

BOARD OF SELECTMEN
MEETING MINUTES

ORLEANS TOWN CLERK
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October 19, 2011

Approved on November 2, 2011

A meeting of the Orleans Board of Selectmen was held on Wednesday, October 19, 2011 in the Nauset Room of the Town Hall. Present were 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.

Vice-Chairman Sims McGrath Jr. called the meeting to order at 6:30 pm.

Public Comment: (00:00:15)

No public comment was offered.

Approval of Minutes: (00:00:44)

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to approve the minutes of the September 21, 2011 Board of Selectmen's meeting as amended. The vote was 4-0-0.

Committee Appointments: (00:02:26)

The Board reviewed a request to reappoint Richard Philbrick as Town of Orleans' representative to the Cape Cod National Seashore Advisory Committee.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to reappoint Richard Philbrick as Orleans Representative to the Cape Cod Seashore National Advisory Committee with a term ending date of June 30, 2014. The vote was 4-0-0.

Included in the Board's packet was a letter of resignation from Ann Hodgkinson from the Board of Water and Sewer Commissioners.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to accept the resignation of Ann Hodgkinson from the Board of Water and Sewer Commissioners with regret and gratitude. The vote was 4-0-0.

On a motion by Mrs. Christie, and seconded by Mr. Dunford, the Board voted to elevate Board of Water and Sewer Commissioners associate member Ken Rowell to the position of Regular member to fill the unexpired term of Ann Hodgkinson through June 30, 2013. The vote was 4-0-0.

Vote to approve Board of Selectmen FY12 Goals: (00:07:30)

Mr. Dunford noted an error in the date listed for the document and asked that it be updated to 2012.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to approve the Board of Selectmen FY 2012 Goals as amended. The vote was 4-0-0.

Orleans Comprehensive Plan Implementation: (00:09:27)

Mr. Kelly presented the Board with the Planning Board's request for an annual review of the Orleans Comprehensive Plan.

The Board reviewed item AH-1.

Mr. McGrath noted that the Board would table this agenda item for a short time in order to commence with the public hearing scheduled.

Change of location of Annual Wine & Malt Beverages Package Goods Store Liquor License – DRJX Deli LLC d/b/a The Last Stop (at 211 Main St.) to DRJX Deli LLC d/b/a Nauset Farms (at 199 Main Street): (00:14:29)

Vice-Chairman McGrath read the notice for the Public Hearing as published in the Cape Codder, and called the Public Hearing to order.

No public comment was offered.

Mr. Fuller asked if all of the employees have moved to the new location, Mr. Sethares indicated that all had moved.

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

On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted to approve the application for a change of location of the Annual Wine and Malt Beverages Package Good Store Liquor License from DRJX Deli, LLC d/b/a The Last Stop, located at 211 Main Street to DJRX Deli, LLC d/b/a Nauset Farms, located at 199 Main Street, East Orleans, subject to all local and state permits, licenses and approvals, laws and bylaws and in accordance with the Town of Orleans Rules and Regulations of the Liquor Licensing Authority adopted December 21, 1994, amended August 9, 1995, February 10, 2010 and April 29, 2010 and Massachusetts General Law Chapter 138. Said license to be issued after approval from the Alcoholic Beverage Control Commission is received and expiring on December 31, 2011. The vote was 4-0-0.

Orleans Comprehensive Plan Implementation Continued: (00:18:54)

In regards to Orleans Comprehensive Plan item AH-5, Mr. Kelly recommended referencing the pending sale of the Rock Harbor housing complex and updating the completion percentage to 25% as the sale includes an extension of the affordable housing deed restriction.

Mr. Kelly stated that CF-11 is still accurate but not as construction. Mr. McGrath suggested making a change to encapsulate the new assessment as approved by Town Meeting.

In review of item CF-27 the Board asked that the summary be updated to include the Cape Cod Commission's DRI approval and subsequent submission to the Department of Environmental Protection. He also suggested an increase to 95% completion.

Comprehensive Plan item CF-28 was updated to reference comparative wastewater study pending and that the MEPA review and SEIR completed. It was also noted that the Barnstable County Commissioners are conducting a review of the MEP.

Upon review of Comprehensive Plan items LU-13 and OS-18 the Board found that the items are still not considered appropriate at this time and will continue to be reviewed annually.

7:00 p.m. 3. Annual Property Classification Hearing with Town Assessor Ken Hull: (00:30:40)
Vice-Chairman Sims McGrath Jr. read the notice for the public hearing as published in the Cape Codder and called the hearing to order.

Orleans Town Assessor Ken Hull, gave a brief presentation on the Property Classifications in the Town of Orleans. Mr. Hull updated the Board with information relevant to the property classification hearing. Mr. Hull noted that there are several tax exemptions available for individuals 65 years or older, disabled veterans, and those citizens who are blind may contact the Assessor's office within 90 days of receipt of the tax bill.

No public comment was offered.

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

Mrs. Christie stated that there are businesses that are economically challenged at this time and therefore is not good timing to split the tax rate.

Mr. Fuller agreed that it would not be an appropriate time to split the tax rate.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to set the Town of Orleans Property Tax Rate at a residential factor of 1 and acknowledge that the excess levy capacity is \$528,159.01. The vote was 4-0-0.

Orleans Comprehensive Plan Implementation Continued:(00:58:40)

The Board discussed Orleans Comprehensive Plan item T-25 and discussed updating the completion percentage for the Village Center Master Plan after confirming with Mr. Meservey.

No changes were made to item T-27.

In reference to item T-8 the Board considered making reference to intersection and traffic improvement plans being surveyed by the Massachusetts Department of Transportation.

On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted to approve the Orleans Comprehensive Plan Implementation schedule as amended and refer the

document back to the Planning Board for further review. The vote was 4-0-0.

Special Town Meeting Follow Up: (01:03:17)

The Board reviewed the actions taken at the Special Town Meeting.

Mr. Fuller asked the Town Administrator to encourage the Nauset Regional School District Superintendent to follow through on his promise of a Capital Improvement and Outlay Plan for the schools.

Town Administrator's Report: (01:08:48)

Town Administrator John Kelly presented the Board with an update from the Lower Cape Community Access Television group.

The Board reviewed a letter from Mary Corr, Executive Director of the Orleans Chamber of Commerce regarding the events planned for the holiday season.

Liaison Reports: (01:16:49)

Mrs. Christie reported on meetings of the Board of Health and the Cultural Council.

Mr. Fuller reported on a recent meeting of the Planning Board.

Mr. Dunford reported on a meeting of the Architectural Review Committee.

Mr. McGrath reported on meetings of the Marine and Fresh Water Quality Task Force, Renewable Energy and Wind Committee and the Board of Water and Sewer Commissioners.

Any Other Business: (01:25:40)

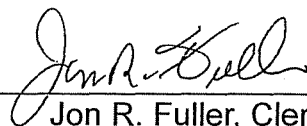
Mr. Fuller asked if the Board would be taking up the matter of a change in the Primary elections. Mr. Kelly indicated that the item would be on a future agenda for discussion.

Mr. Dunford asked if the Town Administrator could again look into the possibility of having a shredding service at some time for the residents. Mr. Dunford also asked if the Town Administrator could prepare a memo for the Board in regards to the refunding and refinancing of the callable bonds.

Adjourn: (01:31:44)

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