DRAFT BOARD OF SELECTMEN

MEETING MINUTES

July 2, 2014

Approved on \_\_\_\_\_\_\_\_\_

A meeting of the Orleans Board of Selectmen was held on Wednesday, July 2, 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.

Board of Health members present were Jan Schneider, Robin K. Davis and David Currier.

Chairman Dunford called the meeting to order at 5:30 PM. Chairman Schneider called the Board of Health to order at 5:30 PM.

Joint meeting with Board of Health to interview and appoint two members to fill vacancies:

Robin K Davis moved to postpone the decision to a later date.

**On a motion by Ms. Davis, and seconded by Mr. Schneider, the Board voted to postpone the decision to a later date.**

Mr. Schneider stated that while Ms. Davis’ point is valid, he felt it would be best to make the decision and move ahead. Mr. McClennen asked if there was a timeline consideration.

Mr. Kelly clarified that there is no indication of the statute as to a final decision. Mr. McGrath asked if this would allow for additional applicant. Mr. Dunford stated that the application process is closed. Mr. Fuller stated that he felt the Boards should make a decision rather than defer any longer. Ms. Davis stated that she felt the decision

Ms. Davis withdrew her motion. Mr. Schneider withdrew his second.

The Boards met with and interview Peter O’Meara regarding his interest in serving on the Board of Health. Mr. O’Meara presented the Board with an overview of his credentials and background experience.

The Board met with an interviewed Jeanne McNett regarding her interest in serving as a member of the Board of Health.

The Board met with Judith DiBrigida regarding her interest in serving as a member of the Board of Health. Ms. DiBrigida stated that she has a strong background in healthcare. Mr. McClennen asked if Ms. DiBrigida is she had served on any boards or committees.

Mr. Dunford noted that Mark Boardman would not be available to meet for an interview.

The Board met with and interviewed Joe Hartung regarding his interest in serving as a member of the Board of Health. Mr. McGrath asked if Mr. Hartung had any business interests in the town of Orleans. Mr. Hartung stated that he assisted with catering from time to time, but id not have a brick and mortar operation.

The Board met with and interviewed Ed Barr regarding his interest in serving on the Board of Health. Mr. Schneider asked for clarification on Mr. Barr’s CV. Mr. Barr stated that he had not completed his MBA. Mr. McClennen asked if Mr. Barr had any other experience with volunteer Boards or committees. Mr. Bar replied that he did not.

The Board met with and interviewed Jeff Eagles regarding his interest in serving as a member of the Board of Health.

The Board met with and interview Elizabeth Phillips, regarding her interest in serving as a member of the Board of Health.

Chairman Dunford noted that Mr. Corlette was unable to attend the meeting.

Mr. McGrath stated that he felt it was important for the Board to select the candidates carefully. He felt the Board should make certain to take steps to ensure the Board of Health can rebuild the public image. Mr. Fuller stated that he felt all of the applicants were qualified and concurred with Mr. McGrath’s assessments and needs for the Board of Health. Mr. McClennen stated that he felt the Board of Health is one of the most important regulatory Boards as they are charged with keeping the town safe and health through regulations and inspections. Mr. Schneider concurred with Mr. McGrath and noted that he felt the ideal candidates would come without an agenda. Mr. Dunford stated that it is important to choose candidates who will represent the town without bias and have a collaborative nature.

Mr. Dunford stated that all votes would be taken by roll call.

**On a motion by and seconded by the Board voted to appoint J. DiBrigida and J. Hartung to the Board of Health with a term ending at the next annual election. The vote was 8-0-0, with Mr. McGrath, Mr. Fuller, Mr. Dunford, Mr. Hodgson, Mr. McClennen, Dr. Schneider, Dr. Davis and Mr. Currier all voting aye.**

**On a motion by Mr. Currier, and seconded by Dr. Davis, the Board of Health voted to adjourn. The vote was 3-0-0.**

Public Comment:

Ed Maas, spoke to the Board regarding a Fox News Zip Trip filmed in Orleans.

Kevin Linehan, a resident of Old Colony Way, spoke to the Board regarding the condition of Depot Square shelter and the picnic tables that used to be located there. Mr. Linehan asked that the Board consider replacing the tables and staining the newly replaced wood to match the rest of the shelter.

Joanna Keeley, spoke to the Board regarding the Imagine Orleans exhibit now on display at Snow Library. Ms. Keeley stated that the exhibit will also be on display at the Town Hall. Ms. Keeley submitted submitted the comments made on the exhibit to the Board.

Mark Carron, Chair of the Orleans Historical Society, spoke to the Board regarding Historical Society’s upcoming events.

Approval of Minutes:

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

Committee Appointments and Reappointments:

The Board reviewed the list of pending reappointments.

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, to reappoint Joy Cuming to the Architectural Review Committee with a term ending date of June 30, 2017.** The vote was 5-0-0.

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to appoint Tim Brady to the Board of Assessors with a term ending date of June 30, 2017.** The vote was4-1-0; Mr. Hodgson voted no.

**TBD: Board would like to have the original appointment dates on the forms. Hold all other reappointments for next meeting.**

Meet with Police Chief MacDonald:

Police Chief MacDonald presented the Board with the overview of the strategic plan. John Osman, consultant, gave a brief powerpoint presentation on the plan.

Mr. Fuller thanked the Chief and consultant and suggested other departments might make a similar analysis and plan. Mr. McGrath asked how the plan could impact morale. Chief MacDonald stated that there has already been a positive impact on morale and the common purpose is encouraging. Mr. McClennen commended the Chief and Mr. Osman for the presentation.

Request for One-Day Liquor Licenses (6) and One Day Entertainment licenses (6) for Handsome Productions, 130 Rte 6A:

The Board reviewed a request for special liquor and entertainment licenses.

Mr. Hodgson suggested that the applicants consider a day other than Saturday for their events, so as not to draw business away from other established restaurants.

Mr. McClennen stated that the 3 conditions listed in the special permit are important.

Police Chief MacDonald stated that he has concerns over the security and noise. He asked that the applicants meet with him to review the noise baffling system.

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to approve the application of Handsome Productions, Tony Raine, Manager, located at 130 Route 6A, for six (6) Special One Day Liquor licenses and six (6) Temporary Weekday Day Entertainment licenses to operate an amusement featuring live music, along with food, wine and malt beverages, and retail sales on 7/17, 7/26, 8/2, 8/9, 8/30 and 9/27 from 4:00 PM until 8:00 PM in accordance with Zoning Board of Appeals Special Permit obtained on 5/7/14 and subject to all permits, bylaws, approvals and licenses, and with the condition that the applicant meet with the Police Chief to discuss noise baffling.**  The vote was 5-0-0.

Water Quality Management Planning - Review and approve Public Engagement Plan and appoint Stakeholders Panel:

The Board reviewed the final draft of the Public Engagement Plan. Mr. Kelly stated that Town Counsel had opined that the process is subject to the Open Meeting Laws and that Mr. Ford will meet with Ms. Sith regarding the process, to ensure compliance.

Mr. McClennen stated that he felt the open meeting law compliance is critical and every event undertaken should be an open public meeting. He further stated that he felt it was important for the public to have access to all of the meetings. Mr. Fuller stated that he felt it is best to comply with the open meeting law. He further stated that lack of compliance with the OML could give detractors a reason to hold up the process.

**On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to accept the Public Engagement Plan as revised 7/2/14.** The vote was 4-0-1; Mr. Fuller abstained from the vote.

The Board reviewed the list of names for possible consideration for the Stakeholder Panel.

**On a motion by Mr. McClennen, and seconded by Mr. Hodgson the Board voted to appoint the slate of members as presented in the memo dated 6/27/14.** The vote was 5-0-0.

