

'12 DEC 20 4:24PM

C. J. Meyer

BOARD OF SELECTMEN
MEETING MINUTES

October 17, 2012

Approved on December 5, 2012

Present: Chairman Jon R. Fuller, Vice-Chairman David Dunford, Clerk Susan B. Christie, Selectman Sims McGrath Jr., Selectman John Hodgson III, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

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

Public Comment: (00:00:15)

Gary Furst, member of the Orleans Water Alliance, spoke to the Board regarding the Orleans Water Alliance six point plan.

Bob Shaftoe, a resident of Orleans, spoke to the Board regarding the Purdue University webinar on wastewater treatment solutions.

Katherine Hertz, spoke to the Board regarding the Weston & Sampson report and suggestions for Orleans wastewater solutions.

David Farquhar, spoke to the Board regarding the Board's upcoming discussion on the Comprehensive Wastewater Management Plan.

Charles Ketchuck, a resident of Orleans, spoke to the Board regarding the Comprehensive Wastewater Management Plan. Mr. Ketchuck stated that he is not in favor of the current Comprehensive Wastewater Management Plan.

Victoria Reis, read a letter from Paul Amman into the record.

Tom Cronin, a resident of Orleans, spoke to the Board regarding the origin of the nitrogen levels in Pleasant Bay.

John Meyer, a resident of Orleans, spoke to the Board regarding the Weston & Sampson report.

Ed Daly, President of the Orleans Citizens Forum, spoke to the Board regarding an upcoming forum on healthcare facilities and services, to be held at the Jailhouse Tavern on Tuesday October 30, 2012 from 6:30 PM until 8:30 PM. All are welcome to attend and admission is free.

Gary Clinton, representing Decentralized Wastewater Options for Orleans, spoke to the Board regarding the Weston & Sampson report.

Richard Delaney, a resident of Orleans, spoke to the Board regarding the Comprehensive Wastewater Management Plan.

Bob Wilkinson, spoke to the Board regarding moving forward with the Comprehensive Wastewater Management Plan phase I to allow the Town Meeting to vote.

7:00 PM Property Classification Hearing with Town Assessor Ken Hull:
(00:37:42)

The Board met with Town of Orleans Assessor Ken Hull, for the annual Property Tax Classification Hearing.

Public Comment:
No comment was offered.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, 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 support a residential tax factor of one (1) for the Fiscal Year 2013. The vote was 5-0-0.

On a Mr. McGrath, and seconded by Mrs. Christie, the Board voted to affirm a residential tax rate of one (1), acknowledge the excess levy capacity in the amount of \$686,415.00 and endorse the LA-5 as amended. The vote was 5-0-0.

Approval of Minutes: (01:05:04)

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to adopt the minutes of the 8/8/12 meeting as amended. The vote was 4-0-1, Mrs. Christie abstained from the vote.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to adopt the minutes of the 9/5/12 meeting as amended. The vote was 5-0-0.

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to adopt the minutes of the 9/19/12 meeting as amended. The vote was 5-0-0.

Committee Interviews and Appointments: (01:16:04)

1. Shellfish & Waterways Advisory Committee:
 - a. Suzanne Phillips

The Board met with Suzanne Phillips and Paul Kelleher regarding their interest in serving as associate members of the Shellfish and Waterways Advisory Committee.

On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to appoint Suzanne Phillips to the Shellfish and Waterways Advisory Committee as a Commercial Shell fishing regular member with a term ending date of June 30, 2014. The vote was 5-0-0.

b. Paul Kelleher

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to appoint Paul Kelleher as an at large regular member to the Shellfish and Waterways Advisory Committee, with a term ending date of June 30, 2013. The vote was 5-0-0.

2. Council on Aging

a. Frederick Coe

The Board met with and interviewed Frederick Coe regarding his interest in serving as a member of the Council on Aging.

On a motion by Mr. Dunford, and seconded by Mr. Hodgson, the Board voted to appoint Frederick Coe as a member of the Council on Aging, with a term ending date of June 30, 2015. The vote was 5-0-0.

3. Orleans Housing Authority

a. Gilbert Merritt

The Board met with and interviewed Gilbert Merritt regarding his interest in serving as a member of the Housing Authority.

On a motion by Mrs. Christie, and seconded by Mr. McGrath, the Board voted to appoint Gilbert Merritt to serve as a member of the Housing Authority until the May 2013 election. The vote was 5-0-0.

Meet with Independent Auditor regarding FY12 Annual Audit Process: (01:23:00)

The Board met with David Withrow and Chad Clark, of Roselli and Clark regarding the upcoming independent audit.

Mr. Dunford asked Mr. Clark to outline the scope of work that the audit will include.

Mr. Clark noted that the auditors report would be used for bond rating information. A financial statement audit is for validation and internal control testing purposes. The auditor's contract with the Town allows for an "extra" look at a single department, to offer guidance and opinion as to the procedures and what changes might be needed to improve policies and internal controls.

Mr. Dunford suggested that the Finance Director meet with the auditors and prioritize the departments with the high cash flow. Mr. Dunford also suggested that it would be useful to look at controls for payroll numbers.

Meet with Orleans Pond Coalition: (01:30:57)

The Board met with Fran McClennen, President of the Orleans Pond Coalition for a brief presentation on the wastewater problems facing the Town of Orleans and the Comprehensive Wastewater Management Plan.

Preliminary Discussion on Weston & Sampson Alternatives Study and Next Steps: (01:56:56)

The Board conducted a discussion on the recently completed Weston and Sampson report as well as a discussion on what steps the Board would take in regards to wastewater planning.

Mr. Dunford asked if the original proposal outlined in the RFP for cost comparisons was complete. Mr. Kelly indicated that the final report has been issued, but that the consultants could be engaged for follow-up questions, although it may incur additional costs.

Mrs. Christie stated that she was surprised that there were so many outstanding questions as she had assumed the report would be more finite.

Mr. Fuller noted that the main goal behind the RFP was for the Board to remain as hands-off as possible. He also noted that many of the questions posed apply to the design phase of the CWMP and that the Board had received what it asked for in the RFP as the assumptions in question were applied equally to both systems.

The Board discussed the next steps the Board should take.

Mr. Dunford felt that the Board could take several steps in parallel and that the Board should set up nitrogen monitoring programs, collect more information, hire a DPW Department Head with a civil engineering degree and push for a regional fertilizer management mandate.

Mr. Hodgson concurred and noted that he did not believe that continuing the debate would add new information to the discussion.

Mr. McGrath also added that the Board could move forward with utility surveys while attempting to gather the information requested by the voters.

Mr. Fuller explained the progress of his plan. He noted that he and Town of Orleans staff are working to answer the questions raised at the initial presentation of his plan.

On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to direct Town Administrator to return to the Board with the cost and staffing needs to conduct road surveys for utilities and condition of the Title V systems located in the parcels of property in Phase I, Phase 1a and

Phase II of the Comprehensive Wastewater Management Plan. The vote was 5-0-0.

Vote to Adopt FY14 Budget Policy: (02:40:14)

The Board reviewed the draft FY14 Budget Policy presented by Mr. Kelly.

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to adopt the FY14 Budget Policy as presented. The vote was 5-0-0.

Vote to Sign Conservation Restriction for Orenda Wildlife Land Trust: (02:56:19)

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to sign and execute the conservation restriction for Orenda Wildlife Trust for property located at 62 and 66 Cliff Pond Road as it benefits the Town of Orleans because the property is comprised of mixed pine/oak forest and enhances the conservation values of the existing non-profit, town and Commonwealth Open Space holdings. It is located wholly within the State's Priority Habitat for Rare Species and BioMap2 Critical Natural Landscape area. The property also protects the quality of the drinking water supply, being located entirely within an Area of Contribution to the Town of Orleans public water supply well fields and the Town of Brewster's Water Protection District of Critical Planning Concern. It also preserves the scenic and rural landscape, being located partially within a state designated Noteworthy Scenic Landscape . The vote was 5-0-0.

Vote to Sign P&S for Twinings Pond Conservation Restriction: (02:59:12)

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to authorize the Chair to sign and execute the Purchase and Sales Agreement for the Fleck Property/Twinings Pond Conservation Restriction. The vote was 5-0-0.

Vote to Sign November Election Warrant:(03:00:29)

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to sign the November 6, 2012 State Election Warrant. The vote was 5-0-0.

Town Administrator's Report: (03:00:53)

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to sign the acting Police Chief Employment Agreement. The vote was 5-0-0.

Mr. Kelly presented the Board with information on the progress of the MA Cultural Council District designation for Orleans Village Center.

The Board reviewed information on an upcoming meeting with the consultants contracted to review the Nauset MEP report. The Board discussed inviting the Board of Selectmen members from Wellfleet and Eastham to attend the upcoming meetings as they also have a vested interest in the review.

Liaison Reports: (03:16:12)

Mr. Hodgson reported on meetings of the Orleans Elementary School Committee and the Nauset Regional School Committee. Mr. Hodgson reported that the Green School Building Project came in 1.8M under budget.

Mrs. Christie reported on a meeting of the Board of Health.

Mr. McGrath reported on a meeting of the Agricultural Advisory Council, which will be forwarding a "Right to Farm" bylaw to the Board for consideration at a later time.

Mr. Dunford updated the Board on meetings of the Architectural Review Committee, Nauset Regional School Committee, Shellfish and Waterways Advisory Committee and the Cape Cod Selectmen's Association.

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

Any Other Items for Future Agendas: (03:24:20)

Chairman Fuller noted the upcoming agenda items for the next meeting of the Board. Mr. Hodgson asked that discussions of building maintenance and Eldredge Field RFP be placed on an upcoming agenda.

Adjourn: (03:36:18)

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