

BOARD OF SELECTMEN
MEETING MINUTES

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ORLEANS TOWN CLERK

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April 11, 2012

Approved on May 16, 2012

A meeting of the Orleans Board of Selectmen was held on Wednesday, April 11, 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, Town Administrator John Kelly, Assistant Town Administrator Myra Suchenicz and recording Secretary Kristen Holbrook.

Selectwoman Susan B. Christie was not present for the meeting.

Call to Order:

Chairwoman Fulcher called the meeting to order at 6:00 PM.

Executive Session to discuss strategy with respect to collective bargaining:

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted, by way of roll call, to enter into Executive Session to discuss strategy with respect to collective bargaining and that the Chair declare that an open meeting may have a detrimental effect on the bargaining position of the body, and to reconvene in Open Session. The vote was 4-0-0, with Mr. Dunford, Mr. Fuller, Mr. McGrath and Mrs. Fulcher all voting aye.

Chairwoman Fulcher declared that an open meeting may have a detrimental impact on the bargaining position of the body.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted, by way of roll call, to reconvene in open session. The vote was 4-0-0, with Mr. Dunford, Mr. Fuller, Mr. McGrath and Mrs. Fulcher all voting aye.

The meeting reconvened at 6:30 PM.

Public Comment: (00:00:15)

Fran McClennan, President of the Orleans Pond Coalition, spoke to the Board regarding the upcoming Fertilizer Awareness Day, which will take place on April 14, 2012.

Gary Clinton, a representative of Decentralized Wastewater Options for Orleans, spoke to the Board regarding the progress of the request for recalculations of the TMDL levels for Pleasant Bay. Mr. Clinton also asked that the Board continue to request the Nauset MEP Report that is long overdue.

Approval of Minutes: (00:08:12)

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to adopt the minutes of the February 14, 2012 meeting as written. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the February 15, 2012 meeting as written. The vote was 4-0-0.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to adopt the minutes of the February 23, 2012 meeting as written. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the February 28, 2012 meeting as amended. The vote was 3-0-1, Mr. Dunford abstained from the vote as he was not present for the meeting.

On a motion by Mr. Fuller, and seconded by Mr. Dunford, the Board voted to adopt the minutes of the March 21, 2012 meeting as written. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to adopt the minutes of the March 21, 2012 Executive Session meeting as written. The vote was 4-0-0.

Pre-Town Meeting with Moderator, Town Clerk and Town Counsel: (00:10:38)

The Board met with Town Moderator Duane Landreth, Town Counsel Michael Ford, and Town Clerk Cynthia May in preparation for the upcoming Annual and Special Town Meetings on May 7, 2012.

Town Administrator John Kelly presented the Board with the final version of the draft Annual and Special Town Meeting Warrant, which will be published in the Cape Codder on or about April 20, 2012. The Board reviewed the Articles for the Annual Town Meeting.

Town Counsel Michael Ford spoke to the Board regarding discussions he has had recently with the attorney for the abutters on Aspinet Road. Mr. Ford informed the Board that if the article is passed the Board must act within 120 days.

Meet with Finance Director David Withrow for Financial Plan Update: (01:02:08)

The Board met with Town of Orleans Director of Municipal Finance for an update of the five-year financial plan. Mr. Withrow presented the Board with information on the impacts to the property tax rates, capital projects and special articles.

Town Administrator John Kelly reminded the Board there are no projected deficits for the next four years.

Meet with Beverly Fuller – Update on Orleans Heritage Month: (01:08:18)

The Board met with Beverly Fuller, for an update on Orleans Heritage Month. Mrs. Fuller presented the Board with a draft resolution to designate August 2012 as Orleans Heritage Month as it relates to the bicentennial anniversary of the War of 1812.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to proclaim August 2012 as Orleans Heritage Month. The vote was 3-0-1; Mr. Fuller abstained from the vote.

Mr. Fuller mentioned that the Planning Board had previously voted to forward a request to the Board of Selectmen for a public hearing on the Massachusetts Cultural District.

Committee Interviews and Appointments: (01:14:10)

The Board met with and interviewed Orleans citizen Larry Minear regarding his interest in serving as a member of the Marine and Fresh Water Quality Task Force.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to appoint Larry Minear to the Marine and Fresh Water Quality Task Force with a term ending date of June 30, 2015. The vote was 4-0-0.

The Board met with and interviewed Orleans citizen Bernadette MacLeod regarding her interest in serving on the Architectural Review Committee.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to appoint Bernadette MacLeod to the Architectural Review Committee, as an associate member, with a term ending date of June 30, 2015. The vote was 4-0-0.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to elevate Architectural Review Committee member Joy Cumming, from an associate member to a regular member, with a term ending date of June 30, 2013. The vote was 4-0-0.

