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BOARD OF SELECTMEN
MEETING MINUTES

November 16, 2011

Approved on December 21, 2011

A meeting of the Orleans Board of Selectmen was held on Wednesday, November 16, 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: (00:00:11) Chairwoman Fulcher called the meeting to order at 6:35 pm, and called for a moment of silence to honor all fallen US service troops as well as those currently serving in the armed forces.

Public Comment: (00:00:44)

Ben Buck, a resident of Rock Harbor Road, spoke to the Board regarding the Comprehensive Wastewater Management Plan.

Gary Clinton, a representative of Decentralized Wastewater Options for Orleans, spoke to the Board regarding the petition for an independent review of the Comprehensive Wastewater Management Plan.

Len Short, a resident of Orleans, spoke to the Board to commend the Highway Department, on the fantastic job clearing the lines of site along Mayflower Point.

Committee Interview and Appointments: (00:11:48)

The Board met with and interviewed John Meyer regarding his interest in serving as a member of the Board of Water and Sewer Commissioners.

Mr. Meyer disclosed to the Board that his engineering firm does perform work in the state of Massachusetts but has never performed work in the Town of Orleans.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to appoint John Meyer to the Board of Water and Sewer Commissioners as an associate member with a term ending date of June 30, 2014. The vote was 5-0-0.

The Board reviewed applications and from three residents of Orleans in regards to their interest in serving as members of the Orleans Cultural Council. Jenny Avellar provided a letter as she was unable to attend the Board of Selectmen's meeting due to a schedule conflict.

The Board met with and interviewed Joyce Aaron and Patricia Ares regarding their interest in serving as members of the Cultural Council.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to appoint

Joyce Aaron to the Cultural Council with a term ending date of June 30, 2013. The vote was 5-0-0.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to appoint to Jenny Avellar the Cultural Council 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 appoint Patricia Ares to the Cultural Council with a term ending date of June 30, 2014. The vote was 5-0-0.

The Board reviewed a letter of resignation from Elsie Marie Barnett as a Republican Election Worker.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to accept the resignation of Republican Election Worker Elsie Marie Barnett, effective immediately, with regret and gratitude. The vote was 5-0-0.

On a motion by Mrs. Christie, and seconded by Mr. McGrath, the Board voted to appoint Gloria Edwards as a Republican Election Worker with a term ending date of August 31, 2012. The vote was 5-0-0.

NSTAR Pole Hearing: (00:27:24)

Mrs. Fulcher read the notice for the public hearing as published in the Cape Codder, and called the Public Hearing to order.

Donna Howeth a representative of NSTAR Electric spoke to the Board regarding the application.

No Public Comment was offered.

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

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to approve NSTAR Electric Company's Petition to install 40' of underground conduit and cable at 202 Rock Harbor Road in Orleans, MA in accordance with Plan No. 103621, dated October 5, 2011 provided that the Water Department Superintendent's comments, conditions and requirements are met. The vote was 5-0-0.

NSTAR Pole Hearing: (00:32:03)

Mrs. Fulcher read the notice for the public hearing as published in the Cape Codder, and called the Public Hearing to order.

Ben Buck, a resident of Orleans, spoke to the NSTAR representative to address concerns over the permitting of the work and ownership of the lines.

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

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to approve NSTAR Electric Company's Petition to install 30' of underground conduit and cable at 84 Old Duck Hole Road in Orleans, MA in accordance with Plan No. 103620, dated October 5, 2011 provided that the Water Department Superintendent's comments, conditions and requirements are met. The vote was 5-0-0.

Meet With Highway Manager Mark Budnick: (00:39:34)

The Board met with Highway Department and Transfer Station Manager Mark Budnick. Mr. Budnick presented the Board with his quarterly update on the progress of the pavement and drainage projects in the Town of Orleans.

Mrs. Fulcher informed Mr. Budnick that the Board had received a compliment of his staff and department.

Meet With Weston & Sampson, Project Designer: (01:04:35)

Town Administrator John Kelly introduced the consultants from Weston & Sampson for the independent technical review and cost analysis of the Comprehensive Wastewater Management Plan.

Fran Yanuskeiwicz and Steve Pedersen presented the Board with a PowerPoint presentation on the project.

Mrs. Fulcher thanked the consultants for their report. Mrs. Fulcher emphasized that this is a transparent process and there will be a public hearing for the residents and taxpayers to ask their questions. Mrs. Fulcher also stated that the PowerPoint presentation will be made available for viewing on the Town of Orleans website.

Mr. McGrath asked why Monroe and Gloucester were listed on the experience table under both conventional and STEP, Mr. Pedersen stated that it would be possible for Orleans to have both.

Mr. Fuller stated that he is maintaining a hands off approach and will wait to the next public presentation to make any comments.

Mr. Dunford asked that the consultants also include a list of why options are not included in the final presentation. Also Mr. Dunford asked if the consultants could break the costs down by phase as well as total cost.

Nello Trevison, a resident of Orleans, asked for clarification as to whether the report would offer a cost on the actual Comprehensive Wastewater Management Plan, or would it be modified.

Mr. Kelly replied that the Comprehensive Wastewater Management Plan will be used but

optimized as is provided in the Comprehensive Wastewater Management Plan.

Wetlands Protection Filing Fees: (01:45:47)

The Board reviewed a request from the Conservation Commissioner to utilize \$2250 from the Wetlands Protection Filing Fee Account for maintenance at Kent's Point.

On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted to approve the request of the Conservation Commission to use up to \$2,250 from the Wetlands Protection Filing Fee account for the purpose of performing maintenance on Kent's Point Conservation Area. The vote was 5-0-0.

Discussion on Citizens for Homeowners Insurance Reform: (01:46:40)

The Board reviewed information provided by Paula Aschettino regarding the Homeowners Insurance Reform proposed legislation State house Bill number H00311.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to sign and send a letter in support of MA State House Bill H00311, for Homeowners Insurance Reform. The vote was 4-1-0, Mr. Dunford voted no.

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

Mr. Kelly presented the Board with information on the buildings facilities maintenance plan. The contract has been awarded to TLCR Architects.

Mr. Kelly informed the Board that John Jannell has received a Certificate of Achievement from the Massachusetts Association of Conservation Commissions, and Myra Suchenicz has received her re-certification as a Massachusetts Certified Public Purchasing Officer.

Mr. Kelly presented the Board with a letter complimenting Chief Roy for his immediate response in addressing safety concerns along Bridge Road.

Liaison Reports: (02:14:10)

Mrs. Christie reported on recent meetings of the Community Preservation Committee and the Snow Library Board of Trustees. Mrs. Christie also announced that the Orleans Board of Health will be holding their final flu clinic of the season on November 18, 2011 from 2 pm until 4 pm at the Orleans Senior Center for all residents over the age of 18, pre-registration is required for the event.

Mr. McGrath reported that he had attended a meeting of the Cape Cod Water Protection Collaborative. Mr. McGrath reported that the presentation at the meeting of Cape Cod Water Protection Collaborative has determined that the Massachusetts Estuary Project is a sound report.

Mrs. Christie stated that SMAST had been very cooperative with the Collaborative, and Mr. Fuller asked why Orleans has yet to receive the same information despite multiple requests.

Mrs. Fulcher felt that the report was well presented and easily understood. Mr. McGrath

stated that capekeepers.org recorded the presentation and will make the presentation and subsequent discussion period available online.

Mr. Fuller reported on meetings of the Planning Board and the Finance Committee.

Mr. Dunford reported on a meeting of the Architectural Review Committee and the Shellfish and Waterways Improvement Advisory Committee. Mr. Dunford reported that the Pleasant Bay Alliance and the Town of Chatham are spearheading a petition to change the ACEC in the area of Minister's Point for improvement dredging. The Pleasant Bay Alliance is seeking the support of the Board's of Selectmen in changing the IMA for the Pleasant Bay Alliance in order to allow for the dredging in that area of the bay.

Any Other Business: (02:31:55)

Mr. Dunford asked if Mr. Kelly could do some more investigating on shredding services in the Town of Orleans and asked if the perambulation issue had been decided. Mr. Kelly replied that the five-year schedule would bring the perambulation to spring of 2012.

Mrs. Fulcher announced that she had received a letter from John Ohman regarding his successful season as operator of Liam's.

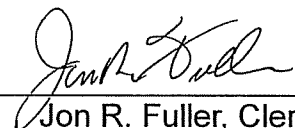
Mr. Fuller asked that the Chair place on the agenda a discussion of use or lease of the former motel at the Hubler property.

Mr. McGrath announced that he received a letter from a citizen regarding an obsolete and dilapidated road sign that needs to be removed. The Board discussed the recent increase of illegal and non-conforming signage in town. Mr. Kelly also informed the Board that he has asked the Building Commissioner to to be more proactive and remove signs or contact owners when violations are seen and not wait for a complaint.

Adjourn: (02:44:01)

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

Respectfully submitted,
Kristen Holbrook



Jon R. Fuller, Clerk

