

Board of Selectmen Minutes

06/10/2013

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 10, 2013
7:00 P.M.**

SELECTMEN PRESENT: Ballantine, Hughes, LaMantia, McManus

OTHERS PRESENT: Town Administrator James Merriam, David Spitz, Brooke Williams, Gerry Loftus, Jamie Norcross, and others.

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

Chairman LaMantia reported that the Board had just come out of Executive Session where they were discussing strategy on collective bargaining and real estate matters.

PUBLIC COMMENT/ANNOUNCEMENTS

Brooke Williams suggested putting unsuccessful CPC applications on the Town's website.

CONSENT AGENDA

- Approve Minutes
- June 3, 2013 Executive Session
- May 28, 2013 Regular Session
- Vote to send letter of thanks to those involved with the reconstruction of Route 137
- Vote to authorize Chair to sign Amendment #4 to Agreement with CDM Smith, Inc.

Mr. McManus moved approval of the Consent Agenda with the exception of Item E which should be held to a later time. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 7:00 P.M.)*

- **Public Hearing** – Application for transfer of the Annual, Package Store, Wine & Malt Beverages License currently held by Prisha Corporation d/b/a Value Mart to Maulik Corporation d/b/a Value Mart

Mr. Hughes read the hearing notice into record. Jamie Norcross, representing Maulik Corporation reiterated that the applicant is seeking transfer to Maulik Corporation which is currently under agreement to purchase the business. He noted that the new owner does not expect to make any major changes and will keep it as a convenience store and that the new owner has been working at the business. Mr. Norcross submitted the certified mailing receipts and Affidavit of Notice to Abutters. Mr. LaMantia called for public comment and no one appeared before the Board. Mr. Ballantine moved to close the hearing. Mr. McManus seconded the motion and the motion carried by a unanimous vote. Mr. Ballantine moved to approve the application that has been made to the Board for transfer of the Annual, Package Store, Wine & Malt Beverages License now held by Prisha Corporation d/b/a Value Mart to Maulik Corporation d/b/a Value Mart and described on the premises located at 435 Route 28, Harwich Port. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- Request to extend groin located at the 43 Shore Road property per agreement between the Town and the Fitzpatrick family – *discussion/authorize Town Administrator to send letter to property owners*

Mr. Merriam reported that the Town reached a settlement with the Fitzpatrick's with regard to Beach Road access. He noted that there are 6 conditions of agreement, one of which is that the Board of Selectmen will write a letter stating that the Town has no intention of extending a groin located seaward of their Shore Road property. Mr. Ballantine moved we approve the letter to Mr. and Mrs. Daniel Fitzpatrick stating that we will take no action at this time to extend the groin in front of their property. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

- Facilities Maintenance Manager job description – *discussion/possible vote*
The Board discussed the two different approaches to the job description that were presented. Discussion centered on whether the description should focus strictly on planning, maintenance, or a blend of the two. After discussion, Chairman LaMantia asked Mr. Merriam to blend the two approaches into one document. Mr. Hughes offered to meet with Mr. Merriam and Mr. Hooper to work on this and the Board agreed.

- Purchase and Sales Agreement between the Town and the Compact – *vote to approve*

Mr. Ballantine moved to proceed with signing the Purchase and Sale Agreement. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

- Disposition of Thankful Chase 2 – *discussion/possible vote*

Mr. Loftus requested that the Board assign this to the Planning Department in an effort to get an RFP out on the street in the next 60-90 days. Mr. Spitz noted that he has already prepared a draft RFP. He stated that he met with one potential bidder and their concerns included the appropriate mix of bedrooms and the energy component. Mr. McManus stated that there are concerns regarding the fact that the planning of the infrastructure for Thankful Chase I anticipated that it would be shared with the phase 2 project and that if the bid were awarded to a totally separate entity there would end up being duplication of infrastructure. Mr. McManus moved to have this come back with comments about that issue filled in so that we could be making a decision with that in mind. Mr. Hughes seconded the motion and the motion carried by a unanimous vote. Chairman LaMantia asked Mr. Spitz to work on this with the Housing Authority.

NEW BUSINESS

- Allen Harbor Fishing and Boating Access Grant – *discussion and review of Allen Harbor Parking Lot Lease*

The Board discussed Mr. Merriam's letter on this subject dated May 29, 2013 (see attached). No action was taken.

- Request by Housing Committee to issue an RFP for the future use of the Middle School Building – *discussion/vote to refer to Middle School Repurpose Committee*

Mr. Loftus requested that a general purpose RFP be issued for the future use of the Middle School. He noted that schools are being converted to housing in others towns.

