

Board of Selectmen Minutes

02/06/2012

MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, FEBRUARY 6, 2012
7:00 P.M.

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

OTHERS PRESENT: Town Administrator James Merriam, Tom Leach, Supt. Carolyn Cragin, Christine Suckow, Mary McIsaac, Jeffrey Dykens, Brian Widegren, and others.

MEETING CALLED TO ORDER at 7:00 p.m. by Chairman Ballantine.

CONSENT AGENDA

- Approve Minutes
 1. January 23, 2012 Executive Session
 2. January 30, 2012 Executive Session
- B. Vote to sign the Presidential Primary Warrant
- C. Vote to approve the recommendation of the Recreation and Youth Commission to award the contract for Pleasant Road Beach Septic System installation
- D. Vote to accept the resignation of Heather Swenson from the Council on Aging effective immediately.
- E. Vote to appoint to committees/commissions/boards:

1. Christine Wood	Brooks Academy Museum	Term: 2012
2. John Idman	Middle School Repurpose	Term: indefinite
3. Hugh Drummond	Waste Water Implementation	Term: Indefinite
4. Frank Sampson	Waste Water Implementation	Term: Indefinite
5. Terry Hayden	Utility & Energy	Term: Indefinite
6. Gayle Carroll	Historical/Historic District	Term: 2014
7. Patricia Scarnici	Historical/Historic District <i>(Alternate Member)</i>	Term: 2014

8. Mary Albis	Conservation Commission	Term: 2014
9. Angela McNamara	Agricultural Commission	Term: 2014

Ms. Cebula moved approval of the Consent Agenda. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote. The Board asked that they receive a response as to whether the sign off sheet was completed for item #C.

PUBLIC HEARINGS/PRESENTATIONS (7:15 P.M.)

- Monomoy Regional School District Budget – *joint meeting with Finance Committee*

Superintendent Carolyn Cragin and Business Manager Christine Suckow provided the attached Power Point presentation of the Monomoy Regional School District recommended FY 2013 budget and took questions and comments from the Board.

OLD BUSINESS

A. Surviving Spouse Health Insurance - *discussion*

Mr. Merriam explained that in 1998, Town Meeting approved Ch.32B, Sec. 9D1/2 which authorized the Town to pay more than 50% of health insurance premiums for surviving spouses but the ballot question was defeated and the Town has been paying for 75% of premiums. He noted that Town Counsel Leo Peloquin suggests another ballot question and that we provide an explanation beneath the question in order to clarify the ambiguity of the prior vote.

Mr. Hughes stated that he was a Selectman at the time and his recollection is that Town Counsel had made a statement that only the first question needed to pass and the second one didn't count and that is why you see the discrepancy in the 2 votes. He said that people thought they voted for the first one and there was no need to vote for the second one. Ms. McIsaac stated that Town Counsel says we should bring it to another ballot question and clarify the ambiguity. She noted that there are currently 20 surviving spouses. Mr. McManus stated that we need to put this in front of the voters and strongly advocate for it. He noted that it is not proper to put explanations on the ballot. Ms. Cebula stated that they can distribute factual educational documents to the public to clarify the Town's intention. At the Board's request, Mr. Merriam agreed to draft a ballot question.

NEW BUSINESS

A. Policy for Disposition of surplus goods and equipment – *first reading*

Mr. Merriam outlined the document. Ms. Cebula stated that she would like there to be a person responsible for reviewing the paperwork on surplus items and this should be in the document. Mr. Hughes suggested that it be a person from the department proposing the surplus and Ms. Cebula said she'd be happy with a specific procedure. Mr. McManus agreed there should be one person making sure the procedure is followed. The Board agreed to bring this item back.

B. Request to declare old and broken Community Center weight room equipment as hazardous/surplus – *discussion and possible vote*

Ms. Carey reported that the leg extension machine is broken and should be disposed of. She further noted that the School Department would like to have our seated row and leg curl machines and she recommended that they be transferred. Ms. Cebula moved to accept Ms. Carey's recommendation. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

C. Warrant Article Review:

Mr. Leach outlined the following articles and took questions and comments from the Board. No action was taken.

