

**SELECTMEN'S MEETING AGENDA\***

*Griffin Room, Town Hall  
Regular Meeting 6:30 P.M.  
Monday, June 1, 2015*

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **WEEKLY BRIEFING**

IV. **PUBLIC COMMENT/ANNOUNCEMENTS**

At conclusion of tonight's meeting, all are invited for a tour of the Albro House.

V. **CONSENT AGENDA**

- A. Approve Minutes –
  - 1. April 27, 2015 Regular Session
  - 2. April 27, 2015 Executive Session

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

VII. **OLD BUSINESS**

VIII. **NEW BUSINESS**

IX. **TOWN ADMINISTRATOR'S REPORT**

X. **SELECTMEN'S REPORT**

- A. Review of schedule for Police Chief interviews – *discussion*
- B. Selectmen's re-organization – election of Chairman, Vice Chairman, Clerk and Interview/Nominations subcommittee – *discussion/possible vote*

XI. **ADJOURNMENT**

*\*Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

Authorized Posting Officer:

Posted by: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Ann Steidel, Admin. Secretary

Date: \_\_\_\_\_  
May 28, 2015

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, APRIL 27, 2015  
6:30 P.M.**

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

**OTHERS PRESENT:** Town Administrator Christopher Clark, Lincoln Hooper, Lou Urbano, Duncan Berry, Bob Bradley, Barbara-Anne Foley, and others.

**MEETING CALLED TO ORDER** at 6:30 p.m. by Chairman Ballantine.

Chairman Ballantine reported that the Board had just come out of Executive Session to consider the possible purchase, exchange, lease or value of real property in East Harwich for possible wastewater site in preparation for Town Meeting.

**WEEKLY BRIEFING**

Mr. Hooper reported that the transfer station project has been completed and it came in under budget. He described the project and thanked his staff and Atlantic Recycling Equipment for their outstanding efforts.

**CONSENT AGENDA**

- A. Approve Minutes
  - 1. February 18, 2015 Tri Board Meeting
  - 2. April 7, 2015 Executive Session
- B. Accept resignation of Margo Fenn from the Real Estate and Open Space Committee
- C. Approve application for assistance from the Caleb Chase Fund as recommended
- D. Approve FY16 Human Services Grants as recommended
- E. Approve application by Bourne Petroleum d/b/a Harwich Exxon for 10:00 a.m. opening time on Sundays for sale of alcohol

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

**OLD BUSINESS**

- A. Town Administrator's Performance Evaluation – *discussion*

Chairman Ballantine noted that Mr. Clark has submitted his self-evaluation and performance objectives. He asked the Board to submit their comments in the next few days so that he can summarize for the evaluation.

- B. Letter to MassDOT regarding the Route 28 Pedestrian Improvement Project – *discussion and possible vote*

Mr. Clark noted that the revisions have been made to the letter as indicated and it is ready to go. Ms. Cebula moved to accept the letter as written and the Board signs it and transmits it to Mary-Joe Perry, the District Highway Director of MassDOT. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

## **NEW BUSINESS**

- A. Resident's vision of the 28 corridor between Dennis and the Herring River, including School House and proposal for CPC funds and their use and request for the next year's Town Meeting – *Mr. Lou Urbano*

Mr. Urbano introduced Duncan Berry who provided an overview of the area, the houses, and the family histories. The Board took comments from Mr. Urbano who noted that the area needs some attention, it is filled with empty houses, and businesses for sale. He said we have a year to develop a vision that the residents can buy into as to what they want for that area. He described the assets of the area including buildings on the National Registry of Historic Buildings, the Herring River and access to conservation area. Mr. Urbano further noted that they are going to form a committee, a legal entity to collect funds to buy distressed property, and they will be seeking CPC funds. Mr. Berry took questions from the Board regarding the historical properties. Mr. Hughes asked if they expect to come up with a plan for the West Harwich School and bring it to the Board and Mr. Urbano responded that they do. Mr. Berry said they will be putting together a website of what the area was and what it could be. Mr. Hughes asked for an update or report in three months and Mr. Urbano agreed. Mr. Urbano stressed that they should work together on the road as they are looking at the area as a historic district.

- B. Authorize disbursement of \$50,000 from the Cable Fund to fund the Contract between the Monomoy Regional School District and Valley Communication Systems – *discussion and possible vote*

Mr. Clark provided background noting that the new High School has a cable studio and a decision was made some of the cost should be shared and each Town was asked for \$50,000. He requested approval of \$50,000 for outfitting the school studio. Ms. Cebula stated that she does not recall that there was an agreement made and commented that she feels sandbagged. Mr. McManus noted that all of the equipment has been damaged due to the failure of the rooftop unit and it will all be replaced. Mr. Hughes said he remembers discussion that there was no one to run the studio. He stated that this is the first he has heard or seen of this as well. Mr. LaMantia stated that he thinks they should vote it as the money is needed now and they will vote it anyway. Mr. Clark responded that he thought this was brought up when they were discussing the school budget and said he would research it. Mr. LaMantia moved to move ahead with the request contingent on a follow up conversation with the school. Mr. McManus seconded the motion. The motion carried by a 3-2-0 vote with Ms. Cebula and Mr. Hughes in opposition.

- C. Motion on Article 19 – Replacement of Saquatucket Dock Engineering Design – *discussion and possible vote to approve*

Mr. Clark noted that the proposed motion has been reviewed by Bond Counsel who made changes. The Board took no action on this item.

### **TOWN ADMINISTRATOR'S REPORT**

Mr. Clark reported that 7 applicants will be interviewed for Water and Wastewater Superintendent.

### **SELECTMEN'S REPORT**

#### A. Town Meeting preparation/assignment of articles by Chair

Chairman Ballantine noted that the Board had received their list of article assignments for Town Meeting.

