

APPROVED

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, SEPTEMBER 30, 2013
7:00 P.M.**

SELECTMEN PRESENT: Ballantine, Hughes, LaMantia, McManus

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

The meeting was called to order by Chairman LaMantia at approximately 6:30 p.m.

It was moved by Mr. Hughes and seconded by Mr. Ballantine that the Board of Selectmen go into Executive Session under Massachusetts General Law Chapter 30A, Section 21, Subsection 6 to consider the purchase, exchange, lease or value of real estate if an open meeting may have a detrimental effect on the bargaining position of the Board of Selectmen regarding the Downey property and beach accretion issues and return to open session.

It was unanimously voted Mr. Ballantine – yes, Mr. LaMantia - yes Mr. Hughes – yes, Mr. McManus - yes.

Open session adjourned 6:31 p.m. and re-opened at 7:00 p.m.

SELECTMEN PRESENT ON REOPENING OF PUBLIC SESSION: Ballantine, Hughes, LaMantia, McManus

OTHERS PRESENT ON REOPENING OF PUBLIC SESSION: Robert C. Lawton, Jr., Interim Town Administrator, David Ryan, Kent Farrenkopf, Robbin Kelley, Eric Beebe, Peg Rose, Greg Winston, Brooke Williams, Gerry Loftus, and others.

CONSENT AGENDA

- A. Vote to approve Contract with MLBCPA, LLC. for Audit Services for FY 2014 – FY 2016 and authorize the Chair to sign
- B. Vote to sign temporary License Agreement with NStar and Verizon that will allow placement of poles at 209 and 213 Queen Anne Road until an Easement can be approved at the next Town Meeting
- C. Vote to execute Deeds for the sale of the two lots on Queen Anne Road to Rick Roy Construction and Eros Partnership
- D. Vote to approve committee appointments

Mr. Hughes moved approval of the Consent Agenda with the exception of Items B and D. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote. Mr. Ballantine moved approval of Item D (see attached). 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:

1. Housing Committee

Gerry Loftus delivered the annual report of the Housing Committee.

2. Brooks Academy Museum Commission

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

3. Historic District/Historical Commission

Greg Winston delivered the annual report of the Historic District/Historical Commission.

B. Public Hearing – Recreation Fees

Chairman LaMantia noted this is a continuance of the hearing. Mr. McManus moved to approve the Recreation and Youth recommendation that non-resident Town employees be allowed to purchase beach stickers at the Town resident rate. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Mr. Beebe reported that the fees are all the same except for the new programs. Chairman LaMantia stated that all costs should be included in fees, both direct and indirect. Mr. Ballantine said it would be good to know how much staff time is spent on each program. Mr. Hughes said Mr. Beebe should consolidate total fees, total expense and number of participants and Chairman LaMantia agreed that it would be helpful to summarize. Mr. McManus noted that some of the programs in the Community Center indicate the cost for use of a room and some don't and if they are using a room then there should be an associated cost for that. He further stated that for some of the night programs there is no staff cost and someone has got to be opening and closing the doors so there has to be some cost. Mr. McManus moved that we approve the Recreation and Youth recommendation on fees for their new programs as presented. Mr. Hughes seconded the motion and the motion carried by a unanimous vote. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

B. Financial Condition - Town Administrator / Five-Year Financial Plan - Finance Director

Mr. Ryan and Mr. Lawton provided a Power Point presentation which provided a general overview of the financial position of the Town for FY13 (see attached) as well as the Five-Year Financial Plan which is on file in the Selectmen's Office. They took questions and comments from the Board.

OLD BUSINESS

A. Ambulance Fee Waiver Policy – *First Reading*

Mr. McManus moved to approve the Ambulance Fee Waiver Policy for its first reading. Mr. Ballantine seconded the motion. There was a discussion regarding the language regarding

acceptance of what insurance pays. Mr. McManus stated that we should either accept what insurance pays and not bill or make substantial efforts to collect. He commented that we should not be taking less for what it costs to provide the service from people who can afford it. Mr. Hughes asked Mr. Lawton to get the costs and reimbursement figures and the Board agreed. Mr. McManus withdrew his motion.

B. Contract for Interim Town Administrator – *for signature*

Mr. McManus moved to approve of the contract extension for the Interim Town Administrator. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

C. Update on Harwich Spirit Shoppe Liquor License and Harvest Fine Wine and Spirits Liquor License

Mr. Lawton reported that he had sent letters to both license holders as directed by the Board of Selectmen and that he has only heard from Mr. Deegan of Harvest Fine Wines and Spirits who indicated that he had two people interested in the license but no action has been taken. He further reported that Mr. Deegan has not had an auction for the contents of the property as he had indicated he was planning to do. Mr. Lawton recommended that the Board proceed with the Show Cause Hearings on October 28, 2013. Mr. McManus stated that the license holders were supposed to let us know what their plan is and neither responded to that. Mr. McManus moved to continue and publicize holding the Show Cause Hearing for October 28, 2013 for both of these properties. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. South Harwich Land Swap – Article 61, May 2011 ATM – *discussion and possible vote*

Ms. Kelley outlined the article authorizing the land swap and reported that all the legal documents have been drawn up by Attorney Ford. Mr. McManus moved to approve of the land swap and to sign the required documents. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

B. Release of 2010 Executive Session minutes as recommended – *possible vote*

Mr. McManus moved to approve releasing of the Executive Session minutes except for January 19, 2010, June 1, 2010, August 9, 2010, October 12, 2010 and October 18, 2010. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

C. Ocean Grove Preservation Study – *discussion and possible vote to reaffirm appointment*

With no one present to speak on this matter, Mr. McManus moved to continue this to the next meeting. The Board agreed and no action was taken.

SELECTMEN'S REPORT

A. Selectmen's Budget Message – *review and possible vote*

Chairman LaMantia outlined the changes in the revised budget message. Mr. Hughes offered suggestions for changes with regard to the regional school district and Mr. Ballantine stressed that he did not want to have an under-ride. Mr. Ballantine moved that we approve the budget message in tonight's packet with the addition of the comments by Mr. Hughes excepting the under-ride portion of that. Mr. McManus pointed out that this is due tomorrow and he is not voting on amendments he hasn't seen. Mr. Ballantine moved to accept this and then we will amend it next week. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

B. Appoint Board member to serve on regional "Beach Access Committee"

Sean Summers stated that many towns are having beach access issues and he questioned if Harwich is interested in sending a representative to be part of a Beach Access Committee with the goal of continuing to preserve and protect all species that are being watched over by State and Federal authorities. He stated that it is important for all towns to work together to find a balance and he noted that Chatham, Orleans and Dennis are participating. Mr. Ballantine recommended that Harwich join our neighboring towns in an effort to increase our voice in these discussions. Mr. Ballantine moved to join the Beach Access Committee and that we appoint Linda Cebula as our representative. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

ADJOURNMENT

Mr. Ballantine moved to adjourn at 9:38 p.m. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

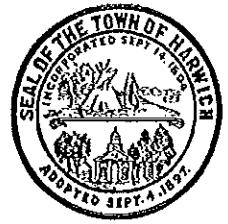
Respectfully submitted,

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: September 25, 2013

We recommend to the Board of Selectmen the following appointments:

Name	Appointment	Expiration of term
Donald Mackay	Barnstable County Human Rights Commission	June 30, 2016
Michael Dempsey	Conservation Commission	June 30, 2016
Michael Dempsey	Waterways Committee	June 30, 2016

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

RE: Town's Financial Position

DATE: September 26, 2013

I have attached a summary of the Town of Harwich Financial Position for FY 2013, the last complete fiscal year, as prepared by the Finance Director and reviewed by me.

Based upon this information, I would suggest that as we prepare our FY 2015 budget we can be confident that we are in a stable financial condition although we will not be able to significantly expand our budgets and stay within the limits of proposition 2 ½. I believe that we will have a free cash availability of up to \$250,000 which is substantially less than FY 2014. We will have some new revenue from the solar panels and possibly increased fees in certain departments. I also anticipate that with the hard work of the Town Treasurer and the rest of the financial team we will be able to increase our real estate tax collections and lower our tax title and foreclosure accounts in FY 2014 and FY 2015. We also should be able to accommodate negotiated salary adjustments and some minor increases to certain department budgets which will be highlighted during the FY 2015 budget presentations.

Mr. Ryan and I will be prepared during your September 30th meeting to answer questions regarding the financial condition of the Town.

RCL/sr

Town of Harwich
Financial Position
FY 2013

For 9/30/2013 (revised 9/26/13 RCL)

Finance Position

Continue to maintain Standard and Poor's AA+
Refinance \$ \$8,500,000 savings of \$741,000 K
Health Insurance Rate Saver FY2013 plus \$ 300,000 vs FY12
Issue new debt at 1.79% Allen Harbor Project
Accounting for benefits and other cost by Departments
CVEC - We anticipate savings and income to start in February 2014
New Growth - May be up to \$200,000

Tax Receivables

Increase of \$640,735 due to current year (FY14) tax of \$628,734
Tax Title/Liens increase a modest \$23,937, due in part to
collection of \$214,438.53 in FY 2013
Tax Foreclosures up \$107,357 (Thankful Chase) now in Court

Overlay

(Abatements- Real Estate Taxes)
The Surplus continues to decline, therefore we have increase
the account by \$ 10,000 per year in the Five Year plan

Long Term Debt

Total Debt is down \$3.7 Millions as of 6/30/2013
Average Interest Rate after Refinancing
down to record low of 3.2%

Stabilization Fund

Current Balance is	\$	993,730
OPEB Stabilization	\$	300,440

GASB# 45 OPEB

Due to the creation of Monomoy Regional Schools
our OPEB Liability Has been Reduce by
\$37,084,195 to \$44,084,195

Town of Harwich
Financial Position
FY 2013

For 9/30/2013 (revised 9/26/13 RCL)

(Down from \$81.2 Million)

Fund Balances

Undesignated Fund Balance decline by \$ 892,386
primary due to spending free cash of \$1,500,300
offset by departmental turn back of \$732,115.

<u>2012</u>	<u>2013</u>	<u>Change</u>
<u>2,267,213</u>	<u>1,374,827</u>	<u>(892,386)</u>

Revenue

FY 2013 Revenues showed a small reduction
partially due to slower collections of Real Estate Taxes
These were offset by increases in most departments
Significantly - Motel/Hotel & Meals up \$138,434 and the
Building Department of \$69,314.

Expenditures

FY 2013 Departments returned \$732,115 to Fund Balance

Health Insurance	\$ 143,195
P&L Insurance	\$ 56,681
Assessor S&W	\$ 31,777
Tn Admin S&W	\$ 76,807
Legal Services	\$ 16,672
Police S&W	\$ 29,946
Fire & EMS S&W	\$ 72,021
Fire & EMS Expenses	\$ 23,710
Board of Health	\$ 36,537
Com Center	\$ 27,242
COA	\$ 19,349
All other	\$ 198,178
	<u>\$ 732,115</u>

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P&L Insurance	\$	56,681
Assessor S&W	\$	31,777
Tn Admin S&W	\$	76,807
Legal Services	\$	16,672
Police S&W	\$	29,946
Fire & EMS S&W	\$	72,021
Fire & EMS Expenses	\$	23,710
Board of Health	\$	36,537
Com Center	\$	27,242
COA	\$	19,349
All other	\$	198,178
	\$	<u>732,115</u>