1. Allen Harbor Float and Piling Replacement
2. Replace Round Cove Boat Ramp
3. Dredge Various Entrance Channels
4. Replace Comfort Station at Wychmere Harbor

- West Harwich Building RFP – *discussion*

Mr. McManus reported that there is a non profit interested in the West Harwich building and there may be others as well but in the meantime the building is deteriorating. Chairman Ballantine pointed out that the Town Meeting approval was strictly for non-profit agencies. Mr. Hughes questioned who would be responsible for repairs to the building and Mr. McManus responded that in the case of the former Recreation & Youth building, we have accepted responsibility for the exterior of the building and have been using CPC funds for that and the interior of the building is the responsibility of the lessee. Ms. Cebula called for the document to be a lot more specific noting that it does not indicate who is responsible for what or what the source of funding is. Mr. Merriam said he would bring back the Harwich Junior Theater lease for the Board to look at. No action was taken.

TOWN ADMINISTRATOR'S REPORT

Mr. Merriam delivered the following report to the Board:

FY 13 Draft Budget Amendment #1

Please see attached. Please be advised that the health reform savings has been distributed between the balanced budget, mitigation and other adjustments and article funding. This deviates from your FY 12 goal:

BOS goal for distributing Health savings:

Share “ Town Cost Savings “ associated with newly passed health care legislation as follows:

- 1/3 employees This is for use with health plan to provide the extra coverage not colas
- 1/3 maintenance projects
- 1/3 Stabilization Fund or debt service

Implement Health Insurance Reform; comply with 1st year savings requirement (proceeds allocated according to FY13 budget)

Monomoy Regional School Budget

Christine Suckow has updated the Monomoy Local Aid spreadsheet by inserting the \$340,000 transportation reimbursement which was inadvertently omitted by DESE. Christine plans to distribute the Monomoy budgets electronically on Friday in time for your Monday night presentation. Local Aid is now a positive number.

Insurance Advisory Committee

Mary McIsaac and I met with the IAC to provide the unions/ retirees with information pertaining to plan design changes and projected savings. We will next send implementation notices to the Public Employee Committee to discuss CCMHG vs. GIC and how to disperse the projected savings. Scheduled meetings are February 9th and 16th.

Surviving Spouses update

Dolly Parkhurst indicated that there were 5 surviving spouses in 1998 when this vote was raised as a result of Norm Fennell's passing. According to Dolly, Town Counsel advised Town Meeting that the vote could be either by Town Meeting or ballot.

Fire CMED update from Chief Clarke

At the Barnstable County Chief's meeting today, we were advised that there will not be any assistance from the state to fund the Sheriff Department for the CMED dispatching, and that Senator Wolfe stated that the communities would have to come up with the

necessary funds for that service.~ Under the present billing schedule I will need an additional eleven thousand [11k] added to the Fire Department FY13 budget for our CMED dispatching.

Allen Harbor update

Don and James,

Here is a quick update on where we stand with the Allen Harbor project.~ We have completed all of the biological tests and exposures including the 28-d bioaccumulation tests.~ Everything has gone very well.~ Today we delivered the homogenized tissues for both bioaccumulation species to Alpha Analytical for the chemistry analyses.

John Williams, Manager, Environmental Toxicology
Aquatec Biological Sciences, Inc.

ZBA Secretary Hired

The department has processed the attendant paperwork in order to hire Ms. Deborah A. Mason following her acceptance today (1.30.12) of the Town's offer.

This step followed:

- A total of 6 interviews for this position
- Ms. Mason's interview conducted on 1.24.12
- Meeting with Board of Appeals and applicant 1.25.12
- Subsequent meeting with Ms. Wilson and applicant 1.25.12.
- Check of references, conversation with 1 professional reference of 20 years on 1.26.12.
- Conversation with Town Administrator and his sign off on offering the position to Ms. Mason on 1.26.12.

Please be advised that Judi will be training Deborah this month to help guarantee a smooth transition. Fortunately there is only 1 case this month and this cost should be kept to a minimum. Just to let you know Marie was very helpful.

Geoffrey S. Larsen, CBO
Building Commissioner

Conservation Commission Secretary hired

Amy Usowski recommended and I hired Pamela McDonald for the position.

Department Heads monthly meeting

The monthly meeting was held on February 1st. We discussed FY 13 budget updates, Free Cash certification, articles, proposed ballot questions, health insurance reform, and submittal of Department Head monthly reports for last week of month, FY 12 BOS goals, and projects status.

Open Cape

Dan Gallagher has agreed to meet with the Board on January 27th at 7:15 to make a presentation regarding the positive attributes of Open Cape.

Community Center Wellness / Friends of COA Lounge

I have forwarded a draft MOU to Jack Brown, who represents the Friends of COA and their desire to construct a senior lounge within the Community Center. (See attached)

West Harwich School

In response to a request to lease the West Harwich School, please find attached a draft RFP to allow leasing the West Harwich School building for cultural activities. Town Meeting previously authorized the Board to enter into a lease for this express purpose.

Language added re: contamination

Page 3~ - Section II, Background - new 4th paragraph:~ The Massachusetts Department of Environmental Protection has identified groundwater contamination at this site migrating from a release that occurred at the Dennisport Automatic Coin Laundry, located approximately 2,000 feet southwest of the site.~ The Town hired Bennett Environmental Associates in 2010 to perform an environmental site assessment, and results are available at the Town Administrator's office.

Rabies

With the very unfortunate news of a rabies incident in our region, as expected, we have had several calls related to this topic re: exposure risks.

As a precaution, it is probably worthwhile for all supervisors to review rabies awareness with our staff- especially those departments with field exposure risks.

I am enclosing a copy of the presentation I made in May 2008 . In addition , the file "Living with Rabies in your Community" is a good reminder for all to read.

Please share with all of your employees,

Paula J. Champagne,RS,CHO

Health Director

Fish Reef

I worked with Mark Rousseau over at Division of Marine Fisheries and we have put together a Notice of Intent for it.~ It is on the hearing agenda for February 7th.~ I had just asked Tom for a letter of support for it for the Commission to see as Tom has the knowledge of the history of Harwich and how this project will be a benefit for the town.

Amy Usowski

Attached is a letter supporting project from Tom Leach

Craig Wiegand explanation for requesting design money for FY 13 Lothrop tank repair.

We were hoping to move the tank up because we believe we will have enough to pay cash

by the end of next year. We need to proceed with design and the bidding before we go to Town meeting to request amount to be appropriated. We don't want to come up ~short like we did when we requested money for the 39 tank.~That is why we are requesting the \$100,000 be used from retained earnings.

Craig

Barbara Anne Foley sharing a great idea with other COA's

Hi... my name is Anne Silvia and I am the director of the Fairhaven COA. I have only been in this position for 4 months. I happened to be looking through the NCOA site and saw the contest they had last year involving special events COA's had across the country. I was especially touched (to tears) when I read about your Senior Supper Club. It got me to thinking about how many of my own seniors are in this same lonely boat so I decided to start a Single's Senior Supper Club here in Fairhaven. It will start in March. I will be partnering with another organization in town who will help in donating soups and casseroles etc. for our club. I just want to thank you for sharing this event with everyone. I think it will make a difference in the lives of many Fairhaven Seniors. Anne (NCOA is National Councils on Aging in D.C. by the way. Our program is listed as a leadership program there which is where she saw it.)

Town Engineer Bob Cafarelli seeking guidance on remaining ballfield funds (see attached)

As the Spring approaches, it may be time to resurrect the issue of the walkway around the ball fields.

My understanding is that the plan is now for a 5' wide walkway from the handicap parking to a loop around the entire ball field area (see plan).~ This equates to approximately 2,100 linear feet of walkway.~ This provides a pleasant walkway for the disabled, elderly, or any resident wishing to utilize this Town amenity.

The ADA requires a surface that is firm, stable and slip resistant.~ The Architectural Access Board requires that "walkway surfaces shall be stable, and firm and shall lie generally in a continuous plane with a minimum of surface warping."~ The most economical surface would be compacted T-Base.~ The new parking area consists of this material and appears very smooth, firm and stable.~ This surface can be paved or embellished with stone dust in the future if it is decided to improve this surface.~ The work would involve removing the loam in the walkway area (5"-6") and replace with 6" of compacted t-base.~ We would want to mound the walkway at least 1" above grade to prevent puddling in the walkway.

I estimate the cost of the T-Base material to be about \$3,000,~ so if the Town installs the

walkway, this would be the material cost. We should also decide if edging material is desired, primarily for looks. ~This obviously does not include labor, equipment rental, and appurtenant materials.~ The Highway Department does have time restraints as it is also embarking on a major culvert replacement project in March.~

Last year I obtained a quote from Northern to install a walkway to the benches only.~ This was approximately one half the distance around the entire ball field.~ Their bid was \$12,750.~ Therefore, if we bid this out, we can expect a bid of about \$25,000.

Attached is the final cost accounting for the Ball field project.~ The remaining funds include the amount remaining from the appropriation (\$9,820.00) and money left from the engineering article (\$2,029.05) for a total of \$11,849.05.~ My understanding is that the benches have yet to be purchased, so this amount must be subtracted from this.~ I believe the ADA Committee was willing to kick in \$12,000. How does everyone wish to proceed.

Robert Cafarelli, P.E.

Capital Budget Amendments

I have requested that COC through Chairman Pete Watson consider amending the plan: 1) Add Muddy Creek bridge construction of \$1.4m in FY14
2) Move Long Pond restroom at \$100,000 to FY 14
3) Move Lothrop tank repairs from FY 16 to FY 14.

Town Band sign request –sent to Rec Commission, Historical Comm. and Geoff Larsen
~ I have attached a letter from the Friends of the Harwich Town Band.~ They are requesting a permanent sign be installed at Brooks Park relative to upcoming concert times and dates.~ This will need to go on an upcoming Board of Selectmen agenda.

Senator Wolf's office seeking clarification of H3504

I just got a call from Senate Council about H3504 An Act Relative to the Charter of the Town of Harwich and the Election of the Members of the Monomoy Regional School District Committee.~ They are confused by the language in sections 4 and 5. ~Section 1 and section 4 of the bill seem to say that the creation of the Monomoy Regional School district will take effect on July 1, 2012, but in section 2, we are interpreting it to say the members of this regional school district committee will be elected in 2011 (to a committee that won't be in existence until 2012).~ We might be making this more confusing than necessary but we are hoping for a clarification.

Kaitlin Lynch, Esq.

Legislative Director & Legal Counsel

Office of Senator Dan Wolf

Route 137 Project (see attached explanation)

Link Hooper has provided a detailed explanation of his management of the design and permitting process which led to a DOT award of contract for construction. I am proud of Link, Chris Nickerson and VHB's efforts to bring this project to the construction phase. All of Harwich's taxpayers should be appreciative.

Lothrop Bridge Project just completed by Highway Dept.

The Lothrop bridge will be open in an hour or so for traffic again.~ The project took us 4 days to complete and cost approximately \$8000 in materials.~ The last estimate we had to contract this repair was for \$33,000.~ I believe the whole crew deserves a special thanks for their effort here, particularly when they saved the town \$25,000.~ Attached please find pictures of the completed bridge with the crew hotmixing the approaches.~ Below is a list of names of the staff that contributed to this repair.~

~

Rich Berube, Parks & Cemetery~Manager

Chris Nickerson, Road Manager

John Eldredge, Building Maintenance Foreman

Dave~Wrightington, Senior Heavy Equipment Operator

Steve Hersey, Heavy Equipment Operator~~

Wes Langway, Building Maintenance Craftsman

Brian Albee, Parks Craftsman

~

ADJOURNMENT

Ms. Cebula moved to adjourn at 10:40 p.m. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Respectfully Submitted,

Ann Steidel

Recording Secretary