

BOARD OF SELECTMEN
MEETING MINUTES

June 20, 2012

Approved on July 11, 2012



ORLEANS TOWN CLERK

'12 JUL 24 12:54PM

A meeting of the Orleans Board of Selectmen was held on Wednesday, June 20, 2012 in the Nauset Room of the Town Hall. Present were Chairman Jon R. Fuller, Vice-Chairman Sims McGrath Jr., Clerk Susan B. Christie, Selectman David M. Dunford, Selectman John Hodgson III, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairman Fuller called the meeting to order at 6:30 PM.

Public Comment: (00:00:06)

Alan McClennen, a resident of Orleans, spoke to the Board regarding the Board of Selectmen's policy on committee appointments.

Approval of Minutes: (00:06:55)

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to approve the minutes of the May 16, 2012 meeting as amended. The vote was 5-0-0.

Annual Hawker's & Peddler's License – Hernica Williams: (00:09:27)

The Board reviewed an application for a Hawker's and Peddler's license for Hernica Williams.

Ms. Williams spoke to the Board regarding the charities for which she will be raising money.

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to approve the application of Hernica D. Williams for a Hawker's and Peddler's license to sell cakes, brownies, canned soda and bottled water from Shaw's Supermarket property located at 9 West Road on July 18th and August 8th 2012 from 10:00 AM until 3:30 PM and from Stop and Shop Supermarket property, located at 10 Cranberry Cove Plaza on July 12th and August 16th 2012 from 10:00 AM until 3:30 PM subject to all approvals, bylaws, permits and licenses. Said license to expire on August 31, 2012. The vote was 5-0-0.

6:45 p.m. Public Hearing – New Annual Wine & Malt Beverages Common Victualler Liquor License – Matthew Barron d/b/a Nauset Grill, located at 56 Main Street:
(00:17:07)

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

Matthew Barron, manager of Nauset Grill spoke to the Board regarding his application and asked that the Board vote favorably on his application.

No public comment was offered.

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

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to approve the application for a new Annual Wine and Malt Beverage Common Victualler Liquor License for Matthew P. Barron d/b/a Nauset Grill, Matthew P. Barron, Manager, located at 56 Main Street, 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, 2012 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, 2012. The vote was 5-0-0.

6:50 p.m. Public Hearing – New Annual All Alcoholic Beverages Common Victualler liquor License and Annual Common Victualler License – True Words Tortillas, Inc. d/b/a Guapos Tortilla Shack, located at 136 Rte. 6A: (00:21:40)

Chairman Fuller announced that the applicant's have asked that the Board reschedule their public hearing to July 11, 2012.

Meet with Traffic Study Committee on the following Items: (00:21:52)

Fire Chief William Quinn spoke to the Board regarding a recent meeting of the Traffic Study Committee.

Chief Quinn informed the Board that the Traffic Study Committee recommends no change to the speed limit.

Chairman Fuller recognized Bob Sinclair, a resident of Tonset Road. Mr. Sinclair informed the Board that this is the second time that he has requested a review of the speed limit. Mr. Sinclair also informed the Board that there are 80 signatories of a petition to lower the speed limit on Tonset Road to 30 miles per hour.

Mr. McGrath asked if Deputy Police Chief McDonald had any comments on the speed. Deputy Chief McDonald spoke to the Board regarding the regulations that govern speed on roads.

Mr. Hodgson asked what the protocol is for the petition from the residents of Tonset Road to lower the speed limit for Tonset Road. Mr. Kelly informed the Board that the petition would be referred to the Traffic Study Committee for review.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to accept the recommendation of the Traffic Study Committee to leave the speed limit on Tonset Road as it is and request that the monitoring trailer be left in place. The vote was 5-0-0.

Chief Quinn recommended that a sign be placed at the intersection of Route 6A and Brewster Cross Roads to allow for a right turn only onto Route 6A.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to accept the recommendation of the Traffic Study Committee for a "Right Turn Only" sign to be placed at the intersection of Route 6A and Brewster Cross Road with appropriate signage indicating the change at the intersection of Brewster Cross Road and Main Street. The vote was 4-0-1; Mr. Fuller abstained from the vote.

Chief Quinn presented the Board with the proposal for additional signage in the Nauset Heights area.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to accept the recommendation of the Traffic Study Committee to update signage throughout the Nauset Heights area as follows: Entering Curve Signs to be placed on either side of Nauset Heights Road, Curve near Deer Run place two new signs "SLOW" with appropriate arrow, Existing sign near Nauset Road should be relocated closer to curve, existing curve sign closest to Callanan's Pass to be relocated closer to curve; "No Parking Either Side- \$30 Fine" signs to be placed on either side of Nauset Heights Road north of Doane Road, "No Parking Either Side- \$30 Fine" sign to be placed on North Side of Doane Road near Nauset Heights Road, "No Parking Either Side- \$30 Fine" signs to be placed on each side of Iyanough between Standish and Priscilla, North Side of Priscilla four existing signs to be updated to read "No Parking This Side", new sign "No Parking Here to Corner" on South Side of Priscilla as a new sign neat top to be placed facing East . The vote was 5-0-0.

Chief Quinn presented the Board with information on posting a "No Thru Truck" signs on Tar Kiln Road.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to accept the recommendation of the Traffic Study Committee to place "No Thru Truck" signs on Tar Kiln Road in each direction. The vote was 5-0-0.

Meet with Weston & Sampson-Technical Review & Cost Analysis of CWMP Options:
(01:03:05)

The Board met with Steve Pederson and Fran Yanuskewicz, consultants from Weston and Sampson for a presentation of the draft letter report of the Technical Review and Cost Analysis of the Comprehensive Wastewater Management Plan.

Mr. Pederson presented the Board with the bound copies of the draft report which includes all of the back-up information from the project.

Mr. McGrath asked if the report addresses the issue of the recovering economy in regards to the construction costs. Mr. McGrath also asked if the additional operation and maintenance costs in STEP/STEG had been reconsidered. Mr. Pederson replied that the numbers have not been changed, but they are still gathering data.

Mr. Dunford asked if it would be possible for the consultant's to provide the Board with a cost breakdown by phase, and Mr. Pederson replied that he would only be able to provide the breakdown for Phase 1.

Mrs. Christie asked for clarification on the location of the pump station sites.

Mr. Hodgson asked if one of the plans was more flexible than the other. Mr. Pederson replied that the centralized system allowed for a bit more flexibility because of the increased pipe size.

Chairman Fuller called for questions from the public. No public comment was offered.

Vote to Sign BAN's for the following projects: (02:21:55)

The Board reviewed the documentation on the BAN bids and projects.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to sign and execute the Bond Anticipation Notes for Rock Harbor Docks, Piers and Ramps in the amount of \$165,000 and Water Department I&M membrane Rack 2 Replacement in the amount of \$250,000 and Water Department I&M Membrane Rack 3 Replacement in the amount of \$256,000 for a total of \$671,000 awarded to Eastern Bank at an interest rate of .50% with an issue date of June 28, 2012 and a maturity date of February 15, 2013, subject to review by the Treasurer/Collector regarding the amount listed on item B. The vote was 5-0-0.

Town Administrator's Report: (02:32:18)

Mr. Kelly presented the Board with information on the policy for remote participation under the open meeting law. The Board reviewed the draft policy.

On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to adopt the policy on remote participation under the open meeting law as presented. The vote was 5-0-0.

Mr. Kelly updated the Board with information on the operation of the Finch Skateboard Park.

Mr. Kelly reviewed a memo from the Planning Board regarding an application for the designation of the Village Center as a Cultural District.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to move forward and schedule a public hearing for the application to designate Orleans Village Center as a MA Cultural District. The vote was 5-0-0.

The Board reviewed a letter from the Town of Eastham regarding a meeting on possible reclassification and the dredging of Rock Harbor.

Mr. Kelly presented the Board with a request from Peter Lajoie, for the Board to reconsider his transfer application. The Board declined to take any action relevant to the transfer application appeal.

Mr. Kelly informed the Board that an agreement has been reached with Sgt. Norton for his reinstatement and asked that the Board sign the agreement.

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to sign the final reinstatement and compensation agreement with Orleans Police Sergeant William Norton as presented in the amount of \$84,492.00. The vote was 5-0-0.

Mr. Kelly informed the Board that the Channel 18 playback capabilities are being upgraded to allow for wider access to information.

Liaison Reports: (03:01:55)

Mr. Hodgson reviewed recent meetings of Orleans Elementary School Committee,

Mrs. Christie reviewed a change to the Board of Health meeting schedule.

Mr. McGrath reported on a meeting of the Barnstable County Solid Waste Advisory Committee.

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

Mr. Fuller reported on meetings of the 4th of July Committee and the Finance Committee.

Other Items for Future Agendas: (03:12:45)

Mr. Dunford suggested a change to the date for the MEP review.

Mr. Kelly updated the Board with information on an upcoming meeting with the Aspinet Road abutters.

Mr. Dunford stated that an upcoming meeting should have a discussion on waste water and the plan moving forward. Mr. McGrath stated that the Board also needs to figure out where the Board of Water and Sewer Commissioners comes in.

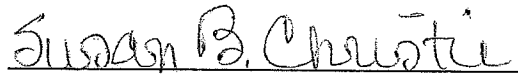
Mr. Hodgson suggested a future discussion for a zero based budget for a department.

Adjourn: (03:28:48)

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

Respectfully submitted,

Kristen Holbrook


Susan B. Christie, Clerk