

BOARD OF SELECTMEN  
MEETING MINUTES

August 8, 2012

Approved on October 17, 2012

ORLEANS TOWN CLERK  
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A meeting of the Orleans Board of Selectmen was held on Wednesday August 8, 2012 in the Nauset Room of the Town Hall. Present were Chairman Jon R. Fuller, Vice-Chairman David M. Dunford, Selectman Sims McGrath Jr., Selectman John Hodgson III, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

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

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

Public Comment: (00:00:15)

Fire Chief William Quinn spoke to the Board regarding a chimney sweep scam that is currently operating via phone in the Orleans area.

Harold Bowess, spoke to the Board regarding the special wheel chairs available at the Parks and Beaches department.

Casey Gellin, member of the Orleans Chamber of Commerce, spoke to the Board to invite them to the first annual ClamBQ currently being planned for September 29, 2012 in Orleans.

Caroline Kennedy, spoke to the Board regarding recent water quality testing results. Ms. Kennedy also spoke to the Board regarding the proposed location of the Tri-Town Facility near Namskaket Marsh.

Bob Rich, spoke to the Board regarding the ongoing debate over the Comprehensive Wastewater Management Plan. Mr. Rich urged the Board to move forward with sewerage the downtown Orleans area.

Fran McClennen, President of the Orleans Pond Coalition, spoke to the Board regarding the Orleans Pond Coalition's decision to decline the invitation to participate in the Wastewater Summit.

John Myer, a resident of Orleans, spoke to the Board regarding the Comprehensive Wastewater Management Plan. Mr. Myer urged the Board to proceed with the Comprehensive Wastewater Management Plan.

*Judith Bruce*, a resident of South Orleans, spoke to the Board regarding the recent Weston & Sampson report.

*Alan McClennen*, a resident of Orleans, spoke to the Board regarding the Comprehensive Wastewater Management Plan. Mr. McClennen urged the Board to move forward with the Phase 1 of the Comprehensive Wastewater Management Plan.

Committee Interviews and Appointments: (00:32:56)

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to accept the resignation of Carolyn Dowd from the Architectural Review Committee, effective June 1, 2012 with regret and gratitude. The vote was 4-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to appoint Frances Heffner to the Architectural Review Committee as an associate member with a term ending date of June 30, 2013. The vote was 4-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to elevate Bernadette MacLeod from associate member to regular member of the Architectural Review Committee. The vote was 4-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to appoint Robert Osterberg to the Zoning Bylaw Taskforce with a term ending date of June 30, 2014. The vote was 4-0-0.**

Orleans Water Alliance Response to Weston & Sampson Alternative Study Draft Report: (00:35:55)

The Board met with Nello Trevison, Paul Amman and Jeffrey Eagles, members of the Orleans Water Alliance. The Orleans Water Alliance members presented the Board with their response to the Weston & Sampson draft report of the Wastewater Alternative Study.

Mr. Dunford asked for clarification on the local sources used, man-power calculations and combining the facilities.

Mr. McGrath asked if the Orleans Water Alliance had calculated the same savings for the centralized plan. Mr. Amman replied that he had not, but would agree to do so.

Mr. Fuller stated that it was his understanding that you cannot combine an STE plant with a sewage plant in the same facility.

Mr. Hodgson thanked the Orleans Water Alliance for their time and effort.  
Mr. Dunford asked if the Weston & Sampson consultants had assumed the septage treatment facility included a revenue stream.

Mr. Kelly replied that the decision of what to do about those not connected to the system has not yet been made. There is a revenue stream connected to the project, but Weston & Sampson had not taken that revenue into consideration.  
Mr. Hodgson stated that the Board has placed the Comprehensive Wastewater Management Plan decision on their goals.

John Meyer asked if he could be provided with copies of the Orleans Water Alliance report.

Annual Hawker's and Peddler's License – Paul Piatelli d/b/a Attleboro Del's & Ice Cream: (01:13:52)

Mr. Kelly informed the Board that the applicant had withdrawn his request for the license.

Meet with Orleans Elementary School Playground Committee for Project Update: (01:14:18)

The Board met with Wendy Farrell, a member of the Orleans Elementary School Playground Committee. Ms. Farrell presented the Board with an update on the project and information on the upcoming build week.

Annual Review of Board of Selectmen Policies: (01:21:12)

The Board began their annual review of the Board of Selectmen policies.

Mr. Dunford asked if the Board was satisfied with the meeting schedule. He also noted that he believes the Chairmanship of the Board should rotate and Mr. Dunford would like to reinstate the policy that a Chair would not serve more than one term in a row.

- A-2 – Organization

**On a motion by Mr. Dunford, seconded by Mr. Hodgson, the Board voted to add a statement that the same individual shall not hold the Chairmanship of the Board of Selectmen for more than one year in a row. The vote was 3-1-0; Mr. McGrath voted no.**

- A-3 – Agendas

The Board discussed clarifying the reference to unanticipated agenda items and/or agenda items that do not require a vote may be briefly discussed to the extent allowed by the Open Meeting Law, and add that "items and individuals presenting information to the Board and listed on the agenda must provide the information no later than the Friday before the meeting."

**On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to amend the policy A3 to state that Presenters/Individuals listed on the agenda will provide copies of their presentation and pertinent supporting documents no later than the Friday before the meeting. Failure to do so may result in being removed from the agenda. The vote was 4-0-0.**

**On a motion by Mr. Dunford, and seconded by Mr. McGrath, incorporate the phrase at the bottom of the agenda to the policy. The vote was 4-0-0.**

- **A-4 – Public Comments**

The Board discussed changing the word “shall” to “should”.

**On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to change the word “shall” to “should” as it appears in the Board of Selectmen's policy titled “A-4 Public Comment.” The vote was 4-0-0.**

- **A-5 - Minutes**

The Board discussed changing the time frame to 4 weeks.

**On a motion by Mr. Dunford, and seconded by Mr. McGrath the Board voted to change the Board of Selectmen's policy A-5 regarding meeting minutes to reflect that the minutes will be listed for approval within four weeks of the meeting date, and filed with the Town Clerk within 30 days. The minutes will be available on the Town of Orleans website as soon as they are approved by the Board. The vote was 4-0-0.**

- **B-1 – Committee Reappointments**

Board discussed drafting a policy addressing the issue of gaps in term ending dates and reappointments of Committee members.

- **B-2 - Term limits for Committees**

**On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to reinstate the Board of Selectmen's policy regarding term limits for Committee members, and amend the 2005 Policy to apply to Regular and Full Committee Membership. The vote was 4-0-0.**

The Board discussed removing the Open Space Committee from the list of Committees that individuals may not serve on simultaneously.

Vote to Adopt Annual Goals for the Board of Selectmen for FY13: (02:12:15)

**On a motion by Mr. McGrath, and seconded by Mr. Dunford the Board voted to review the Board of Selectmen's goals twice per year, once in January and again in June. The vote was 4-0-0.**

Mr. Dunford stated that the Board should add the Fire Department staffing and organizational study to Major Projects and Cedar Pond study as well.

**On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to add Fire Department study and Cedar Pond study to major projects and activities section. The vote was 4-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to amend the Wastewater section of the BOS FY13 Goals to read "Review the role of septage treatment in the Comprehensive Wastewater Management Plan." And add a separate sentence "Make a determination on the Tri-Town IMA prior to May 30, 2013." The vote was 4-0-0.**

**On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to approve the Board of Selectmen FY13 Goals as amended. The vote was 4-0-0.**

Discussion of Annual Goals for the Town Administrator: (02:27:55)

**Personnel Management**

- Complete negotiations that further the Town goals, with all five of our labor unions on successor agreements by May 2013
- Review of the existing organizational plan
- Begin to assess succession planning for each department

**Financial Management**

- Minimize the STM transfer articles from Free Cash

**Special Projects**

- No change

**Communication – Objectives**

- Promptly and courteously respond to questions and comments from citizenry and volunteer committee members
- Communicate major decisions of the Board in a timely manner to the public
- Schedule Board deliberations to assure adequate time to address key issues
- Notification to Board members regarding major issues of beach closures

Town Administrator's Report: (03:08:25)

**On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to authorize the Town Administrator to engage the services of the Applied Sciences Associates for the in-house technical review of the Nauset MEP draft report at a cost of \$9,400, subject to confirmation that there is no working relationship with SMAST. The vote was 4-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to authorize the Town Administrator to sign the contract with SMAST to complete the Cedar Pond Water Quality Management Project for a not to exceed amount of \$39,400 once the payment schedule has been established. The vote was 4-0-0.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to recommend to the Chief of Police that he suspend enforcement of the no parking areas along Route 28 adjacent to the Town Landing, until such time that the MassDOT responds to the letter from the Town Administrator requesting that the signs be removed. The vote was 3-0-1; Mr. Hodgson abstained from the vote.**

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to designate Brewster Cross Road, entering from Main Street and heading toward Route 6A, as a no through truck traffic zone. The vote was 4-0-0.**

**On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to authorize the Town Administrator to sign the 2012 Tax Credit Application for the Fleck Property located at 18 Twinings Lane. The vote was 4-0-0.**

Valerie Foster, the Development Director for HECH, spoke to the Board regarding the project.

**On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to authorize the Chairman to sign the Regulatory Agreement for the Hinckley Housing Project at Route 6A. The vote was 4-0-0.**

Mr. Kelly updated the Board with information on the bathing beach regulations.

Liaison Reports: (03:49:52)

No liaison reports were presented.

Any Other Items for Future Agendas: (03:52:16)

The Board discussed the upcoming agenda items for the September 5, 2012 meeting of the Board of Selectmen.

Mr. McGrath offered to act as interim clerk during Selectwoman Christie's absence.

**On a motion by Mr. Fuller, and seconded by Mr. Dunford the Board voted to designate Mr. McGrath as Clerk pro tem in Mrs. Christie's absence. The vote was 4-0-0.**

Adjourn: (03:53:27)

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

Respectfully submitted,

Kristen Holbrook

  
Susan B. Christie, Clerk