CVEC Offtaker Agreement:

Jim Hungerford, of the Renewable Energy Committee, updated the Board regarding the CVEC Offtaker PSA.

Mr. Hungerford stated that the Committee has had discussions on the agreement and that the Committee is split on their recommendation. Mr. Hungerford stated that after much consideration and discussion had decided to recommend that the Town not take advantage of the Offtaker agreement at this time.

Finance Committee member Josh Larsen spoke to the Board regarding the agreement. He stated that his comments on the document were to inform the decision.

Mr. Fuller stated that the official position of the REC is 2-1 in favor of the agreement. Mr. Hungerford stated that the motion had also been conditional on changes to the agreement. Mr. Hodgson stated that he felt it was time to move away from the contract. Mr. Hungerford stated that

**On a motion by Mr. Hodgson, and seconded by Mr. McClennen, the Board voted to decline participation in the CVEC Offtaker Agreement at this time.** The vote was 5-0-0.

Barnstable County Sanitarian Contract:

**On a motion by Mr. Fuller, and seconded by Mr. Hodgson, the Board voted to approve the FY15 contract with Barnstable County for Sanitarian Services.** The vote was 5-0-0.

Gas Main Extensions:

**On a motion by Mr. Fuller, and seconded by Mr. Hodgson, the Board voted to approve the request of National Grid for a gas main extension on Foxridge Drive, subject to comments provided by the Highway Manager and Water Department Superintendent.** The vote was 5-0-0.

TA Report:

**FY15 dates:**

**On a motion by Mr. McGrath, and seconded by Mr. McClennen, the Board voted to approve the list of FY15 Important Dates.** The vote was5-0-0.

Steve Bornemeier, updated the Board on the agreement and stated that references to the Town as a party would be removed.

On a motion by Mr. McGrath, and seconded by Mr. McClennen, the Board voted to approve the Orleans Community Partnership for the release of funds from the Transportation Enhancement Fund for Theresa’s Way in the amount of &10,695.40. the vote was 5-0-0.

Mr. Kelly updated the Board on the MSBA fastrack for window and door replacements at the Orleans Elementary School.

**On a motion by Mr. McGrath, and seconded by Mr. Fuller, the Board voted to authorize the Chair to sign the compliance letter for MSBA.** The vote was 5-0-0.

**On a motion by Mr. McGrath, and seconded by Mr. McClennen, the Board voted to direct the Town Administrator to prepare a letter for MSBA that anticipated funding is expected for a STM on October 27 2014 and subsequent ballot questions required.** The vote was 5-0-0.

Draft Letter to former BOH members:

Mr. McGrath stated that he did not feel that the letter was correct. Mr. Hodgson stated that he did not feel that letter was appropriate and felt the Board should simply move on.

On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to abandon the letter. The vote was 3-0-2, Mr. Fuller and Mr. McClennen abstained from the vote.

Liaison Reports:

None.

Items for Future Agendas:

**On a motion by Mr. Fuller, and seconded by Mr. McGrath, the Board voted to enter into executive session for the purpose of conducting preparations for negotiations with non-union personnel.** The vote was 5-0-0; with Mr. McGrath, Mr. Dunford, Mr. Fuller, Mr. Hodgson and Mr. McClennen all voting aye.

**On a motion by Mr. Fuller, and seconded by Mr. McClennen, the Board voted to return to open session. The vote was 5-0-0; with Mr. McGrath, Mr. Dunford, Mr. Fuller, Mr. Hodgson and Mr. McClennen all voting aye.**

**On a motion by Mr. Fuller, and seconded by Mr. Hodgson, the Board voted to adjourn.** The vote was 5-0-0; with Mr. McGrath, Mr. Dunford, Mr. Fuller, Mr. Hodgson and Mr. McClennen all voting aye.

The meeting adjourned at 9:35 PM.