

BOARD OF SELECTMEN
MEETING MINUTES

August 17, 2011

Approved on September 21, 2011

A meeting of the Orleans Board of Selectmen was held on Wednesday, August 17, 2011 in the Nauset Room of the Town Hall. Present were Chairwoman Margie Fulcher, Clerk Jon R. Fuller, Selectman David M. Dunford, Selectwoman Susan B. Christie, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairwoman Fulcher called the meeting to order at 6:30 pm. Chairwoman Fulcher asked for a moment of silence to honor all fallen troops as well as those currently serving in the Armed Forces.

Public Comment: (00:00:35)

Caroline Kennedy, President of the Orleans Pond Coalition, spoke to invite the Board and citizens of Orleans to attend the annual Celebrating our Waters weekend September 24 and 25, 2011.

Ben Buck, a resident of Orleans, spoke to the Board regarding his concerns over water quality in the areas surrounding Orleans.

Approval of Minutes: (00:13:20)

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to adopt the minutes of the July 20, 2011 meeting as written. The vote was 4-0-0.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to adopt the minutes of the March 22, 2011 meeting as written. The vote was 3-0-1, Mr. Dunford abstained from the vote.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to adopt the minutes of the February 8, 2011 meeting as presented. After a brief discussion the motion and seconds were withdrawn and the approval of the minutes was postponed.

6:45 pm Meet as Park Commissioners: (00:15:35)

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to meet as Park Commissioners. The vote was 4-0-0.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to temporarily appoint Mrs. Fulcher as the Chair of the Park Commissioners. The vote was 4-0-0.

Acting Park Commission Chairwoman Margie Fulcher called the Show Cause Hearing to order and read the public notice as published in the Cape Codder.

The Park Commissioners held a Show Cause Hearing, for an appeal of an ORV sticker suspension. Parks and Beaches Superintendent Paul Fulcher spoke to the Board regarding the incident and citation which led to the suspension of Teresa Norgeot's ORV sticker for traveling in an area of Nauset Spit that was closed due to protected species nesting. The Board reviewed the documentation of the incident and called for public comment.

Mr. Dunford asked if the closed area was well marked and posted, and Mr. Fulcher replied that the area was posted and marked as closed. Mr. Fuller commented that there were two individuals present for the incident and both concurred that the area was well marked and a violation had occurred.

Tyler Norgeot, the driver of the vehicle in violation, stated that the reason that he drove past the signs, was because he was rescuing a boat. Mr. Norgeot read a letter from the boat owner which stated that he is thankful for Mr. Norgeot's assistance. Mr. Norgeot further stated that he was only trying to help the boat owner and it was not his intention to be destructive.

Mr. Jack Austin an Orleans Beach Patrol Officer gave a brief accounting of the incident.

Parks and Beaches Superintendent Paul Fulcher stated that the members of his department do not enjoy revoking ORV stickers, however due to the restrictions from the state and federal authorities, everything must be done to protect the continued use of the beach.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to close the Show Cause Hearing. The vote was 4-0-0.

Mr. Fuller stated that he would like to consider adjusting the length of suspension.

Mr. Dunford stated that he understand the importance of the regulations can not be overstated, but he does understand that there are mitigating circumstances.

Mrs. Fulcher asked if Mr. Norgeot had been belligerent during the incident. Patrolman Austin stated that he had been, and it was not the first incident in which Mr. Norgeot was involved.

Mr. Fulcher stated that he was not in favor of shortening the suspension.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to revoke the ORV resident sticker number 1784 belonging to Ms. Teresa M. Norgeot, for a period of one year beginning July 22, 2011 through July 21, 2012. The vote was 4-0-0.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to adjourn as Park Commissioners. The vote was 4-0-0.

Vote to Sign CVEC Letter of Intent for the Procurement of a Solar Power Generating System on land owned by the Town of Orleans: (00:47:08)

John Janell, Town of Orleans Assistant Town Planner and Conservation Administrator, spoke to the Board regarding the Town of Orleans participation in a solar power generating project

with the Cape and Vineyard Electric Cooperative. The Board reviewed the information on the project.

Ken Rowell, a member of the Board of Water and Sewer Commissioners stated that the Commissioners are in favor of moving the project forward.

John Hodgkinson stated that the Board should add whatever contingency language that they feel necessary and sign the letter.

Ron Collins, spoke to the Board and stated that there are certain obligation that are placed on the developers in these type of projects.

On a motion by Mrs. Christie, and seconded by Mr. Fuller, the Board voted to authorize the Town Administrator to sign the CVEC letter of intent, pending Orleans Town Counsel's review, amendments and contingencies, for the procurement of a solar power generating system and submit the potential site plans, as amended omitting the TONN site, Town Hall Roof and Legion Hall Roof. The vote was 4-0-0.

Police Department Annual Appointments: (01:19:45)

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to make the annual Police Department appointments as listed in the memo dated August 3, 2011 for a one-year period from July 1, 2011 through June 30, 2012. The vote was 4-0-0.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to make the annual Police Department appointments as listed in the memo dated August 3, 2011 for a three-year period from July 1, 2011 through June 30, 2014. The vote was 4-0-0.

Annual Board of Selectmen Policy Review: (01:22:24)

The Board briefly discussed their annual policy review, but decided to postpone the official discussion until all Board members have submitted their suggestions for considerations for distribution to the full Board.

Town Administrator's Report: (01:24:05)

Mr. Kelly presented the Board with the corrected version of the agreement for Fire Dispatch Services with the Barnstable County Sheriff. The Board will be meeting with Fire Chief Quinn for final approval of the agreement.

Mr. Kelly also provided the Board with a letter of thanks from the Chamber of Commerce, for help in coordinating the Summer Concert Series. Mr. Kelly also acknowledged the accomplishments of the Nauset Beach Life Guard staff.

Liaison Reports: (01:25:31)

Mrs. Christie reported on a recent meeting of the Board of Health.

Any Other Business: (01:28:11)

Mr. Dunford, asked if the Board would be holding a meeting on August 24, 2011. Mr. Kelly replied that there is no additional information on the DRI, and therefore no reason for the

Board to meet.

Mr. Kelly also informed the Board that a meeting with the abutters of Aspinet Road is being planned and he will update the Board with information from that meeting.

Adjourn: (01:30:42)

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

Respectfully submitted,

Kristen Holbrook

Jon R. Fuller, Clerk