

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, APRIL 4, 2016  
6:30 P.M.**

**APPROVED**

**SELECTMEN PRESENT:** Cebula, Hughes, LaMantia, MacAskill

**OTHERS PRESENT:** Assistant Town Administrator Charleen Greenhalgh, John Mahan, Vickie Goldsmith, and others.

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

Chairman Hughes reported that the Board had just come out of Executive Session where they discussed a potential position reclassification and no votes were taken.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Chairman Hughes stated that the Comprehensive Wastewater Management Plan was officially filed for regulatory review last week.

Vickie Goldsmith of Habitat for Humanity announced that there will be a dedication of 6 homes on Oak Street this Sunday at 3:00 p.m. She noted that Harwich invested \$239,500 from Affordable Housing funds and \$140,000 from CPC funds for this 7 home project.

**CONSENT AGENDA**

- A. Approve Minutes – March 14, 2016 Regular Session
- B. Approve the Recreation and Youth 2016 Beach Sticker fees
- C. Approve the adoption of Recreation and Youth's Rule #20 "Use of Motorized Airborne Devices" under Rules and Regulations
- E. Approve the recommendation of the Town Administrator to issue Dog Order following a hearing held on March 24, 2016
- F. Approve application for Common Victualler license by Hot Stove at Cranberry Valley
- G. Approve renewal of Common Victualler license for Viera Restaurant
- H. Approve Chapter 90 request to chipseal various roads throughout the Town in the amount of \$160,601.67
- I. Accept gifts in the amount of \$2,040.00 to the Council on Aging Gift Account and \$725.00 to the Town Nurse Gift Account

Chairman Hughes said they would take up Items B and C separately. Ms. Cebula moved approval of the Consent Agenda Items A and E through I. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote. With regard to Item B, Mr. Mahan discussed the process for recommendation of Beach Sticker fees including comparison to other towns. He took questions from the Board. Mr. MacAskill recommended we don't increase the fees this year and noted that in Mr. Beebe's budget message he didn't anticipate any price increases and we should consider

giving the residents a break. Mr. Gunderson spoke in opposition of the fee increase. Mr. MacAskill moved that we do not increase the Resident Beach Sticker by \$5 and leave the rates the same as last year. Ms. Cebula seconded the motion for discussion. Mr. Mahan pointed out that they have been given a clear directive by the Board of Selectmen to stay on top of the fees. The motion carried by a 3-1-0 vote with Mr. LaMantia in opposition. With regard to Item C, Mr. Mahan noted that this was brought to them by the Recreation Director who has spoken with directors in other towns where incidents have come up and they have decided to be proactive. The consensus of the Board was to remove the text “unless authorized at the discretion of an appropriate Town Agent and Lifeguard.” Mr. Mahan said he would bring it back to the Commission. No vote was taken.

## **OLD BUSINESS**

- A. Review of Town Meeting Articles – *discussion and possible vote*  
#1 - #25    #27 - #31    #33 - #37  
#39 - #54    #57 - #59    #61 - #65  
STM #2 - #4

