of Orleans website.

Approval of Minutes: (00:04:54)

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to approve the minutes of the September 15, 2010 meeting as amended. The vote was 5-0-0.

Change of Hours - Old Jailhouse Tavern requesting change of hours to begin selling liquor on Sundays from 11:00 am to 10:00 am: (00:08:21)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve the request for Old Jailhouse Tavern and Restaurant located at 28 West Road Orleans, MA to amend the hours on their current liquor license from 11:00 am to 10:00 am until 1:00 am on Sundays. The vote was 5-0-0.

Orleans Comprehensive Plan Implementation Update for Planning Board: (00:08:55)

Mr. Kelly presented the Board with information from the Planning Board regarding the Orleans Comprehensive Plan. The Planning Board has asked that the Board respond to the list prior to October 19, 2010.

In regard to Orleans Comprehensive Plan item LU-13, which addresses conservation restrictions for municipal lands, the Board agreed that it was not appropriate at this time.

Mr. McGrath asked if the items with no action taken would remain on the list? Mr. Kelly replied that the items would remain on the list.

Mrs. Fulcher asked why the community center remains on the Orleans Comprehensive Plan when a survey circulated showed that there was little to no interest at that time. Mr. McGrath stated that he believes that leaving it on the list will allow for future Boards and community members to reconsider the item at a later time.

In regard to item CF-28 the Board decided that the status should be updated for an additional 5% and the description should reflect the MEPA review under way, SEIR filed, National Academy of Sciences review has been requested the collaborative panel review and capital items scheduled

Mr. McGrath stated that until EIR and MEPA reviews are approved he does not believe that any changes need to be made at this time. Mr. Fuller stated that the status should be updated for an additional 5% as well as the MEP review under way, SEIR filed, NAS review requested the collaborative panel review and capital items scheduled as well.

Comprehensive Plan item CF-11 was updated to reflect the facility study scheduled for a future date, and renovations to Legion building for administrative offices. The Board also updated the progress to 30%

Mr. Dunford stated that he felt that it was further behind than 1 year ago and argued that the progress should be reduced by 5%.

Comprehensive Plan item AH-1 was amended to reflect that the Hinckley Affordable Housing project contractor has been chosen, and the Board asked that Mr. Mesurvey review the status line items to verify the accuracy of the items.

For Comprehensive Plan item CF-27 the Board decided to add the request for the National Academy of Sciences review of the SMAST and MEP Science and linked model, the review of the Comprehensive Wastewater Management Plan by the Cape Cod Water Protection Collaborative, and updated to reflect a five percent increase in completion percentage.

The Board updated Comprehensive Plan item T-2 to reflect the start of the feasibility study for the Coast-to-Coast Bike Path Study for 2011.

Comprehensive Plan item T-25 was updated to reflect the Village Center survey completed by the Planning Board.

Mr. McGrath asked when the stop lines at Lots Hollow Road would be moved as promised. The Board asked that Chief Roy follow up on this item.

Discuss Tri-Town District issues in preparation for Joint Meeting with Eastham and Brewster: (00:56:39)

Mr. Kelly presented the Board with preliminary information in preparation for their meeting with the Eastham and Brewster Board's of Selectmen scheduled for October 12, 2010 regarding the Tri-Town Septage facility and the future of the district.

Mr. Kelly stated that the Board needs to address additional issues of personnel and retiree benefits, the expiration of the groundwater discharge permit, which is currently 50 parts per million and expires in 2012, while most plants are now at 10 parts per million. The facility is not currently meeting the discharge permit thus creating an issue of compliance with the Massachusetts Department of Environmental Protection. Also there are serious capital needs for the facility and the other towns in the District have refused to extend any funds.

Town Administrator's Report: (01:32:40)

On a motion by Mrs. Christie, and seconded by Mr. Dunford, the Board voted that in accordance with M.G.L Chapter 115 section 6, the Board of Selectmen has identified David Withrow as the individual responsible for reviewing and certifying the expenditures made by the VSO and listed on the VS-5 and VS-6 are correct and accurate for the Town of Orleans. The vote was 5-0-0.

Mr. Kelly presented the Board with a letter from Orleans citizen Margot Basile complimenting the work of the Council on Aging staff, specifically Mary Ellen Lavenberg, and volunteers of the Outreach Program.

On a motion by Mr. Dunford and seconded by Mr. Fuller, the Board voted to send a letter of congratulations to Ms. Lavenberg. The vote was 5-0-0.

Liaison Reports: (01:37:02)

Mr. Dunford presented the Board with an update from a volunteer appreciation luncheon at the Council on Aging that he and Mrs. Christie had attended.

Mr. Fuller presented the Board with information from a recent meeting of the Finance Committee, the Lighthouse Charter School Board of Trustees and the Planning Board.

Mrs. Christie presented the Board with information from a recent meeting of the Zoning Bylaw Task Force and also informed the Board that she and Mrs. Fulcher had attended the public forum "Is Disrespect Killing Democracy".

Mrs. Fulcher informed the Board that she had spoken to the Kathleen Schatzberg Chancellor of the Community College and inquired as to whether the Town could get a copy of the presentation. Mrs. Fulcher also informed the Board that the annual committee orientation meeting was held and well attended, she also attended a meeting of the Lower Cape Joint Public Safety Group, and updated the Board on the John P. Hinckley Affordable Housing Project and the progress that has been made.

Any other business: (01:57:20)

No other business was discussed.

Adjourn: (01:57:25)

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adjourn. The vote was 5-0-0.

Respectfully Submitted,
Kristen Holbrook

Jon R. Fuller, Clerk