

BOARD OF SELECTMEN  
MEETING MINUTES

June 15, 2011

Approved on July 6, 2011

A meeting of the Orleans Board of Selectmen was held on Wednesday, June 15, 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, Selectman David M. Dunford, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairwoman Fulcher called the meeting to order at 6:30 pm, and called for a moment of silence in memory of Orleans resident Julie Winslow who passed away last week.

Public Comment: (00:00:30)

*Ed Maas*, owner of the Orleans Inn, spoke to the Board regarding the Orleans Inn's upcoming float and display for the annual 4th of July celebration.

*Gail Meyers-Lavin*, spoke to the Board regarding the annual celebration of diversity for the international workers. Ms. Myers-Lavin asked the Board for permission to hold the Rock Harbor Sunset gathering on Wednesday July 6, 2011.

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to approve the request to hold the 3<sup>rd</sup> Annual Celebrating Diversity Sunset Celebration at Rock Harbor on Wednesday, July 6, 2011.** The vote was 5-0-0.

*Orleans Fire Chief, William Quinn*, provided a public service messages warning residents and home owners that the Orleans Fire Chief or Fire Department will never have a private business call home owners regarding inspection or compliance issues. Any citizen receiving such calls should collect any relevant information, such as name and telephone number, from the caller and contact the Orleans Police Station to report a possible fraud.

Vice-Chairman Sims McGrath invited the public to a solar project celebration at the Orleans Council in Aging. The event will be held Monday June 20, 2011 at 1:00 pm and is being hosted by the Orleans Renewable Energy Committee.

Mrs. Fulcher read the notice to announce that Micah Gilmore and Allison Van de Graaf, in the Assessor's Department have been named Town of Orleans Employees of the Quarter.

Approval of Minutes: (00:11:45)

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve the minutes of the June 1, 2011 meeting as written.** The vote was 5-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to approve the minutes of the June 1, 2011 Executive Session meeting as written.**  
The vote was 5-0-0.

Meet as Park Commissioners: (00:12:23)

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to meet as Park Commissioners.** The vote was 5-0-0.

Orleans Town Administrator John Kelly presented the Board with a request from Orleans Conservation Trust to allow the Trust to sell raffle tickets during the Town of Orleans 4<sup>th</sup> of July Celebration.

Kris Ramsay, from the Orleans Conservation Trust, spoke to the Board regarding his request and showed the Board a print of the painting that is being raffled off.

**On a motion by Mrs. Fulcher, and seconded by Mr. Dunford, the Board voted to grant the request of the Orleans Conservation Trust to sell raffle tickets at the Nauset Beach Boardwalk.** The vote was 5-0-0.

The Park Commissioners reviewed applications from the Chatham/Nauset Lions Club for the use of Eldredge Park and Band shell on August 21, 2011 from 12:00 noon to 6:00 pm, and an application for use of Eldredge Park and Band shell for the annual Pops in the Park event to be held on August 27, 2011.

**On a motion by Mrs. Fulcher, and seconded by Mr. Dunford, the Board voted to grant the applications for the use of Eldredge Park and Band shell for the Chatham Nauset Lions Club on August 21, 2011 from 12:00 noon until 6:00 pm and for the Orleans Chamber of Commerce to host the annual "Pops in the Park" concert on August 27, 2011 from 7:00 am until 10:00 pm with a rain date of August 28, 2011.** The vote was 5-0-0.

Mr. Kelly asked the Board to make their annual designation for a Park Commissioners representative to the Community Preservation Committee.

Mrs. Fulcher nominated Mrs. Christie to continue as the Park Commissioners representative to the Community Preservation Committee.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to close nominations.** The vote was 5-0-0.

Mrs. Fulcher moved the Board to designate Mrs. Christie as the Park Commissioner's Representative to the Community Preservation Committee. An all in favor vote for Mrs. Christie was unanimous.

Mr. Kelly presented the Board with information on the cost of maintenance at the Gavigan Cottages used for housing the Town of Orleans seasonal workers.

**On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to increase the rent at the Gavigan Cottages to \$100 per week or \$15 per day for seasonal housing.** The vote was 5-0-0.

Mr. Fuller asked whether the Parks Superintendent was considering using the Hubler property as overflow parking during exceptionally good weather in the summer. Mr. Kelly replied that as long as the Board has no objection then he would authorize the Park and Beaches Superintendent to use that property in his best judgment.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to adjourn from Park Commission session. The vote was 5-0-0.**

Annual Committee Reappointments: (00:25:30)

The Board reviewed a memo from the Orleans Town Administrator's Administrative Assistant, Marge Astles, regarding the low volume of volunteers to fill vacancies on the various town committees. The Board decided to ask that the individual committee Chair's to send a brief synopsis to the Board to be read during public comment. All other suggestions outlined in the memo should be implemented as well.

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to reappoint Freddy Fitzgerald and Erica Parra to the Affordable Housing Committee with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to reappoint Will Joy to the Architectural Review Committee with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted to elevate Pat Fallender from an Associate member to a Regular member of the Architectural Review Committee with a term ending date of June 30, 2012. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to reappoint Tim Brady to the Board of Assessors with a term ending date of June 30, 2013. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to elevate Len Short to a regular member of the Board of Water and Sewer Commissioners with a term ending date of June 30, 2012. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to reappoint Judith Bruce, as a Regular member and Ken Rowell, as an Associate member to the Board of Water and Sewer Commissioners with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to reappoint Peter Coneen and Dorofei Klimshuk to the Building Code Board of Appeals with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to reappoint Julia Enroth to the Community Preservation Committee with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mrs. Christie, and seconded by Mr. McGrath, the Board voted to reappoint Adrienne Pfluger and James Trainor to the Conservation Commission with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to reappoint Frank Suits and Frances Bonscher to the Council on Aging with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mrs. Christie, and seconded by Mr. McGrath, the Board voted to reappoint Arlene Cohen and Mary Lyttle to the Human Services Advisory Committee with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to reappoint Peter Howerton and Ingrid Moyer to the July 4<sup>th</sup> Committee with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to reappoint Richard Besciak and James Hadley to the Historical Commission with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to reappoint Carolyn Kennedy and Robert Royce to the Marine and Fresh Water Quality Task Force with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to reappoint Steve Bornemeier to the Open Space Committee with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to reappoint Rolf Soderstrom to the Personnel Advisory Board with a term ending date of June 30, 2014 and Ken Rowell to the Personnel Advisory Board with a term ending date of June 30, 2013. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to reappoint Chet Crabtree to the Planning Board with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to reappoint David Hubbard to the Renewable Energy Committee with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mrs. Christie, and seconded by Mr. Dunford, the Board voted to reappoint Donald Bakker and Jack Moran to the Shellfish and Waterways Advisory Committee with a term ending date of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to reappoint Peter Howerton as the Town of Orleans Veterans Grave Officer with a term ending date**

of June 30, 2014. The vote was 5-0-0.

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to reappoint Rolf Soderstrom and Greg DeLory to the Zoning Board of Appeals, as Regular members, with term ending dates of June 30, 2014. The vote was 5-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to reappoint George Waugh to the Zoning Bylaw Task Force with a term ending date of June 30, 2014. The vote was 5-0-0.**

Annual Evaluation of Town Administrator: (00:59:40)

The Board reviewed their annual evaluation of the Town Administrator.

Town Administrator's Report: (01:04:30)

Mr. Kelly presented the Board with information regarding the previous request by Agway of Cape Cod to place a sign for the business on Town property. Mr. Meservey has spoken to Josh Wile and offered several solutions to the business. Mr. Kelly will present the Board with further information as it becomes available.

Mr. Kelly requested that the Board appoint Town of Orleans Director of Community Development and Planning as the Representative of the Board of Selectmen for the purpose of perambulating the common boundaries between the Town of Orleans and the Town of Eastham. Mr. Kelly also stated that this trip would best be done in the fall.

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to designate George Meservey as the Board of Selectmen's representative for the purpose of perambulating the common boundaries between the Town of Orleans and the Town of Eastham and suggest a scheduled time in the fall after the first frost. The vote was 5-0-0.**

Mr. Kelly presented the Board with the financial information that the Board had requested from the Fire Chief in regards to replacing the position of retiring Firefighter Mike Gould. The Board reviewed the financial information with Chief Quinn.

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to authorize the Fire Chief to hire a replacement Firefighter/Paramedic effective July 1, 2011. The vote was 5-0-0.**

Mr. Kelly reminded the Board that the two-year trial for the Council on Aging van sponsorship program is expiring. Due to the fact that the Town has not received any complaints, Mr. Kelly recommended that the Board renew the program.

**On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted to authorize the continuation of the Council on Aging Van Sponsorship program as it presently exists. The vote was 5-0-0.**

Liaison Reports: (01:19:08)

Mr. McGrath updated the Board with information on a recent meeting of the Renewable Energy Committee. Mr. McGrath also reported that he had recently attended a meeting of the Board of Water and Sewer Commissioner that featured a presentation on the Open Cape business plan. Mr. McGrath informed the Board that he had relayed their concerns as to the Ocean Management Plan as well.

Mr. Fuller presented the Board with updates on the Bike and Pedestrian Committee, Planning Board, and Finance Committee.

Mr. Dunford informed the Board that he had recently attended a meeting of the Shellfish and Waterways Advisory Committee.

Mrs. Fulcher presented the Board with information from recent meetings of the July 4<sup>th</sup> Committee and the Orleans Elementary School Playground Committee,

Any Other Business: (01:31:34)

Mr. Dunford asked how the Town Administrator was progressing with the Requests for Proposals for the Annual Town Meeting Article 4. Mr. Kelly replied that the RFP is being drafted and a committee will be formed to review the proposals. Mr. Kelly also stated that he expects to issue the RFP by the end of June to coincide with the new fiscal year. After some discussion, it was decided that the Board would not review a draft of the proposal, but would receive a copy of the final proposal as soon as it is available to preserve the "hands off" approach.

Executive Session: (01:41:31)

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted, by way of roll call, to enter into executive session for the purpose of discussing strategy in preparation for negotiations with non-union personnel; and to discuss strategy with respect to collective bargaining because an open meeting may have a detrimental effect on the bargaining position of the public body, and return to open session solely for the purpose of adjournment.** The vote was 5-0-0, with Mr. Dunford, Mr. Fuller, Mrs. Fulcher, Mr. McGrath and Mrs. Christie all voting aye.

**On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted by way of roll call to return to open session solely for the purpose of adjournment.** The vote was 5-0-0, with Mrs. Christie, Mr. McGrath, Mr. Fuller, Mr. Dunford, and Mrs. Fulcher all voting aye.

Adjourn:

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

The meeting adjourned at 9:20 pm.

Respectfully submitted,

Kristen Holbrook

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Jon R. Fuller, Clerk