The Board met with Orleans resident Mefford Runyon regarding his interest in serving on the Bike and Pedestrian Committee.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to appoint Mefford Runyon to the Bike and Pedestrian Committee with a term ending date of June 30, 2014. The vote was 4-0-0.

The Board met with and interviewed Barbara Quinn regarding her interest in serving on the Affordable Housing Committee.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to accept the resignation of Erica Parra from the Affordable Housing Committee with regret and gratitude. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to appoint Barbara Quinn to the Affordable Housing Committee with a term ending date of June 30, 2014. The vote was 4-0-0.

The Board reviewed an application from Susan Brady, for consideration of an appointment to the Cultural Council.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to appoint Susan Brady to the Cultural Council with a term ending date of June 30, 2015. The vote was 4-0-0.

The Board met with and interviewed Peter O'Meara regarding his interest in serving on the Fourth of July Committee.

On a motion by Mr. Dunford, and seconded by Mr. Fuller, the Board voted to appoint Peter O'Meara to the Fourth of July Committee, as an associate member, with a term ending date of June 30, 2015. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by the Board voted to elevate William Pomeroy, from an associate member to a regular member, of the Fourth of July Committee with a term ending date of June 30, 2015. The vote was 4-0-0.

Meet with Parks and Beaches Superintendent Paul Fulcher: (01:32:32)

The Board met with Orleans Parks and Beaches Superintendent Paul Fulcher and Carole Ridley of the Pleasant Bay Alliance to discuss the proposed fertilizer, pesticide and herbicide policies.

Carole Ridley spoke to the Board regarding the public forum held in March 2011 regarding the management of public golf courses and property with minimal fertilizer and pesticides.

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board as Park Commissioners voted to accept and adopt the fertilizer management policy as presented. The vote was 4-0-0.

Judith Bruce, Town of Orleans Representative to the Pleasant Bay Alliance, spoke to the Board to commend Ms. Ridley and Mr. Fulcher in their efforts on the management policy. Ms. Bruce also urged the Board to support Ms. Ridley in the face of unwarranted personal attacks.

The Board discussed the license agreement from the Chamber of Commerce regarding the lease of the Community Building. Mr. Kelly presented the Board with a letter from Steve Bornemeier of the Orleans Community Partnership regarding an interest in using the facility. Mr. Kelly asked the Board to authorize him to extend the agreement with the Chamber of Commerce for an additional three years at a rate of \$12 per square foot. Mr. Kelly also asked the Board to authorize him to issue a new RFP for the lease of the remaining vacant space in the Community Building.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to authorize the Town Administrator to extend the lease of the Community Building with the Chamber of Commerce for an additional 3 years at a rate of \$12 per square foot. The vote was 4-0-0.

Vote to Sign and Post Town Meeting and Town Election Warrants: (02:12:52)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to sign and post the May 7, 2012 Annual Town Meeting Warrant, the May 7, 2012 Special Town Meeting Warrant and the May 15, 2012 Town Election Warrant. The vote was 4-0-0.

Vote to Proclaim April 28, 2012 as Arbor Day: (02:13:15)

On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to proclaim

April 28, 2012 as Arbor Day in the Town of Orleans. The vote was 4-0-0.

Town Administrator's Report: (02:13:35)

No additional items were discussed.

Liaison Reports: (02:13:43)

Mr. Fuller reported on the April 10, 2012 meeting of the Planning Board.

Mr. Dunford updated the Board with information from a recent meeting of the Shellfish and Waterways Advisory Committee. The Board also discussed the process for changing the charge to the Shellfish and Waterways Advisory Committee due to issues surrounding vacancies and a lack of quorum.

Mrs. Fulcher reported on meetings of the Affordable Housing Committee and the Nauset Regional School Committee.

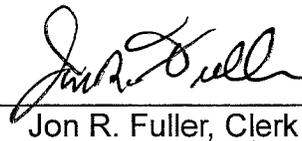
Any Other Business: (02:24:10)

Mr. Dunford reported on a meeting of the Local Government Advisory Commission with the Lieutenant Governor which discussed the amount of state aid apportioned to the Cape Cod towns. The Commission also discussed the Chapter 90 funding increases for infrastructure repairs and maintenance, state sponsored community grants for regional projects and concerns over increases to unemployment insurance payments.

Adjourn: (02:30:00)

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

Respectfully submitted,
Kristen Holbrook



Jon R. Fuller, Clerk

