

Board of Selectmen Minutes

09/24/2012

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, SEPTEMBER 24, 2012
7:00 P.M.**

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

OTHERS PRESENT: Town Administrator James Merriam, David Ryan, Lincoln Hooper, Foster Banford, Larry Cole, Skip Patterson, Matt McCaffery, Barbara Josselyn, Liz Groves, and others.

MEETING CALLED TO ORDER at 7:00 p.m. by Chairwoman Linda Cebula.

WEEKLY BRIEFING

Mr. Hooper provided a status report of the Route 137 TIP project which he noted is on time and on budget.

Larry Cole made the following statement to the Board after which he took questions and comments.

I am here to speak to you as your representative to the Cape & Vineyard Electric Co-op (CVEC). Those CVEC representatives from towns that have projects that are in a so-called phase I or round I of CVEC solar renewable energy projects met last week with representatives of American Capital Energy (ACE) which is the company that has been contracted with to make the installations and what we received, what I want to pass on to you, is an update on where things stood within their dealings with Nstar regarding interconnections. Where they stand is that a process according to the tariff is supposed to take 120 to 150 business days, in the case of our project and others, at 250 days and counting but Nstar promised ACE a few days ago that as of last Friday they would provide ACE with plus or minus 25% cost estimates for interconnection and an estimate of when the plus or minus 10% cost estimates would be available. So with the information that ACE was supposed to have received last Friday and CVEC by, lets say Monday, a meeting is scheduled on October 5th with ACE to discuss those cost estimates and what the impact is according to ACE's calculations on our Power Purchase

Agreement, if any, what the affects are and then we will have to consider whether we want to continue with the project or what else we want to do in the light of what we learned about that impact. There is just no way of telling if at this point whether it is likely to be large or small although in our case there is one technical change that would reduce the cost and that is the original plan called for 2 interconnections and ACE paid for and submitted applications for 2 but has been informed by Nstar that only 1 will be required. ACE has been spending money, they have also calculated what municipalities have lost because of the delay but they are willing to go ahead at this point. Where they are with Nstar is there is a provision in the tariff for what is called dispute resolution, the problem is there are no enforceable standards in the legislation, there are no penalties for being late and Nstar has no incentives to hasten these kinds of projects because they lose distribution revenue. That's where we stand, we will have some information after the meeting on October 5th about what the impact is and what to do about it.

CONSENT AGENDA

- Approve Minutes –
- September 4, 2012 Regular Session
- September 4, 2012 Executive Session
- September 18, 2012 Executive Session
- Accept resignation of Pete Watson from the Capital Outlay, Finance and Wastewater Implementation Advisory Committees effective September 30, 2012
- Accept resignation of Robert Bradley as representative to the Cape Cod Commission effective immediately
- Vote to approve the recommendation of the Town Administrator and the request from

Verizon and Nstar to place one new pole on Rogers Way to provide service to new home

E. Award of contract for windows at former Recreation Building and Brooks Academy

Mr. Hughes moved approval of the Consent Agenda. Mr. McManus seconded but asked to remove Item E and the Board agreed. Mr. Hughes noted that the Moderator must accept Mr. Watson's resignation from the Finance Committee and Chairwoman Cebula asked Mr. Merriam to follow up on that. The motion carried by a unanimous vote.

With regard to Item E, Mr. McManus stated that the award of contract includes the Albro House as well and is for the provision of materials only. He said the awardee will be responsible for doing a precise measurement of all the windows and if the contract is approved we will be quickly going out for a small contract for some work to be done in preparation for measuring and that is the removal of the storm windows and to prep the

window frames to get them ready to receive the new storm windows. He said we will probably be looking to put out another request for a carpentry group to do the installation.

Mr. McManus stated that in the case of the Albro House, there is an extensive amount of work that needs to be done on preservation activities on the exterior and the Historical Committee is preparing a CPC application for a Town Meeting article so the storm windows won't be installed until that process is underway for that building. He noted that ordering them all now provides for economies of scale.

