

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, SEPTEMBER 9, 2013  
6:00 P.M.**

**APPROVED**

**SELECTMEN PRESENT:** Ballantine, Cebula, Hughes, LaMantia, McManus

**OTHERS PRESENT:** Interim Town Administrator Robert C. Lawton, Jr.

**EXECUTIVE SESSION**

Chairman Angelo LaMantia opened the meeting at 6:00 p.m. It was moved by Mr. McManus and seconded by Mr. Hughes that the Board of Selectmen go into Executive Session under MGL Ch. 30, Sec. 21, Subsections 3 and 6, to discuss strategy with respect to litigation as an open session would have a detrimental effect on the litigating position of the Board of Selectmen regarding Powers and to consider the value of real estate and litigation as the Chairman of the Board of Selectmen declared that an open meeting would have a detrimental effect on the negotiating position of the Selectmen regarding the Downey property and return open session. The motion carried by a unanimous vote. Open meeting suspended at 6:02 p.m.

**SELECTMEN PRESENT AT RE-OPENED OPEN SESSION:** Ballantine, Cebula, Hughes, LaMantia, McManus

**OTHERS PRESENT AT RE-OPENED OPEN SESSION:** Interim Town Administrator Robert C. Lawton, Jr., Chief Clarke, Craig Wiegand, Joe McParland, Richard Waystack, Leedara Zola, Skip Patterson, and others.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Chairman LaMantia called for a moment of silence on the passing of Ray Jefferson, Bob Murray and Alex Tod.

**CONSENT AGENDA**

- A. Approve Minutes
  - 1. August 8, 2013 Regular Meeting
  - 2. August 12, 2013 Regular Meeting
  - 3. August 12, 2013 Executive Session
- B. Vote to remove Jacque Cort from the Treasurer Chest Committee per request of Committee
- C. Vote to approve installation of No Parking signs on the south side of Cove Landing Road per request of the Harbormaster, amend Harwich Traffic Rules & Orders
- D. Vote to sign proclamation declaring September 2013 as National Suicide Prevention Month
- E. Vote to sign proclamation declaring September 2013 as National Preparedness Month

- F. Vote to sign Chapter 90 requests for resurfacing various roads (6) in and around Sugar Hill Drive
- G. Vote to approve request by Harwich Conservation Trust to use Bank Street Harbormaster's building parking lot for event on September 14, 2013
- H. Vote to approve application for One-Day Entertainment License by Harwich Conservation Trust for September 14, 2013
- I. Vote to approve committee appointments
- J. Vote to sign letter authorizing AT&T to file for required permits to commence telecommunication tower and facilities project at 196 Chatham Road
- K. Vote to approve appointment by Town Administrator of Tracey Alves as Office Assistant at Water Department (14 day review per Town Charter)

Mr. Hughes moved to approve the Consent Agenda with the exception of Items I and K. Mr. McManus seconded the motion and the motion carried by a unanimous vote. Ms. Cebula moved to approve Item I, committee appointments (see attached). Mr. Ballantine seconded the motion and the motion carried by a unanimous vote. Mr. Hughes asked for input from Mr. Lawton on Item K. Mr. Lawton responded that per the Charter he is authorized to make certain appointments and there is a 14 day waiting period where the Board can reject an appointment by a vote of four. He questioned if the Board wished to waive the 14 day waiting period and noted that they can't offer the candidate the position for 14 days. Mr. Ballantine moved to waive the 14 day requirement. Mr. McManus seconded the motion and the motion carried by a unanimous vote. Mr. Wiegand stated, with regard to Item J, that the letter indicates that we have a signed lease and that is not the case as we just received the lease on Friday. The Board agreed to hold Item J for a week to allow the Board to read the lease.

#### **PUBLIC HEARINGS/PRESENTATIONS** *(Not earlier than 7:00 P.M.)*

##### **A. Presentation - Middle School Repurpose Committee – *update***

Mr. McParland stated that the Committee meets bi-weekly. He reported that they sent out an RFI and received five responses which included senior housing, the Historical Society and the Harwich Junior Theater. There was a discussion that there needs to be an agreement on how the Middle School and Elementary School property can be divided. Mr. Hughes noted that it is not the Committee's role to negotiate with the School Committee when it comes to dividing the property. Mr. McParland stated that it is the Committee's intention to come to Town Meeting with a proposal and they plan to have a public hearing. He noted that the next step is to look at the RFI's and send out an RFP by November 4.

#### **NEW BUSINESS**

##### **A. Request by Habitat for Humanity for \$100,000 from the Affordable Housing Fund for Oak Street Community Housing Project – *discussion & possible vote***

Chairman LaMantia stated that Mr. Ryan has reported that we currently have \$63,999 in the Affordable Housing Fund and monthly receipts into that fund are roughly \$10,000. Ms. Zola stated that Habitat is asking for \$100,000 to go towards development, infrastructure and construction costs for the Oak Street Community Housing Project at 1092 Oak Street. She

outlined other funding applications they are submitting. Mr. McManus questioned if they would be seeking CPC funds and Ms. Zola responded that they would. Mr. Hughes commented that there is a risk that they may not get all of their funding and he asked Ms. Zola to report back to the Board as to their cash flow need during the next few months. Mr. McManus moved to authorize an award of \$100,000 not to be drawn before January 15, 2014. Mr. Ballantine asked Mr. McManus to amend his motion to include "subject to availability" and Mr. McManus amended his motion as such. Mr. Ballantine seconded the motion. The Board agreed that the money would be encumbered so it wouldn't get spent. The motion carried by a 4-0-1 vote with Ms. Cebula abstaining from the vote.

## **TOWN ADMINISTRATOR'S REPORT**

Mr. Lawton reviewed the attached memo to the Board dated September 9, 2013. He further reported that there were only five candidates for the Facilities Maintenance Manager position, none of which met the advertised requirements. Mr. Hughes suggested revising the job description to eliminate the Associates Degree as a requirement but instead state that Associates Degree is preferable but a combination of experience in building management and maintenance planning would be acceptable and the Board agreed.

## **ADJOURNMENT**

Ms. Cebula moved to adjourn at 8:38 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary

OFFICE OF THE SELECTMEN

PHONE (508) 430-7513  
FAX (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



To Board of Selectmen

From Larry Ballantine, Linda Cebula  
Selectmen's Interview/Nomination Committee

Re Nominations

Date August 28, 2013

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We recommend to the Board of Selectmen the following appointments:

<u>Name</u>	<u>Appointment</u>	<u>Expiration of Term</u>
Peggy Rose	Brooks Academy Museum Commission	June 30, 2016
Martha Duffy	Golf Committee	June 30, 2016
Larry Brophy	Planning Board as Alternate	June 30, 2015 (unexpired term)
Deborah Devany	Treasure Chest Committee	June 30, 2015 (unexpired term)

## OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Robert C. Lawton, Jr. *Interim Town Administrator*

732 MAIN STREET, HARWICH, MA 02645



# MEMO

TO: Board of Selectmen

FROM: Robert C. Lawton, Jr., Interim Town Administrator

DATE: September 9, 2013

SUBJECT: Updates

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Over the past several weeks we have been working on a variety of items for the Town and the Board of Selectmen.

1. It is been confirmed that the final dredging in Allen Harbor will be started in mid-November and will be finished before the end of November. We should be able to have our betterments for the total project sent out during the month of December 2013.
2. I have been working with the Cemetery Commission to resolve potential encroachment on Town cemeteries and to clarify prior approval given to certain outside groups to use Cemetery property.
3. Harbormaster John Rendon and I are working on the parking situation at Saquatucket Harbor. I have completed research on how the Town acquired the harbor property and will be making recommendations to the Board of Selectmen on possible solutions to the parking issues.
4. I am working with a subcommittee of the Brooks Library Trustees, the Harwich Historic Commission, and Lincoln Hooper, DPW director, to finalize the installation of handicapped access to the library on Route 39 at Oak Street.
5. I have been spending significant time on Route 124 issues. I have been receiving a number of emails regarding opposition to the reconstruction. Mr. Hooper and I will be meeting to discuss responses and inclusion of abutters in the process of developing final plans for the road improvements.
6. We have finalized the meeting date with the Monomoy School Committee, Finance Committee and Selectmen for September 16. The purpose of the meeting is to start the budgeting process for FY 15.

7. We have started the Capital Outlay review with the first meeting of the Capital Outlay Committee on September 4. Meetings are being set up by the chairman of the Committee with departments and I will be attending and participating in those meetings and Capital Outlay budget preparation.
8. At the request of a member of the Board I have been working with the Town IT director to provide email accounts for each member of the Board of Selectmen and, at a later date, an email address for the chair of each Town committee.
9. I have met with the Harwich Golf Committee chair and one other member to discuss goals and planning for the golf course and start discussions concerning implementation of the Charter provisions relating to the authority of the committee and the Town Administrator.
10. The Harbormaster, Town Engineer, and I have met to discuss a possible change in funding from the State Public Access Board for the Allen Harbor parking lot improvements. We have been discussing the positive and negative affects of the Town continuing to allow Allen Harbor Marine to store boats on the property during the winter months. The state is indicating that they might allow of some boats to continue to be stored however, the Town might have to accept lower reimbursement for the work to be done. We are currently analyzing the cost-benefit of such action and we will be recommendation to the Board of Selectmen on how we believe the Town should proceed.
11. I have started to work with the Town Clerk, Anita Doucette, on additional material which may be included within the Town Code Book. Specifically, we have discussed the possibility of including all the sections of the general law which have been adopted by the Town, and special legislation which has been filed and approved for the Town. During my discussions with Ms. Doucette, I found that she has filed this information on by-laws, Town Meeting actions and acceptances of general laws by department. This is an impressive body of work which she will put into a form that will become available to departments as a valuable resource and history.