

APPROVED: 4/8/10

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TOWN OF ORLEANS
TOWN CLERKS OFFICE
DeWitt, Asst.

FINANCE COMMITTEE MINUTES

The April 1, 2010, meeting of the Orleans Finance Committee was convened by Chairman Walter Bennett at 7:00 p.m. in the Nauset Room of the Orleans Town Hall. Present constituting a quorum were Mr. Bennett, Edwin Barr, Mark Fiegel, Dale Fuller, John Hodgson, Gwen A. Holden Kelly, and Paul Rooker. Member Rick Sigel joined the meeting at 7:07 p.m. following the votes on the minutes of previous meetings.

Approval of Minutes

- *Minutes of the March 24, 2010, Special Meeting:* On a motion made by Ms. Holden Kelly, the minutes of the Finance Committee's special meeting with Orleans Elementary School officials were approved (6-0-1), with Mr. Rooker abstaining.
- *Minutes of the March 25, 2010, Meeting:* On a motion made by Ms. Holden Kelly, the minutes of the March 25, 2010, Finance Committee meeting were approved (7-0-0).

Guests

Mark Carron, Board of Selectmen liaison to the Finance Committee, was in attendance at the meeting.

Also present were Orleans Town Administrator John F. Kelly; Town Municipal Finance Director David A. Withrow; Town Highway/Landfill Manager Mark Budnick; and Alison Flynn, member, Orleans Bike and Walkways Committee.

Guest Presentations

Citizens' Petition Regarding Funding of Layout of Beach Road

Ms. Flynn reviewed, and answered questions from Finance Committee members concerning, a citizens' petition by which an article had been placed on the Annual Town Meeting warrant to fund the layout of Beach Road from Main Street to Nauset Beach. Following her presentation, Mr. Budnick responded to Finance Committee members' questions concerning the potential impact of the proposed layout of Beach Road on the costs to the Town of maintaining that road.

Ms. Flynn advised the Finance Committee that the petitioners had agreed to an alternative, endorsed by the Board of Selectmen during its March 31st meeting, under which the citizen petitioners would offer an amendment to Article 28 during Town Meeting to substitute new language seeking the appropriation of \$6,000 to finance a feasibility study of the proposed Beach Road Layout for the existing language of that article which calls for funding of the layout itself.

The Finance Committee subsequently voted to endorse the offering of the subject floor amendment by the citizen petitioners. (**See *Article 28*, below, for the Finance Committee's recorded vote on this matter.**)

Fiscal Year 2011 Town Operating Budget

Messrs. Kelly and Withrow reviewed with the Finance Committee the amended fiscal year 2011 Town operating budget which had been revised to reflect updates in revenue and expenditure projections as well as actions of the Board of Selectmen during its March 31st meeting.

Old Business

None.

New Business

Review of Annual and Special Town Meetings Articles

The Finance Committee reviewed articles proposed for inclusion on the warrants for the May 10, 2010, Annual Town Meeting and Special Town Meeting. The following articles were reviewed, and the indicated actions taken, with the noted exceptions, during the meeting:

Annual Town Meeting Warrant:

- **Article 1 : *Accept Reports of Town Committees, etc.* Approved for inclusion on the warrant on a motion made by Mr. Hodgson (8-0-0).**
- **Article 2: *Fund FY11 Town/School Budget.* Approved for inclusion on the warrant on a motion made by Mr. Bennett (8-0-0).**
- **Article 3: *Adopt Capital Improvement Plan for FY12-FY16.* Approved for inclusion on the warrant on a motion made by Mr. Fuller (8-0-0).**
- **Article 4: *Fund FY11 CPA Program Projects.* Previously approved for inclusion on the warrant by the Finance Committee during its March 11, 2010, meeting on a motion made by Mr. Fiegel (5-0-0).**
- **Article 5: *Fund Water Quality Drainage Improvements.* Approved for inclusion on the warrant on a motion made by Mr. Fuller (8-0-0).**
- **Article 6: *Fund Town Pavement Management Program.* Approved for inclusion on the warrant on a motion made by Mr. Sigel (8-0-0).**
- **Article 7: *Replace Fire Department Pumper Truck.* Approved for inclusion on the warrant on a motion made by Mr. Fiegel (8-0-0).**
- **Article 8: *Replace Highway Department Front End Loader.* Approved for inclusion on the warrant on a motion made by Mr. Fiegel (8-0-0).**
- **Article 9: *Replace I&M Plant Filter Membrane Rack.* Approved for inclusion on the warrant on a motion made by Mr. Rooker (8-0-0).**
- **Article 10: *Accept Local Option for Meals Tax.* A motion offered by Mr. Barr to approve inclusion of this article on the warrant failed (4-4-0, with Mr. Fiegel, Mr. Hodgson, Ms. Holden Kelly, and Mr. Rooker voting in the negative).**
- **Article 11: *Accept Transportation Bond Bill Funds.* Approved for inclusion on the warrant on a motion made by Ms. Holden Kelly (8-0-0).**

- **Article 12:** *Hold State Harmless for Work.* Approved for inclusion on the warrant on a motion made by Mr. Hodgson (8-0-0).
- **Article 13:** *Authorize Town to Sell Surplus Equipment & Accept Gifts.* Approved for inclusion on the warrant on a motion made by Mr. Fuller (8-0-0).
- **Article 14:** *Adopt MGL Ch. 44 Sec. 531/2 Revolving Accounts.* Following explanation of the provisions and purposes of the subject Revolving Accounts by Mr. Withrow, the Finance Committee approved the subject article for inclusion on the warrant on a motion made by Mr. Barr (8-0-0).
- **Article 15:** *Adopt MGL Ch. 444 Sec 16B -- Assessment Formula Nauset Regional Schools.* Approved for inclusion on the warrant on a motion made by Mr. Sigel (8-0-0).
- **Article 16:** *Transfer Water Reserve for Appropriations to Water Service Account.* Approved for inclusion on the warrant on a motion made by Mr. Fiegel (8-0-0).
- **Article 17:** *Fund Orleans Chamber of Commerce.* Approved for inclusion on the warrant on a motion made by Mr. Rooker (7-0-1, with Mr. Hodgson abstaining).
- **Article 18:** *Fund Human Services Agencies.* Previously approved for inclusion on the warrant by the Finance Committee during its March 18, 2010, meeting on a motion made by Mr. Sigel (6-0-0).
- **Article 19:** *Fund July 4th Parade.* Approved for inclusion on the warrant on a motion made by Mr. Barr (8-0-0).
- **Article 20:** *Fund FY11 Elected Officials Salaries.* Approved for inclusion on the warrant on a motion made by Mr. Hodgson (8-0-0).
- **Article 21:** *Amend General Bylaw Ch. 40: Personnel.* The Finance Committee concluded that this article has no financial impact and, on a motion made by Mr. Fuller, voted that it therefore required no action by the Committee (8-0-0; voted en bloc with Articles 22 and 23 of the Annual Town Meeting Warrant).
- **Article 22:** *Adopt General Bylaw, Public Shade Trees.* The Finance Committee concluded that this article has no financial impact and, on a motion made by Mr. Fuller, voted that it therefore required no action by the Committee (8-0-0; voted en bloc with Articles 21 and 23 of the Annual Town Meeting Warrant).
- **Article 23:** *Adopt General Bylaw, Second-hand Merchandise Dealers.* The Finance Committee concluded that this article has no financial impact and, on a motion made by Mr. Fuller, voted that the subject article therefore required no action by the Committee (8-0-0; voted en bloc with Articles 21 and 22 of the Annual Town Meeting Warrant).
- **Article 24:** *Amend Zoning Bylaw Ch. 164-4: Definitions (building height, wind facilities).* The Finance Committee concluded that this article has no financial impact and, on a motion made by Mr. Fuller, voted that the subject article therefore required no action by the Committee (7-0-1, with Mr. Rooker abstaining).

- **Article 25:** *Amend Zoning Bylaw Ch 164-13: Schedule of Use regulations (use-language).* **Approved for inclusion on the warrant on a motion made by Mr. Fuller (8-0-0).**
- **Article 26:** *Amend Zoning Bylaw Ch. 164-22: Modifications (S/F on non-conforming lot).* **Approved for inclusion on the warrant on a motion made by Mr. Sigel (7-0-1, with Mr. Barr recusing himself from the vote).**
- **Article 27:** *Acquire Conservation and Watershed Protection on Brewster Land.* **On a motion made by Mr. Fuller, the Finance Committee postponed final action on this article to Town Meeting pending receipt of updated financial information (8-0-0; voted en bloc with Articles 1 and 6 of the Special Town Meeting Warrant and Article 29 of the Annual Town Meeting Warrant).**
- **Article 28:** *Petition: Fund Layout of Beach Road from Main St. to Nauset Beach.* **On a motion made by Mr. Fuller, the Finance Committee voted to agree to a floor amendment, to be offered by Citizen Petitioners, to substitute the existing language of the article with new language seeking the appropriation of \$6,000 to finance a feasibility study of the proposed Beach Road Layout (7-0-1, with Mr. Sigel recusing himself from the vote.)**
- **Article 29:** *Free Cash.* **On a motion made by Mr. Fuller, the Finance Committee postponed final action on this article to Town Meeting pending receipt of updated financial information (8-0-0; voted en bloc with Articles 1 and 6 of the Special Town Meeting Warrant and Article 27 of the Annual Town Meeting Warrant).**

Special Town Meeting Warrant:

- **Article 1:** *Bills of Prior Years.* **On a motion made by Mr. Fuller, the Finance Committee postponed final action on this article to Town Meeting pending receipt of updated financial information (8-0-0; voted en bloc with Article 6 of the Special Town Meeting Warrant and Articles 27, and 29 of the Annual Town Meeting Warrant).**
- **Article 2:** *Transfer Article:*
 - Fire Department: Ambulance receipts and insurance recovery to overtime account. The Finance Committee postponed final action on this article to the Town Meeting pending receipt of updated financial information.
 - Water Department: Water surplus to Capital Outlay Account. (See above).
 - Parks & Beaches: Salary to Expenses (See above)
 - Community Building. Expense to salary (See above)

On Mr. Bennett's recommendation, final action on this article was postponed to Town Meeting pending receipt of updated financial information

- **Article 3:** *Transfer funds from police station engineering to construction for repairs.* **A motion was made by Mr. Fiegel, and duly seconded, to approve this article for inclusion on the warrant. Following further discussion, the motion and second were withdrawn. On a motion made by Mr. Hodgson, the Finance Committee voted to postpone final action on this article to the Town Meeting pending receipt of updated financial information (8-0-0).**

- **Article 4:** *Transfer funds from free cash for Eldredge Field light replacement.* On a motion made by Mr. Fuller, the Finance Committee voted to approve inclusion of this article on the Annual Town Meeting warrant (8-0-0).
- **Article 5:** *Transfer funds from FY10 Special Events account to separate article.* On a motion made by Mr. Rooker, the Finance Committee voted to approve inclusion of this article on the Annual Town Meeting warrant (8-0-0).
- **Article 6:** *Authorize Selectmen to sign CVEC power supply agreement.* On a motion made by Mr. Fuller, the Finance Committee postponed final action on this article to Town Meeting pending receipt of updated financial information (8-0-0; voted en bloc with Article 1 of the Special Town Meeting Warrant and Articles 27, and 29 of the Annual Town Meeting Warrant).
- **Article 7:** *Acquire land owned by G.R.B.S Corp. on Beach Rd. & Hubler Ln.* On a motion made by Mr. Fiegel, the Finance Committee postponed final action on this article to Town Meeting pending receipt of updated financial information (8-0-0; voted en bloc with Article 8 of the Annual Town Meeting Warrant).
- **Article 8:** *Acquire land owned by Putnam Family, 50 Bridge Rd.* On a motion made by Mr. Fiegel, the Finance Committee postponed final action on this article to Town Meeting pending receipt of updated financial information (8-0-0; voted en bloc with Article 7 of the Annual Town Meeting Warrant).

Finance Committee Report

On a motion made by Mr. Fiegel, the Finance Committee approved for inclusion on the Annual Town Meeting warrant the Committee's report to Orleans citizens on the Committee's assessment of the financial justification and advisability of warrant articles and capital expenditures in the Town Budget (8-0-0).

Board of Selectmen Reports

Mr. Rooker reported on the March 3, 2010, meeting of the Board of Selectmen.

Department and Committee Liaison Reports

Department Reports

None.

Committee Reports

Finance Committee members reported on meetings and activities of the following boards and committees:

- April 1, 2010, Community Preservation Committee field trip to the Odd Fellows Hall and regular meeting (Ms. Holden Kelly);
- April 1, 2010, meeting of the Orleans Board of Health (Mr. Fuller);

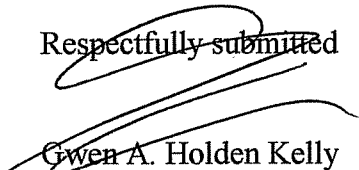
Future Meetings

The next meeting of the Finance Committee will be held Thursday, April 8th.

Adjournment

On a motion made by Mr. Fuller, the meeting was adjourned at 10:05 p.m.

Respectfully submitted


Gwen A. Holden Kelly
Recording Secretary