

BOARD OF SELECTMEN
MEETING MINUTES

January 5, 2011

Approved on February 2, 2011

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TOWN OF ORLEANS
TOWN CLERKS OFFICE
Ed Maas

A meeting of the Orleans Board of Selectmen was held on Wednesday, January 5, 2011 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, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Call to order: (00:00:10)

Chairwoman Fulcher called the meeting to order at 6:30 pm and called for a moment of silence to honor all fallen and active armed services troops serving in the US and abroad.

Mrs. Fulcher also wished Finance Committee Chairman Walter Bennett a speedy recovery from his recent illness.

Public Comment: (00:00:54)

Ed Maas, a resident of East Orleans and member of the Orleans Citizens Forum, informed the Board that the Orleans Citizen's Forum will be hosting a morning coffee event at the Orleans Inn on March 19, 2011 from 9:00 am -11:00 am.

Approval of Minutes: (00:02:12)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adopt the minutes of the December 1, 2010 meeting as written. The vote was 4-0-0.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adopt the minutes of the December 1, 2010 executive session meeting as written. The vote was 4-0-0.

Committee Interview & Appointment: (00:03:00)

The Board met with and interviewed Orleans citizen Robert P. Singer, PhD, regarding his interest in serving on the Human Services Advisory Committee.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to appoint Robert P. Singer PhD to the Human Services Advisory Committee with a term ending date of June 30, 2014. The vote was 4-0-0.

Meet with Board of Health: (00:06:58)

The Board met with members four members of the Orleans Board of Health to discuss several issues. Present from the Board of Health were Job Taylor III, Augusta

McKusick, Jan Schneider, and Elizabeth Suraci. Chairman of the Board of Health Job Taylor called their meeting to order at 6:40 pm.

Town of Orleans Health Department Manager Robert Canning spoke to the Board regarding a previous discussion between the two Boards regarding possible solutions to the expiring SEMASS agreement.

Mr. Kelly presented the joint Boards with a letter from the Town of Bourne that was presented as a follow-up to the recent solid waste informational forum held by the Town of Bourne.

Mr. McGrath updated the Board on a series of meetings regarding the Integrated Solid Waste Management Facility solution offered by the Town of Bourne. Mr. McGrath explained that the Bourne facility has enough capacity to accept the solid waste from the Cape Cod towns for approximately the next ten years. As it is not the long-term solution the towns are looking for they are looking to partner with SEMASS and are continuing to work on alternate and innovation solutions.

Board of Health Chair Job Taylor stated that he felt the interest in the Bourne facility does not cost the Town of Orleans anything and is not binding so it is therefore worth exploring. He also stated that he felt it would be most prudent to increase the transfer station sticker fee for the second vehicle for a household.

Mr. McGrath stated that he also sits as a member of the Barnstable County Solid Waste Negotiating Subcommittee, as a member of that committee he feels the best scenario would be to have a contract to present to the citizens at the Annual Town Meeting in 2012. At that point the town will have a better idea of how much of an increase will be taking place in 2015.

Mr. Kelly clarified the most recent information from the Town of Brewster's agreement with SEMASS. If the Town of Orleans were to get the same contract that Brewster received, the increase in sticker fees would be about \$19 per sticker in 2015. Also, Mr. Kelly stated that there are other items in the Transfer Station that can be charged separately from the sticker fees such as paint, yard waste, gasoline and motor oil recycling.

Mrs. Christie asked if there would be wisdom in selling a commercial transfer station sticker.

Mr. Kelly replied that while there is a commercial sticker available for the Orleans Transfer Station, some of the commercial businesses continue to use their residential stickers and enforceability is an issue.

Mr. Fuller asked how many commercial haulers, such as BFI, use the transfer station. Mr. Budnick replied that there are very few commercial haulers because the Town of Orleans does not allow the haulers to build a charge account; they must pay at the time

they are dumping. Mr. Fuller asked Mr. Budnick to explain the impact of the increased fees would have on the Transfer Station budget.

Mr. Kelly explained that the fees generated are returned under local receipts. Mr. Fuller asked if there would be some merit in having the Transfer Station operate as an enterprise fund and Mr. Kelly replied that it could be done that way if the Board wished to make those changes.

Ms. McKusick stated that the Board of Health is in favor of increasing the Transfer Station sticker fee by \$10.00 and the additional vehicle sticker fee by \$5.00.

Mr. Fuller stated that establishing an enterprise fund would make the transfer station more affordable in the long run. He also stated that he believes that the town should be moving toward a goal of 100% funding by sticker fees at the Transfer Station.

