

MINUTES
SELECT BOARD MEETING
Wednesday, June 28, 2023
Nauset Room, Town Hall
Final

A meeting of the Town of Orleans Select Board was held in the Nauset Room at Town Hall and via Zoom and Channel 18 at 5:00 p.m. on June 28, 2023.

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

The Chair called the meeting to order at 5:00 p.m.

Public Comment

Sue Messenger asked the Board to slow down the possible vote for the draft Pesticide Home Rule Petition to allow for both clarification and great input by the Board of Health, the new Town Manager, and the public.

Fran McClennen spoke about 44 Main Street and its use by a wide group of organizations as well as municipal bodies. She acknowledged Ms. Keely's effort at the site for many years.

Judy Lindahl updated about the Orleans Chambers of Commerce activities.

Discussion and vote on One Day Beer & Wine License for July 16, 2023 Center for Culture and History (CHO), 3 River Road, Beth Croke

The resident of 9 School Road wants to have a private function at CHO.

Ms. Reed moved for a vote to approve a Special One Day Beer & Wine License for the Center for Culture and History in Orleans (The CHO) to serve beer and wine on July 16, 2023, from 11:00 a.m. to 5:00 p.m. at 3 River Rd. The license is issued for three days to allow proper delivery and disposal of wine and malt beverages, subject to all licenses, bylaws, permits, and approvals and in accordance with the Massachusetts General Law Chapter 138 Sec. 14. The filing fee for this application has been waived. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Discussion and vote to approve license agreement with the Orleans Chamber of Commerce for 44 Main Street

Mr. Sumner discussed the negotiations with the Orleans Chamber of Commerce. Ms. Lindahl asked for more the 5 days per week use in summer. Ms. Reed asked for future clarification of the marketing duties of the Chamber.

Mr. Mathison moved to accept the revised agreement for the Orleans Chamber of Commerce at 44 Main Street. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Consider the request by Nauset Mixology, dba The Barley Neck Inn for a new Innholder License for the Barley Neck Inn, 5 Beach Road

Mr. Mathison moved to approve the application of Cameron Hadfield for a new Innholder License for Nauset Mixology Inc. dba The Barley Neck Inn for five guestrooms on the 2nd floor and a two bedroom apartment on the 3rd floor at 5 Beach Rd, Orleans, subject to all local and state rules, regulations, permits, licenses and

approvals, laws and bylaws and providing a written update to the Select Board on the room availability status by November 17, 2023. Said license is to expire on December 31, 2023. Mr. Galligan seconded the motion. All voted Aye. Motion passed: 5-0-0.

Discuss strategy for Nauset Beach gazebo/bandstand renovations

Mr. Sumner discussed the use of volunteers to work on the Bandstand renovations. Insurance guidance has been provided. A licensed builder is needed for the project and insurance. Mr. Mathison asked about the general procurement process for volunteers. A discussion followed about donated materials, procurement processes and permitting. There was some discussion about the historic restoration of the Bandstand and whether the project falls under both the CPC recreation and historic categories. Ms. Reed questioned the source budget for ongoing maintenance. The Board will follow-up with the CPC to see if the proposed volunteer/community project fits with the grant award.

Vote to authorize Interim Town Administrator to sign Letter of Intent for CVEC Round 6 Projects

Mr. Galligan moved to authorize Interim Town Administrator to sign the Procurement Process Commitment Letter for participation in the Round 6 PV projects with CVEC due June 30, 2023. Ms. Reed seconded the motion. All vote Aye. Motion carried: 5-0-0.

Housing Authority Reappointment – David Egli

Mr. Galligan moved to vote to appoint David Egli to the Orleans Housing Authority for a term of 5 years. Mr. Runyon seconded the motion. Ms. Reed abstained. Mr. Runyon, Mr. Herman, Mr. Mathison and Mr. Herman voted Aye. Motion carried: 4-0-1.

Appointments for Historic District Study Committee – Ron Petersen, Ed Marcarelli, Joan Nix, Fran Mustaro, Bill Wibel, David Herrick, Charles Ellis

Mr. Herman reminded the Board of the background to this committee and said the Historic Commission had reached out to architects and real estate agents in Orleans but received no response.

Ms. Reed moved to appoint Ron Petersen, Ed Marcarelli, Joan Nix, Fran Mustaro, Bill Wibel, David Herrick, and Charles Ellis for the Historic District Study Committee for term ending June 30, 2024 with the condition that should someone from the AIA or the real estate community come forward to join the committee, the committee could be reorganized. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Annual Committee Reappointments

Ms. Reed moved to reappoint Ward Ghory, Matt Cole, and Henry Brehm to the Affordable Housing Trust Board with a term ending June 30, 2025. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to reappoint Peter Jensen and Heather Bailey to the Agricultural Advisory Committee with a term ending June 30, 2026. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Mathison moved to elevate Mathew Milan to regular member of the Agricultural Advisory Committee with a term ending June 30, 2026. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to reappoint Page McMahan and Stephen Salley to the Architectural Review Committee with a term ending June 30, 2026. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to reappoint Lindsay Goodman, Alice Van Oot, Douglas Prentiss, Peter Allgeier,

Stephanie, Gaskill and John Altieri to the Transportation & Bikeways Committee for new terms ending June 30, 2026. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to reappoint Julia Lee to the Board of Assessors with a term ending June 30, 2026. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to reappoint Joan Francolini to the Community Preservation Committee with a term ending June 30, 2026. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Runyon moved to reappoint Jay Haun to the Cultural Council with a term ending June 30, 2026. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to reappoint Peter Brown, Meri Hartford, and Karen Pierson to the Cultural District Committee with terms ending June 30, 2026. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to reappoint Hilary Johnson and Kenneth Johnson to the Fourth of July Committee with a term ending June 30, 2026. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to reappoint Charles Ellis, Edmund Marcarelli, and Francis Mustaro to the Historical Commission with a term ending June 30, 2026. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to elevate Maxine Minkoff to regular member on the Planning Board with a term ending June 30, 2026. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to elevate Walter North to full member of the Pleasant Bay Alliance Steering Committee with a term ending June 30, 2026. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to reappoint Sharon Basso, Joan Francolini, Tracy Murphy as full members and Carol Coughlin as an associate member, to the Recreation Advisory Committee with a term ending June 30, 2026. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Mathison moved to reappoint Kevin Galligan, Alan McClennen, John Smith, Dick Hartmann, Judith Bruce, Ginny Farber, and Lynn Bruneau to the Wastewater Management Advisory Committee with terms ending June 30, 2024. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to appoint Kevin Galligan to the Wastewater Management Advisory Committee for the Select Board. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Annual Assistant Harbormaster and Deputy Shellfish Constable Appointments

Mr. Galligan moved to appoint the Assistant Harbormaster and Deputy Shellfish Constables per the memo from Nathan Sears, Natural Resource Manager, dated June 22, 2023. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Vote to call a Special Town Meeting

Mr. Mathison moved to call a Special Town Meeting for Monday, October 16, 2023. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Vote to call a Special Town Election

Mr. Mathison moved to call a Special Town Election for Tuesday, November 7, 2023. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Vote to sign Collective Bargaining Agreement for Police Union

Ms. Reed moved to sign the final draft of the FY23-FY25 Collective Bargain Agreement for the Police Union. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Review and a possible vote on the Draft Pesticide Reduction Home Rule Petition and outreach strategy

Mr. Herman said work had been done with Town Counsel to draft a Pesticide Reduction as opposed to a Prohibition. Several organizations and committees have provided feedback. Mr. Herman said he felt the public was ready to weigh in and that the town should move the outreach strategy forward. Mr. Mathison also endorsed moving forward with the hearing process but agreed there is still time to decide not to take it to the fall Town Meeting. Ms. Reed urged that town Committees with expertise in the area have time to offer feedback, alterations, and support for the petition. She also suggested creating a FAQ/flyer. A discussion followed regarding communication with the public and professionals. The Board also discussed building strong understanding and support for the petition rather than the Board driving something that might be perceived as regulatory from the top down. Consensus of the Board was to move forward with the initiative, hold three public hearings, hold a citizen's forum, add information to the website and have committee liaisons bring the matter to committees. The Board is happy to entertain all feedback and Mr. Herman will keep the Board apprised of developments.

Review and possible vote on Multi-Member Policy

Mr. Herman said modifications consider that Regulatory Boards require a learning curve and build associate members into full members. Some edits were suggested and discussed.