Ms. Cebula moved to accept and adopt Article 1 – Town Officers and Committees. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 2 – Reports of Town Officers and Committees. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 3 – Elected Officials Salaries from free cash \$84,697 from available funds. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 5 – Monomoy Regional School District budget at a cost of \$24,058,302 from available funds. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 6 – Cape Cod Regional School District budget at \$1,437,053 from available funds. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 7 – Water Budget at \$3,939,879 from the Water Department operating funds. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 8 – Adopt the Capital Plan. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 9 – Amend the Personnel By-Law. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 10 – Capital Items Funded from Free Cash Items Under \$50,000 at a cost of \$89,900. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 11 – Facility Maintenance and Repair Fund at a cost of \$561,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 12 – Fund New Fire Department Ambulance \$290,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 13 – Supplement Landscape Reclamation from Golf Capital Improvement Fund at a cost of \$35,000 from the Golf Improvement Fund. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 14 – Approve the Use of the Golf Improvement Fund to Construct New Tees at a cost of \$30,000 from the Golf Improvement Fund. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 15 – Establish a New Capital Infrastructure Revitalization Fund at Cranberry Valley Golf Course. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 16 – Reconstruction of Saquatucket Municipal Marina \$6,000,000 as a debt exclusion. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 17 – Saquatucket Harbor Landside Renovations – Engineering Design \$250,000 out of free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 18 – Road Maintenance Program \$700,000 as a debt exclusion. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 19 – Purchase and Equip Vehicles for the DPW \$316,500 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 20 – Purchase and Equipment New Equipment for the DPW \$188,209 out of free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 21 – Purchase of a New Excavator for the Water Department \$125,000 from the Water Enterprise Fund. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 22 – Replacement of the Lothrop Avenue Water Storage Tank \$1,600,000 out of the Water Enterprise Fund. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 23 – Replacement of Existing Supervisory Control and Data Acquisition (SCADA) System \$300,000 from the Water Enterprise Fund. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to indefinitely postpone Article 24 – Inter-Municipal Agreement with the Town of Chatham. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to indefinitely postpone Article 25 – Enact a Sewer Use General By Law. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Mr. MacAskill moved to accept and adopt Article 27 – Fund Land Bank Debt Service in the amount of \$633,400 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 28 – Restoration of the Chase Library Fireplace Hearth and Base in the amount of \$3,100 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 29 – Restoration of Harwich Historical Society Artifacts in the amount of \$11,000 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 30 – Restoration of Appearance of the Albro House & Accessibility Modifications in the amount of \$18,700 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 2-1-1 vote with Ms. Cebula abstaining from the vote and Mr. MacAskill in opposition.

Mr. MacAskill moved to accept and adopt Article 31 – Update of Town Historical Property Inventory in the amount of \$20,000 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 33 – Historical Preservation Burial Crypts in the amount of \$25,000 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 34 – South Harwich Meeting House Restoration and Preservation in the amount of \$100,000 from CPA funds. Mr. LaMantia seconded the motion and inquired if we had received the information that the Board requested on this item and Chairman Hughes responded that we had not. Mr. LaMantia recommended holding on this item. Mr. LaMantia withdrew his motion and Mr. MacAskill withdrew his second.

Mr. MacAskill moved to accept and adopt Article 35 – Whitehouse Field Fencing Replacement in the amount of \$57,128 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 36 – Queen Anne Road Bike Trail Crossing Lights in the amount of \$29,700 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 37 – Brooks Park Expansion/Improvement Phase 3 in the amount of \$188,000 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 39 – Historic Brooks Free Library Restoration in the amount of \$540,000 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Mr. MacAskill moved to accept and adopt Article 40 – Repeal of Article 42 of May 2007 Annual Town Meeting – Fund Renovations at Old Recreation Building and West Harwich School in the amount of \$32,760 from CPA funds. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Ms. Cebula abstaining from the vote.

Ms. Cebula moved to accept and adopt Article 41 – Acceptance of General Laws Chapter 111, Section 26G. Mr. MacAskill seconded the motion. After discussion it was agreed to invite the Board of Health in to discuss this article. Ms. Cebula withdrew her motion and Mr. MacAskill withdrew his second.

Ms. Cebula moved to accept and adopt Article 42 – Accept MGL Chapter 59, Section 5, Clause 56 – Personal Property Tax Abatement for National Guard and Reservists. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 43 – Amend MGL Chapter 59, Section 5, Clause 41C – Senior Exemption. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 44 – Create Supplemental Senior Exemption \$40,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 45 – Door to Door Canvassing Solicitation By-Law. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 46 – Building/Structure Height in Flood Hazard Areas. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 47 – Proposed Zoning By-Law Amendments. Mr. MacAskill seconded the motion. Mr. LaMantia asked if it would be appropriate to amend Section G to include approval of the landowner. Chairman Hughes said it would be appropriate to bring

that back to the Planning Board. Ms. Cebula withdrew her motion and Mr. MacAskill withdrew his second. The Board heard comments from Brooke Williams.

Ms. Cebula moved to accept and adopt Article 48 – Proposed Amendments to the Harwich Home Rule Charter. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 49 – Amend the Harwich Home Rule Charter Chapter 3, Section 6. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 50 – Amend the Harwich Home Rule Charter – Chapter 7, Section 7-14-2. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 51 – Reconstruction of Ginger Plum Lane through Private Road Betterment \$223,650. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 52 – Defray the Expenses of the Chase Library and Harwich Port Library \$20,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Mr. MacAskill moved to accept and adopt Article 53 – Promote the Town of Harwich in the amount of \$25,000 from free cash. Mr. LaMantia seconded the motion and the motion carried by a 3-0-1 vote with Chairman Hughes abstaining from the vote.

Ms. Cebula moved to accept and adopt Article 54 – Supplement Annual Allocation of Mass Cultural Council for Local Cultural Council Grants in the amount of \$3,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 57 – Approve the Transfer of Town Parcel to Cemetery Department to Develop a Pet Cemetery and Pet Crematory. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 58 – Departmental Revolving Funds Authorization. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 59 – Establish a Wetlands Revolving Fund. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 61 – OPEB Trust Fund at a cost of \$300,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 62 – Fund Prior Year's Unpaid Bills \$25,000 from free cash. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 63 – Compensating Balance Agreement. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 64 – Liability Tidal/Non-Tidal Rivers. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt Article 65 – Herring Fisheries. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Ms. Cebula moved to accept and adopt STM Article 2 – Repeal of Article 9 of May 2011 Special Town Meeting: Acquisition of Tax Title Properties return to CPC funds of \$50,000. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

Mr. MacAskill moved to accept and adopt STM Article 3 – Fund Administrative Costs of the Community Preservation Committee for the Acquisition of Properties in Tax Title, Owners Unknown or Other Dispute in the amount of \$50,000. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

## **NEW BUSINESS**

### A. Budget Amendment #2 – *discussion and possible vote*

Ms. Greenhalgh outlined the proposed budget changes. No action was taken.

### B. FY 2016 Revenues – *discussion*

Ms. Greenhalgh and Mr. Gould reported on the General Fund Revenues through March. No action was taken.

## **TOWN ADMINISTRATOR’S REPORT**

### A. FEMA – National Flood Insurance Program

Ms. Greenhalgh reported that FEMA has determined that Harwich has increased to a Class 8 in the National Flood Insurance Program Community Rating System.

### B. Ice Cream and Food Concessions at the beaches for 2016 summer season

Ms. Greenhalgh reported that contracts have been issued to Winterbottom Ice Cream and Buca Dogs for concessions at the beaches this year.

### C. West Harwich School

Ms. Greenhalgh distributed a revised memo from Mr. Clark on the West Harwich School Construction which will be on next week’s agenda.

### D. Muddy Creek update

Ms. Greenhalgh presented a time lapsed video of the progression of the Muddy Creek Reconstruction project.

### **SELECTMEN'S REPORT**

Ms. Cebula requested to place on an upcoming agenda a discussion on issues pertaining to a recent meeting on room rental fees at the Community Center.

### **ADJOURNMENT**

Chairman Hughes adjourned the meeting at 8:03 p.m.

Respectfully submitted,

Ann Steidel  
Recording Secretary

## Related Documents - 4/4/16 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes March 14.pdf
- 03 Rec-Youth Legal Ad.pdf
- 04 Beach Sticker Fees.pdf
- 05 Rec-Youth Rule #20.pdf
- 06 Dog Hearing - Order.pdf
- 07 Hot Stove License.pdf
- 08 Viera License Renewal.pdf
- 09 Chapter 90 Request.pdf
- 10 COA Gifts.pdf
- 11 Review of Town Mtg Warrant Articles.pdf
- 12 Budget Amendment #2.pdf
- 13 Revenue Discussion.pdf
- 14 National Flood Ins Program.pdf
- 15 Beach Concession Bids.pdf
- 16 West Harwich School Update.pdf