


24 JAN 22 8:30AM  
  
ORLEANS TOWN CLERK

**MINUTES**  
**SELECT BOARD MEETING**  
Wednesday, January 17, 2024  
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 4:00 pm on January 17, 2024.

In attendance in the Nauset Room were Chair Michael Herman, Mr. Mark Mathison, Mr. Meff Runyon, Ms. Andrea Reed, and Mr. Kevin Galligan. Town Manager Ms. Kimberly Newman and Assistant Manager Mr. Mark Reil also attended.

4:00pm Call to Order. The Chair called the meeting to order.

**Executive Session.** Meet in Executive Session for the purpose to conduct strategy in preparation for negotiations with non-union personnel – Finance Director; to discuss strategy with respect to collective bargaining with Clerical & Technical, Managers and Steelworks Unions; to consider the purchase, exchange, lease, or value of real property located on Main Street, Eldredge Park Way, Bay Ridge Land and Wildflower Lane; and to vote to approve Executive Session Minutes.

The Select Board returned from Executive Session with nothing to report.

Public Comment

Mr. Levy of the Marine & Freshwater Committee spoke about alum treatment at Pilgrim Lake.

Mr. Culik from Cape Light Compact brought some updates to the Board about energy efficiency programs.

Mr. Boyce from the Friends of Crystal Lake spoke about the water quality at Crystal Lake and the need for an alum treatment.

Mr. Coleman from the Friends of Crystal Lake spoke about support for the alum treatment.

Ms. Hawk and Ms. Boyce both spoke in support of alum treatments at Crystal Lake.

5:05pm Verizon/Eversource Pole Hearing – Portanimicut Road

The Chair read the hearing notice to open the Public Hearing.

Mr. Bonner from Verizon spoke about the plans for the site. He confirmed the measurements for the installation of a pole to bring power to 20 Quanset Road. He answered questions regarding underground installation versus pole installation. He said underground installation would be at the Town's expense. He also explained why using other poles may not be appropriate. Board members expressed reservation about installing an additional pole. There was suggestion of existing poles which might be used. There was no public comment on the matter.

Mr. Herman declared the Hearing closed.

Ms. Reed moved to continue the hearing until January 31, 2024 and ask for information justifying the pole as opposed to running wires underground and to provide details of the fully completed designs for services to the property. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Vote to accept and sign Bond Anticipation Note sale for year-end borrowing. Town Treasurer Mr. Walker spoke about the Orleans Bond Anticipation Note with Jefferies LLC.

Mr. Galligan moved that the votes presented to this meeting be adopted in their entirety and the text of such votes be incorporated into the minutes of this meeting. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Request for temporary closure of the Annual All Alcohol CV License holder, Nauset Mixology dba Barley Neck Inn, 5 Beach Road. Mr. C. Hadfield spoke about closing the Barley Neck Inn for about three weeks to get projects done and allow staff vacations.

Ms. Reed moved to approve the request of Cameron Hadfield, owner/manager of Nauset Mixology Inc. dba Barley Neck Inn, located at 5 Beach Road to temporarily close for business from February 11, 2024 to March 7, 2024, in accordance with the Town of Orleans Rules and Regulations of the Liquor Licensing Authority under M.G.L. Chapter 138. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

#### Town Manager Reports

- a. Rental Registration roll out- Mr. Van Dyke discussed the registration database for the Rental Registration program. It was suggested the Emergency Contact Number appear on the form. Mr. Van Dyke said the roll out could occur next Monday.

The Board agreed to proceed with the roll out of the Rental Registration program.

- b. Fee Schedule for Community Building Use – Ms. Newman spoke about leasing at 44 Main Street. Recreation Director Mr. DeSiervo answered questions about how to rent the space and to whom. There was discussion about how to prioritize town programs and private use fee structure.

Mr. Runyon moved that Town Boards and Committees do not have to pay a fee to use the building (at 44 Main Street) in FY 2024-25. Ms. Reed seconded the motion. All voted Aye.

Motion carried: 5-0-0.

- c. Communications Update - Mark Reil, Assistant Town Manager, spoke about Town communication and the need for a social media presence. He and his team had a brief presentation to share what is being considered and developed. Mr. Reil suggested the first step is to bring a Communication Policy to the Board in about a month.
- d. Staffing Update Ms. Newman spoke about staffing and recruiting.
- e. Budget Updates Ms. Newman said a budget presentation will be made on Jan. 31, 2024. Budgeting for expenditures is 99% done although income is less of a complete picture. She said January is quite early to have budget numbers. Personnel figures will be more accurate later in the year, closer to May.

Committee interviews, appointments, resignations.

- a. Barnstable County Human Rights Advocacy Commission: Ms. Constance Kremer spoke about the founding of the Human Rights Advocacy Commission and her interest in being involved. Mr. Galligan stated he so no conflict between Ms. Kremer's role on the Finance Committee and her participation in the Barnstable Human Rights Advocacy Commission.

Ms. Reed moved to appoint Ms. Kremer to the Human Rights Advocacy Commission for a one-year term ending 1/31/2025. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

- b. Old Kings Highway Committee Mr. Miao spoke about his residency and service to the Town of Orleans and why he is interested in the Old Kings Highway Committee.

Ms. Reed moved to appoint Mr. Andrew Miao as an alternate member to the Old Kings Highway Committee with a term ending 06/30/24. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

- c. Cultural District Committee: The Select Board interviewed Ms. Donna Rowe-Korn for a position with the Cultural District Committee.

Mr. Runyon moved to appoint Ms. Donna Rowe-Korn as a member of the Cultural District Committee with a term ending 6/30/26. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

- d. Energy & Climate Action Committee

Ms. Reed moved to elevate Mr. Andrew O'Neill from associate to member status on the Energy & Climate Action Committee with a term ending 6/30/25. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

e. Recreation Advisory Committee

Mr. Galligan moved to accept the resignation of Ms. Joan Francolini from the Recreation Advisory Committee with gratitude. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Vote to call Annual Town Meeting for Monday, May 13, and Annual Town Election for Tuesday May 21, 2024.

Ms. Reed moved to call the Annual Town Meeting for Monday, May 13, 2024 and the Annual Town Election for Tuesday, May 21, 2024. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Vote to forward potential zoning amendments to the Planning Board for review and Public Hearing. Mr. Runyon spoke in favor of zoning to support full-time residency.

Ms. Reed moved to forward the potential zoning amendments to the Planning Board for review and Public Hearing of February 15, 2024. Mr. Mathison seconded the motion. Mr. Runyon abstained. Mr. Mathison, Mr. Galligan, Ms. Reed, and Mr. Herman voted Aye. Motion carried: 4-0-1.

Vote to approve Use of Road Layout Permit for 23<sup>rd</sup> Annual Police Block Party/Antique Car Show on Wednesday, August 21, 2024.

Ms. Reed voted to approve the request from OPD for Use of Road Layout permit for the 23rd Annual Block Party to be held on August 21st on Main Street. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Approval of Select Board Minutes: October 18, 2023, November 1, 2023, and November 15, 2023.

Ms. Reed moved to approve the minutes of October 18, November 1, and November 15, 2023 as presented. Mr. Galligan seconded the motion. All voted Aye. Motion carried: 5-0-0.

Liaison Reports and Member Updates.

a. CCIWPF 2023 Annual Report – Mr. Galligan spoke about the report and how all the communities on the Cape are advancing projects toward water protection and finding ways to fund them.

The Board of Water & Sewers Commissioners met, and connections are beginning to pick up for the new sewer. No approvals of delays will be granted until the deadline for connection is imminent.

There was an Open Space GIS workshop today.

The Conservation Commission met and discussed how to protect wildlife corridors with builders.

The Long Range Capital Planning Committee voted to approve an interim Capital Improvement Plan.

The Finance Committee is scheduling meetings with various committees and departments.

The School Committee met and discussed the costs and impacts of remediating and updating schools.

The Shellfish & Waterways Committee met. The project at Mill Pond is not yet finished. Weather conditions have delayed it until spring. Fuel tanks at Rock Harbor are on schedule.

The Planning Board discussed zoning bylaws.

The Affordable Housing Trust met and are considering next steps to follow up for the new Housing Study. Pennrose has broken ground after a December 26 closing. HAC is moving toward closing for 107 Main Street. The Affordable Housing Trust Board agreed to investigate the possibility of housing at 44 Main Street.

Items for Future Agendas.

Memo for consideration of a Crystal Lake alum treatment.

Final Public Comment

No one presented for Public Comment.

Adjourn.

7.21pm **Mr. Runyon moved to adjourn at approximately 7.21pm. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.**

*Respectfully submitted,  
Jennifer Fountain*

Attachment – text of Bond approval vote

VOTE OF THE SELECT BOARD I, the Clerk of the Select Board of the Town of Orleans, Massachusetts, certify that at a meeting of the board held January 3, 2024, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody: VOTED: (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$32,906,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and votes of the Town passed May 9, 2022 (Article 19), which authorized a total borrowing of \$32,906,000, for the construction of sewers and other water pollution control facilities identified in such votes (the "Project"); (2) that the terms of the Financing Agreement (or Agreements) (the "Financing Agreement (or Agreement)") and the Project Regulatory Agreement (or Agreements) each relating to the Notes and the Bonds are hereby approved; (3) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$32,906,000; (4) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement (or Agreement); (5) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreement) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes; (6) that any certificates or documents relating to each Bond and Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures (7) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and (8) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement (or Agreement) and the Project Regulatory Agreement (or Agreements) relating to the Project. I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L.c.30A, §§18-25, , as amended. I further certify that the vote has not been amended, supplemented, or revoked and remains in effect on this date. Dated: January 3, 2024

\_\_\_\_\_ (Acting) Clerk of the Select Board