Mr. McManus moved approval of awarding the contracts for windows to Allied Windows in the amount of \$41,784. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

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

A. Annual Meetings with the Board of Selectmen

1. Architectural Advisory Committee

Barbara Josselyn, Chair, provided the annual report of the Architectural Advisory Committee.

2. Planning Board

Matt McCaffery, Chair, provided the annual report of the Planning Board.

B. Presentation on Route 124 Project – *Board of Selectmen discussion with Capital Outlay/Finance Committees - possible vote*

Joe Magni of VHB, Lincoln Hooper and Chris Nickerson outlined the attached presentation on the Route 124 project and took questions and comments from the Board and Committees.

TOWN ADMINISTRATOR'S REPORT

Mr. Merriam delivered the following report to the Board:

Route 137 Detour

Attached is the notice re: the detour scheduled to start Sept. 25th.

Route 124 project

VHB has provided a preliminary design cost estimate for the Rt 124 project –see attached.

Re-nourishment

I executed the Coastal Engineering proposal for \$15,500 to obtain the State and Federal permits to re-nourish below the MHW between Pleasant Road and Beach 22.

Regional Dispatch

I met with Sheila Vanderhoff, Jill Goldsmith and Paul Sieloff to discuss an interim solution for Chatham and Harwich to host police and fire dispatch until a single center is built. Attached is a letter from Sheriff Cummings offering to meet with your Board re: a competing proposal of expansion.

Mr. Ballantine asked Mr. Merriam to draft a position paper to let the public know what the background is, from Harwich's perspective, looking at a regional dispatch service including the benefits, pros and cons of it, as well as what we are thinking and what the proposals are and the Board agreed. Mr. Hughes asked that the paper be brought to the Board in draft form for them to make changes if necessary and Mr. LaMantia said Mr. Merriam should run it by Town Counsel first.

South Meetinghouse

Judy Ford has requested the commencement of negotiations for a successor License Agreement which addresses future uses.

Captain John Kendrick ceremony

Desiree Mobed has invited your Board to participate in a ceremony on September 29th to commemorate the 225th anniversary of his landmark expedition to the Pacific Northwest.

Oil Spill Lothrop Ave.

Cape Cod Oil has executed the same Site Access Agreement for right of entry as the Connolly's, who reside at 239 Lothrop.

AT & T Offer

The Water Commissioners are in receipt of an offer from At&T to install a cell tower off Chatham Road. The proposal would require a TM vote, for which AT&T has offered to pay for.

I recommend that you invite the Commissioners to make a presentation.

Water Quality Task Force

I attended the monthly meeting to hear Andrew Gottlieb and discuss CDM's phasing

plan.

New Animal Control law

The Legislature has updated the law effective October 31st and we have forwarded to Jack Burns.

PERAC

I attended an annual PERAC seminar at Holy Cross re: state of pension and retiree benefits.

Muddy Creek update

Harwich and Chatham staff, Larry Ballantine and I met on Sept. 17th with Carole Ridley from the Pleasant Bay Alliance, Sue Rohrbach from Senator Wolf's office and State staff to explore grant opportunities and project scope and timing. Attached is a draft MOA for your consideration, after review by Town Counsel.

East Harwich Grant

The Cape Cod Economic Development Council has requested an audit/ budget of expenditures to date. Dave Ryan and Dave Spitz will provide by October 15th deadline.

Allen Harbor update

CLE Engineering completed the pre-dredge survey on Sept. 18th as they had promised. We hope to receive the estimated volume on Sept. 21st. Burnham Associates is waiting for results prior to mobilization. The pilings have been removed.

HEA Re-grade

Attached is a letter of support from Community Center Dept. Heads for a re-grade for a Community Center desk position formerly held by Mallory Kender, who recently accepted a position in Wellfleet.

The Board requested a position description.

ADJOURNMENT

Mr. Hughes moved to adjourn at 9:29 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary