

24 JAN 9 8:42AM
Beth Reed
ORLEANS TOWN CLERK

MINUTES
SELECT BOARD MEETING
Wednesday, September 27, 2023
Nauset Room, Town Hall

A meeting of the Town of Orleans Select Board was held in the Nauset Room at Town Hall and via Zoom and Channel 8 at 3:45pm on September 27, 2023.

In attendance in the Nauset Room were Chair Herman, Vice Chair Mr. Mathison, Clerk Ms. Reed, Mr. Galligan, and Mr. Runyon. Town Manager Ms. Newman and Financial Director Ms. Doane attended the meeting via zoom.

The Chair called the meeting to order at 3:45 p.m.

Executive Session to discuss strategy with regards to contract negotiations with the Firefighter's Union

Ms. Reed moved to go into executive session for contract negotiations with the Firefighter's Union and the chair declare separately that such a matter in open session could compromise the negotiating position of the Town, and the Board reconvene later in open session. Mr. Mathison second the motion. Vote by roll call with Mr. Runyon, Mr. Mathison, Mr. Galligan, Ms. Reed, and Mr. Herman voting Aye. Motion carried: 5-0-0.

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

The meeting reconvened in public session at the conclusion of the Executive Session with no comments.

Public Comment

Mr. Galligan thanked meeting attendees for their patience with the construction around Town Hall.

Meet to review Town Meeting with Town Counsel, Town Clerk and Moderator

The moderator and the Board reviewed the logistics of the upcoming Town Meeting. The moderator will arrange for a standby moderator, if needed. The Board discussed separating a section of the floor for Covid social distancing. Mr. Herman will seek out recommendations from the Health Department. Babysitting at the meeting is being investigated.

Articles 1-9 will be presented by Ms. Reed. Chief Deering will be available, if needed for Article 3. The Town Manager will be available to speak to any Article. Article 10 will be presented by Mr. Alper of the Community Preservation Committee. Article 11-18 will be presented by Mr. Mathison. The Planning Board will speak to Article 15. Mr. Herman will present Articles 19-25. Mr. Galligan will present Article 26 with informational easels at Town Meeting. Mr. Galligan will present the remainder of the articles to Article 31. Questions and discussion are expected. Various committees and committee members will be available to answer questions that might arise, as will the Finance Director. Mr. Meservey will invite Mr. Eichner to be available to answer questions which might arise about alum treatments.

Liaison Reports

Mr. Runyon shared that Marine & Freshwater Committee discussed alum treatments and the upcoming town meeting.

Friends of Crystal Lake voted in support of the Pesticides Ban.

Transportation & Bikeways Committee met to discuss Main Street. The intersection of Tonset at Main Street was also discussed.

The RAC met and did not vote on the Pesticide Ban because of questions regarding poison ivy. The maintenance of tennis courts was considered.

The Long Term Capital Planning Committee is still organizing itself.

The Safer Communities Committee met and selected a chairperson. Committee members are collecting data and information. Originally the committee was formed in response to gun violence, but other issues are being included such as mental health and other types of violence noted by EMTs.

The Planning Board looked at potential changes to zoning bylaws and changes that need to happen in conjunction with the Economic Development Committee and the Affordable Housing Committee.

The Wastewater Advisory Committee met to discuss the updated filing of the environmental management plan. A meeting with the representatives of Eastham also occurred working towards joint watershed permitting.

The Board of Health met and approved a new development at 146 Main Street. They are looking for ways to expedite the connection process to the sewer and improve efficiency of the processes.

Open Space would like to speak to the Board in Executive Session about some possible acquisitions.

The Economic Development Committee are working at the big picture level and identifying experts they need to contact.

The Community Development Partnership (CDP) had a community housing meeting which was attended by members of both the Affordable Housing Committee and the Affordable Housing Trust.

The Affordable Housing Trust met and discussed the updates to Pennrose and 107 Main. There was also discussion of possible next steps for the Trust.

Conservation met and are working through finances and FY24 priorities.

Public Hearing

Mr. Herman read the announcement to officially open the public hearing on Article 23 regarding licensing for service dogs. No one spoke to the Animal Control Bylaw Article.

Mr. Mathison moved to close the Public Hearing on Article 23. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman read the announcement to officially open the public hearing on Article 24: Home Rule Petition for Pesticide Reduction Bylaw.

Mr. Rich asked why Orleans felt the bylaw was necessary and whether the Town had the resources to manage it. It was suggested that Orleans wants to ensure its waterways are better protected than State and government regulations do.

Mr. Hafner complimented the Board on the Pesticides Ban and endorsed greater control than the State does.

Ms. Furtney said she felt the ban had been rushed through and has not been discussed and debated adequately. She said she was unclear how exceptions would be granted. She said she felt a scientific expert should have been available to help educate the public. She also said the Board needs to fund the removal of invasive weeds with manpower and time if pesticides are banned.

Mr. Mathison moved to close the public portion of the Public Hearing. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman read the official notice to open the public hearing for Article 29 regarding changes to fees. No one from the public spoke to this matter. Mr. Daley from the Department of Public Works spoke about what had been learned from the first year of experience with the new sewer and why some fees were needed and originally overlooked or needed adjustment.

Ms. Bruneau asked about sewer-related fees and whether a reminder could be made that financial assistance available.

Mr. Mathison moved to close the public comment portion of the Public Hearing. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Herman read the official notice to open the public hearing for Article 30 regarding the Specialized Energy Code.

A representative of the Orleans Climate Action Network (affiliated with the Cape Cod Climate Change Forum) spoke about the code and how it follows the Town's decision to become a "Green Community" and said she hopes it will be passed.

Mr. Rich said he thought the article would open a need for expertise and needs more thought. Expert advice does not come cheaply, he said.

The Chair of Climate & Energy Committee spoke about the focus of the Specialized Code on new building construction, both residential and commercial or municipal construction. He said 18 communities in the State have already adopted this code.

Mr. Galligan spoke about how the builder has the burden of hiring experts or consultants to make buildings to be more efficient, not the Town.

Mr. Jacobsen from the Climate & Energy Committee also spoke about the Code as a next step after the stretch code.

Mr. Mathison moved to close the public comment portion of the Public Hearing. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Items for Future Agendas

Mr. Galligan asked for the opportunity to revote on Article 31. The Board discussed when to do the revote. It may possibly be voted at the next Board meeting, but the article will have a final vote if necessary, at the Town Meeting.

Ms. Reed moved to adjourn the meeting. Mr. Mathison seconded the motion. All voted AYE. Motion carried: 5-0-0.

The meeting adjourned.

*Respectfully submitted,
Jennifer Fountain*



Andrea Reed, Clerk

Documents in September 27, 2023:

1. Agenda
2. Executive Session Documents
3. Animal Control Bylaw Amendment Hearing Notice
4. Article 23: Amend General Bylaws Chapter 85 – Animal Control Bylaw for Service Dogs
5. Pesticide Reduction Bylaw Public Hearing Notice
6. Article 24: Home Rule Petition for Pesticide Reduction Bylaw
7. Sewer Rate Fee Changes Public Hearing Notice
8. Article 29: Authorize Changes in Fee Schedule
9. Sewer Application Process Flow Chart
10. Stretch Energy Code Bylaw Amendment Public Hearing Notice
11. Article 30: Amend General Bylaws to Adopt Specialized Energy Code