

K. D. Arly, Assl
13 FEB 11 4:22PMBOARD OF SELETMEN
MEETING MINUTES

November 28, 2012

Approved on February 6, 2013

A meeting of the Orleans Board of Selectmen was held on Wednesday, November 28, 2012 in the Nauset Room of the Town Hall. Present were Chairman Jon R. Fuller, Vice-Chairman David M. Dunford, Clerk Susan B. Christie, Selectman Sims McGrath Jr., Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Selectman John Hodgson III was not present for the meeting.

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

Public Comment: (00:00:11)

John Meyer, a resident of Orleans, spoke to the Board regarding proposed furnishing for the Route 6A/Route 28/Canal Road roundabout.

Beverly Carney, a resident of Orleans, spoke to the Board regarding the Tri-town facility.

Committee Interviews and Appointments: (00:02:12)

- **Council on Aging**

Chairman Fuller noted that Mr. DiBrigida had withdrawn his name from consideration. The Board met with Sandra Marshall regarding her interest in serving on the Council on Aging.

On a motion by Mr. Dunford, and seconded by Mrs. Christie, the Board voted to appoint Sandra Marshall to the Council on Aging Board of Directors with a term ending date of June 30, 2015. The vote was 4-0-0.

- **Nauset Regional School District Committee**

The Board met with and interviewed Holly Shackelford and Margie Fulcher regarding their interest in serving on the Nauset Regional School Committee to fulfill a vacancy through the next Annual Town Election to be held in May 2013.

After a brief discussion, a poll of the Board revealed a tie vote, with Mr. Dunford and Mrs. Christie supporting Ms. Shackelford and Mr. Fuller and Mr. McGrath supporting Mrs. Fulcher. As this would result in no action taken, Chairman Fuller

announced that the item would be continued to a future meeting when a full complement of members is present.

Meet with George Meservey and Ron Collins: (00:15:17)

The Board met with George Meservey and Ron Collins for a presentation on Comprehensive Wastewater Management Plan concept now referred to as Phase 1A.

Mr. Meservey also presented the Board with information on the survey process and an estimate of work hours that would be needed to complete the survey of septic systems in the defined area.

Mr. Dunford noted that he still feels that the survey needs to be completed and also that the estimate might be high. He asked that the Town Administrator return to the Board at a later time regarding the possible options for financing the survey.

Mrs. Christie stated that she does feel that it is important to have a wastewater collection system that would allow for later expansion of the system if needed.

Mr. Fuller stated that he did not feel that the survey needed to be completed immediately.

Mr. McGrath stated that this plan serves to capture a lot of septage and nitrogen with minimal infrastructure.

Mr. Fuller also noted that there is more than one goal accomplished in this plan, for example allowing for business expansion and growth as well as additional improvements for housing in the downtown area.

Mr. Dunford felt that the Board needed to further discuss the Tri-Town site, as he is not fully satisfied that the clay layer has been investigated. He also stated that he did not feel that any expansion should be allowed at the Tri-Town site.

Mr. Meservey clarified that the plan should allow for future changes and expansion if necessary.

Mr. Dunford stated that he would like to see more firm numbers regarding the nitrogen removal targets.

Mr. Kelly noted that the Board would need to file an amendment to the Comprehensive Wastewater Management Plan if the Board decided to use a decentralized system.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to use a portion of the remaining funds available for Wastewater Planning to employ Weston & Sampson perform a study for cost estimates for the Phase 1A area. The vote was 3-1-0, Mr. Dunford voted no.

Discuss option for Orleans to initiate process to opt out of Old King's Highway Regional Historic District: (01:12:55)

The Board reviewed information on the Old King's Highway Historic District and the process for the Town of Orleans to withdraw from the district.

Mr. Dunford noted that the Town of Orleans has had difficulty in the past generating membership for the Committee. He also stated that the Old Kings Highway Regional Historic District Committee gives the Town of Orleans some protection for aesthetics and character.

Mr. McGrath stated that the Board needs to be careful in how they act as the protections are a benefit.

Mr. Fuller disagreed, stating that he feels that the local Architectural Review Committee is made up of talented members that serve the town well. He also stated that he does not believe that the Old Kings Highway Historic District is mapped fairly and presents an unfair challenge to homeowners in certain areas of Orleans.

William Quinn, a member of the Old King's Highway Regional Historic District Committee spoke to the Board regarding the district and the participation of Orleans in the regional Committee.

Discuss Possible Joint Meeting with Finance Committee for budget reviews with Selectmen Department Managers: (01:32:12:17)

Mr. Kelly updated the Board on a proposal to meet jointly with the major Department Heads and the Finance Committee.

Seasonal Liquor License Extension Clam Bar Inc., d/b/a Academy Ocean Grille: (01:39:15)

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve the request of Charles S. Goldberg to allow Clam Bar Inc., d/b/a Academy Ocean Grille, 2 Academy Place to extend the dates for operating under the 2012 seasonal liquor license from November 30, 2012 to January 12, 2013, subject to all permits, approvals and licenses in accordance with the Town of Orleans Rules and Regulations of the Liquor Licensing Authority and M.G.L Chapter 138. The vote was 4-0-0.

Temporary Closures Orleans Waterfront Inn: (01:41:27)

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to approve the request of Ed Maas, owner of the Orleans Waterfront Inn, Inc. d/b/a Orleans Inn to temporarily close his business from January 1, 2013 through January 31, 2013 for vacation and minor renovations and in accordance with Rules and Regulations of the Liquor Licensing Authority. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to approve the request of Ed Maas, owner of the Orleans Waterfront Inn, Inc. d/b/a Orleans Inn to temporarily close his business from December 13, 2012 through December 20, 2012 for a family celebration/special event with this motion the Board recognizes this is a special request outside of the parameters of the Town of Orleans Rules and Regulations of the Liquor Licensing Authority, and therefore, it does not set a precedent or indicate a common practice. The vote was 4-0-0.

Vote to Sign Memorandum of Agreement with Orleans Managers Union:
(01:45:08)

The Board reviewed the approved memorandum of agreement with the Orleans Manager's Union. Mr. Kelly clarified that the Union had voted to ratify the agreement and the Board would need to take an affirmation vote and sign the Memorandum of Agreement.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to affirm their decision made in Executive Session on November 2, 2012, to execute and sign the Memorandum of Agreement with the Town of Orleans Manager's Union. The vote was 4-0-0.

Town Administrator's Report: (01:48:06)

Town Administrator John Kelly presented the Board with information on a Community Challenge Grant application for technology upgrades to the Water Department.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to authorize the Town Administrator to sign the local support documentation form for submission with the Town's Community Innovation Challenge Grant Application seeking \$68,026 in state funding, for technology upgrades in the Water Department. The vote was 4-0-0.

Mr. Kelly presented the Board with information from the Harbormaster for a grant application to provide funding to study the habits, public education and information on shark activity on Cape Cod.

On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to authorize the Town Administrator to sign the local support documentation form for submission with the Town's Community Innovation Challenge Grant Application seeking \$262,000 in state funding for Cape Cod Great White Shark research and Outreach Program. The vote was 4-0-0.

On a motion by Mr. McGrath, and seconded by Mrs. Christie, the Board voted to authorize the Town Administrator to sign the documents for the County Wide Digital Regionalization Initiative. The vote was 4-0-0.

The Board reviewed a memo from Assistant Town Administrator Myra Suchenicz regarding the Board's policy to review the amount of money expended from the Emergency Assistance Trust Fund.

On a motion by Mr. Dunford, and seconded by Mr. McGrath, the Board voted to declare the maximum amount to be expended from the Clement Gould and Wife, Mary Celia Crosby and Clayton Mayo Trust Funds in FY2014 will be no more than \$10,000, to be reviewed in one year with consideration of changing the limit from a dollar amount to a percentage. The vote was 4-0-0.

Mr. Kelly updated the Board with information on the time line for the provision of upgraded light fixtures for the roundabout project. Mr. McGrath noted that the total cost would be \$56,000.

On a motion by Mrs. Christie, and seconded by Mr. McGrath, the Board voted to add a placeholder for the Annual Town Meeting warrant for the costs associated with the upgraded lighting for the roundabout. The vote was 4-0-0.

Mr. Kelly provided the Board with the updates for the local receipts and the updated Committee members and vacancy list.

Mr. Kelly reminded the Board that there would be a meeting on Tuesday for the final presentation of the Applied Science Associates peer review of the Nauset MEP report.

Liaison Reports: (02:25:07)

Mrs. Christie updated the Board on recent meetings of the Snow Library Board of Trustees, Orleans Cultural Council and the Board of Health.

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

Mr. Dunford reported on meetings of the Open Space Committee, the Council on Aging Board of Directors and the Shellfish and Waterways Advisory Committee.

Any Other Items for Future Agendas: (02:47:16)

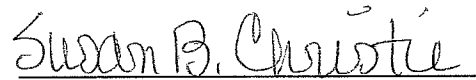
Chairman Fuller noted the upcoming agenda items for the next Board of Selectmen's meeting.

Adjourn: (02:54:33)

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