Board of Health member Robin Davis joined the meeting at 7:29 pm.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to support the recommendation from the Board of Health increasing the sticker fee from \$75 to \$85 and the additional sticker fee from \$10 to \$15 per sticker. The vote was 4-0-0.

Meet with Highway Manager: (00:57:57)

The Board met with Town of Orleans Highway Department Manager Mark Budnick. Mr. Budnick presented the Board with his quarterly update on the progress of scheduled road and drainage projects for the Town of Orleans.

Mr. Fuller asked that the Highway Department and the Parks Department coordinate their efforts at Skaket Beach to avoid unnecessary demolition work in the parking lot.

Meet with Andrew Gottlieb – Cape Cod Water Protection Collaborative: (01:13:40)

The Board met with Cape Cod Water Protection Collaborative Executive Director Andrew Gottlieb.

Mr. Gottlieb asked that the Board allow him to speak to the Board in regard to previous discussions surrounding a meeting he had attended with Dr. Brian Howes, Barnstable County Commissioner Sheila Lyons and the Orleans citizens peer review committee. Mr. Gottlieb further stated that he is not supportive of having the TMDL numbers overhauled for Pleasant Bay. Mr. Gottlieb did offer his services in terms of facilitating discussions regarding the process for reclassification of the Orleans water bodies. He also stated that the designations of the water bodies are often aspirations, and there is a process by which the reclassification can take place.

Mr. McGrath asked if Mr. Gottlieb would update the Board with the upcoming Barnstable County Commissioners Wastewater review.

Mr. Gottlieb informed the Board that the Barnstable County Commissioners have decided to put off their review to allow the National Academy of Sciences review to either come to fruition or to end. The July 1 deadline also allows for several budgetary items to be taken care of, and allows 6 months of opportunity for the Town of Orleans to find funding for the National Academy of Sciences study. The County in the mean time will allow for municipal input into the study framework and generate understanding of the study.

Paul Ammann, a resident of Orleans, spoke to the Board to clarify his position of statements he had made previously surrounding the meeting with Mr. Gottlieb, Dr. Howes and Barnstable County Commissioner Sheila Lyons.

Temporary Closing - Cape Cup: (01:45:18)

Town Administrator John Kelly presented the Board with a request for a temporary closing for Cape Cup.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve the request of owners of Cape Cup, LLC d/b/a Cape Cup, located at 54 Main Street to temporarily close their business for the period of January 1, 2011 through January 16, 2011 for vacation and in accordance with the Rules and Regulations of the Local Licensing Authority. The vote was 4-0-0.

Town Administrator's Report: (01:46:45)

Mr. Kelly presented the Board with an update on a newly awarded Electric Supply Contract. The contract was awarded as part of the Barnstable County Regional contract and was awarded to ConEdison Solutions for an average town wide savings of \$25,000.

Mr. Kelly provided the Board with information on the Route 6A Affordable Housing Project; the Board received a letter from the attorney representing McShane Construction in their efforts to turn development of the property over to HECH. Mr. Kelly also informed the Board that a meeting with Town Counsel on the issue would be scheduled, possibly, on January 19, 2011.

Mr. Kelly presented the Board with a letter from the Keziah's Lane residents regarding their appreciation of the efforts of Highway and Transfer Station Manager Mark Budnick in resurfacing the road to Kent's Point.

Liaison Reports: (02:03:35)

Mrs. Christie presented the Board with information on recent meetings of the Board of Health, the Community Preservation Committee, the Orleans Cultural Council, and the Snow Library Board of Trustees.

Mr. McGrath updated the Board with information from the Renewable Energy and Wind Committee.

Any Other Business: (02:07:35)

Mr. Fuller asked if the Board would have comments on the Orleans Comprehensive Wastewater Management Plan public hearing. Mrs. Fulcher stated that she would be making a presentation. Mr. Fuller also asked if the draft letter to the state representatives regarding the National Academy of Sciences study financial aspects had been completed. Mr. Kelly replied that a draft was in progress and was expected to be completed and mailed on January 6, 2011.

Executive Session – Collective Bargaining and Strategy with respect to Union Negotiations: (02:09:18)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted by way of roll call to enter into executive session for the purpose of discussing strategy with respect to collective bargaining and union negotiations, returning to open session solely for the purpose of adjournment. The vote was 4-0-0, with Mr. Fuller, Mrs. Christie, Mr. McGrath and Mrs. Fulcher, all voting aye.

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

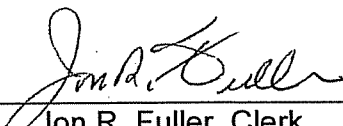
Adjourn:

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

The meeting adjourned at 9:25 pm.

Respectfully submitted,

Kristen Holbrook



Jon R. Fuller, Clerk

