

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, NOVEMBER 3, 2014
6:30 P.M.**

APPROVED

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

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Julie Quintero-Schulz, David Scannell, Richard Waystack, Bruce Nightingale, Jay Kavanaugh, Bob MacCready, John Stewart, and others.

MEETING CALLED TO ORDER at 6:30 p.m. by Chairman Ballantine.

PUBLIC COMMENT/ANNOUNCEMENTS

Chairman Ballantine clarified that the Nstar spraying is not on the agenda. He reported that they have asked Nstar if they want to attend when this is discussed and the Massachusetts Department of Agriculture is looking into the issue as well and it would be in everyone's interest to have a full, complete and responsible discussion on this rather than have a one sided discussion. He stated that he hopes the Department of Agriculture will have a finding no later than two weeks from now. Mr. McManus asked that the people who came before the Board be notified. Mr. Bangert stated that no information came to them that this item was not on the agenda or that Nstar was called. Clare Burgh stated that on October 20, 2014, Nstar applied chemical herbicides along the power lines that abut her land and a cloud of chemicals went over her farm and horses which resulted in her having to empty water troughs, remove bales of hay and replace them and she got a rash on her upper torso. She said it is unfair this happened to her and her farm and she asked the Board to begin legal action. Chairman Ballantine reiterated that a full discussion with Nstar included is needed.

CONSENT AGENDA

- A. Approve Minutes – October 14, 2014 Regular Session
- B. Vote to approve Grant for the Council on Aging in the amount of \$32,363.44 and authorize the Chairman to sign
- C. Vote to accept resignation of Matt Hart from the Real Estate and Open Space Committee
- D. Vote to appoint Sharon Stover Gleason as a member of the Youth Services Committee
- E. Vote to confirm Conservation Commission appointment of Jane Fleming to the Saquatucket Development Committee
- F. Vote to confirm the vote of the Recreation and Youth Commission to approve a new Harwich Beach Sticker Policy
- G. Vote to approve the award of Contract for Reconstruction of Wychmere Pier to Robert B. Our Co. in the amount of \$1,262,000

Mr. McManus moved approval of the Consent Agenda and the recommended actions thereon. Mr. LaMantia 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. Board of Assessors

Mr. Waystack delivered the annual report of the Board of Assessors.

2. Harwich Housing Authority

Mr. Stewart delivered the annual report of the Harwich Housing Authority.

3. Community Preservation Committee

Mr. MacCready delivered the annual report of the Community Preservation Committee.

B. Public Hearing – Classification Hearing

Mr. McManus moved to open the hearing on the Classification Hearing. Mr. Hughes seconded the motion and the motion carried by a unanimous vote. Mr. McManus read the hearing notice into record. Mr. Waystack reported that the Board of Assessors voted to recommend to the Board of Selectmen that they select a factor of “1” taxing all property at the same rate, that they do not grant an open space exemption, that they do not grant a residential exemption, and that they do not grant a small commercial exemption. He stated that the major reason for doing that is that the community is predominantly made up of residential property and if we made an exemption it would have a lasting effect on other members of the community. Chairman Ballantine called for input from the public and no one appeared before the Board. Mr. Scannell reported that they have submitted the values to the Department of Revenue but have not obtained their approval yet. He noted that the value of the Town has risen about 4% fairly evenly and it is now at \$4.7 billion with approximately \$460,000 in tax dollars attributed to growth. Ms. Cebula moved to close the hearing. Mr. McManus seconded the motion and the motion carried by a unanimous vote. Mr. Hughes moved that they select a factor of “1” taxing all property at the same rate, that they do not grant an open space exemption, that they do not grant a residential exemption, and that they do not grant a small commercial exemption. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Police Chief Transition Plan – *discussion and possible vote*

Mr. Clark outlined the attached transition plan. Ms. Cebula questioned if Mr. Clark would consider having more members of the public on the committee and perhaps not including the Assistant Town Administrator. She added that members of the public should have serious management background. Mr. McManus said he would support increasing the number of members from the public. He added that he doesn’t believe the Police Chief should be involved in selecting his successor and commented that we should have people involved who will be looking in a new direction. Mr. LaMantia said he would prefer a smaller committee of 5 members.

Chairman Ballantine stated if more members of the public are added it should stay at 7 members. Mr. Clark said he would bring this back to the Board.

B. Policy for Approval of Municipal Contracts – *discussion and possible vote*

Mr. Clark noted that the \$25,000 threshold in the policy was probably reflective of the Chapter 30B procurement laws. He noted that the law has changed and the threshold has been increased to \$35,000 and he questioned if the Board would be comfortable increasing the threshold in the policy. Ms. Cebula suggested making the threshold higher with \$50,000 being more appropriate. She requested that the Board be kept informed of the contracts that have been executed and the Board agreed. Mr. Hughes asked for a list of contracts from last year that were under \$25,000 and under \$50,000 so they would have an idea of how many contracts there are. Mr. McManus pointed out that the policy was not connected to the procurement law when it was created and previously the threshold was \$5,000. The Board agreed to bring this item back.

C. Negotiating Team for Harwich/Chatham IMA – *discussion and possible vote*

Chairman Ballantine postponed this item pending more information.

TOWN ADMINISTRATOR'S REPORT

Mr. Clark stated that he had a constructive discussion with the residents and the Traffic Safety Committee on the roundabout issue and they are going to come back with suggestions. He stated that Carolyn Carey did a great job coordinating the Halloween event. He noted that the Director of Water and Wastewater position has been advertised. He stated that negotiations are pending with the union on the position and at Ms. Cebula's suggestion he said he would look into what the pay ranges are for the same position in other towns. Mr. Clark provided an update on union negotiations and noted that the Police, Fire, Superior Officers and Water Union contracts are valid until 2015. He noted that the HEA and HMEA contracts are pending, he has had an initial discussion with the Dispatchers Union, and the SEIU has not started negotiations yet. He stated that the second floor reorganization is well underway, he has met with the Veterans' Agent who is still not thrilled with his new office but has expressed that his preference would be to go into the Albro House. He noted that he asked the Veterans' Agent to write a letter to the Board stating his interest in going into the Albro House.

ADJOURNMENT

Ms. Cebula moved to adjourn at 8:42 p.m. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary

OFFICE OF THE TOWN ADMINISTRATOR

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Fax (508) 432-5039

Christopher Clark, *Town Administrator*

732 MAIN STREET, HARWICH, MA 02645



To: Board of Selectmen

From: Christopher Clark, Town Administrator
William Mason, Police Chief

Re: Police Transition Plan – Revised and updated

Date: November 5, 2014

Administration has recently completed negotiations with our Police Superior's Union. The agreement calls for a new non-union Deputy Police Chief or Captain. The Chief and I have discussed transition issues in the Police Department and would like to present the following transition plan for the Board of Selectmen's consideration. We would recommend that the following organizational chart be put into place, please see attached chart. The new hierarchy of the Police Department would include a Deputy Police Chief, two lieutenants and five sergeants as opposed to the current structure of two lieutenants and six sergeants. The current funding for the six sergeant positions known as the Administrative Sergeant would be committed to Deputy Police Chief position. The job description for the Deputy Police Chief is also attached. This new structure will enhance administrative control of the department and will facilitate a more direct line of succession for the internal promotional opportunities within the department. The departure of one of the current lieutenants to retirement also must be addressed.

Phase 1 of the plan is to have the Board of Selectmen approve the new organizational chart and the new non-union Deputy Police Chief position.

Phase 2 of the plan is to have the current Police Chief and the Town Administrator fill the new Deputy Police Chief position from within the existing Superior ranks as per our agreement and to also fill the Administrative Lieutenant's position that is currently vacant also from within the existing Superior Officers ranks. It is also anticipated that once these promotions are filled, additional vacancies will be created in the ranks of the Superior Officers. Our goal would be to complete these promotions around January 1, 2015. The process for promotion will be internally posted and interested applicants will be interviewed.

Phase 3 of the plan would be to implement a recruitment process for the Police Chief. The current Chief is required by law to retire by June 30, 2015. We believe it is imperative to have all administrative ranks filled prior to the date. This will allow for a new Chief to come in with an intact administrative structure, to not fill these positions prior will leave a significant void and make a new Chief's introduction to the department much more challenging as it will take time for a new Chief to identify the resources and capabilities of the existing personnel. The timeline for the Police Chief search process would be to advertise statewide for a new Chief during February to March 2015, conduct interviews during the month of April and have as a goal the recruitment of a new Chief to start in the middle of June to allow for approximately 2 weeks of transition with Chief Mason. I would recommend the search committee of seven members to include the Town Administrator, Assistant Town Administrator, current Police Chief, a current Department Head, Fire Chief and three members of the public with some management experience and law enforcement knowledge.

The search committee will present up to three finalist for the Board of Selectmen's approval.

Harwich Police Department
Job Description for:
DEPUTY POLICE CHIEF
Revised: November 4, 2014

NATURE OF WORK

Under the direction of the Chief of Police, directs, manages, supervises, and coordinates the activities and operations of the Harwich Police Department including the enforcement of criminal and traffic laws, regulations, and bylaws in order to preserve and protect life, health, and property within the Town of Harwich along with related services and activities; coordinates assigned activities with other town departments, and outside agencies; and provides highly responsible and complex administrative support to the Chief of Police. As second in command of the Department, he/she is subject to being assigned as the acting Chief during the absence of the Chief of Police. Considerable independent judgment, initiative and understanding of laws and Departmental procedures must be exercised in interpreting orders, regulations, and in responding to emergency situations. This position reports directly to the Chief of Police.

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Assume management responsibility for the day-to-day operation, services, and activities of the Harwich Police Department; manage and participate in the development and implementation of goals, objectives, policies, and priorities for assigned programs; recommend and administer policies and procedures.
2. Monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; recommend, within departmental policy, appropriate service and staffing levels.
3. Plan, direct, coordinate, and review the work plan for the personnel of the Harwich Police Department. Assign work activities, projects, and programs; review and evaluate work products, methods, and procedures; meet with staff to identify and resolve problems.
4. Select, train, motivate, and evaluate Police Department personnel; provide or coordinate staff training; work with employees to correct deficiencies; implement discipline and termination procedures.
5. Oversee, prepare and administer the annual budget; participate in the forecast of funds needed for staffing, equipment, materials, and supplies; monitor and approve expenditures; implement adjustments.
6. Ensure that equipment, safety clothing, apparatus, and supplies are specified, purchased, received, and distributed in an effective manner and consistent with current Harwich Police Department policy.
7. Respond to major incidents and ensure that the Incident Commander is following Incident Command System/protocol; assume role as Incident Commander or other role as needed for the situation without micromanaging operations.
8. Serve as the liaison for the assigned functions with other divisions, departments, and outside agencies; participate with community relations; coordinate special community programs; attend community meetings to promote Department's goals and missions and community safety programs.

9. Develop and maintain lines of communication and cooperation with peers in surrounding local, state, and federal agencies; coordinate joint operations with outside agencies; mitigate conflicts with other town departments or agencies.
10. Serve as a representative of the Harwich Police Department, when directed by the Chief of Police, on a variety of boards, commissions, and committees.
11. Provide responsible staff assistance to the Chief of Police; conduct a variety of organizational studies, investigations, and operational studies; recommend modifications to police programs, policies, and procedures as appropriate.
12. Attend and participate in professional group meetings; maintain awareness of new trends and developments in the field of law enforcement; incorporate new developments as appropriate.
13. Respond to and resolve difficult and sensitive citizen inquiries and complaints; direct and conduct internal affairs investigations and provide for follow-up investigation of citizen complaints as necessary.
14. Oversee, direct, and coordinate the work of lower level staff. Provide direct supervision of both the Operations and Administrative Lieutenant and completes annual performance appraisals for subordinates
15. Perform related duties as required.
16. Ability to act effectively in crisis situations.
17. Ability to plan and coordinate police activities in a manner conducive with full performance and high morale
18. Review and issue letters of recognition and commendation. Prepare and present information to the Town Administrator/Board of Selectmen for public recognition of police employees when warranted.
19. Clearly sets an exemplarily work ethic, leadership by example, professional loyalty, and integrity within the organization and in representing the Department.
20. Ability to develop and actively maintain a positive working relationship and provide appropriate information in a timely manner with all forms of public media including Harwich Channel 18.
21. Develop a positive, cooperative, and team-oriented relation with the Board of Selectmen, Town Administrator, department heads, committees, and employees.
22. Conducts staff meetings to disseminate information and notifies appropriate personnel.

KNOWLEDGE, SKILLS AND ABILITIES

Ability to practice and exhibit a participatory management style.

Understand, support, and practice the Department's chain of command allowing supervisors an appropriate level of autonomy and judgment in fulfilling their responsibilities.

Considerable knowledge of Town and Department policies, procedures, rules and regulations.

Thorough knowledge of modern police practices, techniques, methods and trends.

Considerable knowledge of the geography of the Town.

Ability to effectively draft letters, memoranda, reports and other documents using appropriate grammar, language, tone, connotation, and writing style.

Assists in the development, administration, support, and active participation in applicable in-service training programs.

Thorough knowledge of the principles of supervision, organization, and administration.

Thorough knowledge of the principles of civil liability.

Ability to analyze complex police problems, identify alternative solutions and implement the most appropriate solution(s) to the problem(s).

Skill in the operation of an automobile, and in the application, use and care of firearms.

Thorough knowledge of applicable state, local, and federal laws and bylaws.

EDUCATION AND EXPERIENCE

Must possess considerable police and supervisory experience. Graduation from high school supplemented by a minimum of two years of college course work in criminal Justice is preferred. At least three years experience at the rank of Police Sergeant or Lieutenant for the Harwich Police Department with a proven work performance record. Anyone promoted to the rank of Deputy Chief as of July 1, 2018 must possess an acceptable Bachelor's degree from an accredited college or university; a Master's degree is preferred. May be required to attend and successfully complete courses, seminars, and/or classes on management, administration, and supervision to enhance performance capabilities. Attending the Federal Bureau of Investigation National Academy, Southern Police Institute, Northwestern University Police Executive Development, or other equitably well-respected advanced command school is highly advised.

WORKING ENVIRONMENT/PHYSICAL REQUIREMENTS

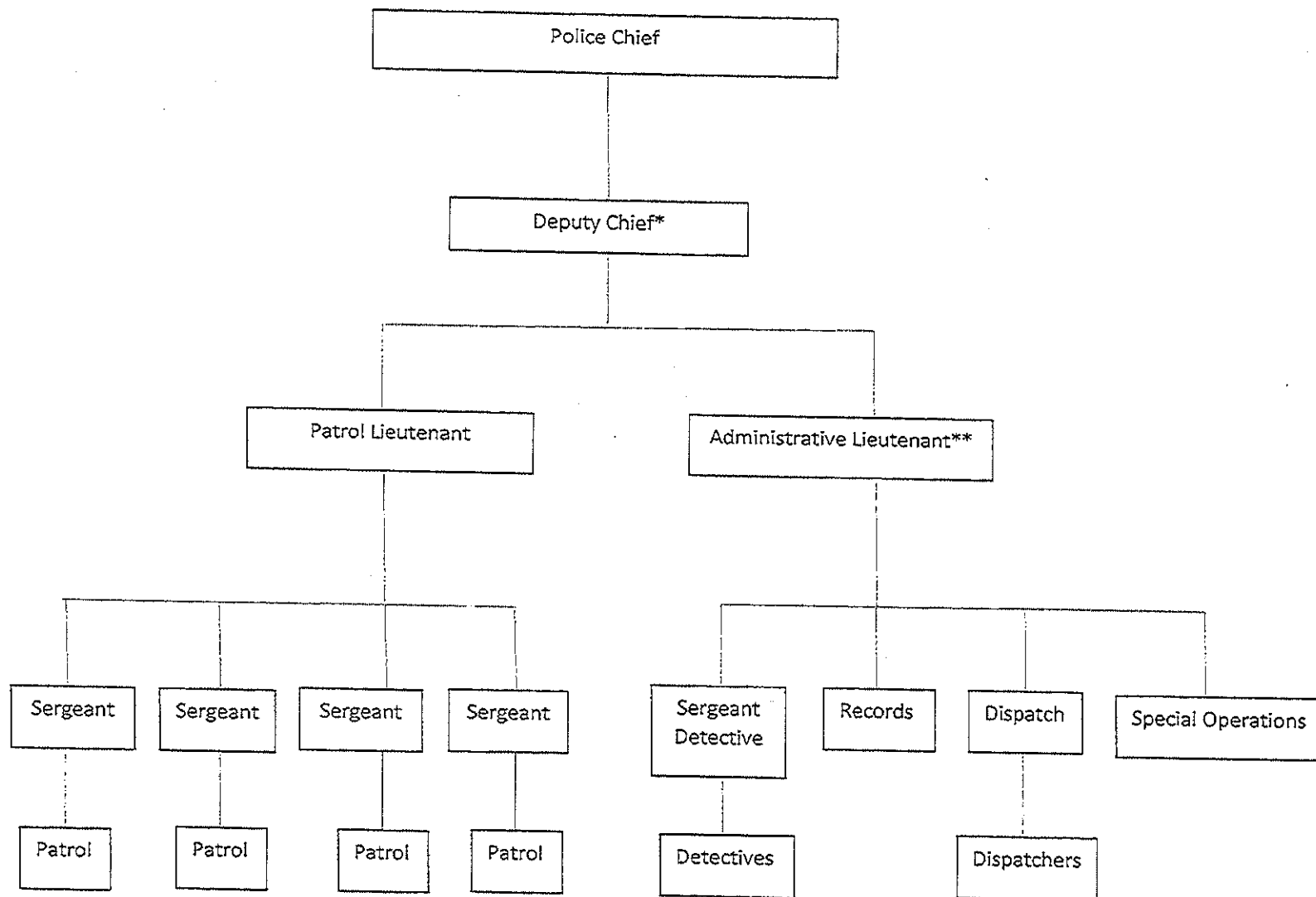
This work is performed in all weather including catastrophic conditions such as high wind, hurricanes, blizzards, flooding, hail, etc. The potential to work in hazardous surroundings exists at all times including exposure to vehicle traffic, dangerous or threatening people, communicable diseases, hazardous materials, loud noises, chemicals, etc. This work requires varying degrees of physical responses from sedentary work to very heavy work due to the nature of unpredictable and unforeseeable events that characterize police work.

MATERIAL AND EQUIPMENT DIRECTLY USED

Police vehicles, firearms, Tasers®, restraint devices, two-way radios, cellular phones, telephones, electronic devices, safety equipment, computers and general office equipment, emergency first aid equipment, camera, speed measuring devices, breath-alcohol measuring devices, and other equipment related to the law enforcement profession.

OTHER NECESSARY REQUIREMENTS

Must possess a valid Massachusetts driver's license, provide proof of a safe driving records, and maintain a safe driving record for continued employment. Must be Massachusetts qualified as a police officer. Attend and pass all mandated annual in-service and firearms training requirements. Must qualify for and possess a Massachusetts License to Carry a Firearm.



*Funds from vacated Administrative Sergeant Position

**Training, Personnel, Internal Affairs