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MINUTES
SELECT BOARD MEETING
Wednesday, December 13, 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 4:00 p.m. on December 13, 2023.

In attendance in the Nauset Room were Chair Herman, Ms. Reed, Mr. Mathison, Mr. Runyon, and Mr. Galligan. Town Manager Newman and Assistant Town Manager Reil were in attendance.

The Chair called the meeting to order at 4:00 p.m.

Public Comment

Ms. Lindahl, Executive Director of the Chamber of Commerce, spoke about the Holiday Stroll on Friday, December 15. She also mentioned that businesses in East Orleans were meeting with Mr. Galligan regarding the sewer project.

Mr. Galligan announced that the sewer detour and fencing blocking Main Street in East Orleans would be delayed until January.

Introduction of new Assistant Town Manager Mark Riel

The Town Manager introduced Mr. Riel and briefly reviewed his background in climate resiliency and his familiarity with the Cape.

Cape Cod Commission update with Orleans Representative Doug Fromm

Mr. Fromm reviewed the work of the Commission. He reported on the Cape Cod Water Initiative and the testing completed in the past year which will help shape policy and guidance to protect more than six hundred freshwater ponds and lakes. He updated about the Regional Housing Strategy which will be presented in draft form tomorrow. He spoke about the replacement of the canal bridges. He also shared news about upcoming grants and development funds which includes funds to help with the clean up of the site at 66-76 Route 6A, Orleans.

Mr. Mathison left the meeting.

Request for change of manager to Judy Hamer for the Annual Beer & Wine General On-Premises License holder, Academy of Performing Arts, 120 Main Street

Ms. Reed moved to approve the request for a change of manager from Peter Earle to Judy Hamer for the Annual General On-Premises Wine and Malt Beverages Liquor License held by The Academy of Performing Arts, Inc., located at 120 Main St, Orleans. The approval is subject to all local and state rules, regulations, permits, licenses, laws, and bylaws and in accordance with the Town of Orleans Rules & Regulations of the Liquor Licensing Authority, last amended June 10, 2015, and Massachusetts General Law Chapter 138 and

will become final after approval from the Massachusetts Alcoholic Beverage Control Commission. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 4-0-0.

Mr. Mathison returned to the meeting.

Request for temporary closure of the Annual All Alcohol License holder, The Coastal Restaurant LLC, dba The Yardarm Restaurant, 48 South Orleans Rd

Ms. Reed moved to approve the request of Timothy Klink, owner of The Coastal Restaurant Group LLC, dba The Yardarm Restaurant, 48 South Orleans Rd. to temporarily close for business from January 2, 2024, through January 21, 2024, in accordance with the Town of Orleans Rules and Regulations of the Liquor Licensing Authority under M.G.L. Chapter 138. Mr. Mathison seconded the motion. All voted Aye. Motion carried: 5-0-0.

Request of Judy Lindahl, Executive Director of Orleans Chamber of Commerce, Inc for 14 One Day Beer and/or Wine License on December 15, 2023, at various locations

Mr. Galligan moved to approve the applications of the listed businesses to offer a Holiday Cheer with beer and/or wine as specified and sponsored by Judy Lindahl, Executive Director of Orleans Chamber of Commerce for the Orleans Holiday Stroll on December 15, 2023, from 4:00 p.m. to 8:00 p.m. The licenses are issued in accordance with the Massachusetts General Law Chapter 138 Sec. 14. and are subject to all local, state, and federal laws, bylaws, permits, and approvals. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Annual Business License Renewals – Common Victualler, Weekday Entertainment, Sunday Entertainment, Automated Amusement, Lodging House, Auto Class I, Auto Class II, Hawkers, and Peddlers

Mr. Galligan moved to approve the renewal of the Common Victualler Licenses for 2024 for the businesses listed in the memo from Mihaela Miteva dated December 13, 2024, subject to compliance with the Workers' Compensation Act and all applicable federal, state, and local rules, regulations, laws, and bylaws. All licenses to expire on December 31, 2024. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to renew the Weekday Entertainment Licenses, Sunday Entertainment Licenses and Mechanical Device Licenses for 2024 for the businesses listed, subject to compliance with the Workers' Compensation Act and all applicable federal, state, and local rules, regulations, laws, and bylaws. Said licenses to expire on December 31, 2024. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to renew the Lodging House Licenses for the above-listed businesses for 2024, subject to compliance with all applicable federal, state, and local rules, regulations, laws, and bylaws. All licenses to expire on December 31, 2024. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to approve the renewal of the Auto Class I and Class II Licenses for the above-listed businesses for 2024, subject to compliance with the Workers' Compensation Act and all applicable federal, state, and local rules, regulations, laws, and bylaws. All licenses expire on January 1, 2025. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to approve the Hawkers and Peddler's Licenses for 2024 for the businesses listed, subject to all applicable federal, state, and local rules, regulations, laws, and bylaws. All licenses expire on December 31, 2024. Motion seconded by Ms. Reed. All voted Aye. Motion carried: 5-0-0.

Annual Liquor Licenses Renewals

- a. General On-Premises Licenses – Academy of Performing Arts; BCQ, LLC dba Three Fools, Bellas CC LLC dba La Bella Vita; Cantina Bandida Corp. dba Las Chidas; Dragon City Restaurant Inc. dba Double Dragon, Hang Ten, Inc. dba Homeport Restaurant; Land Ho Inc. dba Land Ho!; Lonquist West, Inc. dba Abroad; Nauset gastronomy Inc. dba The Rail; Nauset Mixology Inc. dba The Barley Neck Inn; Orleans Bowling Center Inc. dba The Allery; True Blue Atlantic dba Mahoney's Atlantic Bar & Grill; Polyester Slacks, Inc. dba Sunbird Kitchen; Rock Harbor Grill, Inc. dba Rock Harbor Grill; The Coastal Restaurant Group LLC dba The Yardarm Restaurant; West Road Corp. dba The Beacon Room; Nauset Pizza, Inc. dba Whisk Breakfast & Luch Café; Orleans Yacht Club, Inc dba Orleans Yacht Club, The Whole Clam, LLC dba The Knack; Bangkok Cuisines Inc. dba Bangkok Thai Cuisine; CIBO LLC dba CIBO Italian Kitchen & Market.
- b. Retail Package Store Licenses – 2D's Transport, Inc. dba Fuller's Package Store; Dynamic Hound LLC dba Nauset arms; Nauset Fisih Market, Inc. dba Nauset Rish and Lobster Pool; Old Colony Holding Company, Inc. dba Windmill Liquors and Fine Wines; Orleans Main Street Wine & Gourmet LLC dba Main Street Wine & Gourmet; Patriot Spirits, Inc dba Liquor N More; Sahvya Foods, Inc. dba Friend's Marketplace; Speedway of Massachusetts LLC dba Speedway #2441.

Ms. Reed moved to renew the General On-Premises All Alcoholic and Wine and Malt Beverages Common Victualler Liquor Licenses, All Alcoholic Beverage Innholder, All Alcoholic Beverage Club, General On-Premises Wine & Malt Liquor Licenses, All Alcoholic Beverages Retail Package Store and Wine and Malt Beverages Retail Package Store licenses for 2024 for the businesses listed, subject to all local, federal and state inspections, permits, rules, regulations and all applicable federal, state and local laws and bylaws and in accordance with M.G.L. Chapter 138. Said licenses to expire on December 31, 2024. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Update of potential bylaw changes for Annual Town Meeting in May

There was some discussion about possible bylaw changes and updates to permitting processes especially as how they relate to year-round housing. Board members discussed ways to support and incentivize year-round housing development and the different bodies that should be involved in discussions and providing input to the Planning Board. The consensus of the Board was that they would like the Planning Board to look at modernizing the code and streamlining the permitting process especially with a view to supporting year-round housing. The Town Manager observed that Town staff generally recommend changes to the Planning Board and other boards and committees should rely on the skills and direction of staff rather than top down from the boards.

Public Hearing: Transfer of Annual All Alcoholic Beverages Retail Package Store Liquor License at 180 Route 6a, Orleans from 2 D's Transport Inc, dba Fuller's Package Store, Frederick Dunn, Manager to Route 6A LLC, Manishaben Patel, Manager

The Chair read the official Hearing notice.

Mr. Runyon moved to close the Public Hearing. Ms. Reed seconded the motion. All voted Aye. Motion carried: 5-0-0.

Mr. Galligan moved to approve the request to transfer the Annual All Alcohol Retail Package Store license from 2D's Transport, Inc., 180 Route 6A Frederick Dunn, Manager to Route 6A LLC dba Fuller's Package Store, 180 Route 6A, Manishaben Patel, Manager. The approval is subject to all local and state permits, regulations, laws, and bylaws and in accordance with the Town of Orleans Rules & Regulations of the Liquor Licensing Authority adopted December 21, 1994, last amended on June 10, 2015, and Massachusetts General Law Chapter 138. The change will be final after approval from the Massachusetts Alcoholic Beverage Control Commission. This includes a pledge of license. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Public Hearing: Old Colony Holding Company, Inc. dba Windmill Liquors and Fine Wines request for change of ownership interest and transfer of stock for the Annual All Alcohol Liquor License, 28 Route 6A, Megan Solazzo, Manager

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

Ms. Reed moved to close the public hearing. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Ms. Reed moved to vote to approve the request for a change of ownership interest, transfer of stocks and name record correction of the manager for the Annual All Alcoholic Beverages Package Store license held by Old Colony Holding Company, Inc. dba Windmill Liquors and Fine Wines, located at 28 Route 6A, Megan Solazzo, Manager. The approval is subject to all local and state permits, regulations, laws, and bylaws and in accordance with the Town of Orleans Rules & Regulations of the Liquor Licensing Authority adopted December 21, 1994, last amended on June 10, 2015, and Massachusetts General Law Chapter 138. The change will be final after approval from the Massachusetts Alcoholic Beverage Control Commission. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Presentation of the Cape Cod Chamber of Commerce Tourism Destination Marketing District (TDMD)

The CEO of the Cape Cod Chamber of Commerce spoke about TDMDs and reviewed a presentation (included in the Select Board packet for the meeting). He spoke about how Tourism Interest Districts (TIDs) can benefit communities. Boston-Cambridge, Providence, and Newport are each Tourism Destination Marketing Districts and benefiting from funds to improve profile and shoulder season tourism. Funds raised through the program can support marketing or local business shopping incentives among other ideas. It was noted that the program will engage with the local Chamber of Commerce on the Cape. The Select Boards of all 15 Cape towns need to vote to authorize a resolution to consent to the formation of a TDMD. Ms. Lindahl, Executive Director of the Orleans Chamber of Commerce, confirmed that local hotel/motels were supportive of the TDMD. Board members asked for specifics of how the program works and confirmed some of the limitations.

Mr. Galligan moved to support the resolution presented that the Town of Orleans grant the Town of Barnstable permission to form a Tourism Destination Marketing District as outlined at the Select Board meeting. Mr. Runyon seconded the motion. All voted Aye. Motion carried: 5-0-0.

Presentation of conceptual plan for CG36500 boathouse by SV Designs

Mr. Stradal from CHO spoke about the plans for a building for the historic coastguard vessel and the desire to secure a site for the proposed structure. Mr. Siemasko from SV Design, Inc. explained the proposed design for the boat building and the additional land needed for the structure. The Board discussed the relationship of the building's design to traffic on Main Street heading to/from Nauset. The limitation of the Community Preservation Act was discussed and the need to identify the parts of the boathouse project that comply with the Act. The Town Manager noted the need for the Town to have a primary and alternate site for the library to be eligible for a grant for the construction of a new library. She said the Town might want to hesitate to commit available space before the alternate site for the library is chosen. The Board decided to wait for some further answers before deciding on leasing additional area to CHO for the project and recommending the project at the May 2024 Town Meeting.

Recap of 2023 Outermost Music Festival

Mr. M. McNamara of Friends of Nauset Beach presented a wrap up of the 2023 Outermost Music Festival. He said local businesses received about \$45,000 from the event. Even with the rainy weather, the Friends of Nauset Beach raised \$5000 for the beach through the Department of Natural Resources at the Town of Orleans. The Town Manager encouraged organizers to work with the Town to handle the logistics for the 2024 concert. The Board agreed generally to support a repeat event on Columbus Day 2024 with a crowd not to exceed five thousand but depending on artist availability and planning.

2040 Town needs discussion

There was a discussion about the many needs and wants in the community and how to align all the elements and priorities. The intent is to have some firm ideas for the May Town Meeting.

44 Main Street Design Options

The Select Board is interested in looking at whether housing can be incorporated into 44 Main Street as a Town-owned building.

Mr. Galligan moved to formally request the Affordable Housing Trust Board and the Affordable Housing Committee consider whether affordable housing units could be accommodated in the 44 Main Street building and to report back to the Select Board. Motion seconded by Mr. Runyon. All voted Aye. Motion carried: 5-0-0.

Town Manager Updates

Ms. Newman briefly spoke on the following points.

- a. Regionalization & Efficiency Grants program – Orleans is aligned with other Towns on this matter which only relates to Orleans Elementary School.

- b. Finance Department Update – Ms. Newman reported changes to the position structure in Finance but noted that more time for training is needed. Some systems and processes need improvement or “evolvement.” One position needs to be filled.
- c. Recreation Department Update – Vacancies have been posted and the new director has been reviewing the budget.
- d. DPW Update – There was a great selection of candidates for the vacancy in DPW. The Town Manager is still working on offers.

Liaison Reports and Member Updates

The Finance Committee is enthused about some new ideas.

Mr. Herman said that HAC received a grant from the County Commissioner for \$571,000 for 107 Main Street.

The Police Department won a Human Rights Award.

The Safer Community Task Force report will not be finished by December. The Board agreed to receive a request to extend the deadline.

Mr. Galligan moved to adjourn at 7.55pm. Ms. Reed seconded the motion. All voted Aye. Meeting adjourned.

The meeting adjourned at 7:55 p.m.

*Respectfully submitted,
Jennifer Fountain*



Andrea Reed, Clerk

Documents in December 11, 2023 packet:

- a. Agenda
- b.