Mr. Ballantine commented that we need to get this on the street. Mr. Hughes stressed that any action or recommendation should come from the Middle School Repurpose Committee and this letter should be referred to them. Mr. McManus moved to refer this letter to the Middle School Repurpose Committee. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

Mr. Merriam delivered the following report to the Board:

Beach and Transfer Station stickers

Stickers go on sale starting Monday, June 10th at the Community Center. The rates have not changed since last year.

H1859

The Planning and Zoning bill has been posted on the Town's website in Reports, Data, Documents and Maps.~ Also, a notice in News & Notices with a link to the former location.

Verrochi appraisal

I authorized Linda Coneen to perform a self contained appraisal in order to meet the Land Grant application which the Compact is preparing. I've also asked CPA Chair Bob McCready to seek \$2500 in CPA admin funds.

Certificate of the Secretary of Energy and Environmental Affairs on the Final Record of Decision

See attached decision dated May 10, 2013 approving the Phase 1 waiver request and allowing the Phase 1 to proceed prior to preparing a mandatory EIR.

Facilities Manager comments from Lincoln Hooper (see attached job description)

Therefore, I have~reviewed~the Facilities Maintenance Manager position that you sent me and would like~to offer the following observations:~

- It is my strong feeling that this

person will need to~perform both skilled labor and~administrative/ planning duties.~ In fact, all of my management staff (maintenance managers~and foremen) perform both administrative and laboring duties.~ This was my intent when the positions~were negotiated into~the HMEA contract.

- The attached job~description (that I believe I~sent you and developed a few years ago when we tried for this position) follows the form of all the other accepted job descriptions~within the department.~ For consistency's sake I would recommend maintaining this format.
- I would not box ourselves in requiring~a specific~college degree - rather list it as a preference or desirable.~
- The word "operation" really doesn't fit.~ The existing HMEA contract contains "maintenance manager" positions.~ I would recommend~calling this position a~Facilities Maintenance Manager to be consistent with the existing contract
- Although there is nothing I specifically object to in~Selectmen's draft,~I believe it is weighted~too heavily~on the administrative functions, with~little regard to performing laboring~duties.

Open Cape completion

- CapeNet and OpenCape are reaching an exciting milestone next week - and we hope you can join us as we celebrate the completed construction of the region's new fiber network on Friday, June 14 at the Massachusetts Maritime Academy campus in

Buzzards Bay!

Old Rec Repairs requested by HJT

1. I had the roof inspected this morning and it is in need of re-shingling (see attached picture.
 2. We can arrange to have the septic tank pumped, but it's generally the health dept. that inspects to ensure it is functioning.~
 3. What exactly do you mean~by "upgrade the electrical service"?~ I assume you mean a new 200 amp breaker panel to~code?
~~Who has the budget for this?
 4. John knows that Ed had ordered the windows, but told me he has not been asked to install them.~ If~you are requesting that John install them, I will have him schedule it when he returns to work on June 10th.
- Thanks,Link~~~~~

That picture explains a lot.~ I am having the septic tank pumped today so that is taken off of the table for now, hopefully it is still in working order.~ It is set to be inspected ~when they inspect the new hookup which should be beginning of next week.~ As for the windows, we have the storms which need to be put on, but I thought the windows were going to be re-glazed and painted first?~

We are replacing a lot of the wiring inside the building to bring it up to code as that is required of everything we touch.~ The electrician we have said that the service is very old and very dated and he highly recommends that we upgrade the service for safety.~ I can get a second opinion if you like and also I realize that we would need two quotes additional quotes as well.~ I do not believe this is time sensitive though.~ Our electrician will also be replacing some emergency and safety items that are required

that are not in the building or are not working which will be done at no charge.~

Lastly, if and when the storms are put up, can we make sure that they are put up at Brooks Academy as well.

Thanks

Jeremy

I am waiting on two more painting quotes so we can award a bid and get the exterior frames done. After that the storms will be installed.~Once all that is finished we will have the windows pulled out to the inside and fully rehabed.~

Ed

Muddy Creek Bridge

Chatham and Harwich representatives met with CD Maguire for monthly design and permitting update. The 25% design plans should be complete in July. Maguire provided schematics and proposed detour plans. They are reviewing preliminary cost estimates and permitting on schedule, waiting for more detail plans.

New Elementary School Sign requested

Geoff, Katie Iernio, School Business Manager, has informed me of Monomoy's desire to replace their existing Elementary School sign. Could you assist her with a permitting requirements?

SELECTMEN'S REPORT

- Board of Selectmen goals –
discussion
- Role of Selectmen Liaisons –
discussion

Chairman LaMantia asked for input on the proposed liaison list. He stated that the role

of liaison should be defined and there needs to be a unified way of proceeding in that area. He further asked the Board to come up with some goals for the next meeting and he stressed the need for committee training.

ADJOURNMENT

Mr. Ballantine moved to adjourn at 8:38 p.m. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary