**BOARD OF SELECTMEN**

**MEETING MINUTES**

June 18, 2014

Approved on July 16, 2014

A meeting of the Orleans Board of Selectmen was held on Wednesday, June 18, 2014 in the Nauset Room of the Town Hall. Present were Chairman David M. Dunford, Vice-Chairman Jon R. Fuller, Clerk Sims McGrath Jr., Selectman Alan McClennen Jr., Selectman John Hodgson III, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

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

Public Comment: (00:00:10)

G. Thomas Ryan, representative to the Barnstable County Human Rights Commission, announced the annual International Student Worker’s Welcome Party at Rock Harbor, which will be held on Thursday, June 19, 2014 at 7:00 PM.

Mark Boardman, a resident of Orleans, spoke to the Board regarding his interest in serving on the Board of Health.

Ed Daly, a resident of Orleans, spoke to the Board regarding the Water Quality Advisory Panel document included in the Board’s packets. Mr. Daley stated that he felt that the stakeholder groups were unbalanced and needed to be revised.

Mr. Dunford announced that the Board would be holding a public hearing on the stakeholder’s document on Tuesday June 24, 2014 at 6:30 PM.

Courtney Gavin, a resident of Orleans, spoke to the Board regarding the CWRMP. Mr. Gavin suggested that the Board could look to entice companies with innovative technology to install their technologies in Orleans for little to no cost.

Approval of Minutes: (00:15:15)

**On a motion by Mr. Fuller, and seconded by Mr. Hodgson, the Board voted to accept the minutes of the May 21, 2014 meeting as amended.** The vote was 5-0-0.

Committee Interviews and Appointments: (00:16:00)

The Board reviewed the matrix document regarding committee rosters, re-appointments and committee needs.

The Board reviewed a request for the re-appointment of Mr. McGrath for the Orleans Representative to the Cape Cod Water Protection Collaborative.

Mr. Hodgson stated that he felt it would be important for the Board to exercise the two term limit policy and actively recruit new members by increasing the areas where the information is distributed, such as the transfer station or through the sticker office.

Mr. McClennen also noted that the 4th of July Committee was gravely understaffed and that the Board should continue to advocate for volunteers as the festivities are an integral part of the Orleans community.

**On a motion by Mr. Fuller, and seconded by Mr. McClennen, the Board voted to re-appoint Mr. McGrath as the Town of Orleans Representative to the Cape Cod Water Protection Collaborative with a term ending date of June 30, 2017.** The vote was 5-0-0.

Meet with Building and Facilities Manager Ron Collins - Quarterly Update: (00:26:09)

Ron Collins, Town of Orleans Building and Facilities Maintenance Manager updated the Board on the ongoing projects in the Town.

Mr. McClennen asked for clarification on the Recreation Facilities Assessment. Mr. Collins stated that the study is expected to be completed by September. Mr. McGrath asked if it is expected that the Board will need to provide a date for a fall town meeting prior to July 9,th in order to comply with MSBA requirements. Mr. Kelly noted that that will be on the Board’s July 2, 2014 agenda.

Meet with DPW Director Tom Daley - Quarterly Update: (00:39:00)

DPW Director Tom Daley gave the Board a brief PowerPoint presentation on the departments current projects.

Mr. McGrath asked for clarification on the protocol for the placement of signs in the state layout. He also asked if the streetscape plan had been consulted in regard to the traffic calming projects on Old Colony Way, Main Street and Route 28. Mr. Fuller asked when the designated bike route signs will be installed. Mr. Daley stated that he anticipates the Bike Route signs will be placed over the summer. Mr. Fuller asked if Mr. Daley was satisfied with the performance of the porous concrete. Mr. Daley stated that he is pleased with it at this time.

Mr. Hodgson stated that he is aware that the sign the Board had directed be placed on Nauset Beach signifying the fines for driving on the portion of the Beach located in Eastham, has been removed numerous times, by persons unknown. He asked if it would be appropriate for the Board to vote to remove the sign.

Mr. Kelly stated that he had discussed the matter with Town Counsel and that the sign protects the town in a number of ways as Orleans does have some responsibility for what occurs on the property. He stated that it is important for the Board to continue to support the Beach Management as it applies to endangered species. Mr. McGrath suggested a language change to the sign in order to lengthen its tenure.

Mr. Hodgson suggested that the Board ask that the staff stop replacing the sign for the time being and pursue a joint meeting with the town of Eastham. Mr. McClennen suggested that the Board send out a mailing to all of the sticker holder notifying them of the possible $200 fine and remove the sign. Mr. Fuller stated that is something were to happen on that portion of the beach, the Town could be held responsible. Mr. McGrath stated that he felt revising the sign would be preferable.

**On a motion by Mr. Hodgson, and seconded by Mr. McClennen, the Board voted to Direct Town Administrator and DPW Director to refrain from replacing the Eastham $200 fine sign until such time as the Board meets jointly with the Eastham Board of Selectmen.** The vote was 4-0-1; Mr. McGrath abstained from the vote.

Mr. McClennen asked for an update on the stormwater system assessments.

The Board reviewed the Water Department Fee Schedule.

Bob Rich, BOW&SC Chairman, spoke to the Board regarding the Commission’s decision to support a bi-annual water rate increase of 5%.

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to proceed with a public hearing for the proposed 5% increase in Water Department rates to go into effect for the August billing cycle.** The vote was 5-0-0.

Meet with Mike Domenica - Monthly Update/Review of CWRMP Action Items: (01:31:10)

Consultant Mike Domenica, of Water Resources Associates, presented the Board with information on the stakeholder group makeup. Mr. Fuller stated that he felt Mr. Daley’s comments during public comment were a mischaracterization and that the Board had worked hard to build its own consensus. Mr. Hodgson stated that he felt more effort should be put into the balancing of the stakeholder group. Mr. McClennen noted that the document specifically states that the liaison group is to act in an advisory capacity and would not weigh in on decisions.

Mr. McGrath stated that the stakeholder group is designed to produce the best reasonable approach to go before town meeting.

Mr. Fuller suggested that the Board direct Mr. Domenica to revise the document to reflect that the liaison group is to be a resource, will sit in the audience and will not be entitled to vote or deliberate, but will be able to participate in discussions at the discretion of Consensus Building Institute.

Mr. Domenica stated that he had discussed many of the Board’s concerns with the facilitator from Consensus Building Institute and that he felt that the major part of the discussion is to get the liaisons to understand the implications of the new alternatives.

Mr. Hodgson asked how the selection committee had selected GHD. Mr. Domenica stated that the decision was made based on the knowledge of the team members who would be working on the project, and not the firm name.

Mr. Hodgson asked that the Finance Committee be included as liaisons to the stakeholder group.

Consider Braddock’s Way Conservation Restriction: (02:18:44)

Orleans Conservation Trust Director Kris Ramsay presented the Board with information on the proposed Conservation Restriction for 1 Braddock’s Way.

**On a motion by Mr. McClennen, and seconded by Mr. McGrath , the Board voted to support the Conservation Restriction for 1 Braddock’s Way as presented, finding that the proposed Conservation Restriction will protect land that:**

* **Lies 50% within the State’s BioMap2 Critical Natural Landscape and 50% within the BioMap2 Coastal Adaptation layer;**
* **Lies partially within a State recognized Priority Habitat for Rare Species;**
* **Lies partially within the Statewide Land Conservation Plan;**
* **Lies 100% within the Pleasant Bay Marine Water Recharge Area;**
* **Lies 100% within the State Scenic Landscape Map;**
* **Directly abuts or is within close proximity to 16 acres of protected land.**

**and is therefore in the best interest of the Town of Orleans.**

**The vote was 5-0-0.**

Vote to Sign Bond Anticipation Notes: (02:20:22)

The Board reviewed a memo regarding the BAN awards.

**On a motion by Mr. McGrath and seconded by Mr. McClennen, the Board voted to accept and award the BANs in the amount of $660,000 for Water Tank 1 rehab and $10,000 for Storm Water Facility, at an interest rate of .5% to Cape Cod Five Cents Savings Bank to be issued on June 27, 2014 with a maturity date of February 13, 2015.** The vote was 5-0-0.

Vote to Sign Tri-Town IMA Extension through December 31, 2016: (02:25:14)

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to sign the Tri-Town IMA extension through December 31, 2016.** The vote was 5-0-0.

Review Process to Appoint New Members to Board of Health: (02:26:27)

Mr. Kelly provided the Board with information on the state procedures for replacing members of an elected Board. Mr. Kelly noted that a joint meeting with the Board of Health has been tentatively scheduled for July 2, 2014 at 5:30 PM.

**On a motion by Mr. McClennen, and seconded by Mr. McGrath, the Board voted to accept the resignations of Job Taylor III and August McKusick from the Board of Health and send letters of appreciation for their volunteer service to the Town.** The vote was 4-1-0, Mr. Hodgson voted no.

CVEC Off-Taker Agreement: (02:43:02)

Mr. Kelly reviewed the information on the CVEC offtake agreement for the Board and noted that the terms are unclear and that the savings has been revised to a 50% reduction from the original proposal.

Orleans Renewable Energy Committee Chairman Jim Hungerford spoke to the Board regarding the agreement and also noted that he had pursued conversations with DEP regarding the possibilities of solar arrays in the watershed. The renewable energy committee was for the most part in favor of the project but had suggested an opt out clause.

8:00 PM - Continuation of Public Hearing to Amend Weekday and New Sunday Entertainment License for Orleans Bowling Center (Live Band): (02:59:58)

Chairman Dunford reconvened the public hearing at 9:28 PM

Applicant David Currier informed the Board that the Zoning Board of Appeals had granted his special permit unanimously and without conditions.

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

**On a motion by Mr. Fuller, and seconded by Mr. Hodgson, the Board voted to approve the application of Orleans Bowling Center Inc., David R. Currier, manager, located at 191 Route 6A Orleans, to amend their current Weekday Entertainment license and add a new Sunday Entertainment license for live entertainment from Mondays through Sundays 12 noon until 11:00 PM, as presented.** The vote was 5-0-0.

Discuss Possible Work Session on 2nd Wednesdays Each Month for Wastewater and Beach Issues: (03:05:59)

The Board discussed scheduling an additional meeting each month for Wastewater and Beach issues.

Town Administrator’s Report: (03:09:45)

The Board reviewed the draft response to the Open Meeting Law complaint.

**On a motion by Mr. Fuller, and seconded by Mr. McClennen, the Board voted to authorize chair to sign the draft letter of response to the Open Meeting Law complaint as presented.**  The vote was 5-0-0.

The Board reviewed the proposed agreement to extend the auditors services for an additional 3 years.

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to extend the contract with Roselli, Clark and Associates, for auditing services for an additional 3 years.** The vote was 5-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. McClennen the Board voted to authorize the temporary access agreement with MassDOT for intersection improvements at Cranberry Highway and Main Street as presented.** The vote was 5-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to authorize the Police Department to promulgate emergency parking restrictions at any or all town ways and landings which may be adversely affected by the parking of motor vehicles and boat trailers.** The vote was 5-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. McClennen, the Board voted to send a letter of thanks to Nauset Disposal for their donation of a trash receptacle and service at Kent’s Point.** The vote was 5-0-0.

Any Other ITems for Future Agendas: (03:19:20)

Chairman Dunford noted that the following agenda items would be continued until the July 2, 2014 meeting.

* BOS FY14 Goals discussion
* BOS FY15 Goals Discussion
* BOS Performance Evaluation Policy

Adjourn: (03:23:30)

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

The meeting adjourned at 9:54 PM.

Respectfully submitted,

Kristen Holbrook

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Sims McGrath Jr., Clerk