



# Town of Orleans

## Finance Committee

19 School Road Orleans Massachusetts 02653

Tel. (508) 240-3700  
Fax (508) 240-3388

*Julie Higgin*  
ASST.  
ORLEANS TOWN CLERK

### MEETING MINUTES

Thursday, October 5, 2023 – 7:00 pm

This was a hybrid meeting of the Orleans Finance Committee convened in the Nauset Room at Town Hall, with remote participation provided by Zoom technology. Real-time public access was provided by Orleans Channel 8 on the Town website and cable television.

The meeting was called to order at 7 pm by Finance Committee Chairman Nick Athanassiou. Also attending, and thus constituting a quorum were Clerk Elaine Baird and Committee members David Abel, Lynn Bruneau, Constance Kremer, Ed Mahoney and Tony Pearl. Chris Kanaga and Peter O'Meara were absent.

**Guests:** Select Board Chair Michael Herman. Fire Chief Geoff Deering and Deputy Fire Chief Tim Gula. Peggy O'Sullivan from Media Operations provided technical support for this meeting.

#### (00:00) Announcements/Public Comment

There was no public comment.

Ms. Bruneau reminded the audience that Personal and Property Taxes are due on November 1; bills were mailed in July and copies are available at the Tax Collector's office. Taxes may be paid online, in person, at the Town Hall Drop Box or via mail. Contact the Tax Collector's office with any questions.

#### (3:00) Discussion with Fire Chief Geoff Deering and Deputy Chief Tim Gula re Fire/Rescue Department-Related Warrant Articles and other Fire/Rescue-Related Topics as Appropriate

Chief Deering thanked Fin Comm for their attention to the Department's need for hiring 8 additional firefighters/paramedics. Chief Deering noted that the Department will likely not be awarded the \$2.7million SAFER grant from FEMA, which was applied for after this year's Annual Town Meeting. Given the critical need for the 8 additional resources, the Article 3 seeks approval for funding, which will require an override to pay for these new hires.

The Chief noted that the additional 8 firefighters represent a safety issue for the town and its citizens and visitors. Additional resources are critical to the quality of life in Town - and for the firefighters themselves. He also noted that FEMA has already awarded \$360M in SAFER grants to 177 communities nationwide - including 6 in MA - with \$8.6M going to Worcester.

Deputy Chief Gula said that the next grant cycle may be in a year; however, those funds are only for new hires; which would not be applicable to the 8 positions after they've been funded by Town Meeting. The SAFER grant is only to supply funding for new staffing positions in the first year.

Ms. Kremer asked Chief Deering if he thought one reason that Orleans was denied, was whether we looked too affluent - due to our tax base. He said that he was unsure if this was a direct reason and that similar towns were awarded funds. Deputy Chief Gula did not feel that the town's revenues and tax base were a factor in their application. Chief Deering noted that several Cape towns have been previously awarded SAFER grant funding (Eastham - \$1M for 4 positions; also Brewster, Mashpee and Barnstable).

Mr. Mahoney discussed recruitment and retention, asking if this was still an issue the Department is facing. Chief Deering felt that the addition of 8 positions would assist in lowering the workload of the staff currently working, along with compensation, housing, facilities and equipment. He noted that keeping the amazing staff was the priority for him and he is always looking for ways to retain them. There was further discussion about retention and recruitment efforts.

Ms. Bruneau asked about future funding for the 8 positions; Chief Deering said that once they are approved at Town Meeting and the Ballot, they will become part of the budget for FY25. Mr. Abel asked about overtime costs, and if there would be any mitigation to that cost by hiring these 8 positions. Chief Deering did not feel comfortable, at this time, to give a number and noted that the overtime budget is big. There was further discussion about the impact that hiring these 8 positions would have on the Town in terms of service and personnel retention. Overtime costs could level off in time once staff levels stabilize.

The request for 8 new positions is based on data analysis - looking at call/response data over periods of time. Hiring 8 resources now would have a significant positive impact on addressing the Department's ability to respond to frequent simultaneous calls - timely.

Chief Deering hopes to have these 8 positions hired by the start of 2024 and into the Academy as quickly as possible. He hopes to advertise the positions and begin interviews as soon as Town Meeting and voting is complete this fall. The new resources would then be "available" for shift assignments by next summer. Chief Deering discussed the number (and complexity) of calls that the Department responds to (~2,700/year) and the responses during summer months and with the new urgent care center in Town. More calls now, more simultaneous calls, more complex calls than in prior years/decades.

Article 4 requests an additional \$500,000 to replace the Fire Department's Aerial Ladder Truck. Chief Deering discussed the need for this replacement and the associated costs. The May Town Meeting Article capped the Ladder Truck purchase at \$1.6million. Unfortunately, the cost of \$1.6million was understood to be inclusive of the trade-in value of the current ladder truck; the total, actual cost is now \$2.1million (in part due to continued cost increases). The \$500,000 will cover the difference needed from the approved Annual Town Meeting Article.

Chief Deering discussed the process to obtain the Ladder Truck. The first option would be a custom-designed truck that would take 3 ½ to 4 years and could cost more with a declining value of the trade-in. The second option would be to purchase a "stock" truck that would provide the same general capabilities, but would not be custom tailored. If/when available, it could take 12 months or less from signing the contract, with a higher trade-in value of the current truck.

Chief Deering noted that in 2007, the Town knew that the ladder truck purchased then did not meet all of its needs - but the truck purchased then was the best answer for the price at the time. Since then, needs have increased. The 100' ladder will provide more "reach" to the back-side of buildings (eg, the condos on Old Colony) - and the anticipated taller residential buildings (CC5/Pennrose and Gov. Prence affordable housing projects).

Chief Deering also noted that the Department had ordered a pick-up truck in July and has just received word that Ford has cancelled the order - they aren't going to build the specialized truck. The Department will now need to find a new vendor.

Fin Comm will follow up with the Town Manager and the Finance Director to confirm funding language in Warrant Articles. The Article for the ladder truck at May Town Meeting had a specific dollar amount for borrowing; however, the Article for Veterans Memorial Park Rehabilitation asked to “raise and appropriate, borrow and/or transfer the sum of \$110k, or any other sum”. From prior discussions with then-Town-Administrator John Kelly, Fin Comm understood that the “any other sum” language allowed for the flexibility of changing the amount with a motion from the floor at Town Meeting - but perhaps only to lower the amount. Could the dollars be increased with a motion from the floor at Town Meeting if circumstances had changed between the drafted Warrant Article and Town Meeting?

At Ms. Bruneau’s request, Mr. Herman identified which Articles the Select Board members would be presenting at Town Meeting, noting that Andrea Reed would introduce Articles 1-9; Barry Alper of the Community Preservation Committee-Article 10; Mark Mathison - Articles 11-18; Mr. Herman - Articles 19-25; and Kevin Galligan - Articles 26-33. A copy of the Warrant Index with this information will be forwarded to Fin Comm.

**(43:00) Review/Approval of Finance Committee Meeting Minutes – 9/21/2023**

- **9/21/23 – Ms. Baird moved to approve the minutes of 9/21/23; Ms. Kremer seconded. The Finance Committee voted unanimously 7-0-0 to approve the 9/21/23 meeting minutes (all Fin Comm members participating in the meeting were physically present in the Nauset Room - thus no need for a roll-call vote).**

**(45:00) Discussion of any new input re Fall STM Warrant Articles; vote/re-vote remaining Warrant Articles as appropriate**

As a follow-up to last week’s Fin Comm meeting, **Ms. Baird moved to re-vote Article 8 – Solar Project at Water Treatment Plant; Ms. Kremer seconded. The Finance Committee voted unanimously 7-0-0 to re-vote Article 8 (as noted above, all members of the Committee participating in the meeting were present in the Nauset Room, thus there was no need for a roll-call vote).**

Ms. Bruneau noted that the Article as printed in the Warrant does not clarify that a conceptual design for the project is needed before the Town can petition the State for permission to construct a solar array on the well-field. Previously, many Fin Comm members had voted against the Article as printed in the Warrant. New information provided by Allan McClennen clarified the required “order” of the tasks.

**Ms. Baird moved to recommend Article 8 – Solar Project at the Water Treatment Plant; Ms. Kremer seconded. The vote was unanimous 7-0-0 with all Fin Comm members present in the Nauset Room voting “aye”.**

Ms. Bruneau noted the other Articles that still need to be voted on: Article 2 – Bills of Prior Years; Article 16 – Indigenous Peoples’ Event; and Article 32 – Alum at Pilgrim Lake.

Before proceeding, Mr. Athanassiou asked if any Fin Comm members would like to consider re-voting any other Warrant Articles at this time - but there was no need for further re-voting.

Article 2 - Bills of Prior Years: This will be voted on at Fin Comm's meeting at 5:30pm on October 16, prior to Town Meeting, when the final information is available.

Article 16 - Indigenous Peoples: Fin Comm member concerns about the Article included those related to the purpose of the funding, the funding amount and the timing of the proposed spending.

Ms. Kremer thought that Fin Comm had waited for revised wording and was now ready to proceed. Ms. Bruneau suggested indefinitely postponing the Article, not voting on the Article at all. There was some apparent confusion regarding the timing of the "final" version of the Article.

(Note - between the 9/7/23 Fin Comm meeting and when the Warrant went to press on/about 9/8/23, an earlier final sentence fragment was removed from the end of the Summary as highlighted here: "This article provides funding to begin outreach through awareness and educational initiatives to see how the Town can currently be a partner on this important issue.")

**Ms. Kremer moved to recommend Article 16 – Fund Awareness and Educational Initiatives to Honor Indigenous Peoples; second by Mr. Abel.**

Mr. Abel asked how the funds would be used. Mr. Herman said that the monies are to be used to approach the Wampanoag Tribe to ask them for their input how best to educate the public about their histories. The monies would show commitment from the Town to holding an event and that the residents are serious about education. Ms. Kremer discussed the importance of showing the Town's commitment to standing with the local, native Tribes and their lands on which the Town sits today.

Mr. Pearl referred to the small amount - whether it was meaningful; perhaps moving the Article to May. Mr. Herman noted the risk of "never getting started"; that the money would not be used for paying anyone one but for "small programs". He further referred to examples such as renting tents or a speaker series at the library. Ms. Bruneau suggested starting by listening and then going back to Town Meeting for funding. Mr. Mahoney noted that his wife has been a speaker in the speaker series at the Library - with no funding. Mr. Herman noted that (this) is in the Select Board goals - "it's very clear in our goals" (Note: the Goal statement Objective is simply "To learn from indigenous people their culture both past and present" and the Action is to "Meet with the Wampanoag leadership and other indigenous community leadership to understand current and future initiatives and develop appropriate forward steps").

**Motion by Ms. Baird to "call the question"; second by Ms. Kremer. The vote "to call the question" was unanimous, 7-0-0 with all Fin Comm members present in the Nauset Room.**

**The Finance Committee voted 4-3-0 with Ms. Kremer, Ms. Baird, Mr. Abel and Mr. Athanassiou voting "aye", and Ms. Bruneau, Mr. Mahoney and Mr. Pearl voting "nay", by roll call vote.**

Article 32 - Alum Treatment at Pilgrim Lake: Ms. Bruneau noted that the Article Summary includes a list of "next steps" that the Town would follow if Town Meeting votes to approve funding for this project. She noted that an Environmental Consultant, public hearings by the Conservation Commission, and an appeal period are all required prior to commencement of the actual alum treatment. She also wondered how much of the \$50,000 would go to the

Environmental Consultant and application/other fees, or if those expenses would or could be paid for by other monies.

**Ms. Kremer moved to recommend Article 32 – Alum Treatment at Pilgrim Lake; Ms. Baird seconded.**

Mr. Pearl asked if the Article was flexible enough if more money were needed to move in a different direction (to solve the problem)? Mr. Athanassiou referred to public meetings on the topic and Ms. Kremer noted that a number of pond-related studies had been completed.

Mr. Mahoney asked if this Article was in conflict with Article 24 – Amend the Pesticide Bylaw. Ms. Kremer said that “marine fisheries” is not trying to kill the pond, especially with the herring run there, and the herring”. Mr. Herman said that there were no inconsistencies. “Aluminum is natural”; no exact definition of the chemical(s) to be used is included in the Article; however, “aluminum is used and ‘sulph’ is used” - “both are natural and both are excluded from the list of pesticides”. He also referred to the use of Alum at Uncle Harvey’s Pond; however, Ms. Baird noted that Uncle Harvey’s Pond is a fresh water pond, private and smaller.

Ms. Baird referred to the earlier Pilgrim Lake “pond management” report (2019) that had been shared with Fin Comm members several weeks ago. The SMAST consultants prioritized treatments - with I/A septic systems the first priority (an expensive and incomplete solution), then storm-water remediation, and Alum treatment as 4<sup>th</sup> in a list of 4. It was also noted that the pond would have to be dredged to remove the Alum if it were determined that that was needed. Also, many early Alum treatments resulted in fish kills, until the “dosage” was adjusted. However, the potential impact on other nearby flora and fauna (including pollinators) is TBD.

Mr. Mahoney noted that an Alum treatment would be treating the symptoms, not the causes; it would be immediate, but temporary. Ms. Kremer noted that a cyanobacteria bloom could become an annual event and subsequently said that once a bloom occurs, the chance of a recurrence increases exponentially.

Mr. Herman noted that the Warrant Article is only for funding; the project has been referred to Cons Comm (regulatory board). If not passed, the issue would be passed on to next May’s Town Meeting for funding (if then). However, it was noted that scheduling the Alum treatment before next Spring’s herring run w/be important. Mr. Herman said that the timeline in the Article isn’t exact - any appeal could cause delays. He noted that they have started the process already with Cons Comm - the Select Board voted to move it to Cons Comm when they voted to put the Article on the Warrant (Note: the Select Board voted to pass it to Cons Comm on 9/6/23 when they voted to recommend the Article). He wasn’t aware of the current status of Cons Comm action - if any.

Mr. Herman also noted that the Alum treatment might need to be repeated - in 8-10 years - although hopefully the area would be sewered by then. However, it takes a long time to “clear” whatever is in the ground.

Mr. Abel asked if there are concurrent efforts to address storm water problems. Mr. Herman said that “we are working with DPW - Route 28 is a state road”. “We are asking DPW to work with the state - to find out if that’s the case (to solve the Pilgrim storm water problem)”. (Note: follow-

up with DPW Director Tom Daley indicated that there is no current Town storm water project focus on/related to Pilgrim Lake.)

Ms. Baird referred to the 2019 Pilgrim Lake management plan - 76% of the phosphorous load comes from 19 properties. Ms. Bruneau wondered if there was any reference to other properties in the watershed contributing to the phosphorous load - a focus of the Wastewater Management Advisory Committee.

**The Finance Committee voted 4-2-1 with Ms. Kremer, Mr. Pearl, Mr. Abel and Mr. Athanassiou voting “aye”, Ms. Baird and Ms. Bruneau voting “nay”, and Mr. Mahoney abstaining, by roll call vote.**

**(1:29:00) Continue Discussion/Decisions re Fin Comm speakers/key messages for Fall STM**

Fin Comm discussed who would speak to which Articles at Town Meeting. Ms. Bruneau noted that frequently in the past, Fin Comm speakers have” bundled” related Articles together when addressing Town Meeting, particularly when providing broad support (rather than the “pros” and “cons” of a split vote).

Speakers as agreed:

- Ms. Bruneau will address Articles 3 and 4 - 8 New Firefighters and the Ladder Truck
- Mr. Athanassious will address the Articles related to Town Hall reorganization, succession planning and staffing (part of Article 1 plus Articles 11-14
- Article 24 (Pesticide Bylaw) - split vote - Ms. Kremer will address the “pro” votes; perhaps Mr. Kanaga will address the “con” votes (TBD)
- Article 32 (Alum at Pilgrim Lake) - split vote - Ms. Kremer will address the “pro” votes; Ms. Bruneau will address the “con” votes

Mr. Mahoney asked Mr. Herman about Article 25 - Authorize Special Act to Dedicate Island Roundabout at Route 28 & 39 - what was the Select Board process for agreeing on the name for the new roundabout. Mr. Herman confirmed that only one name had been suggested and further that there is no formal Policy or process for naming and recognition rights in the Town.

Mr. Herman referred to the anticipated naming of a small bridge along Route 28 in honor of an Orleans native WWI Coast Guardsman who perished in the sinking of the “Tampa”. (Follow-up notes - In his remarks, Mr. Herman noted that this bridge is Town property; however, it is along Route 28 and thus is State property. The approval for the naming of the bridge was granted by the State, not the Town.)

**(1:40:00) Further Discussion re the Finance Director’s report on FY23 financial results**

Ms. Bruneau had sent an email on 9/25/23 with comments/questions regarding the Finance Director’s presentation of the FY23 Year-End Financial Results. She noted that previously, the Finance Director had provided a reconciliation between the initial FY23 budget, the changes due to Town Meeting Articles and the Year-End Financial Results. That type of reconciliation w/ address many of the questions noted in the 9/25/23 email.

Ms. Bruneau will draft an abbreviated list of questions for the Finance Director for next week’s Fin Comm meeting. Any input to that process w/be welcome.

### **(1:45:00) Updates**

#### **Liaison Reports as appropriate.**

Ms. Bruneau discussed the 9/26/23 Planning Board meeting. She noted that further information about the Stretch Code was provided, along with a list of zoning topics for Planning Board consideration. She suggested that this list c/be pulled from the Planning Board pdf to facilitated Fin Comm access.

Ms. Bruneau discussed the joint Affordable Housing Trust Board/Affordable Housing Committee meeting which included an update with the consultant working on the Housing Needs Study. The list of draft/proposed housing goals and strategies from that meeting is posted on the AHC website.

Ms. Bruneau also provided a brief update on the Meetinghouse Pond sewer project as well as the anticipated close-out of the Downtown Sewer Project (w/ State DEP close-out scheduled for 10/31/23 for the latter). It was agreed that Ms. Bruneau will continued to forward the weekly sewer project “look-ahead” schedule to Fin Comm members at the end of each week.

Ms. Baird discussed last May’s Town Meeting Article for Snow Library, and that this will need to come back to the next Annual Town Meeting to re-word the article to eliminate the word “feasibility” from the focus of the funded effort. It wasn’t clear whether new/more money would be needed - or simply new wording.

### **(1:55:00) Review Meetings Schedule and Items for Future Agendas**

- Thursday, October 12 (7pm): Fin Comm meeting; discussion w/ Michael Herman re Select Board goals; final Fin Comm preparation for STM.
- Monday, October 16 (5:30pm); Fin Comm meeting prior to STM (NRMS gymnasium).
- Monday, October 16 (6pm): Special Town Meeting.
- Thursday, November 2 (7pm): Fin Comm meeting; debrief of STM.
- Thursday, November 16 (6:15pm): Fin Comm meeting

### **(1:57:00) Adjourn**

**Ms. Baird moved to adjourn; Mr. Mahoney seconded. The vote was unanimous: 7-0-0.**

The meeting adjourned at 9:00pm.

Respectfully submitted,  
Courtney Butler, Secretary

**The documents listed below are all in the Finance Committee Drop Box except as noted:**

1. Draft 9/21/2023 Finance Committee meeting minutes
2. Draft Warrant Index as of 10/5/2023
3. Fin Comm Meeting Minutes from 9/7/23 with discussion re Fin Comm votes on Warrant Articles
4. LB email from 9/25/23 with comments re the Finance Director’s 9/13/23 presentation on the FY23 Year-End Financial Results
5. Finance Director FY23 Year-End Financial Results Presentation

The minutes for the October 5, 2023 Finance Committee meeting were reviewed and approved at the October 12, 2023 meeting. **Motion to approve by Ms. Baird; second by Mr. Kanaga. The vote was 8-0-0 with Mmes. Baird, Bruneau and Kremer and Messrs. Abel, Athanassiou, Kanaga, Mahoney and O'Meara all voting "aye" by roll-call.**