

Board of Selectmen Minutes

10/15/2012

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, OCTOBER 15, 2012
7:00 P.M.**

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

OTHERS PRESENT: Town Administrator James Merriam, David Ryan, John Rendon, Matt Cushing, Jeremy Gingras, Bruce Nightingale, Richard Larios, Matt Hart, and others.

MEETING CALLED TO ORDER at 7:05 p.m. by Chairwoman Linda Cebula.

Chairwoman Cebula reported that the Board had just come out of Executive Session to consider the purchase, exchange, lease or value of real estate.

WEEKLY BRIEFING

Mr. Ryan reported that the CPC state grant was received today in the amount of \$332,798. He further reported that we had our Standard and Poor's conference call and have maintained our AA+ rating.

PUBLIC COMMENT/ANNOUNCEMENTS

Carol Kucha-Stone objected to the oversized political signs around Town.

CONSENT AGENDA

- A. Minutes – October 1, 2012 Regular Session
- B. Vote to sign Presidential Election Warrant
- C. Vote to authorize the Town Administrator to sign the Application for Net Metering
- D. Vote to approve new application for Common Victualler license for Family Diner

Mr. Hughes moved approval of the Consent Agenda. Mr. McManus seconded the motion and the motion carried by a unanimous vote with the exception of item A which Mr. Hughes recused himself from.

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

A. Annual Meetings with the Board of Selectmen

1. Trails Committee

Matt Cushing delivered the annual report of the Trails Committee.

- Brooks Academy Museum Commission
Jeremy Gingras delivered the annual report of the Brooks Academy Museum Commission.

3. Capital Outlay Committee

Richard Larios delivered the annual report of the Capital Outlay Committee.

- Public Hearing – Harbor Management Plan Amendments (continued from October 1st)

Matt Hart outlined the revisions to the plan resulting from recommendations made last week by the Board (see attached). Mr. Ryan provided a Power Point presentation of a financial flow chart on harbors and landings (see attached). Mr. Hughes recommended renaming the proposed Harbormaster's Maintenance Fund the Harbor Improvement and Maintenance Fund and Mr. Hart agreed. Chairwoman Cebula noted that any money to go into this fund would require a Town Meeting vote as it is using free cash. Mr. Ryan confirmed that and added that it would require a Board of Selectmen vote as well. Chairwoman Cebula reminded Mr. Hart that an article must be submitted for Town Meeting. Mr. Ballantine moved to close the public hearing. Mr. Hughes seconded the motion and the motion carried by a unanimous vote. Mr. McManus moved that we adopt the recommendations of recommended amendments to the Harbor Management Plan as presented. Mr. LaMantia seconded the motion. Mr. Hart noted that the name of the fund will not change until Town Meeting approval. The motion carried by a unanimous vote.

OLD BUSINESS

- Cape Cod Claddagh Inn & Tavern – Entertainment License extension – *discussion*
Chairwoman Cebula noted that Chief Mason and the neighbors have indicated that there

have been no complaints and there is a letter to that effect as well from Attorney Cavanaugh. Mr. McManus moved to extend the Cape Cod Claddagh's license through the end of the year under the same conditions. Mr. Ballantine seconded the motion. Chairwoman Cebula noted that this is for outside entertainment. The motion carried by a unanimous vote.

NEW BUSINESS

- Plan for sharing closed loop pressure wash water cycle system with Chatham – *discussion/possible vote to authorize Town Administrator to sign I.M.A.*

Mr. McManus moved to authorize approval of the Inter-Municipal Agreement and authorize the administrative officer to sign. Mr. Hughes seconded the motion. Mr. Rendon took questions from the Board. At Mr. LaMantia's suggestion, Mr. Rendon said he would establish some standard operating procedures for this. There was some discussion of the possibility of regionalizing with other towns in the future. The motion carried by a unanimous vote.

Mr. Merriam provided a status update on the Allen Harbor dredging project. At Mr. Merriam's recommendation, Mr. McManus moved that we approve and sign the recommended contract amendment with Burnham. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Mr. McManus moved to ask the administrative officer to direct that an article be prepared for consideration in the Annual Town Meeting for the completion of the dredging project. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

Mr. Merriam delivered the following report to the Board:

Bond Re-financing

The Finance Dept. has been working with Cape Cod Five to re-finance \$5.5m of bonds. We held a conference call on October 9th with Standard and Poor's Rating service and expect our bond rating by week's end. CC 5 Jim Eldredge has predicted saving \$620,000 over the life of the bond. (Reduced excluded and Land Bank debt which reduces the tax rate, but does not allow for substitute spending.) See Official Statement prepared for this issuance.

CVEC update

Barry Worth and I attended a CVEC meeting on October 5th in which Mark Zielinski

calculated new host community benefits for each project. Harwich and Eastham's projects were first to receive NSTAR's +10% to -10% estimated cost for interconnect. Harwich's estimated cost for interconnect is \$166,452 which would be reflected in host benefit. Harwich's new benefit is \$296k-\$298k in first year, increasing to \$578k to \$580k in the twentieth year.

We next need an Interconnect schedule from NSTAR before ACE can commence with installation.

Allen Harbor update

Coastal Engineering provided CLE with new coordinates on October 10, 2012. CLE completed a new template, staying within the budgeted 44,000c.y. (We've identified approximately 8,200 c.y. within the mooring field which will be excluded in the template / Burnham contract. We are exploring whether the County Dredge can remove in a subsequent phase. If not, we'll have to delete betterments to the affected abutters.

Allen Harbor betterments

After receiving inquiries regarding the fairness of the betterment assessments/ permit areas from several abutters, we met to review the first and second assessments. We discovered through Coastal that the ACOE reduced the allowable permitted areas of 5 abutters: Peterson, Morrison, Fehrm, Gunn and Rotundi. To that end, we have prepared amended assessments for your signature in which the volumes have been adjusted downward based upon the reduced permitted areas.

Finance Committee appointment

Moderator Ford has appointed John O'Brien to FinCom for a term expiring 6/30/14.

Muddy Creek

Bob Cafarelli has completed the draft RFP for Muddy Creek design.

E-Mail retrievals from Foster

Yes.~ You can delete emails from your inbox and they are still archived.

We have a product called GFI MailArchiver on our Exchange Server (email) in the Public Safety building.~ The documentation for the product describes email users accessing archived email directly using Microsoft Outlook with a plug-in connector or using a web interface.~ Although it has been archiving emails for some time, no one has had to retrieve any so far. ~The retrieval method described in the documentation did not work for me, so I have asked the person from Cape Cod Networks who originally installed the system during the building upgrade and who has been maintaining it since to check it out.

~

This is the internal system that I am migrating Town Hall users to and the email system that I am putting the Boards on.~ ~When he has it working, I'll test it out and we can decide what procedures to use to respond to a public records request.~ Until then I feel we can begin to use it to safely to handle the email for boards and committees.

Foster

East Harwich flagpole

Tower Company, the current owner of the East Harwich monopole, has been sold to SBA Communications Corporation.

Closed Loop pressure wash system

The regional grant with Chatham was accepted and executed on April 26th by Town Manager Jill Goldsmith.

ADJOURNMENT

Mr. LaMantia moved to adjourn at 8:31 p.m. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel

Recording Secretary