

APPROVED

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, SEPTEMBER 23, 2013
7:00 P.M.**

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

OTHERS PRESENT: Robert C. Lawton, Jr., Interim Town Administrator

It was moved by Mr. McManus and seconded by Ms. Cebula that the Board of Selectmen go into Executive Session under Massachusetts General Law Chapter 30A, Section 21, Subsection 3 to discuss strategy with respect to litigation as an open session would have a detrimental effect on the litigating position of the Board of Selectmen regarding the Powers property and beach accretion issues and return to open session.

It was unanimously voted Mr. Ballantine – yes, Ms. Cebula – yes, Mr. LaMantia – yes, Mr. Hughes – yes, Mr. McManus - yes.

Open session adjourned 6:01 p.m. and re-opened at 7:00 p.m.

SELECTMEN PRESENT AT RE-OPENED OPEN SESSION: Ballantine, Cebula, Hughes, LaMantia, McManus

OTHERS PRESENT AT RE-OPENED OPEN SESSION: Interim Town Administrator Robert C. Lawton, Jr., David Ryan, Carolyn Carey, Barbara-Anne Foley, Adrienne Johnson, Frank Crowley, and others.

WEEKLY BRIEFING

Anne Stewart asked the Board to place the subject of the Route 124 project on an upcoming agenda so they can hear from the abutters. Chairman LaMantia said they would not consider this until after the first public hearing that will be set up by the Highways and Maintenance Director.

CONSENT AGENDA

- A. Approve Minutes –
 - 1. September 9, 2013 Regular Meeting
 - 2. September 9, 2013 Executive Session
- B. Vote to continue Public Hearing on Proposed Rate Change by Recreation & Youth Commission to September 30, 2013

Mr. Hughes moved approval of the Consent Agenda. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

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

A. Annual Meetings:

1. Community Center Facilities Committee

Carolyn Carey, Community Center Director, delivered the annual report of the Community Center Facilities Committee.

2. Council on Aging

Adrienne Johnson, Chair, delivered the annual report of the Council on Aging.

3. Recreation & Youth Commission

Frank Crowley, Vice-Chair, delivered the annual report of the Recreation & Youth Commission.

B. Presentation – Town-Wide Build-Out Estimates – *David Spitz*

Mr. Spitz provided the attached Power Point presentation entitled “Summary of Harwich Build-Out Studies.” Mr. Spitz took questions and comments from the Board after which Chairman LaMantia asked Mr. Spitz to take it to the Planning Board to work through the numbers and prepare an article if necessary. Mr. Spitz pointed out that if this item comes back to the Board it will be through the Planning Board as they have a sub-committee working on it.

NEW BUSINESS

A. Request by Protect Our Cape Cod Aquifer to provide document to Massachusetts Dept. of Agricultural Resources regarding Nstar spraying – *discussion/possible vote*

Laura Kelley, Director of Protect Our Cape Cod Aquifer, encouraged the Board to write a document similar to what the other towns have done. After extensive discussion with Ms. Kelley, Mr. Hughes moved to adopt the resolution before us. Mr. McManus seconded the motion and the motion carried by a 4-1-0 with Mr. Ballantine in opposition.

B. Extension of Interim Town Administrator’s Contract – *discussion & possible vote*

Chairman LaMantia recommended raising Mr. Lawton’s salary to \$1,900 per three day week in consideration of the number of hours he is working and extend his contract for another 90 days. Mr. Hughes moved that we amend or modify the employment agreement between the Town of Harwich and the Interim Town Administrator such that Section 2 we extend to December 31, 2013 or adjust accordingly, and under Section 3 the salary be \$1,900 per week. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR’S REPORT

Mr. Lawton reported the following:

1. I have been in contact with Elizabeth Argo, CVEC, and received an update on the status of the installation of solar panels. I have confirmed that NSTAR has been paid all of the licensing fees and issued all necessary permits. The Harwich Building Department is prepared to issue the town building permit upon submission of the decommissioning bond

for the project. The DPW has started work to level the area, at the request of the contractor. DPW has also confirmed that Lawrence Lynch Company has been contracted by the developer to complete other necessary site work. Ms. Argo stated that work by the installer should start by the first week in October.

2. We held a Department Head meeting on September 19 and reviewed topics which included capital outlay budget update, submission of Department budgets, solar panel update, information on the Route 124 design, off site participation by committee members at meetings, proposed regulations of fertilizer submitted by the Cape Cod Commission to the Assembly of Delegates and the requirement that the Board of Health hold hearings and adopt local regulations.
3. As part of the discussion during the Department Head meeting on the Route 124 issues, the Director of Highways and Maintenance asked that the Board of Selectmen confirm their support of the project and that the project will be going forward subject only to modifications as a result of the public meetings and 25% design hearing.
4. I have been working with the Town Treasurer to propose a modification to the current Ambulance Billing Policy adopted in 2005 which will update procedures and bring us into compliance with town audit recommendations for waiving and abating ambulance bills which are uncollectible.
5. Within the policy set by the Board of Selectmen for contract approvals, I have approved an amendment to the VHB Route 124 design contract for \$24,960 to cover additional work required by Mass DOT including culvert inspections and reports. Existing funding will cover the amendment cost.

SELECTMEN'S REPORT

Mr. Hughes suggested having the Highways and Maintenance Director show them the challenges and problems on Route 124 and Board agreed. Chairman LaMantia encouraged the Board to look at the preliminary plans.

ADJOURNMENT

Mr. McManus moved to adjourn at 8:59 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary

Summary of Harwich Build-out Studies

Town Planner

September 23, 2013

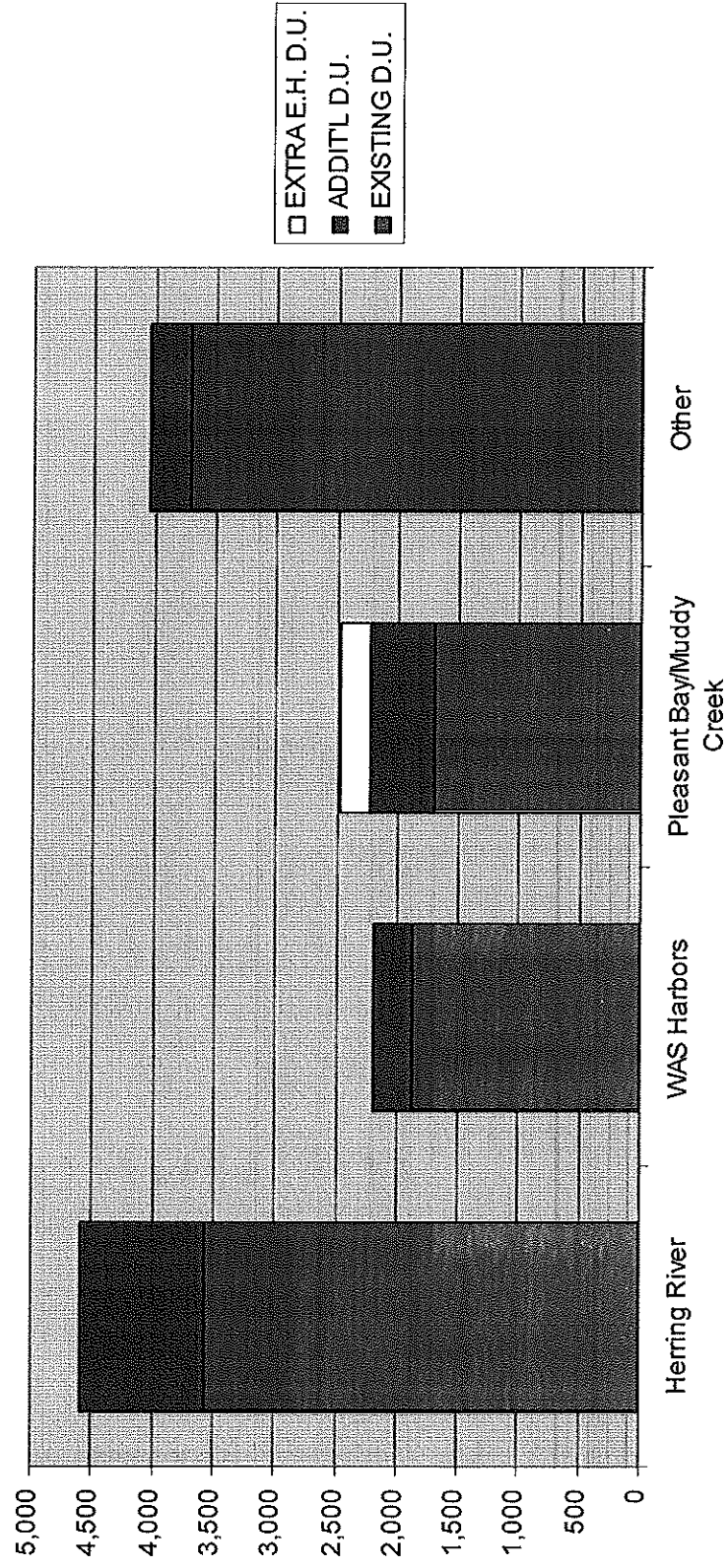
Town-wide Build-out Sources

- Build-out map from early stages of MEP process, 2008
- MEP build-out results for degraded estuaries, reported by CDM-Smith, 2010
- Draft Harwich CWMMP, February 2013
- WatershedMVP, Cape Cod Comm, 2013

Build-out Results

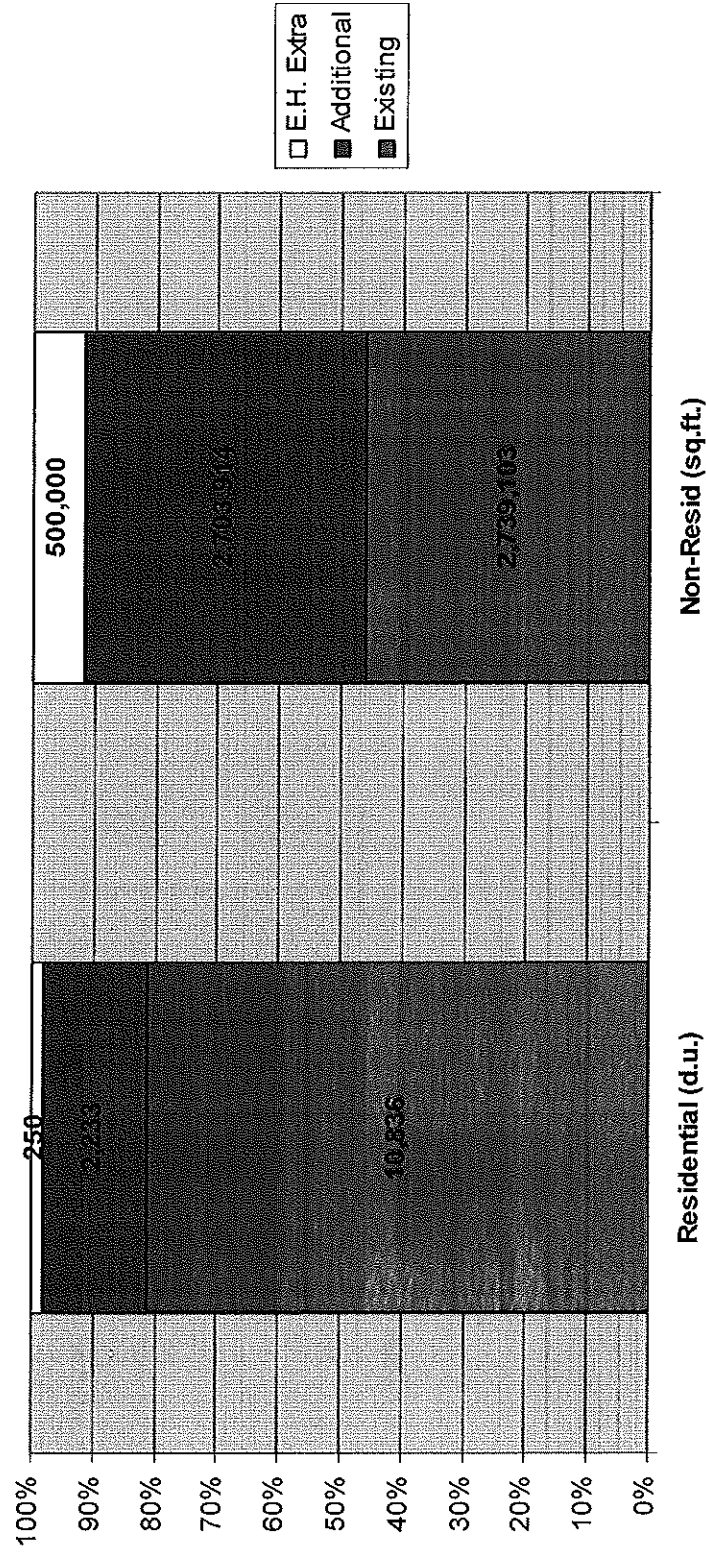
- Residential – very consistent results among different sources
- Non-residential – much greater variation, further analysis needed
- Multi-use districts will add further complications for build-out analyses

Residential Build-out by Watershed (Dwelling Units)



Source: watershedMVP

Percentages - Existing Development and Additional Build-out Town-wide

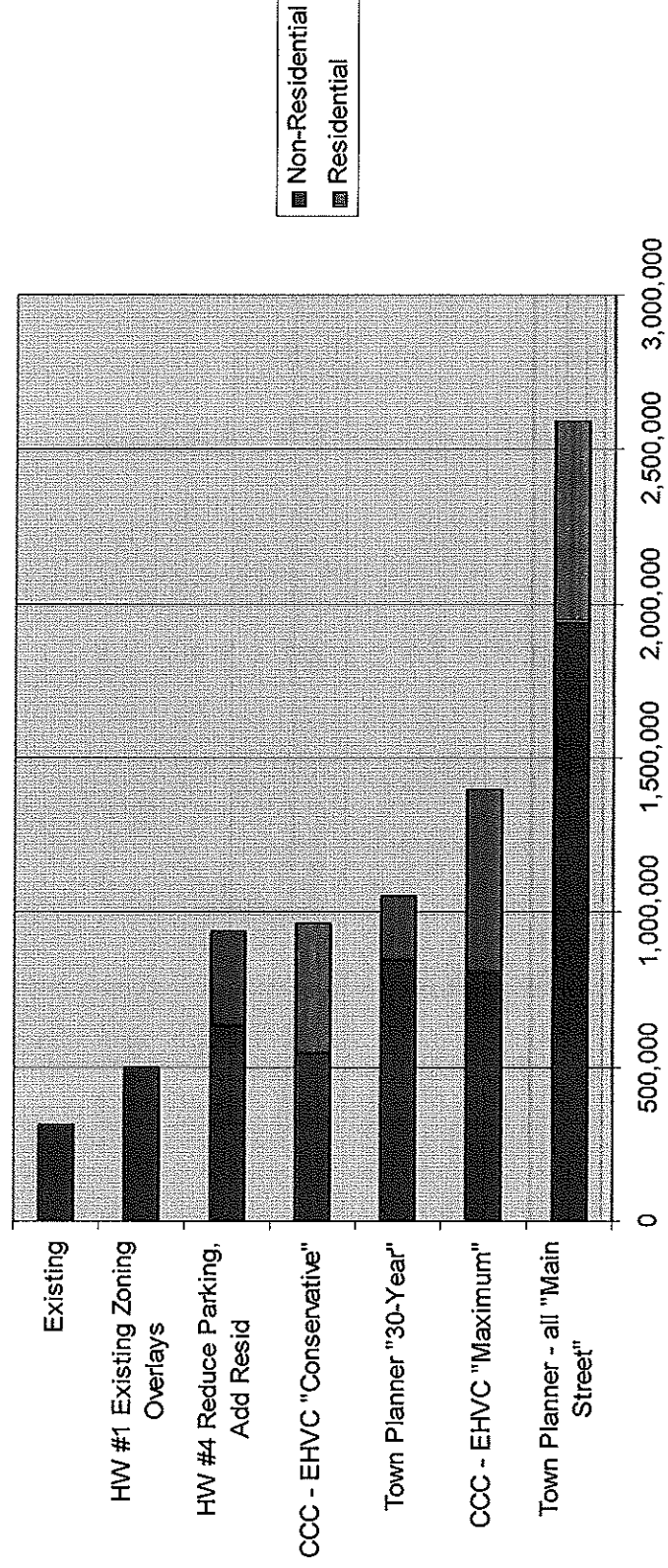


Source: watershedMVP

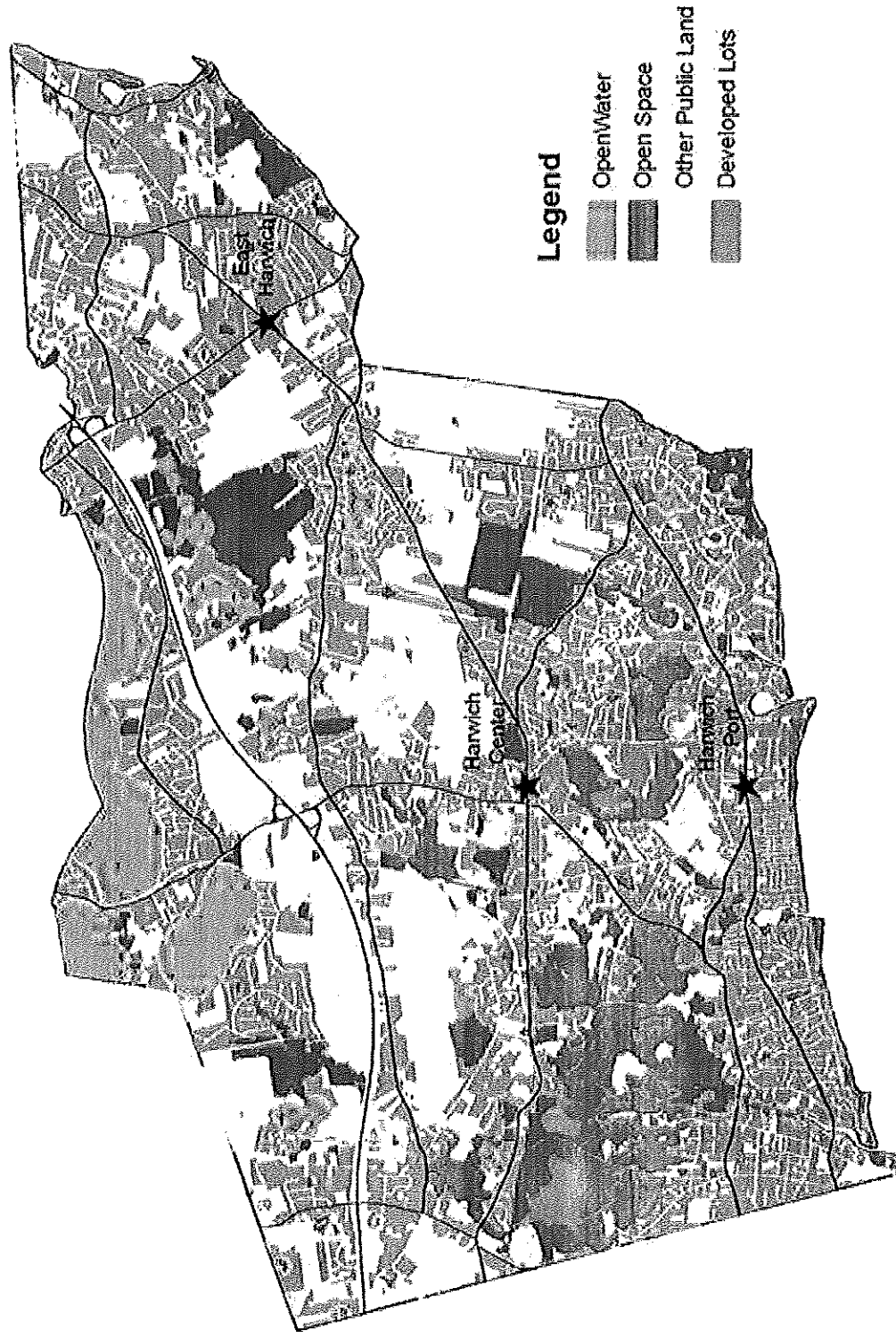
East Harwich Build-out Sources

- The Cecil Group, EH Visioning, 2006
- Horsley-Witten, Zoning Framework, 2008
- Cape Cod Commission, EHVC, 2010-11
- Town Planner, Input to CWMF, 2012

EAST HARWICH BUILD-OUT ESTIMATES



Developed and Protected Land



East Harwich Undeveloped Land

