

MINUTES
SELECT BOARD MEETING
Wednesday, March 22, 2023
Nauset Room, Town Hall
Final

A hybrid meeting of the Town of Orleans Select Board was held in the Nauset Room at Town Hall and via Zoom and Channel 18 at 4:30 p.m. on March 22, 2023.

In attendance in the Nauset Room were Chair Reed, Vice Chair Herman, Clerk Runyon, Mr. Mathison, and Mr. Galligan. Acting Town Administrator Sumner and Finance Director Doane also attended.

Call to Order

The Chair called the meeting to order at 4:30 p.m.

Meet in Executive Session

To discuss strategy with respect to litigation with Daniel O'Connell's Sons Construction, if such discussion may have a detrimental effect on the negotiating position of the body.

Motion: Move to go into executive session to discuss strategy with respect to litigation and that the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body. Motion was seconded. All voted AYE.

The Chair separately declared that an open meeting may have a detrimental effect on the negotiating position of the body.

4:45 p.m. The Chair called the meeting to order with nothing to report from Executive Session.

Approve Minutes

Mr. Herman moved to approve the minutes of Oct 12, 2022 with one change by Ms. Reed. Mr. Runyon seconded the motion. All voted in favor. Motion carried: 5-0-0.

Mr. Herman moved to approve the minutes of Oct 19, 2022. Mr. Runyon seconded the motion. All voted in favor of the motion. Motion carried: 5-0-0.

Mr. Herman moved to approve the minutes Nov. 2, 2022 with one change by Mr. Galligan. Mr. Runyon seconded the motion. All voted in favor of the motion. Motion carried: 5-0-0.

Town Administrator's Report

Mr. Galligan moved to support the partnership with the Orleans Pond Coalition who put on the annual Celebrate Our Waters event scheduled for September, 2023. Mr. Herman seconded the motion. All voted AYE. Motion carried: 5-0-0.

Mr. Sumner reported the recent appointments of some staff positions in the Town and that interviews have been progressing for a new Recreation Director. The initial screening for the new Town Administrator/Manager will begin next week.

A grant was received from the Cape Cod Commission to advance the visioning plan for Orleans.

The Covid emergency will be ended by the state on May 11, 2023.

Mr. Sumner spoke about the MA Supreme Court decision about "public comment" at town meetings. Town Counsel is reviewing the decision and will supply more information.

Public Comment

No one presented for public comment.

Joint Meeting with Finance Committee about School Budgets for FY24

The chair of the Finance Committee called the Finance Committee to order.

Presentations were made for the budgets for Orleans Elementary School, Cape Cod Tech, NRHS and the Regional School District (included in Select Board Packet for 3/22/23).

A number of upcoming transitions were discussed including the end of the Covid emergency, increasing need for social and emotional support for students, and the high school renovation project. Budget numbers were reviewed for personnel, utilities, transportation, textbooks, maintenance, and professional development as well as debt servicing.

There was discussion about reducing the fixed costs and energy costs across schools and the trend toward a reduced enrollment. There was some discussion about how regional costs are shared and challenges to long term costs for the high school and regional school district. There was much discussion about the mental health needs in the schools and community at large. There were some follow up questions regarding financial items in the budget. The Finance Committee submitted questions prior to the meeting and received written answers which will be posted on the Finance Committee page for viewing.

The chair of the Finance Committee called for a motion and vote to adjourn the Finance Committee meeting. All six members present voted AYE. Motion carried: 6-0-0.

Review Draft Warrant Index for May Town Meeting

Mr. Herman moved to remove Article 22 from the warrant article and reconsider for the fall town meeting. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to remove Article 23 from the warrant article but ensure the item is added to the CIP for FY25. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to place and support warrant Article 35 to approve an additional \$225,000 for the Affordable Housing Trust Fund. Seconded by Mr. Runyon. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to place Article 43 on warrant for the town meeting for Cultural District Committee expenses. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to place and support Article 46 on the warrant for the town meeting for improvements to the locker room of Fire Station. Mr. Runyon seconded by Mr. Runyon. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to place Article 51 on the warrant for the town meeting regarding an easement for wastewater along route 6A. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to place and support Article 54 regarding bond proceeds on the warrant for the town meeting. Mr. Runyon seconded. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to place Article 58 which authorizes changes in fee schedule. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to place Article 56 on the town meeting warrant to amend general bylaw Ch. 40. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to place and support Article 65 to increase the scope of the Affordable Housing Trust to 200% of AMI. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to amend and support Article 60 to include the addresses of 66-76 Route 6A for both sections to be disposed of at the former Governor Prence property. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to place Article 2 for a transfer of free cash to the Stabilization Fund on the Special Town Warrant. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to place and support Article 3 for budget adjustments on the Special Town Warrant. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to place and support the article to rescind the debt authorization to close the project on the Special Town Warrant. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0. 2.35.30

Mr. Galligan moved to support the article for the additional Nauset Beach retreat expenses for \$130,000. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to support the article to fund water storage tank cleaning for \$40,000. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to support the article to fund solenoid replacements at the water treatment plant for \$90,000. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0

Mr. Galligan moved to support items 1 through 7 on the Consent Calendar. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 15 for the CPA budget for FY24. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 16 for CRMP Phase III preliminary project management. Mr. Galligan seconded the motion. Ms. Reed abstained. Mr. Galligan, Mr. Herman, Mr. Runyon, and Mr. Mathison voted Aye. Motion carried: 4-0-1.

Mr. Galligan moved to support Article 17 for the cost increases for Phase I of the Wastewater Treatment Facility & Downtown Collection System Project. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to support Article 18 for a sum of money for the additional costs for the Meetinghouse Pond Area Sewer Collection. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 19 for the Rock Harbor dredging project. Seconded by Mr. Runyon. All

voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 20 for the Rock Harbor fuel tanks project. Seconded by Mr. Runyon. All voted Aye. Motion carried: 5-0-0.

Mr. Mathison moved to remove Article 21 for the concept/design/study for Gavigan Cottages. Seconded by Mr. Galligan. Ms. Reed abstained. Mr. Galligan, Mr. Herman, Mr. Runyon, and Mr. Mathison voted Aye. Motion carried: 4-0-1.

Mr. Galligan moved to support Article 24 for a new Ladder Truck. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 25 Veteran's Park rehabilitation. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 26 for the Pilgrim Lake Fish Ladder rehabilitation conditional of the receipt of a grant. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Articles 27 through 30. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to support Articles 31 and 32 regarding Water Department and Water Service Connection Funds. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 33 for the OPEB Trust Fund. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 34 for the Affordable Housing Trust Fund. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Articles 36 through 39. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to vote to fund Article 40 for Habitat Restoration. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to fund salaries in Article 41. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 42 regarding unanticipated retirement buyouts. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to support funding the Fire Department Ambulance. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 47 to fund the Conservation Committee. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to support Article 48 for \$90,000 for the feasibility study for the Snow Library. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 49 regarding 50 Bridge Road and Putnam Farm Conservation Area. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 50 to fund the Bike/Pedestrian Committee expenses. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 55 for the opioid settlement fund. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 59 for additional compensation for Treasurers/Collectors. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 61, 62 and 63 Home Rule Charter amendments. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 66 for the ambulance fee waiver. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman moved to support Article 68 the State Resolution regarding Year-Round Housing Occupancy deed restriction. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Review and Possible Vote on Budget Scorecard FY24 and CIP FY25-29

Mr. Galligan moved to move up the Recreation Organization figures: the three items totaling \$23,514 for the Recreation Department's principal clerk wage, non-union staff, and a wage stipend, to be a budget adjustment to use Available Levy Capacity. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to move all the "wish list" items up to the Available Levy Capacity including the Emergency Management Intern, Police Mental Health Contracted Services, Community Building – utilities and R&M, New Hire for Planning, Town Administration reclassification, clerical support, legal increase and committee appreciation/recognition and the Treasure stipend for a total of \$119,990. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Update re: warrant articles, insert and printing

Some of the language specifics were discussed and revised, as were font weights and colors. The need for an opening letter from the TA/Select Board was discussed.

Liaison Reports

Mr. Galligan updated about the Board of Health and disbursements of letters about sewer connections. Twenty six properties are being fined for not complying with replacement of tanks.

Mr. Herman spoke about the Charter Review Committee and how to retain and share information. He discussed Conservation Commission, Friends of Lonnie's Pond projects and the Wetlands Protection Act. Mr. Herman reminded everyone about the Affordable Housing Trust Board votes. He shared a letter regarding the pesticide ban for sharing and input.

Mr. Runyon spoke about the Historic Commission and an historic district study committee.

Adjourn

Mr. Herman moved to adjourn the meeting. Mr. Galligan seconded the motion. All voted AYE. Motion carried: 5-0-0.

Respectfully submitted,
Jennifer Fountain



Meff Runyon, Clerk

Documents in March 22, 2023 Packet:

1. Agenda
2. CC Regional Tech Proposed FY24 Budget
3. CC Tech Powerpoint Presentation FY24 Operating Budget
4. Nauset regional School District FY24 Operating Budget
5. NRS FY24 Operating Budget
6. NRS FY24 Operating Revised
7. NRS District Worksheet
8. NRSD Capital Plan
9. Town Meeting Draft Article Index
10. Email from Kevin Galligan re: ATM Placeholder Downtown Sewer
11. Budget Changes FY24
12. FY25-29 Capital Improvements Plan
13. Municipal Fee Comparisons
14. Town Administrator's Report
15. Celebrate Our Waters Event Request
16. Select Board Minutes 10/12/22
17. Select Board Minutes 10/19/22
18. Select Board Minutes 11/2/22