

BOARD OF SELECTMEN
MEETING MINUTES
February 15, 2012

Approved on April 11, 2012

A meeting of the Orleans Board of Selectmen was held on Wednesday, February 15, 2012 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.

Chairwoman Fulcher called the meeting to order at 6:38 pm.

Public Comment: (00:00:10)

Beverly Carney, a resident of Long View Drive, spoke to the Board regarding the Tri-Town Septic Treatment Facility.

Gary Clinton, a resident of Nickerson Road and representative of Decentralized Wastewater Options for Orleans, spoke to the Board regarding the TMDL limits for Pleasant Bay.

Weston and Sampson-Technical Review & Cost Analysis of CWMP Options: (00:06:45)

Steve Pederson and Fran Yanuskewicz consultants from Weston and Sampson presented the Board with the preliminary results of their technical review.

Mr. Kelly announced that the entire presentation would be made available on the Town of Orleans website beginning in the morning of February 16, 2012.

Joint Public Hearing with the Finance Committee on CIP FY14-FY18: (00:00:15)

The Finance Committee joined the Board for a joint public hearing on the proposed Capital Improvement Plan for FY14-18. Present from the Finance Committee were Gwen Holden Kelly, Dale Fuller, Rick Sigel, Bill Weil, Laurence Hayward, Mark Carron and John Hodgson.

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

Finance Committee Chair Gwen Holden Kelly called the meeting of the Finance Committee to order.

Town Administrator John Kelly presented the Board with a brief presentation on the proposed Capital Improvement Plan for FY 2014-2018.

Chairwoman Holden Kelly called for public comment.

Tom Finan, spoke to the Board regarding the funding for building concerns.

John Kelly stated that his intention is to fund as much of the building maintenance out of the operating budget and try to borrow or finance as little as possible.

Douglas Pluccenik asked if the total cost of the water quality improvement projects was known to the Town. Mr. Kelly replied that over \$1 Million in costs had been identified since the inception of the program, and additional projects continue to be completed in order of priority.

Alan McClennan, spoke to the Board, regarding the need for dredging in areas around Orleans to mitigate water quality in the nitrogen rich ponds. He asked that the Board place dredging in the Capital Improvement Plan.

Ken Eisner, asked the Board to consider advocating that the Department of Environmental Protection revise the TMDLs for Pleasant Bay and ask that the Rock Harbor boat basin be reclassified.

Jeff Eagles, suggested that more water quality projects be placed on the Capital Improvement Plan as well as an assessment of Pleasant Bay.

Ms. Holden Kelly closed the public hearing and adjourned the meeting of the Finance Committee.

Vote to sign Presidential Primary Warrant: (00:29:49)

Mr. Kelly presented the Board with the Presidential Primary Warrant which must be posted before February 28, 2012.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to sign and post the March 6, 2012 Presidential Preference Primary Election Warrant. The vote was 5-0-0.

Temporary Closing – LaRocca Group, Inc. d/b/a Nauset Beach Club Restaurant : (00:32:44)

The Board reviewed a request for a temporary closing from Nauset Beach Club.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to approve the request of Arthur Duquette, owner/manager of the Nauset Beach Club Restaurant to temporarily close his business for the period of March 12, 2012 through March 28, 2012 for vacation and maintenance purposes and in accordance with the Rules and Regulations of the Liquor Licensing Authority. The vote was 5-0-0.

New Common Victualler's license - Carla de Oliveira d/b/a Carla's, located at 54 Main St (former Cape Cup): (00:33:04)

The Board reviewed an application and a letter from the owner of a new restaurant, Carla's, for a new common victualler license.

On a motion by Mr. Fuller, and seconded by Mrs. Christie, the Board voted to approve and Annual Common Victualler license for Carla De Oliveira d/b/a Carla's, Paul J. Doel, Manager, located at 54 Main Street. Said license to expire on December 31, 2012 and is issued subject to all permits, bylaws, approvals and licenses in the Town of Orleans. The vote was 5-0-0.

Continue FY13 Budget Review by Department: (00:35:52)

The Board continued their review of the proposed FY2013 budget. During their review the Board discussed changes in budget #175 for the Planning Department. Mr. Kelly explained

that the budget increase is due to the request from the Marine and Fresh Water Quality Task Force for continued testing on salt and fresh water. Mr. Dunford stated that he felt the Board should research the financing needed for enhanced data sampling with an eye to approaching the Department of Environmental Protection to reevaluate the TMDLs for Pleasant Bay. Mr. Kelly stated that he would present the Board with information on the subject and that he would have Mr. Meservey weigh in as well.

During discussion of the Water Department budget, Mr. Kelly indicated that he will be recommending that the current structure in the Water Department personnel be made permanent and the vacant position filled.

The Board discussed the possibility of withdrawing from the Old King's Highway Regional Historic District. The consensus of the Board was to hold further discussion with the Old King's Highway Regional Historic District at a future meeting.

Town Administrator's Report: (01:44:28)

Mr. Kelly had no further information to report to the Board.

Liaison Reports: (01:44:40)

Mr. Dunford reported on a recent meeting of the Shellfish and Waterways Advisory Committee.

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

Mr. McGrath reported on a meeting of Board of Water and Sewer Commissioners.

Mrs. Christie reported on a meeting of the Snow Library Board of Trustees and a meeting of the Cultural Council.

Any other business: (02:03:43)

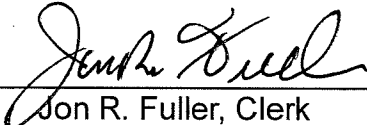
Mr. Dunford asked if Mr. McGrath had sent out a copy of an email of a policy statement supporting the creation of a Cape Cod Water District and asked from where the document had originated. Mr. McGrath replied that the document had been created at the recommendation of the Barnstable County Commissioners and the Cape Cod Water Protection Collaborative and that the distribution was set forth as an opportunity to comment by the individual municipalities.

Adjourn: (02:05:56)

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

Respectfully submitted,

Kristen Holbrook



Jon R. Fuller, Clerk

