

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, FEBRUARY 3, 2014  
7:00 P.M.**

**APPROVED**

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

**OTHERS PRESENT:** Town Administrator Christopher Clark, David Spitz, Lou Urbano, Joe McParland, and others.

**MEETING CALLED TO ORDER** at 7:35 p.m. by Chairman LaMantia.

Chairman LaMantia reported that the Board had just come out of Executive Session where they discussed a variety of real estate issues.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Mr. Hughes stated that in Saturday's Cape Cod Times there was a letter to the editor regarding Route 124 which he found rather disturbing as it called into question the whole process of Town Meeting and the integrity of how we do business. Mr. Hughes read the letter entitled "Unspoken Gag Order Foils Democracy in Harwich." He noted that the letter implies that people won't speak their minds because they are afraid of retaliation and anyone who has participated in the Town Meeting process understands that people speak their minds and then we move on. He also noted that there are also provisions for secret ballots. Mr. Hughes stated that if there is some validity, evidence or proof, he would like to see it, but at this point it is just comment or innuendo. Chairman LaMantia stated that the Board has deliberately not commented on letters they have received on the Route 124 issue as they believe our residents have the right to their opinions. He stressed that there are a lot of restrictions in the bid process and the "wild west" days of giving friends major jobs do not exist anymore. He stated that this is TIP program which means the state does the hiring and managing of the contracting. He added that all of us have brought items to Town Meeting and have had friends and relatives rebut us, but we move on as friends.

Mr. McManus reported that there is a group meeting to save the Milton Welt mural on Friday and there will be an open house in the High School lobby from 9:00 to 12:00. He added that the cause has been taken up by the Friends of the High School Arts and they are acting as the fiscal agent and checks can be made out to them.

**CONSENT AGENDA**

- A. Vote to approve the Town Administrator's appointment of Raymond Chesley as Assistant Building Inspector per the Town Charter
- B. Vote to accept the resignation of Mary Albis as a member of the Conservation Commission effective immediately
- C. Vote to approve and sign the Memorandum of Agreement between the Town of Harwich and the New England Police Benevolent Association, AFL-CIO Local 69

- D. Vote to approve the 7<sup>th</sup> Annual Brooks Park Summer Concert Series
- E. Vote to approve a Caleb Chase Fund request in the amount of \$313.60
- F. Vote to set the seasonal population at 30,500 for the Alcoholic Beverage Control Commission

Mr. Hughes moved approval of the Consent Agenda. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

## **OLD BUSINESS**

### **A. Warrant Article Review – *discussion & possible votes***

#### **1. #41 – Establish a Stabilization Fund for Cape Cod Regional Tech**

Mr. Clark said he met with the Superintendent who indicated that at this point this is a place holder article for which there is no funding but they will be creating a fund to be able to make improvements. He further noted that they are willing to come in and do an overview of their budget. Mr. McManus said he had no problem establishing the fund but questioned the funding source. The Board agreed they should come in to present their budget and address this article as well. Ms. Cebula moved that we include Article 41, Establish a Stabilization Fund for Cape Cod Regional Tech, in our warrant. Mr. Ballantine seconded the motion. Mr. McManus noted that the proponent of the article isn't listed and that needs to be filled in. The motion carried by a unanimous vote.

#### **2. #43 – Lease of Shellfish Building at Wychmere Harbor**

Chairman LaMantia stated that the possibility of leasing the shellfish building or a newer version of it to a company that specializes in growing shellfish and having them take over some of the costs involved is under exploration. Mr. Clark stated that he has looked at the building and spoken to Mr. Proft. He stated that a company that has a facility in Chatham was exploring our facility for a longer term possibility but they have since signed up for another year with Chatham. Mr. Clark suggested taking this off the warrant because we have another article that would authorize the Board of Selectmen to enter into 15 year leases for Town buildings and this would be a duplication of what we already have in the warrant. Mr. McManus pointed out that the building is used as an educational facility as well. Ms. Cebula moved to exclude Article 43 Lease of Shellfish Building at Wychmere Harbor. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

#### **3. #52 - Approve Easement for Verizon and Nstar on Town-owned Property**

Mr. Hughes moved to include this in the warrant. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

#### **4. #55 – Lease of the West Harwich School**

Mr. Clark stated that he had spoken to Mr. Lawton who indicated that this was strictly a placeholder article. He said it falls into the same category as the last article with regard to the 15 year lease. Mr. Hughes moved that we remove Article 55 from the Town Meeting warrant. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

5. #58 – Adopt Provisions of M.G.L. Ch. 59, §5, Clause 56

Mr. Clark stated that this is strictly related to allowing exemptions to people in the armed forces and it gives the ability for the Town to provide a tax abatement up to 100%. Mr. Ballantine moved to include Article 58 Adopt Provisions of M.G.L. Ch. 59, §5, Clause 56 Assessment of Local Taxes Property – Property Exemption in the warrant. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

B. Harwich Middle School Draft RFP – *discussion and possible vote*

Mr. McParland explained the changes in the RFP. He and Mr. Spitz took questions from the Board. Mr. Hughes said we should define what a discount rate would be to evaluate net present value of the lease. Mr. Clark stated that we should put in an article for carrying costs for the building and the Board agreed.

Based on the recommendation of the Committee, Mr. Hughes moved that we approve the Request for Proposal. Ms. Cebula seconded the motion. Mr. McManus suggested adding “and further as the goals outlined in the Town’s Comprehensive Plan” on Page 7 under “Description of Use.”; on Page 11, Section 7 of the evaluation, #7 should read “intended uses to be developed” instead of “intended services to be provided”; on Page 6, Section 5, the first sentence that says “the proposed purchase” should be “or lease payment schedule should be identified.” Mr. Hughes and Ms. Cebula accepted the corrections from Mr. McManus and the motion carried by a unanimous vote.

## ADJOURNMENT

Mr. Hughes moved to adjourn at 8:50 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary