

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, NOVEMBER 26, 2018
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Kavanagh, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Carolyn Carey, Gerry Beltis, Linda Cebula, Cyndi Williams, and others.

Chairman Kavanagh reported that the Board had just come out of Executive Session where they conducted strategy in preparation for contract negotiations for the Hot Stove Restaurant contract extension at Cranberry Valley Golf Course.

WEEKLY BRIEFING

Ms. Carey announced upcoming events at the Harwich Cultural Center.

PUBLIC COMMENTS/ANNOUNCEMENTS

Ms. Williams of the Chamber of Commerce discussed the upcoming Christmas in Harwich events in Harwich Port.

NEW BUSINESS

- A. Request by Building Commissioner to waive the building permit fee for the Brooks Park restroom project

Mr. MacAskill moved to approve the request by the Building Commissioner to waive the building permit fee for the Brooks Park restroom project. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

- B. Request from Nstar Electric, d/b/a Eversource Energy to grant a License Agreement to place new facilities (**transformer**) at #1464 Orleans/Harwich Road which will allow service to Harwich Fire Station 2 during construction – effective until the permanent easement can be approved at Town Meeting

Mr. MacAskill moved to approve the request from Nstar Electric, d/b/a Eversource Energy to grant a License Agreement to place new facilities, a transformer, at #1464 Orleans/Harwich Road which will allow service to Harwich Fire Station 2 during construction effective until the permanent easement can be approved at Town Meeting. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

- C. Request from Verizon New England and Nstar Electric, d/b/a Eversource Energy to grant a License Agreement to place new facilities (**poles**) at #1464 Orleans/Harwich Road which will allow service to Harwich Fire Station 2 during construction – effective until the permanent easement can be approved at Town Meeting

Mr. MacAskill moved to approve the request from Verizon New England and Nstar Electric, d/b/a Eversource Energy to grant a License Agreement to place new facilities, poles, at #1464 Orleans/Harwich Road which will allow service to Harwich Fire Station 2 during construction effective until the permanent easement can be approved at Town Meeting. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

- D. Request from member Larry Brophy for permission to use remote participation for upcoming meetings of the Affordable Housing Trust – mid December 2018 through March 2019

Mr. MacAskill moved to approve the request from member Larry Brophy for permission to use remote participation for upcoming meetings of the Affordable Housing Trust from mid December 2018 through March 2019. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote

- E. Crosswalk Policy – *first reading*

Mr. Clark and Mr. Beltis, Traffic Committee Chair, provided an overview of the draft policy. Mr. Ballantine asked for a cover process page to help people understand what's needed to get a crosswalk and Mr. Beltis agreed. Mr. Beltis discussed with the Board doing an inventory of crosswalks in Town and determining which ones aren't ADA compliant. There was a brief discussion about an upcoming policy on speed bumps.

OLD BUSINESS

- A. Water/Wastewater Commission language revisions

Mr. Clark stated the following:

We did do an article last year for Town Meeting's consideration and what this is, is in the Charter to amend right now, we have just a Water Commission and there is no provision in the Charter for Wastewater so the Town, through the Board of Selectmen as Sewer Commissioners is doing that through statute, not through the Charter and to try to reflect more accurately how we do with the Charter, have the proposed language. A lot of this is what we had proposed for last year at Town Meeting with a few corrections if you would. First, it really isn't just a name change, it is also to add additional duties and responsibilities thereto so the Water Commission becomes the Water/Wastewater Commission so now you have a whole element of sewer law that needs to be built into it so it is an administration of the sewer Chapter 83 of MGL. The other one was in the Commission itself, it's to go from 3 members to 5 members for elected overlapping terms so it retains the elected element which I believe was something that the Water Commission, because where they are elected, certainly thought was important. A few corrections that we have in here was take out the language that's in the

Charter that the Wastewater Superintendent shall request this officer to cooperate with and be responsive to the request from the Town Administrator's office so we just cleaned up that language a little bit in that. We had to update the dates so it would be May 6 of 2019, would be the vote of Town Meeting and then would take effect in 2020 if the townspeople vote it at the ballot so those just more updates to the change. One of the comments that came out last time is that I think that the original language just kind of tried to mirror a little bit the Charter language about the Administrator having the ability on really procurement to kind of oversee some elements of that. We just struck that wording "following initial approval by the Town Administrator" because the Charter is already clear on what role the Administrator plays relevant to the Water Commission. Those were the changes, with the Board's approval tonight we can certainly send a note down to the Water Commission. If both parties vote it we can get it on the warrant for the May 2019 meeting.

Mr. MacAskill questioned what we do if we can't get 5 people to run for this and questioned whether we should have a provision in there for elected or appointed. Mr. Clark responded that there is a default provision in the Charter already that two elected bodies can get together so if there are 3 and we don't get 2 others, that the Board of Selectmen will have the opportunity to appoint.

Mr. Ballantine moved we amend the Town of Harwich Charter to change the name of Water Commission to Water/Wastewater Commission and to have additional duties and responsibilities as written in the document. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

B. Proposed revisions to Sewer Regulations

Mr. Clark asked to hold this item. He said he asked Attorney Giorgio to review our current sewer regulations and discussed that we need to mirror Chatham regulations in some areas. He noted that Attorney Giorgio has drafted a letter and he will put in the packet for next week.

TOWN ADMINISTRATOR'S REPORT

A. Budget Warrant Timeline update

Mr. Clark reviewed the Budget Warrant Timeline for December. The Board agreed to stick to full day Saturday budget hearings.

B. Disturbing the Peace complaint - Fish and Game Club on Depot Road

Mr. Clark reported that we had a resident who had a concern about noise from the Fish and Game Club on Depot Road. He said he met with them and also went out to the site. He reported that he found the site to be very removed and he thought they were very cognizant of what they're doing with regard to safety. He pointed out that they have been in operation for almost 100 years. Mr. Clark said he recognizes that as people move into the neighborhood, it doesn't preclude that the neighbor was there first and has certain rights and privileges. He said Attorney Giorgio's initial reaction was he didn't believe we had any regulations that he could think of that we would even have the power to regulate even if we wanted to. He added that Attorney Giorgio also made

note of the club being there so long and they had the rights to continue their operations. He said he asked Attorney Giorgio to do another review.

C. Departmental Reports

There was no action on this item.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 7:07 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary

Related Documents - Nov. 26, 2018 BOS Meeting

- 01 Agenda.pdf
- 02 Waive Building Permit Fee.pdf
- 03 Station 2 Lic Agreement - Eversource.pdf
- 04 Station 2 Lic Agreement - Verizon Eversource.pdf
- 05 Request for use of Remote Participation.pdf
- 06 Crosswalk Policy.pdf
- 07 Water-Wastewater Commission revisions.pdf
- 08 TA Rpt - Budget Warrant Timeline.pdf
- 09 TA Rpt - Fish and Game Club.pdf
- 10 TA Rpt - Dept Reports.pdf