Mr. Galligan moved that the amended Multi-Member Policy be approved. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Review of FY24 List of Important Dates

The dates were reviewed as listed in the packet.

Review of FY24 Liaison Assignments

Service starts July 1, 2023.

Review of onboarding schedule for the new Town Manager Kimberly Newman

The schedule is for meeting Committees (all 51) not her full work schedule.

Wastewater Updates

Mr. Galligan gave a mini update for the latest on the MassDEP Title 5 Watershed Regulations and for Phase 2 of the Meetinghouse Pond Sewer Collection System project. New regulations become effective July 7, 2023. Town is ready and organized to transition into new watershed regulations. The bids are in, and the new Town Manager will sign an agreement for the Meetinghouse Pond Sewer Collection System. There will be a small scope increase to be added without a cost increase.

Town Manager's Reports

Mr. Sumner discussed the Outermost Music Festival and recent meetings to develop a robust, comprehensive plan for the event. The size of the project is to involve about 1000 people to keep it manageable. A one-day liquor license and entertainment license will be requested in the future. Mr. Sumner thanked the Select Board for their faith and collaboration. He acknowledged committees and department heads and particularly Liana Surdut, Mihaela Miteva, Molly Bates, Cathy Doane, and Judi Wilson. Mr. Galligan thanked Mr. Sumner for his ability to move things forward and his professionalism. All Board members extended their appreciation.

Liaison Reports and Member Updates

Mr. Runyon spoke about the Recreation Advisory Committee and the possible use of the cold storage building.

Mr. Mathison spoke about the Orleans Elementary School Committee and the upcoming report on conditions. He mentioned the need for a Special Needs Stabilization Fund. Mr. Mathison said he was in Hyannis while Governor Healy was in town regarding affordable housing. One of the messages from the announcement was the co-dependency of economic development with meeting housing needs.

Mr. Galligan noted the ARC approved new signage for the new owners of the Yardarm and Seaside Cannabis. He also noted the resolution to a non-conforming structure by a local business.

Mr. Herman and Ms. Reed spoke about the joint meeting of the Planning Board, Affordable Housing Committee and the AHTB. Many action points were generated from that meeting.

The Select Board agreed with the AHTB to convey 66-76 Route 6A via fee simple. An LDA will address some concerns about maintaining Town control or interest in the property.

Mr. Herman spoke about the Veteran's Grave officer and the volunteers who will take on the role. The Veteran's will walk in the July 4th Parade.

The updated charter is online.

Ms. Reed said the call-for-artists for the beach sculpture for Celebrate Our Waters is live on the town website. The Council on Aging has worked on splitting responsibilities for the summer and the CPC garden walk restoration that will occur. The garden will need maintenance. The respite program has expanded but needs staffing!

Adjourn

Ms. Reed moved to adjourn the meeting after two hours and thirty-seven minutes. Mr. Runyon seconded the motion. All voted AYE. Motion carried: 5-0-0.

The meeting adjourned at 7:37 p.m.

*Respectfully submitted,
Jennifer Fountain*



Andrea Reed, Clerk

Documents in June 28, 2023 packet:

1. Agenda
2. One Day Beer & Wine License Application -- CHO

Select Board Minutes: June 28, 2023

3. New Innholder License Application – Barley Neck Inn
4. Letter from Charles Sumner re: Nauset Beach Gazebo
5. Nauset Beach Bandstand cost estimate
6. FY24 CPC application – Nauset Beach Bandstand Rehabilitation
7. CVEC Round 6 Update letter
8. Round 6 Commitment Letter
9. Housing Authority Matrix Spreadsheet
10. Historic District Study Committee Spreadsheet
11. Historic District Study Committee Charge
12. Email re: Nomination to HDSC
13. Committee Reappointment Schedule
14. Shellfish Constable & Harbormaster Appointment Request
15. FY24 Chamber of Commerce License Agreement
16. Call October 16, 2023 Town Meeting Request
17. FY23-FY25 Police Collective Bargaining Agreement
18. Pesticide Reduction Home Rule Petition draft
19. Draft Multi-Member Body Policy
20. FY24 Important Dates
21. FY24 Liaison Assignments
22. New Town Manager proposed Onboarding Schedule