

Board of Selectmen Minutes

11/26/2012

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, NOVEMBER 26, 2012
7:00 P.M.**

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

OTHERS PRESENT: Town Administrator James Merriam, Pauline Ashton, Dean Knight, Bob MacCready, Mary Warde, and others.

MEETING CALLED TO ORDER at 7:05 p.m. by Chairwoman Linda Cebula.

Chairwoman Cebula reported that the Board had just come out of Executive Session where they were doing some strategy in preparation for negotiations with non union personnel and collective bargaining.

CONSENT AGENDA

- Approve Minutes –
- November 13, 2012 Executive Session
- November 13, 2012 Regular Session
- November 19, 2012 Executive Session
- Vote to approve request for Pleasant Lake General Store to close for renovations per Section 1.19 of the Board of Selectmen's Liquor License Regulations
- Vote to approve 2013 Annual General License Renewals as recommended
- Vote to authorize Chair to sign declaration from State Reclamation Board supporting Mosquito Control Funding for FY14
- Vote to appoint Matt Hart to the Real Estate and Open Space Committee
- Vote to accept Planning Board's appointment of Allan Peterson to Trails Committee
- Vote to approve list of ambulance bill abatements as recommended by Town Treasurer/Collector
- Vote to accept Sustainable Materials Recovery Program Municipal Grant from Massachusetts DEP
- Vote to approve Notice of Non-Discrimination Policy
- Vote to hold joint Public Hearing with Capital Outlay and Finance Committees on

Capital Plan on December 17, 2012

Mr. Ballantine moved approval of Items A1 and A2. Mr. McManus seconded the motion and the motion carried by a 4-0-1 vote with Mr. Hughes abstaining from the vote.

Mr. McManus asked to take up Item B separately and Mr. Ballantine asked to pull Item D. Mr. Hughes moved to approve the balance of the Consent Agenda. Mr. Ballantine seconded the motion. Chairwoman Cebula asked that it be included in the motion that Mr. Peterson's appointment would be co-terminous with his Planning Board term and Mr. Hughes and Mr. McManus agreed. The motion carried by a unanimous vote.

Mr. Hughes moved to approve the request for the Pleasant Lake General Store to close for renovations per Section 1.19 of the Board of Selectmen's Liquor License Regulations (Item B). Mr. Ballantine seconded the motion and the motion carried by a 4-0-0 vote. Mr. McManus recused himself on this item.

With regard to Item D, Mr. Ballantine expressed concern over language in the contract under #6 which he believes indicates that our costs can go up if other towns drop out at which point we will have to make up the difference. He stated that basically it is an open-ended contract. After discussion, Mr. Ballantine moved to accept this with taking out the sentence in #6 "If the composition of the District changes because one or more municipalities join or withdraw from the District, the total preliminary budget will be adjusted pro rata." Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

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

A. Annual Meetings with the Board of Selectmen

1. Treasure Chest Committee

Pauline Ashton delivered the annual report of the Treasure Chest Committee.

2. Conservation Commission

Dean Knight delivered the annual report of the Conservation Commission.

- **Community Preservation Committee**

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

NEW BUSINESS

- Distribution of state aid to public libraries – *discussion & possible vote*

Mary Warde explained that for over 20 years the Town has shared State Aid to Public Libraries Funds with non-municipal libraries in Harwich and the current distribution is 50% to Brooks Library, 25% to Chase Library, and 25% to Harwich Port Library. She noted that this distribution is historic practice but not written policy and no documentation exists authorizing this traditional practice. She asked that the Board vote on the matter so that the Town officials have the written authorization they need going forward.

Mr. Hughes moved, based on past practice associated with the distribution of the funds the Town receives as its share of state aid to libraries, to distribute the funds as follows: Brooks Library 50%, Harwich Port Library 25%, and Chase Library 25%. Mr. Ballantine seconded the motion. Mr. McManus questioned if that is going to be our ongoing policy or just for this year. Mr. Hughes responded that it will be until they change it otherwise. The motion carried by a unanimous vote.

- Draft Grant Ascertainment Letter to State 911 Executive Director – *discussion & possible vote to authorize Town Administrator to sign*

Mr. Merriam outlined the letter and took questions from the Board. Mr. Hughes moved to endorse this letter as written to support the grant and authorize the Town Administrator to sign. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

Mr. Merriam delivered the following report to the Board:

Fire Department Award Ceremony

Fire Chief Clarke and Deputy Chief Farrenkopf conducted an awards ceremony at the Station on November 20th in which they recognized FF Eric Elliot (transfer from Wellfleet) and Buck Mabile (Captian/Inspector) for promotions and several staff members for service above and beyond the call of duty. Chief Clarke and Deputy Chief Farrenkopf should be recognized for their outstanding management.

Covanta letter

Dear Jim,

Please see the attached letter regarding continued waste disposal services provided by Covanta SEMASS.

Sincerely

Tom Cipolla

Business~Manager~
COVANTA SEMASS

From Patty Daley

As John responded, it looks like all the towns are receiving this letter.
My meeting with Covanta was positive, and I'll be talking w/ Waste Management this afternoon.~ I should have some specifics to discuss by 11/28.

From Lincoln Hooper

DEP announced its SMRP grant awards this morning.~ Harwich has been awarded \$5,500 for a rigid plastics roll-off and \$5,000 for related education materials. Here's the link to DEP's announcement -

Friends of the Harwich Youth gift

Just wanted to let everyone know that I just heard from Jeremy Gingras at the Chamber and he informed me that our \$ request from the Friends of the Harwich Youth and the proceeds of the Harwich Road Race was approved in full.~~ We will receive \$2500 towards Saturday night open gym staffing, lacrosse equipment, and other miscellaneous Recreation program equipment.~
Eric

Cape Tech FY 14 assessment

Dave Ryan and I spoke with Supt. Bob Sanborn and Business Manager Erin Orcutt re: assessments. While overall enrollment has declined, Harwich's enrolment increased from 74 to 84. We have tentatively calculated an assessment increase of \$260k, which was not projected in our five year plan.

Regional grant application: shark sitings

On 24 October the Cape & Islands Harbormaster Association hosted a Regional Shark discussion at Orleans Town Hall.~ Greg Skomal, MA Marine Fisheries made a presentation on shark activity within Chatham waters and surrounding areas, and discussed the departments tagging and tracking efforts over the last couple of years.~ There were a number of state and local agencies present at the discussion... well attended and well covered by the media (good article in CC Times).~

There was a great deal of discussion on how to address public safety concerns posed by the increased number of shark sightings along local beaches.~ One of the outcomes of the meeting was to form a Working Group that focuses on measures to address public safety... the first Working Group meeting was held on 8 November.~ Resulting from the Working Group was the decision to submit a regional Community Innovation Challenge (CIC) grant to request funding for various items relating to public education, shark

detection activity and shark deterrence measures... the application is for approx \$340K and there are 12 communities represented in the regional grant application, one of which is Harwich.~ This grant program is the same one that we used last year for the Closed Loop Washdown System; the deadline for submission is 30 November.~

Dawson Farber, Orleans Harbormaster, has taken the lead on drafting the grant application, and as stated below he will be forwarding the completed application for review to all of the 12 communities that are part of the submission;~ the application will require your signature or the BOS signature once completed.~ I will keep you posted.

v/r, John

Cape Cod Economic Development Council

Attached is a copy of a certified letter dated November 8th to Linda Cebula from David Willard, Chair of the CCEDC seeking the return of the \$24k in frozen funds plus \$8598 in expended funds which they believe “were outside the scope” which we have challenged.

Ted Nelson comments re: CWMP

Attached is a letter dated November 19th from Ted Nelson, Chair of the Wastewater Implementation Committee, offering comments on the draft CWMP. Also included is David Young’s 11/18 responses to Ted’s first draft.

Pleasant Bay Resource Management Alliance

Attached is a letter dated November 15th from Allin Thompson, Chairman of the Steering committee to Peter De Bakker regarding the draft CWMP.

North Westgate Road Repair request

See attached letter from Attorney Brian Wall and photos. DPW Director Link Hooper and I will recommend a solution.

Capital Budget dates

November 27th Capital Budget Committee last meeting

December 10th TA presents Capital Budget to Joint BOS/FinCom/ COC

December 17th Joint Public Hearing BOS/FinCom/ COC

911 Regional Dispatch Attestation Letter

See attached for BOS authorization for TA to sign

There are links from our "Reports, Data, Docs....." on the main page and from the WQM Task Force page.
Foster.

County Dredge option –Allen Harbor

Hi Jim and Bob,

Attached is the Natural Heritage~and Endangered Species Program's letter regarding the dewatering at Earle and Pleasant Rd beaches.~ They have no issue as long as we are done by April 1, and since the dredge has to stop by Jan 15, this should not be an issue as the pipes will all have been removed way before then.~ If you have any questions please let me know.

Amy Usowski

Meetings on November 21, 2012

- 1)I am scheduled to meet with Ed Brady from the AHYC re: Burnham dredge schedule.
- 2) I am scheduled to meet with Bob Doane, Mark Russell and Jeremy Gringas to discuss the Old Rec utility bills and storm window installation schedule.

ADJOURNMENT

Mr. McManus moved to adjourn at 8:12 p.m. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary