

BOARD OF SELECTMEN  
MEETING MINUTES

July 20, 2011

Approved on August 17, 2011

A meeting of the Orleans Board of Selectmen was held on Wednesday July 20, 2011 in the Nauset Room of the 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:

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

Public Comment: (00:00:10)

*Ben Buck*, a resident of Orleans, spoke to the Board regarding his concerns about property taxes and the water quality of Rock Harbor.

Chairwoman Fulcher asked for a moment of silence to honor all fallen troops as well as those currently serving in the Armed Forces.

Approval of Minutes: (00:06:19)

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the December 20, 2010 executive session as written.** The vote was 5-0-0.

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the January 26, 2011 meeting as written.** The vote was 4-0-1, Mr. Dunford abstained from the vote.

Selection for Auditor for FY11 – FY13: (00:08:00)

The Board reviewed a memo from Town of Orleans Director of Municipal Finance recommending that the Board vote to assign an auditing contract with Roselli, Clark & Associates.

**On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to appoint Roselli, Clark & Associates as municipal auditors for fiscal years 2011, 2012 and 2013.** The vote was 5-0-0.

Annual Weekday Entertainment License for Orleans Villa Pizza: (00:13:05)

**On a motion by Mrs. Christie, and seconded by Mr. Dunford, the Board voted to**

**approve the application of Todd Goddard and Christopher Tomkinson d/b/a Orleans Villa Pizza for a Weekday Entertainment license for 1 video game from Mondays – Saturdays, 11:00 am until 9:00 pm subject to all permits, bylaws, approvals and licenses in the Town of Orleans. The vote was 5-0-0.**

Vote to sign County Sanitarian Services Contract for FY12: (00:14:18)

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to sign the FY 2012 County Sanitarian Services Contract for the Town of Orleans in the amount of \$30,059 for FY 2012. The vote was 5-0-0.**

6:45 p.m. Annual Summer Informational Meeting: (00:17:42)

The Board of Selectmen held their annual summer informational meeting for summer residents and non-resident taxpayers.

Town of Orleans Director of Municipal Finance gave a brief presentation on the financial status of the Town of Orleans.

Town of Orleans Assessor Ken Hull gave a brief presentation regarding property taxes and assessments.

Chairwoman Fulcher tabled the Annual Summer Informational meeting in order to commence with the NSTAR pole hearing advertised for 7:00 pm.

7:00 p.m. NSTAR Pole Hearing for 23 Doane Way: (00:31:58)

Chairwoman Fulcher read the notice for the Pole Hearing as published in the Cape Codder and called the hearing to order.

**On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to open the hearing. The voted was 5-0-0.**

Karen Corruvo, a representing NSTAR spoke to the Board regarding the application.

No public comment was offered.

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

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve NSTAR Electric Company's petition to install 40' of under ground conduit and cable at 23 Doane Way in Orleans, MA in accordance with Plan No. 103614 dated June 10, 2011 with the condition that the setbacks noted by the Water Department be met. The vote was 5-0-0.**

Summer Informational Meeting (continued): (00:35:28)

Public Comment:

*Mike Peters*, a non-resident taxpayer, spoke to the Board regarding the lack of opportunity for the non-resident taxpayers to attend meetings. Mr. Peters also asked several questions regarding the future plans for the unfunded retirement benefits.

*Martha Lowenson*, spoke to the Board regarding the Comprehensive Wastewater Management Plan.

*Nancy Allstraw*, spoke to the Board regarding the Comprehensive Wastewater Management Plan.

*William P. Dunham Jr.*, spoke to the Board regarding the storm drain maintenance projects in Orleans.

*Jim Nathanson*, spoke to the Board regarding the speed limit on Route 28 and the danger to pedestrians and cyclists.

Chairwoman Fulcher thanked all of those attending the summer informational meeting.

Meet with NRSD Supt. Hoffman and Business Mgr. Baumhauer: (01:10:25)

The Board met with Nauset Regional School District Superintendent Richard Hoffman regarding the Green Buildings Initiative. Nauset Regional School District Business Manager, Hans Baumhauer, was not present for the meeting.

Superintendent Hoffman gave a brief presentation on the maintenance program and the opportunity for the school district to participate in a roof, window and door replacement program.

Nauset Regional High School Principal Tom Conrad, spoke to the Board regarding the current status of the roof, windows and doors of the facility.

Dr. Hoffman informed the Board that he would return to them at a later date with further information on the project.

Annual Committee Appointments/Resignations: (02:02:30)

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to elevate Jim Hungerford to a Regular Member of the Renewable Energy and Wind Committee with a term ending date of June 30, 2012. The vote was 5-0-0.**

**On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to appoint Susan Allman to the 4<sup>th</sup> of July Committee as an associate member with a term ending**

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

The Board reviewed a letter of resignation from Erica Parra from the Affordable Housing Committee. Ms. Parra has indicated that she will continue to serve on the Committee until a replacement is found.

Vote to sign Fire Dispatch Agreement for FY12: (02:05:40)

After a brief discussion the Board decided to defer a decision on the contract until issues regarding the actual contract payment and number of calls could be clarified.

Town Administrator's Report: (02:11:10)

Town Administrator John Kelly presented the Board with the list of important dates for FY12.

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adopt the FY 2012 list of important dates as amended.** The vote was 5-0-0.

Mr. Kelly presented the Board with a request from the Orleans Chamber of Commerce for a sidewalk sale.

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve the request of downtown main street retailers to hold sidewalk sales on Friday, August 12<sup>th</sup> and Saturday August 13<sup>th</sup> from 10:00 am until 6:00 pm, with the final list of businesses that will be participating in the event to be provided to the Town by the Chamber of Commerce.** The vote was 4-0-1, Mr. Fuller abstained from the vote.

Mr. Kelly updated the Board with information from the Board of Health regarding a recent inspection of the Daniel's Recycling Plant.

Mr. Kelly spoke to the Board regarding a request his office received to waive the standard charge for providing copies of public documents for a citizen.

**On a motion by Mr. Fuller and seconded by Mr. McGrath, the Board voted not to waive the fee in this instance.** The vote was 5-0-0.

Mr. Kelly informed the Board that the Request For Quotations for the Wastewater plant was completed and proposals will be reviewed.

Liaison Reports: (02:30:35)

Mrs. Christie updated the Board on recent meetings of the Board of Health and the Snow Library Board of Trustees.

Mr. McGrath reported that he had recently attended a meeting of the Ocean Management Policy Planning Committee.

Mr. Fuller reported on a recent meeting of the Finance Committee.

Any other business: (02:35:15)

Mr. McGrath asked that the Town Administrator ask for an opinion from Town Counsel so that the Board can manage some of the open meeting law issues surrounding emails sent to the individual Board members. Mr. McGrath also noted that the air duct over the dais in the Nauset Room is making a squeaking noise and should be examined.

Executive Session: (02:41:22)

**On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted, by way of roll call, to enter into executive session 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 to reconvene in open session only 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. Fuller, and seconded by Mr. Dunford, the Board voted to return to open session 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.

The meeting adjourned at 9:50 pm.

Respectfully submitted,

Kristen Holbrook

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Jon R. Fuller, Clerk