**MINUTES**

**SELECTMEN’S MEETING**

**GRIFFIN ROOM, TOWN HALL**

**MONDAY, FEBRUARY 4, 2019**

**6:30 P.M.**

**SELECTMEN PRESENT:** Ballantine, Howell, Kavanagh, MacAskill, McManus

**OTHERS PRESENT:** Interim Assistant Town Administrator Robert Lawton, Lee Culver, Bob Furtado, Jon Chorey, Dana DeCosta, Dan Tworek, Emily Mitchell, John Rendon, and others.

Chairman Kavanagh reported that the Board tabled their Executive Session items tonight with the exception of the Executive Session minutes.

**WEEKLY BRIEFING**

No one appeared before the Board.

**PUBLIC COMMENTS/ANNOUNCEMENTS**

There were no public comments or announcements.

**CONSENT AGENDA**

1. Minutes:
2. June 11, 2018 Executive Session
3. July 9, 2018 Executive Session
4. July 23, 2018 Executive Session
5. August 6, 2018 Executive Session
6. August 20, 2018 Executive Session
7. November 19, 2018 Executive Session
8. November 26, 2018 Executive Session
9. December 3, 2018 Executive Session
10. Accept the gift of $924 from the Friends of the Harwich Council on Aging for the purchase of two SafetyNet Tracking Systems for the Council on Aging.
11. Approve a fee waiver ($60) for the MRSD School Superintendent for use of a room at the Community Center on February 5, 2019
12. Accept the resignation of Mary Maslowski as the Housing Committee’s representative to the Community Preservation Committee
13. Vote to refer the following proposed zoning By-laws to the Planning Board for Public hearing:
14. Single-family dwelling with accessory apartment
15. Freestanding Portable signs
16. Retaining walls for septic systems
17. Special provisions for lifting existing structure to new and appropriate elevations

Mr. McManus moved approval of the Consent Agenda and the recommended actions thereon. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

**PUBLIC HEARINGS/PRESENTATIONS** *(Not earlier than 6:30 P.M.)*

1. Cape Cod Regional Technical High School and Monomoy Regional School District to meet with Selectmen and Finance Committee to discuss first draft budget and five-year plan. To also discuss the growth rate for non-teaching personnel (central office) and percentage of increase for Monomoy Regional

Supt. Sanborn of the Cape Cod Regional Technical High School presented to the Board a hard copy of the full line item budget for FY20, draft assessments for all 12 towns and the assessment for the capital project that will be due in November 2019. He presented a Power Point presentation that included FY20 enrollment and enrollment trends, budget increases over the past 6 years, assessments and state aid, employee benefit costs, MCAS performance, graduation rate, and the new school building project. He took questions and comments from the Board.

Supt. Carpenter and Business Manager Katie Isernio of the Monomoy Regional School District provided a Power Point presentation of the FY20 draft budget. Supt. Carpenter discussed that there is a significant driver of Special Education Out of District costs resulting in an overall 3% budget increase and without that increase the remainder of the budget increases at 1.96%. He noted that this is a reduced staff budget (8.5 full time employees) without any reduction in services or programs. He further discussed other items affecting the budget including health insurance, bus transportation, contract negotiations and noted that declining enrollment in Chatham is responsible for a minimum contribution shift towards Harwich. The presentation addressed state aid, enrollment trends, the strategic plan, teacher contract negotiations, employee benefit costs, class sizes, school choice, bus transportation contract and costs, curriculum changes, building maintenance, and personnel costs. He reported that the total budget is $40,901,482 with Harwich’s assessment going up by $638,961 and Chatham’s assessment going down by $155,764 which is driven by the enrollment. Supt. Carpenter and Ms. Isernio took questions and comments from the Board and Finance Committee on these topics. The Board asked to be provided with the true costs from soup to nuts for bus transportation.

1. Wastewater Updates – Memorandum of Understanding with Department of Environmental Resources and the Harwich Conservation Trust; Cold Brook project; Dennis / Harwich/ Yarmouth – David Young – CDM Smith

Mr. Young and Mr. Giudice, Project Manager for Phase 2, provided a Power Point presentation noting that they are on schedule and on budget. He stated that we submitted a complete SRF application to DEP for SRF funding and are working closely with DEP on it. He stated that they had a hearing on January 16 before the Conservation Commission for two of the pumping stations and will be back before them on February 6. He noted that they will have to go before the ZBA for variances for two of the pumping stations due to setback issues. He stated that they have been having regular meetings with Chatham. Mr. Young reported that the Town received a letter from DEP based on the application that we probably qualify for a 0% interest loan rather than a 2% loan and that is good news.

Mr. Young provided a Power Point presentation of the Cold Brook Eco-Restoration Project which included a plan developed over the last year working with DER, HCT, DEP, the Town and CDM Smith. He noted that this conceptual plan will ultimately move forward and be designed with a lot of details still to be worked out such as the depth of the ponds and this meets the Town’s goal of trying to get from 30% to over 50% nitrogen removal. He said they have drafted a Memorandum of Agreement that has been sent to HCT as the owner as well as DER who are reviewing. He said the biggest discussion items now are the term of the agreement and the cost sharing. He said the HCT is working with DER who is in the process of procuring the final designer for this project. He noted that construction is expected to start in the Fall of 2020. They took questions and comments from the Board regarding mitigation monitoring.

Mr. Young provided a further Power Point presentation on the Dennis/Harwich/Yarmouth Clean Waters Partnerships including a cost overview which he commented was very positive. He discussed how the three communities would tie in to this project from a flow aspect with Harwich sending a little under a million gallons. He discussed the significant savings for Harwich to participate in this three town partnership and added that we are very close to having an agreement.

**NEW BUSINESS**

1. Authorization for the Town Administrator to execute all Sewer Collection System – Phase 2 SRF grant and/or loan activities

Mr. MacAskill asked to table this item until the Town Administrator returns and the Board agreed.

1. Request to approve and sign the Green Communities Designation Grant Project Application

Mr. MacAskill moved to approve the Town of Harwich application for Green Communities Designation Grant for $152,910 and to sign the required certificate of application as presented by Sean Libby the Facilities Manager. Mr. McManus seconded the motion. Mr. MacAskill clarified that the application is for a boiler at the library. The motion carried by 4-0-0 vote with Mr. Howell not present for the vote.

1. Fire Chief amended request - Capital Plan for Fire Department Vehicle Replacement

Chief Clarke outlined the summary of his request dated January 28th as follows:

The fire department would like to re-structure the capital plan to combine the replacement on an engine and ladder with a single multi-purpose quint (combination engine and aerial device). This vehicle would have the capabilities of both an engine and ladder. This change would involve the removal of the Engine from this year's plan, moving the ambulance a year forward for FY21 and eliminating the ladder replacement in FY24. A new capital request for $1,000,000 would be added to FY21. This plan offers the department some additional capabilities by combining two functions into one vehicle while maintaining its ISO rating and operational effectiveness. This plan also offers the town some financial relief by removing $600,000 from FY20 and $1.4 million from FY24. Additionally, this plan reduces the Fire Department Fleet by one vehicle and offers additional savings on equipment replacement and maintenance due to having to equip one less vehicle.

Mr. MacAskill moved to support the Fire Chief’s request to amend the Capital Plan as presented. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

1. Wastewater Support Committee request to approve resident mailing

At Ms. Donahue’s request, Mr. MacAskill moved that we approve the resident mailing as presented by the Wastewater Support Committee for phase 2 wastewater system so long as the money is available. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

1. Request from Community Development Partnership for letter of support for Block Grant – Authorize the Chair to sign

Mr. MacAskill moved to approve the request from Community Development Partnership for a letter of support for the Block Grant and authorize the Chair to sign. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

1. Preliminary Draft Warrant

Mr. MacAskill asked that the Chair work through the Town Administrator and if we have to modify this by Friday, that we have a special meeting by then. Mr. Howell said the agenda posting doesn’t indicate that we would be taking out or changing articles and he agreed with Mr. MacAskill that a special meeting should be held. Mr. McManus suggested holding the meeting on Thursday evening and the Board agreed. Chairman Kavanagh said she would speak to Mr. Clark in the morning.

1. “Encourage all to participate – gender neutral terminology” – request for Harwich to change the name from Board of Selectmen to “Select Board”

Ms. Amy Harris said she would like more people to participate in government and that is why she put this forward as it is more encompassing, inclusive and welcoming. She discussed other towns that have done this already. Mr. DeCosta commented to the Board that if they are going to consider doing this that they form a committee as there are a lot of implications here and Mr. Howell agreed. The Board took comments from Donna Richardson in support of the request. Mr. McManus commented that although he believes looking into this is worthwhile, we shouldn’t do anything off the cuff. The Board took comments from Judith Winters who also spoke in support of the request. Mr. Howell moved to refer this to the Charter Committee. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

1. Cornelius Pond Purchase and Sale Agreement (P&S) and Conservation Restriction (CR) – *sign Purchase and Sale Agreement*

Chairman Kavanagh said this item is being held and she will ask Mr. Clark to put this on the agenda for Executive Session next week.

1. Participation in the FY 19 Truro Regional CDBG Grant – *approve and authorize the Chair to sign*

Mr. MacAskill asked to hold on this item as an acronym was used on the agenda item and it has to be spelled out per the Attorney General’s office.

1. Request from Jack Sheeran of Freedom Cruise Line to increase the number of passengers per trip on the Freedom Ferry from 80 to 99

Mr. Sheeran discussed the increase in the Freedom Ferry use noting that they have had a record year. He noted that they are sold out for 39% of the trips. He stated that they have a limit of 80 passengers on their license and that was put in place in the mid 1990’s and the Steamship Authority has approved him for 99 and he has approached the Coast Guard to increase his certificate of inspection number. He said his plan for the parking is to use his lot across the street for overnight parking. Mr. McManus moved to approve his request. Mr. Ballantine seconded the motion. Mr. Rendon spoke in support of the request. The motion carried by a unanimous vote.

**TOWN ADMINISTRATOR’S REPORT**

1. Saquatucket RFP (final version)

Mr. Lawton noted that the Saquatucket RFP is out on the street.

1. Mass Office on Disability Project Grant

Mr. Lawton reported that the $250,000 grant was not approved.

1. MassWorks Sidewalk - follow up on denial

Mr. Lawton said he believes this was a denial but didn’t know what the follow up was supposed to be.

1. Departmental Reports

There was no discussion on this item.

**ADJOURNMENT**

Mr. Ballantine moved to adjourn at 10:02 p.m. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel

Recording Secretary