

# **Board of Selectmen Minutes**

## **04/22/2013**

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, APRIL 22, 2013  
7:00 P.M.**

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

**OTHERS PRESENT:** Town Administrator James Merriam, Carolyn Carey, David Ryan, Chief Clarke, Richard Gundersen, Michael Lach, Leedara Zola, Joe McParland, and others.

**MEETING CALLED TO ORDER** at 7:10 p.m. by Chairwoman Linda Cebula.

Chairwoman Cebula reported that the Board just came out of Executive Session where they discussed collective bargaining and litigation issues.

### **CONSENT AGENDA**

- Approve Minutes – March 25, 2013 Regular Meeting
- Vote to accept resignations of David Plunkett and Gavin Archibald from Waterways Committee
- Approve request by Youth Services Committee to hold summer concert series in Brooks Park
- Vote to approve 2013 Junk Dealer License renewal for Monahan & Co.
- Vote to award contract for new Pumper for Fire Department to 5 Star Truck in the amount of \$448,000

Mr. Hughes moved approval of the Consent Agenda. Mr. Ballantine seconded the motion but requested to hold on Item E and Mr. Hughes agreed. The motion carried by a unanimous vote. With regard to Item E, Mr. Merriam said the gross amount of the bid for the new pumper is \$448,000 which exceeds the appropriation and ballot question which is \$425,000. Chief Clarke identified equipment that would be eliminated to get it down to \$425,000 but noted that he still expects it to be \$425,000 after trade in. He asked that there be consideration in the future to replacing the equipment depending on the trade in amount received. He noted that he should have requested a letter of intent rather than to award the contract. Mr. McManus moved to approve sending a letter of intent to 5 Star Truck for the purchase of a new pumper at a price not to exceed \$425,000 with the detail

in the letter explaining the items to be left off and contingent upon passing Town Meeting and a ballot question. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

## **NEW BUSINESS**

- Request by Harwich Conservation Trust to approve 4 Conservation Restrictions – *discussion & possible vote*

Michael Lach described the 4 conservation restrictions as approved by the Conservation Commission. Mr. Hughes moved to approve the 4 conservation restrictions as requested by the Harwich Conservation Trust including:

- South Street, Lot 1 & Parcel 1A in Barnstable County Registry of Deeds Plan Book 325, P. 21
- Off Skinequit Road, portion of Lot 2 shown on Land Court Plan 30092-C in the Barnstable County Land Registry District
- Grist Mill Lane, Lots 14, 15 and 16 in Barnstable County Registry of Deeds Plan Book 151, P. 41
- Deacons Folly Road, Parcel 1 in Barnstable County Registry of Deeds Plan Book 463, P. 48

Mr. McManus seconded the motion and the motion carried by a unanimous vote.

- Request from Habitat for Humanity for assistance from the Affordable Housing Fund – *discussion & possible vote*

Leedara Zola of Habitat for Humanity summarized the request and discussed the site and project. Mr. McManus moved that we authorize the use of \$139,500 of the Affordable Housing Fund to Habitat for Humanity for the purpose of purchasing a 2 acre parcel off Oak Street in Harwich pending concurrence from the Housing Authority and also authorizing Chair to sign the Local Initiative Application. Mr. Hughes seconded the motion and the motion carried by a 4-0-1 vote with Chairwoman Cebula abstaining from the vote. Chairwoman Cebula noted that she was abstaining as she sits on the Finance Committee for Habitat.

- Request to ask our State Representative & Senator to co-sponsor proposed bill on Chapter 70 formula by Town of Dudley – *discussion & possible vote*

The Board agreed not to take this item up as action was required by April 19<sup>th</sup>.

- Warrant Articles/One Liners – *discussion & possible votes*
- ATM Art. 37 – Rescind Vote on Health Insurance for Elected Officials

Mr. Ballantine and Mr. McManus recused themselves on this item. The petitioner was not present. After discussion, Mr. Hughes moved to indefinitely postpone this. Mr. LaMantia seconded the motion and the motion carried by a 3-0-2 vote.

- STM Art. 12 – Accessory Apartments
- STM Art. 13 – Panhandle Lots & Shape Numbers

Mr. McParland of the Planning Board outlined the articles. He noted that they had a public hearing and no one from the public attended. He took numerous questions from the Board and agreed to report back on a question from Mr. LaMantia on Article 12 regarding the language that refers to “portion of the year.” The Board agreed to hold on this article. Mr. Hughes moved to accept and adopt STM Article 13 Panhandle Lots and Shape Numbers. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Mr. McManus in opposition.

- Letter of support for CWMP – *discussion & possible vote*

Mr. McManus moved to sign the letter (see attached). Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

## **ADJOURNMENT**

Mr. Hughes moved to adjourn at 8:44 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary