

ORLEANS SELECT BOARD
April 20 2022
Draft

Principal
ORLEANS TOWN CLERK
Jennifer Higgins
2022 APR 27 8:25AM

This meeting was convened via remote participation under the Governor's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth from the COVID-19 virus with real-time public access provided by Channel 18 on the Town website and cable television.

Present from the Town of Orleans were Select Board Chair Mefford Runyon, Vice Chair Andrea Reed, Kevin Galligan, Michael Herman and Town Administrator John Kelly, Mark Mathison joined late.

Chair Mefford Runyon called the meeting to order at 5:30 p.m.

Meet in executive session to discuss strategy with respect to litigation: BWell Holdings, Inc v. Town of Orleans

Chair Mefford Runyon called the executive session to order at 5:35 p.m.

On a motion by Andrea Reed and seconded by Michael Herman, the Board voted to enter into Executive Session to conduct discuss strategy with respect to litigation: BWell Holdings, Inc v. Town of Orleans and to reconvene in open session and that the chair declare that an open meeting may have a detrimental effect to the cause and to reconvene in open session. The vote was 5-0-0, with Mefford Runyon, Andrea Reed, Michael Herman, Mark Mathison and Kevin Galligan all voting aye by roll call. Chair Mefford Runyon declared that an open meeting may have a detrimental effect on the negotiating position of the body.

Public Comment

There was no public comment.

Mr. Runyon closed the public comment.

Meet with Town Counsel for update on easements needed for Meetinghouse Pond Sewer Area

Mr. Ford gave the recommendation to proceed as they had with the Downtown area and not attempt to receive individual assigned easements due to the complicated nature of that process. He proposed to put all of the properties into one document which would be an Order of Taking. He noted that the town would need to certify, through Mr. Ford, that the town had acquired all necessary real estate rights to undertake the project.

Mr. Mathison asked Mr. Kelly if there had been a lawsuit filed in the Downtown project. Mr. Kelly said there was no lawsuit but there had been an issue with one property owner. He stated that he felt that it would be important to communicate the process with the town after the project had passed at Town Meeting. Mr. Kelly stated that the town would host a public forum and invite the affected residents. Mr. Mathison clarified that the effected roads would not become public ways and Mr. Ford stated no. It was discussed that some of the roads already had water lines and Mr. Ford stated that this could be an opportunity to have multiple utilities to be combined into one easement.

Ms. Reed asked if the Property Owners Guidebook and FAQs could be updated were this order of taking to be adopted and Mr. Ford stated that it would be prudent to add the verbiage. She also asked if the town was taking advantage of adding pipes with nothing in them for possible future projects and Mr. Kelly stated no. Mr. Ford spoke to some water services that would be brought to Town Meeting for possible improvement. There was a lot of discussion around the order of taking and Mr. Ford stated that it was for a utility easement only. Mr. Runyon spoke to the communication that he hoped to see take place with the citizens. The board asked how it had happened when public water mains were installed in the past and Mr. Ford stated that, in most cases, it had been done by an order of taking.

Meet with New Fire/Rescue Feasibility Study Committee for monthly update

Tom Finan (Chair) spoke to the history of the various committees related to this project as well as the most recent proposition to the Orleans Elementary School Committee to use one acre of their land to build a new Fire/Rescue station (which was favorably received). He also spoke to three properties that the town already owned for possible temporary locations, none of which seemed feasible. He next spoke to the visits his committee had taken to various fire stations and the key features that they had taken away from those visits. He next noted that they had received no responses to the property procurement RFP. He stated that the contract with Kaestle Boos (architecture firm used for the Police Station) was being finalized and that their sole focus would be on the property currently owned by OES and that if that property proved not to be feasible, there was not a plan B.

Ms. Reed questioned whether Mr. Finan thought OES would remain a partner on the project and he stated that they were eager partners and understood the process going forward. She also asked whether the new building would have a high-performance value with an eye towards being green and Mr. Finan noted that Kaestle Boos was aware that Orleans was a green town. Mr. Finan also looked ahead to the next steps and what would need to be approved at Town Meeting.

Mr. Runyon questioned if the School Committee would be included on decisions other than where the new fire station would be located. Mr. Finan stated that Gail Briere had been attending all of his committees' meetings along with Sassy Richardson and they had been very involved. It was noted that the goal for having the report finalized was the beginning of August and that around fall Town Meeting is when the current committee would look to transition into a building committee. There was discussion around when the new building would actually be completed.

Vote to approve revised landscaping master plan for Village Green related to sewer pump station #2

Mr. Galligan spoke to the master plan and some of its details. He noted that the Library Board of Trustees had voted unanimously in support of the plan.

Mark Mathison moved to vote to approve the revised landscape plan for swere pump station #3 located at the Village Greed as presented, 2nd by Michael Herman. The vote was 5-0-0, with Mefford Runyon, Andrea Reed, Michael Herman, Mark Mathison and Kevin Galligan all voting aye.

Mr. Galligan added that the project would be done in two phase and would not be complete prior to Memorial Day. Carol Alpert (South Orleans Rd.) approached the podium to express her thoughts on that issue. Ms. Reed suggested that signage be placed with a timeline of what was to come.

Discussion and vote on Seasonal Outdoor Entertainment License for Oliver Inc. dba Trove and Checkpoint East

Clark Duty (Manager) spoke to his plans for entertainment. Ms. Reed questioned where cars would park when the entertainment was going in in the lots and Mr. Duty stated that the tire store next door had offered their lot when they weren't open. Mr. Runyon questioned how movies would be shown due to how late it stayed light out and Mr. Duty explained how it would work.

Kevin Galligan moved to vote to approve the request of Clark Duty, of Oliver Inc. dba Trove and Checkpoint East located at 129 Rt. 6A Orleans, for a Seasonal Weekday Outdoor Entertainment License Monday-Thursday from May 9, 2022 until November 30, 2022 to hold events between the hours of 11:30 and 8:30PM, with the majority of events being between 4PM and 8PM. Events not to exceed 4 hours/day, 4 days/week for amplified recorded live music performances of bands, dancing by patrons, entertainers, theater and movie shows subject to all local and state rules and regulations, bylaws, permits and approvals. Said license to expire on December 31, 2022 unless sooner revoked by the Select Board, 2nd by Andrea Reed. The vote was 5-0-0, with Mefford Runyon, Andrea Reed, Michael Herman, Mark Mathison and Kevin Galligan all voting aye.

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

Andrea Reed moved to vote to sign and post the Annual and Special Town Meeting Warrants and Election Warrant, 2nd by Mark Mathison. The vote was 5-0-0, with Mefford Runyon, Andrea Reed, Michael Herman, Mark Mathison and Kevin Galligan all voting aye.

Town Administrator's Report

a. Vote to support proclamation declaring first week in May as Children's Mental Health Week
Michael Herman moved to vote to support the proclamation declaring the first week in May as Children's Mental Health Week, 2nd by Andrea Reed. The vote was 5-0-0, with Mefford Runyon, Andrea Reed, Michael Herman, Mark Mathison and Kevin Galligan all voting aye.

b. Vote to update Agricultural Committee Charge to add two associate members
Andrea Reed moved to vote to update the Agricultural Committee Charge to add two associate members, 2nd by Michael Herman. The vote was 5-0-0, with Mefford Runyon, Andrea Reed, Michael Herman, Mark Mathison and Kevin Galligan all voting aye.

Liaison Reports

Michael Herman reported on the 4th of July Committee and the Orleans Chamber of Commerce

Mr. Galligan reported on the Board of Water and Sewers and noted that due to well levels, water restrictions had been put into place until September 30th.

Mr. Mathison reported on the Regional School Committee.

Ms. Reed reported on the Affordable Housing Trust, Affordable Housing Committee,

Items for future agendas

Ms. Reed stated that the Select Board needed to work on a new approach to outreach and Mr. Herman agreed. The board agreed that they needed to broaden their scope on how they reached out to residents.

There was a discussion about the following week's meeting start time and agenda.

Adjourn

Andrea Reed moved to adjourn, 2nd by Kevin Galligan. The vote was 5-0-0, with Andrea Reed, Michael Herman, Mefford Runyon, Kevin Galligan and Mark Mathison all voting aye.

Respectfully Submitted,
Ashley Stucenski

Mark Mathison, Clerk

Documents in April 20, 2022 packet: