BOARD OF SELECTMEN

MEETING MINUTES

October 8, 2014

Approved \_\_\_\_\_\_\_\_\_\_\_\_\_

A meeting of the Orleans Board of Selectmen was held on Wednesday October 8, 2014 in the Nauset Room of the Town Hall. Present were Chairman David M. Dunford, Clerk Sims McGrath Jr., Selectman John Hodgson III, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Vice-Chairman Jon Fuller and Selectman Alan McClennen was not present for the meeting.

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

Meet as Park Commissioners with Nate Sears, Natural Resources Manager to discuss the following: (00:00:15)

**On a motion by Mr. McGrath, and seconded by Mr. Hodgson, the Board voted to meet as Park Commissioners.** The vote was 3-0-0.

NOI for Nauset Spit and Eastham Cons Com hearing follow-up

Natural Resources Manager Nate Sears updated the Board with information on the Nauset Spit Notice of Intent for the Eastham Conservation Commission filing. Mr. Sears stated that the only pending issue is the letter of comment from the Division of Fisheries and Wildlife. He further stated that the letter is anticipated shortly.

Memo on alternative Nauset Spit ORV access and regulatory approval

The Board reviewed a memo from Town Administrator John Kelly regarding alternate access to Nauset Spit. Mr. Kelly stated that the major difficulty in an alternative access point would be in obtaining regulatory approvals as the areas in question are not covered by the existing Order of Conditions.

CCNS response to Orleans ownership claim to portion of Nauset Spit in Eastham

Mr. Kelly provided the Board with a memo from the CCNS that asserts their ownership of the portion of Nauset Spit which lies in Eastham.

1. Possible restriction of parking at town landings to residents only to accommodates more boaters if access to Nauset Spit is ORV restricted.

Town Administrator John Kelly provided a letter of complaint regarding commercial activity at Town Landings. Mr. Dunford noted that when the Board has discussed limiting or restricting parking, it has not been feasible due to the funds used to build and maintain the structures.

Mr. Dunford asked if there are any activities that are inconsistent with the town landing regulations. Mr. Sears stated that the activity is supporting the commercial shellfish industry.

Mr. Hodgson stated that he felt the parking could become more of an issue due to the vehicle limits on Nauset Spit. Mr. Kelly stated that he felt the town did not have the resources to implement any further parking restrictions at this time.

Mr. McGrath stated that he did not feel the Board could interfere with the commercial truck as the regulations require that the commercial fishermen unload their catch at a town landing. He suggested that the Natural Resources staff observe the areas for those using the area for an excessive length of time.

1. Continuation of Orleans patrols in Nauset Harbor and inlet in Eastham

The Board reviewed a memo from Eastham Police Chief Edward Kulhawik, regarding the response for assistance for the portion Nauset Spit that is located in Eastham and the management of the inlet in Eastham.

Mr. Dunford stated that this issue should be kept on the Board’s future agenda items for further discussion should the circumstances change. Mr. McGrath cautioned that there may be liability issues if the Board makes a change in policy. Mr. Hodgson stated that the Board should discuss with Eastham, the possibility of cost sharing.

1. Continuation of swimming lessons at Meeting House Pond

Mr. Kelly noted that the Meeting House pond swimming location does not meet the state requirements for setbacks from motor boats. Mr. Hodgson stated that he has received several complaints and feels that the area is unsafe for swimming lessons. Mr. Sears stated that he feels it is unfortunate that it may be time to end the swimming lessons at Meeting House Pond.

Mr. Dunford requested that the Board undertake a future discussion of Meeting House Pond swimming lessons and asked that Mr. Guttman provide additional information. Mr. McGrath suggested that staff might consider a way to accommodate both uses safely.

1. Memo from George Meservey on status of Recreation Facilities Management Plan (FY15 CPC Project)

The Board reviewed updates on the status of the Recreation Facilities Management Plan. Mr. Kelly stated that there will be more information for the next Park Commission Session in December.

Mr. Hodgson gave the Board an update on the status of the HCP. He stated that the HCP will be sent to the Federal Register by the end of November.

**On a motion by Mr. McGrath, and seconded by Mr. Dunford, the Board voted to adjourn from Park Commission Session.** The vote was 3-0-0.

Wastewater Issues - Meet with Mike Domenica: (00:41:15)

1. Update on status of Cedar Pond Management Plan activities
2. Review Tri-Town timelines for decision making

Wastewater Consultant Mike Domenica reviewed the most recent Water Quality Panel meeting for the Board.

Mr. Kelly asked that Mr. Domenica update the list of topics for upcoming Water Quality Panel meetings. Mr. Dunford asked if the date for the joint meeting with Eastham and Brewster had been finalized. Mr. Kelly stated that he had not yet heard back from the other Town Administrators. Mr. Kelly asked what format the Board would like to follow for the joint meeting.

Mr. Dunford stated that it is important to communicate to the other towns, the timelines and actions necessary in order to meet the goals.

Mr. Kelly provided the Board with information on the Cedar Pond remediation efforts. He noted that staff has contacted MassDOT and NStar multiple times and received no responses. Mr. Kelly stated that the Water Quality Task Force had suggested requesting the Department of Environmental Protection intervene regarding the installation of deterrents on the high tension wires in order to discourage the roosting birds.

Any Other Future Agenda Items:

Mr. Dunford listed the discussion items for the upcoming meetings in October.

Adjourn:

**On a motion by Mr. Hodgson, and seconded by Mr. McGrath, the Board voted to adjourn.** The vote was 3-0-0.

The meeting adjourned at 7:43 PM.

Respectfully submitted,

Kristen Holbrook

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Sims McGrath Jr., Clerk