

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, OCTOBER 22, 2018
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Howell, Kavanagh, MacAskill, McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Evan Melillo, Chief Clarke, Chief Guillemette, Lee Culver, Lincoln Hooper, Supt. Carpenter, Katie Iernio, Carolyn Carey, Erica Strezpek, Brian Fede, Clem Smith, Cyndi Williams, Angelo LaMantia, Art Bodin, Richard Waystack, Bruce Nightingale, Sharon Pfleger, Jack Brown, Mark Ameres, Dana DeCosta, Michael Lach, David Young, and others.

WEEKLY BRIEFING

A. Officer John Sullivan – Graduation from the FBI Academy

Officer John Sullivan described his classes and experience attending the FBI Academy. The Board congratulated Officer Sullivan on this outstanding achievement.

PUBLIC COMMENTS/ANNOUNCEMENTS

A. Wastewater Support Committee Update – Sharon Pfleger

Ms. Pfleger reported that they are meeting the first Tuesday of the month at 8:30 a.m. at Town Hall as well as the fourth Thursday of the month at 6:30 p.m. She noted that the Homeowner Sewer Connection Guide Book is on the website. She reported that the committee will be meeting at the Dennis/Harwich/Yarmouth Clean Waters meeting on October 25 and the Harwich Conservation Trust will be providing the committee with a walking tour of the Cold Brook project on October 30 and they will be gathering at the old Harbormaster's Building. She noted that on November 13, Mr. Proft will be providing an update on our monitoring program which is part of the CWMP. She added that there will be no meeting on November 22.

CONSENT AGENDA

- A. Approve Minutes – October 1, 2018 Regular Session
- B. Accept gift to be deposited in the Council on Aging Gift Fund

Mr. McManus moved approval of the Consent Agenda. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)*

A. Annual Meetings:

- 1. Community Center Facilities Committee

Mr. Culver, Chair, provided the annual report of the Community Center Facilities Committee. Ms. Carey provided a slide presentation on the Cultural Center facility.

2. Golf Committee

Mr. Smith, Chair, provided the annual report of the Golf Committee.

3. Recreation & Youth Commission

Mr. Mahan, Chair, provided the annual report of the Recreation & Youth Commission.

4. Housing Committee

Mr. Bodin, Chair, provided the annual report of the Housing Committee.

B. Joint Meeting with Monomoy Regional School District, Finance Committee and Capital Outlay Committee:

1. State of the Town/BOS Budget Message
2. MRSD Budget/Enrollments
3. Harwich Elementary School Lease
4. Finance Committee Priorities
5. Capital Budget Requests
6. Outlook for 2020

Supt. Carpenter and Ms. Isernio provided enrollment information to the Boards and discussed demographic changes at the schools. They took questions from the Board regarding enrollment, various programs and services, and school choice. Ms. Isernio made the following statement: we were contacted by their insurance company when the lease agreement was set up between the two towns and the region, it indicated that the region would be getting the insurance, and then billing the Town for the insurance for the Town owned buildings but in practicality the Town of Harwich insures Harwich Elementary School and the Town of Chatham insures Chatham Elementary School as well as the Middle School and then the District insures the High School so the insurance company has requested that the language in our lease reflects the practice that's always been in place since Monomoy came into existence so what happens is every year Carol will generate an invoice on what the Town's cost is to insurance Harwich Elementary School and then invoices us and the Town of Chatham does the same thing so what we have presented is a draft amendment to the lease which the School Committee approved at their meeting last week, however in the meantime, the counsel in Chatham tweaked it a little bit, not anything of substance, but just kind of did some tweaking of what the School Committee voted on so at this School Committee meeting we will be voting on an amended amendment so I think we should table any actions with this Board tonight and then when we have the revised vote we'll come back.

Mr. Brown of the Finance Committee asked to defer Item 4 as Mr. DeCosta was not present and the Board agreed.

With regard to Item 5, Capital Budget Requests, Ms. Isernio said she just has a couple of smaller items that may be needed at Harwich Elementary School. She said they do have a 5-Year Plan that they modify along the way. She said looking at FY20, they don't envision any major capital improvements, there is a rooftop unit at the Harwich Elementary School that is going to need to be replaced which has a price tag of about \$18,000 and it's really just some HVAC things over at the Harwich Elementary that they will be looking at. She said there is a want to replace the carpet in the Activity Room. She discussed they have a district plumber and electrician and have been doing a lot of maintenance on the boilers and rooftop units and we have a contract with a roofer as well to deal with leaks. She said any major roof projects will more likely be in 2023 and 2024.

Mr. Clark reviewed the detail of the Capital Requests for 2020 and noted that they are just shy of \$12 million. He discussed possible use of Albrow House for affordable housing. He said we are continuing to proceed forward with the pet cemetery ground. He said there is division on the Board and when there is division he needs to have majority to tell him which direction to head in.

Ms. Isernio said the playgrounds at both Harwich and Chatham Elementary Schools are on the horizon and are under review right now.

Mr. Howell said he would like another chart that shows the retiring debt from 2019 out and if we were to approve these other debt prospects what that would look like on a bar graph.

The Finance Committee adjourned to the Library at 8:14 p.m.

CONTRACTS

- A. Approval of Agreement with CDM Smith Inc. for Cold Brook Nitrogen Attenuation Project in the amount of \$119,800 – *Authorize the Town Administrator to sign*

Mr. MacAskill questioned why we are voting a \$120,000 contract to be signed by the Town Administrator. Mr. Clark said it's voted by the Board to delegate him sign it. Mr. Lach and Mr. Young took questions from the Board on the agreement and the cost for technical team participation, as well as changes in the project since Town Meeting vote which Mr. Young said it had not changed and the details were always to be worked out. Also discussed were sources of funding, costs for consulting and engineering, technical questions regarding the attenuation services and monitoring toward the goals. Mr. Howell suggested taking a fresh look at using somebody else as we always go in the same direction with CDM Smith and that isn't fair to the taxpayers. He commented that there isn't much commonality between this and the two other large scale projects of DHY and Chatham. Mr. Clark responded that if you establish a relationship with a trusted consultant to bring you through a process, you shouldn't break in mid-stream and a new firm will want to do things their own way. He said we engaged CDM Smith to do the work, to do a feasibility study, and to have them help us to make sure we are going to get the desired results that came out of that study which is a goal of 50%. He said that our consultant says that if we follow this methodology, we should get to the desired result. He noted that we have a 40 year plan with 8 phases and he recommends we go through Phase 2, the East Harwich sewerage, and then at the end of the phases we should see if the Town is on the right track and happy with the services. He said if CDM Smith helped us get the CWMP, it makes sense that we stay with them through at least Phase 2. Mr. Howell said it's not part of the original phase, it's not in East Harwich and it's substantially different than it was last year. Chairman Kavanagh said it is part of the process in which we need to reduce the number of houses we need to sewer and it is all tied together. She said if we jump around from engineer to engineer we are making the process longer and possibly costing the Town money and she noted that no one is committing to CDM Smith for 40 years. Mr. Ballantine said he's not looking to change now and just wants better definition. Mr. MacAskill agreed with Mr. Howell's remarks. Mr. Lach provided a history of the project. Mr. McManus moved approval of Agreement with CDM Smith Inc. for Cold Brook Nitrogen Attenuation Project in the amount of \$119,800 and authorize the Town Administrator to sign. Mr. Ballantine seconded it on the condition that the goals are clearly identified. He restated the condition as follows: contingent that the goals to mitigate nitrogen is the 55% we talked about. Chairman Kavanagh said they would add that into the contract. The motion carried by a 3-2-0 vote with Mr. MacAskill and Mr. Howell in opposition.

- B. Approval of Road Salt Contract for DPW

Mr. Ballantine moved to award the FY19 Road Salt Contract in the amount of \$54 per ton to be delivered to the Harwich DPW consistent with the recommendation of the DPW Director. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

- A. Request for approval of the First Amendment to the Lease Agreement between the Towns of Harwich and Chatham and the Monomoy Regional School District

The Board agreed to hold this item as discussed previously.

- B. Approve Chapter 90 Requests per request of the DPW Director – to resurface various roads

Mr. Howell moved that we approve, upon the recommendation of the DPW Director, the Chapter 90 project requests for resurfacing roads in the amount of \$547,349. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

- C. Approval of Bob Miller Golf Lease Agreement – *authorize the Chair to sign*

Mr. Clark pointed out that this is a license agreement, not a lease agreement, for golf lessons taught at the golf course and he recommended that the Board exercise the two year extension option for FY19 with the revenue for the Town being \$5,788 and FY20 with revenue being \$6,077. Mr. Howell moved to approve the license agreement extension with Miller Golf for two years as outlined by the Town Administrator. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- A. Selectmen's Goals and Objectives

Chairman Kavanagh said she received no further input so she would just be submitting them.

SELECTMEN'S REPORT

- A. Stone Horse Property variance – discussion regarding support

Chairman Kavanagh said she would like to be able to write a letter of support for this project. Mr. Bill Reilly representing Ron Rudnick and Trish Kennedy provided an overview of the project that they are proposing with the concept being filling a need for workforce housing at this property currently owned by Outer Cape Health Services. He explained the plan is to construct two buildings each of which would accommodate two people to a room, 90 people in each building. He said there is no provision in the zoning by-law for dormitory use so it requires them to get a special permit use variance from the Zoning Board of Appeals. He asked for the Board of Selectmen's support. Chief Clarke spoke in support of the project. Chairman Kavanagh disclosed that she used to work with Mr. Rudnick who did a lot of these rentals and his staff does a great job. Mr. MacAskill moved to send a letter to the Zoning Board showing our support for a variance for the Stone Horse Property. Mr. Ballantine seconded the motion. Mr. McManus recused himself as he is the Vice-President of the Board of Outer Cape Health Services who the proponents are buying the property. Mr. Ballantine said he is a volunteer there and asked if there is any issue with him voting on this. Mr. Clark said he is not in a decision making capacity and therefore he is within his rights to vote on this. The Board and Mr. Reilly took questions from Mr. Bodin regarding the need for year-round housing. Mr. Rudnick indicated that he would prefer to keep it all dormitories but if the Town wants a couple of units of year-round housing they could try to work it out. The motion carried by a 4-0-0 vote.

TOWN ADMINISTRATOR'S REPORT

- A. Contract between the Town of Harwich and Finch Services for one (1) Bernhard Duel Express Reel Grinder 4000 DX or equivalent in the amount of \$44,346

Mr. Clark announced that we entered into the above contract which is under the \$50,000 level. Mr. Melillo took questions from the Board.

- B. Treasure Chest Stickers

Mr. Clark stated that DPW has Treasure Chest Stickers for purchase on a case by case basis on Saturdays and Sundays.

- C. Departmental Reports

There was no action or discussion on this item.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 9:27 p.m. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary