

**MINUTES**  
**SELECT BOARD MEETING**  
Wednesday, April 19, 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 4:00 p.m. on April 19, 2023.

In attendance in the Nauset Room were Chair Reed, Vice Chair Herman, and Clerk Runyon. Mr. Galligan and Mr. Mathison joined the meeting during Executive Session. Acting Town Administrator Sumner attended.

The Chair called the meeting to order.

**Mr. Herman moved to go into Executive Session to discuss litigation, strategy in preparation for negotiations with the new Town Manager/Administrator to discuss strategy with respect to collective bargaining with the Manager's Union; and to consider the purchase, exchange, taking, lease, or value of real property on Main Street and that the Chair declare that an open meeting may have a detrimental effect on the negotiating position of the body, and reconvene in Open Session. Mr. Runyon seconded the motion. Mr. Herman, Mr. Runyon, and Ms. Reed voted Aye. Motion passed: 3-0-0.**

Executive Session

Discuss strategy in preparation of hiring a new Town Administrator.

Open session resumed after 1 hour 9 minutes. The Chair declared there was nothing to report from Executive Session.

Public Comment

No one presented for public comment. Ms. Reed acknowledged the passing of former Town Clerk Wilcox.

Public Hearing – Proposed Fee Schedule Changes

The chair read the official notice to open the Public Hearing to discuss proposed fee changes.

**Mr. Runyon moved to close the Public Hearing. Mr. Herman seconded. All voted Aye in favor of the motion. Motion carried: 5-0-0.**

Meet with Director of Planning and Community Development George Meservey

Mr. Meservey introduced the new Assistant Town Planner Michael Solitro. He also noted the formation of a new committee for Economic Development which currently has 6 vacancies. Mr. Meservey reviewed the quarterly activities, inspections, and plans. The work on the update of the Comprehensive Plan has begun. A grant has been received to help the Town hire a professional to work on a "visioning" plan for the town. Mr. Meservey explained the draft Watershed Permit Regulations will not require residents to put an IA system in the backyard due to effective prior planning by Orleans. He spoke briefly about Phase III of the sewer plan. Eastham and Orleans have met to work on an agreement regarding Rock Harbor and Nauset Estuary nitrogen management and what each town is responsible for. A grant has been received to support the Orleans Cultural District Committee activities. He

updated about various Affordable Housing projects. An RFP has been developed for public art at Brewster Crossing.

Meet with DPW Director Tom Daley

Mr. Daley provided a quarterly update including Beach Road parking. Mill Pond Landing is about to start. Overland Way – Rail Trail connector is paved. Mr. Daley discussed progress on the low-level roads project supported by a grant from the Cape Cod Commission. He reviewed paving projects and management. Mr. Runyon discussed bike and pedestrian access on some of the roadways. The Highway Department is now fully staffed. Mr. Daley updated the Board about a range of waterway and wastewater projects. He noted progress or status on Rock Harbor bulk heads, dredging, Goose Harbor bulk heads and Nauset Estuary projects. The Water Department has received another award for top performance. The tank inspection revealed the repainting can be delayed up to five years. New connections to the wastewater system have begun and uptake has been growing in recent weeks. A new Recreation Director will be starting soon. (The quarterly report is included in the Select Board packet)

Meet with Building & Facilities Manager Ron Collins

Mr. Collins provided a quarterly update regarding town facilities beginning with Orleans Elementary School. He discussed various studies and projects underway. He mentioned the air handlers at the COA and difficulties in accessing them for servicing and upgrade. He also discussed the replacement of air handlers at the fire station. Mr. Collins spoke about Green Initiatives and the challenges in finding suitable projects. (The quarterly report is included in the Select Board packet)

Meet with Natural Resource Manager Nate Sears for a review and possible vote on draft RFP for Rock Harbor Mobile Food Concession Services

Mr. Herman moved to approve the suggested RFP included in the SB packet for mobile food concession services at Rock Harbor. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved that the Select Board meeting move into a meeting of Park Commissioners. Mr. Herman seconded the motion. All voted Aye. Motion carried: 5-0-0.

Meet as Park Commissions to consider revision to Parks and Beaches Rules & Regulations

There was discussion about bicycles on the beach and rules to protect habitat.

Mr. Galligan moved to direct Town staff to amend the Town Rules and Regulations for Parks and Beaches, Item 7, as found in the Select Board packet, with the added phrase "for the purposes of habitat protection" from Memorial Day to Labor Day. Ms. Reed seconded the motion. All voted in favor. Motion passed: 5-0-0.

Mr. Galligan moved to return to the Select Board meeting. Mr. Runyon seconded the motion. All voted in favor of the motion. Motion carried: 5-0-0.

Review and possible vote to approve new Town Administrator contract

Mr. Sumner explained Town Counsel and others and reviewed an updated the employment contract for the Town Administrator position. Mr. Galligan urged this be promptly posted on the website for transparency. Ms. Reed discussed a debriefing on the search process at a later date.

Mr. Runyon moved that the new Town contract be offered to the new Town Administrator and the full Select Board be empowered to sign the contract. Mr. Herman seconded the motion. All voted Aye in favor of the motion. Motion carried: 5-0-0.

Committee Interviews

Mr. Herman moved to accept the resignation, with thanks, from Morgan Stewart and Al Flanders from the Recreation Advisory Committee. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Jamie Balliet and Timm Gould interviewed to work with the Recreation Advisory Committee. The appointment will be further discussed at the May 3 Select Board meeting.

Consider request from Historical Commission for the creation of a Historic District Study Committee

The chair of the Historic Committee discussed the East Main Street historic area and the need for a Historic District Study Committee. He said the district would not be a strict "museum piece" historic district and would not be regulated regarding colors, materials or solar panels but would review new buildings to fit within the style and to try to avoid demolition of historic buildings. There was considerable discussion about how to ensure the goals of the town and taxpayers would merge with the objectives of the new Committee. These include allowing for green initiatives and affordable housing, among others.

Mr. Runyon moved to approve the draft motion on page 81 of the Select Board packet for an East Orleans Main Street Historic District Study Committee. Mr. Herman seconded the motion. All voted Aye in favor of the motion. Motion carried: 5-0-0.

Discussion and vote on Annual Hawkers and Peddlers Application by Emily Hilliar dba Encore Food Truck

Mr. Herman moved to approve the applications of Emily Hilliar dba Encore Food Truck for Hawkers and Peddlers license to operate a food truck for the sale of prepared food in Orleans on the Mid Cape Home Centers parking lot at 15 Main Street and at The Farm located at 40 Rock Harbor Road, subject to all approvals, bylaws, permits, and licenses. Said license is to expire on December 31, 2023. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Status update regarding double pole removal process by Eversource

There was some discussion about the process to remove "sister" poles and a desire to start with highly visible downtown areas first.

Vote to sign and post Annual and Special Town Meeting Warrants and Election Warrant

Mr. Galligan moved to sign and post the May 8, 2023 Town Meeting Warrant, the May 8 2023 Special Town Meeting Warrant, and the May 16, 2023 Town Election Warrant. Mr. Herman seconded the motion. All voted Aye in favor. Motion carried: 5-0-0.

2023 Common Victualler License Renewal – Ardath’s at Skaket Beach

Mr. Herman moved to approve a renewal application for the 2023 Seasonal Common Victualler license for Minot S. Reynolds to operate the concession stand at Skaket Beach Orleans, in accordance with the Contract with the Town and subject to all permits, licenses, and local, state & federal rules, regulations, bylaws and laws. Said license to expire on November 30, 2023, unless sooner revoked by the Board. Mr. Runyon seconded the motion. All voted in favor of the motion. Motion carried: 5-0-0.

Town Administrator’s Report

The Interim Town Administrator noted some new appointments and some new bids for services.

Liaison Reports

Mr. Galligan updated about ARC, septage and voluntary water restrictions.  
Mr. Herman updated about a new stretch code to support green initiatives. The 4<sup>th</sup> of July Committee met. Farmer's Market annual meeting occurred, and the market will be moving back to the outdoor location.  
The Fertilizer Bill is now sponsored by Sarah Peake and is progressing through the legislative process.  
Mr. Runyon spoke about the RAC preliminary recreation concept plan.  
Mr. Mathison noted the Shellfish & Waterways Committee is looking at the Rock Harbor projects.  
Ms. Reed said AHC has useful information about the warrants relating to housing.  
The Cultural Council met, and the Cultural District has new programming for music in Parrish Park.  
2024 is a federal election year and the Select Board may be asked to plan for just 3 ballot questions on the fall 2024 ballot.

Items for Future Agendas

How to speak to the Rental Registration article at the Town Meeting.  
How to speak to the 9 articles relating to Affordable Housing.

Adjourn

Mr. Runyon moved to adjourn the meeting. The meeting adjourned at 7:38 p.m. Mr. Herman seconded the motion. All voted AYE. Motion carried: 4-0-0.

*Respectfully submitted,*  
Jennifer Fountain



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Andrea Shaw Reed, Clerk

Documents in April 19, 2023 Packet:

1. Agenda
2. Executive Session Documents
3. Public Hearing Notice - COA Fees
4. Planning Department Quarterly Update
5. DPW Quarterly Update
6. Buildings & Facilities Quarterly Update
7. Facilities and Construction Update
8. RFP Notice – Mobile Food Truck Concessions Rock Harbor
9. Exhibit A: Rock Harbor Concession Area
10. Parks & Beaches Rules & Regulations
11. Recreation Advisory Committee Charge
12. Resignation Email re: Morgan Stewart
13. Citizen Interest form – Jamie Balliett
14. Citizen Interest Form – Carolyn Witt
15. Citizen Interest Form – Timm Gould
16. Proposed Historic District Description
17. Historic District Timeline
18. Double Pole Status Grid
19. Common Victualler License renewal – Ardath's
20. Hawker's And Peddlers License Application – Encore Food Truck
21. Town Administrators Report Memo