

BOARD OF SELECTMEN
MEETING MINUTES

September 7, 2011

Approved on October 5, 2011

A meeting of the Orleans Board of Selectmen was held on Wednesday September 7, 2011, in the Nauset Room of the Town Hall. Present were Chairwoman Margie Fulcher, Vice Chairman Sims McGrath Jr., Selectman David M. Dunford, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairwoman Fulcher called the meeting to order at 6:35 pm and called for a moment of silence to honor all fallen troops as well as those currently serving in the Armed Forces.

Public Comment: (00:00:15)

Mark Fiegel, a resident of Orleans, spoke to the Board regarding his report on the Statistical Analysis of the Multi Year Water Quality Monitoring Data. Copies of Mr. Fiegel's report were presented to the Town Administrator. Mr. Fiegel requested that the Board make an electronic copy of his report be made available on the Town's website.

Selectwoman Susan Christie joined the meeting at 6:40 PM.

6: 45 pm NSTAR Pole Hearing: (00:05:53)

Chairwoman Fulcher read the public hearing notice as posted in the Cape Codder and called the hearing to order.

Kim Corriveau, a representative of NSTAR Electric, spoke to the Board in support of the petition.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to close the public hearing. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve the NSTAR Electric Company's petition to install 35 feet of underground conduit cable feed at 22 Portanimicut Road in Orleans, MA in accordance with Plan No. 103615 dated August 5, 2011 and in accordance with the recommendations of the Highway Department Manager and the Water Department Superintendent. The vote was 4-0-0.

Approval of Minutes: (00:10:08)

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve the minutes of the February 8, 2011 meeting as written. The vote was 4-0-0.

Committee Interviews and Appointments: (00:10:22)

The Board reviewed an application from Lawrence O. Spaulding Jr.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to approve Lawrence O. Spaulding to serve as Orleans Alternate Representative on the Cape Cod Seashore Advisory Committee, with a term ending date of June 30, 2015. The vote was 4-0-0.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted appoint the Republican, Democrat and Un-enrolled election officials and Warden listed in the memo from Town Clerk Cynthia May dated August 22, 2011 and filed as agenda item enclosure 3B Page 1, for terms commencing September 11, 2011 and expiring August 31, 2012. The vote was 4-0-0.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted appoint Gail Myers-Lavin as Deputy Warden, as indicated by Town Clerk Cynthia May in a memo dated August 22, 2011 and filed as agenda item enclosure 3B Page 2, for a term commencing September 11, 2011 and expiring December 31, 2011. The vote was 4-0-0.

Meet with Police Chief Quarterly Report: (00:14:02)

The Board met with Town of Orleans Police Chief Jeff Roy. Chief Roy presented the Board with his report for the period of June through August 2011.

Chief Roy presented the Board with a report from the Traffic Study Committee regarding a speed limit reduction request for Tonset Road, a request for a stop sign at Mill Lane and Barley Neck Road,

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to direct the Highway Department Manager to compile a list of road signs deemed to be obsolete, signs that may be damaged or signs that are no longer applicable to be presented to the Board for further action. The vote was 4-0-0.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to direct the Highway Department Manager to place stop signs on both ends of Mill Lane. The vote was 4-0-0.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to support the recommendation of the Traffic Study Committee to leave the posted speed limit of 35 mph on Tonset Road. The vote was 4-0-0.

Meet with Fire Chief Quarterly Report: (00:33:22)

The Board met with Town of Orleans Fire Chief William Quinn. Chief Quinn presented the Board with his report for May through August 2011. Chief Quinn introduced the department's newest full time Firefighter Aaron Burns.

Chief Quinn also presented the Board with his Tropical Storm Irene Response Report. Chief Quinn stated that he has been in contact with the Attorney General's office regarding a possible complaint against NSTAR, due to the lack of response to downed power lines and

basic public safety. The Board supported the Chief in this endeavor.

Barnstable County Sheriff's Office representative Matt Murphy appeared before the Board to answer questions regarding the contract for the Operation of a Fire Dispatch Center for the Town of Orleans.

On a motion by Mrs. Christie, and seconded by Mr. McGrath, the Board voted to sign the Fire Dispatch Agreement for FY 2012. The vote was 4-0-0.

Chief Quinn spoke to the Board in response to a written complaint of sirens used by the emergency vehicles exiting the Fire Station.

7:30 pm Joint Public Hearing with Finance Committee on Budget Priorities: (01:01:55)

The Town of Orleans Finance Committee joined the Board of Selectmen to host their annual Joint Public Hearing on Budget Priorities for FY 2013. Finance Committee members present were Chairwoman Gwen Holden-Kelly, Dale Fuller, Laurence Hayward, John Hodgson and Rick Sigel. Finance Committee Chairwoman Holden-Kelly called the meeting of the Finance Committee to order.

Chairwoman Margie Fulcher read the notice for the Public Hearing as published in the Cape Codder.

Town of Orleans Finance Director David Withrow gave a brief power point presentation on Proposition 2 ½, the Town of Orleans current Financial Plan and the Free Cash Analysis.

Budget Priority Public Comment: (01:37:27)

Ben Buck, a resident of Rock Harbor Road, asked where the oversight is for building maintenance, in order to avoid surprise expenses.

Gwen Guzzeau, asked if the financial plan might possibly include a reserve fund for future building maintenance. Ms. Guzzeau also stated that there is a certain amount of growth in the Orleans Elementary School and the Nauset District and recognized that the towns have historically supported the schools.

Curt Collyer, a resident of Orleans, spoke to the Board regarding the declining population in Orleans and the lack of affordable housing in Orleans. Mr. Collyer stated that the Town should be looking at providing necessary services at lower total costs. Mr. Collyer also stated that the Town should be looking at regionalization where possible, and more affordability in the Comprehensive Wastewater Management Plan.

Gordon Smith, a resident of Orleans, stated that he supported Mr. Collier's statements. Mr. Smith asked for further explanations for the OPEB planning.

Mr. Withrow stated that the funds are not counted in the financial plan, but Mr. Withrow has proposed using a portion of the free cash toward beginning a reserve fund for this item.

Mrs. Fulcher read an email from Orleans resident Tom Finan who requested that the town

budget for new windows in the Police Station and an email from resident Bill Weil in support of that action.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to the close the public hearing. The vote was 4-0-0.

Meet with Open Space Chairman Alan McClennen: (02:25:53)

The Board met with Open Space Committee Chairman Alan McClennen to discuss the possible acquisition of land adjacent to the Matthew's Property in Brewster. Mr. McClennen recommended that the Board place an article on the Special Town Meeting Warrant for this purpose.

Vote to Request Extension of Deadline for the CCC DRI Decision on the Comprehensive Wastewater Management Plan: (02:36:32)

The Board reviewed an email from Comprehensive Wastewater Management Plan project Manager, Ron Collins for a deadline extension for the Cape Cod Commission's DRI decision on the Comprehensive Wastewater Management Plan.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to authorize the Town Administrator to sign the request for an extension of the deadline for the Cape Cod Commission's DRI decision on the Comprehensive Wastewater Management Plan. The vote was 4-0-0.

Review Special Town Meeting Warrant Articles: (02:39:14)

The Board reviewed the draft index for the Special Town Meeting Warrant Articles.

Mr. Kelly updated the Board on a recent meeting with the abutters of Aspinet Road. Mr. Kelly asked that the Board consider holding over the article for the taking of Aspinet Road until May 2012.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to defer the Special Town Meeting Warrant Article for authorization for the layout of Aspinet Road, until the 2012 Annual Town Meeting, and direct the Town Administrator and Town Counsel to prepare the article, a plan of action (including mitigation, compromises and possible alternatives) and present to the Board all subsequent information necessary for such action to proceed. The vote was 3-0-1, Mr. Dunford abstained from the vote.

Town Administrator's Report: (03:00:52)

Town Administrator John Kelly presented the Board with the agenda for the first meeting of the Designer Selection Committee for the Comprehensive Wastewater Management Plan Alternatives Study. The first meeting will take place Thursday, September 8, 2011 at 1:30 pm in the Nauset Room of the Town Hall.

The Board reviewed a letter from Preservation of Affordable Housing Inc., regarding the sale of the Rock Harbor Village Apartments.

Mr. Kelly informed the Board that Assistant Town Clerk Kelly Darling has earned the designation of Certified Municipal Clerk.

Liaison Reports: (03:07:25)

Mr. Dunford presented the Board with information from recent meetings of the Open Space Committee, Council on Aging and the Water Quality Taskforce.

Mrs. Christie reported on meetings of the Community Preservation Committee, Board of Health and the Snow Library Board of Trustees.

Mrs. Fulcher informed the Board that she had attended meetings of the Affordable Housing Committee. Mrs. Fulcher also presented updates on the Planning Board and the Finance Committee on behalf of Mr. Fuller.

Any Other Business: (03:15:15)

Mr. Dunford stated that he had sent questions about the school building project to Mrs. Fulcher to be forwarded to Dr. Hoffman. Mr. Dunford also requested future agenda item on the healthcare reform changes. The Board also reviewed an email received from Mr. Meckel regarding the transfer station.

Adjourn: (03:18:30)

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

Respectfully submitted,

Kristen Holbrook

Jon R. Fuller, Clerk