### **ADJOURNMENT**

Mr. McManus moved to adjourn at 7:52 p.m. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary

**SELECTMEN'S MEETING AGENDA\***

*Griffin Room, Town Hall  
Police Chief Candidate Interviews  
Open Session 10:00 A.M.  
Wednesday, June 3, 2015*

**D R A F T**

I. **CALL TO ORDER**

II. **POLICE CHIEF CANDIDATE INTERVIEWS**

1. David Guillemette 10:00 A.M.
2. Michael Hurley 10:45 A.M.
3. Heath Eldredge 11:30 A.M.
4. Break 12:15 P.M. to 12:30 P.M.
5. David Callahan 12:30 P.M.

III. **EXECUTIVE SESSION** – Pursuant to M.G.L. Ch. 30A, Section 21 (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Police Chief recruitment (Executive Session will be held if needed.)

V. **ADJOURNMENT**

*\*Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business."*

*If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact the Selectmen's Office at (508) 430-7512 ext. 2*

**Authorized Posting Officer:**

**Posted by:** \_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Ann Steidel, Admin. Secretary

**Date:** \_\_\_\_\_  
May 28, 2015

## **Harwich Board of Selectmen Rules of Operation**

Except as otherwise prescribed by the Home Rule Charter and state and Federal law, the Harwich Board of Selectmen shall conduct its business in the following manner:

### **SECTION 1 OFFICERS**

The second Board of Selectmen meeting subsequent to the May Town Election shall be an organizational meeting. The Board shall nominate a Chair, a Vice Chair, and a Clerk. The election of officers may take place at that meeting, but no later than the next regular meeting. Election of officers shall be by simple majority of the board.

### **SECTION 2 ROLE OF OFFICERS**

#### **A.) The Chair of the Board**

The Chair of the Board of Selectmen shall preside at the meetings of the Board. In the absence of the Chair, the Vice Chair shall preside; and in the absence of both, the Clerk shall preside. The Chair shall also assemble, with input from his/her fellow members, an agenda for each meeting. From time to time the Chair, at the request of the Board, may be called upon to act in behalf of the Board in person or in writing.

#### **B.) The Vice Chair of the Board**

In the event that the Chair of the Board can no longer serve, the Vice Chair shall assume the powers and duties of the Chair for the remainder of the term. If a vacancy occurs in the office of Vice Chair, the Board shall elect a new Vice Chair from its members before two regular meetings have passed.

#### **C.) The Clerk of the Board**

The Clerk of the Board shall read public hearing notices into the official record and act as the Chair in the absence of the Chair and the Vice Chair.

#### **D.) Interview and Appointment Committee of the Board**

The Board shall nominate and vote to appoint two members of the Board to serve as the Interview and Appointment Committee of the Board.

No office of the Board shall remain vacant for more than two regular meetings.

### **SECTION 3 DUTIES OF THE PRESIDING OFFICER**

At the hour at which the Board is to meet, the Chair shall call the members and all in attendance to order.

The Chair shall preserve order and decorum and may speak to points of order in preference to other members. The Chair's ruling on questions of order are subject to appeal to the Board. The vote of such appeal shall be a roll call and it shall be decided in the affirmative by a majority vote.

All votes shall be declared by the Chair. If any member doubts a vote, the Chair, without further debate upon the question, shall require a roll call vote. No decision shall be declared unless a quorum of the Board shall have voted. The Chair may vote, move, or second any motion on all matters that come before the Board.

The Chair may at any time, during a debate or otherwise, declare a recess for not more than ten minutes with such action subject to affirmation by a vote of the Board.

The Chair may state facts and give opinions upon questions of order without leaving the Chair.

## **SECTION 4 MEETINGS**

The regularly scheduled meetings of the Board shall normally be conducted on Monday evenings in the Harwich Town Hall or such other location in Town as deemed appropriate given the agenda, as determined by the Chair. Exceptions to this rule may be made by vote of the Board. However, a meeting of a quorum of the Board shall be posted and advertised. Regular meetings shall be held weekly, when possible, except during summer months when the Board may elect to convene bi-weekly. Information relevant to regular meetings shall be contained in an agenda available to the public prior to the meeting and back-up data shall be provided to every Board member prior to the meeting.

### **A.) Special Meetings of the Board**

Special meetings of the Board may be held on the call of the Chair, or on the call of any two members, by written notice. Said notice shall state the purpose of such meeting and be posted at least forty-eight hours (excluding Sunday) in advance of the time set, except in instances provided by law.

### **B.) Executive Session**

Executive session may be entered only after the Board has first convened in open session for which notice has been appropriately posted. The Chair shall cite the reason for going into executive session and shall call for a roll call vote of the Board. The vote of each member shall be entered into the minutes, with a majority necessary to initiate an executive session. Only lawful purposes as contained in the MGL Open Meeting Law shall constitute a reason to conduct an executive session.

## **SECTION 5 INTRODUCTION OF BOARD BUSINESS**

No measure or non-measure shall be received or acted upon unless introduced by a member of the Board of Selectmen, or by petition as provided by the home rule charter, to the extent possible.

## **SECTION 6 FILING DEADLINES FOR REGULAR MEETINGS**

Any member may ask for an item to be placed on an upcoming meeting's agenda. Any item of business beyond that which may have already been placed on the agenda by the Chair of the Board of Selectmen for the board's next agenda must be submitted to the Selectmen's/Administrator's office no later than the day after the previous meeting or 9:00 a.m. on the Wednesday preceding the next Selectmen's meeting, whichever is later. The Chair of the Board and/or the Town Administrator may, in case of necessity, approve any additional items for inclusion in the agenda after said deadline.

The agenda shall contain a description of the items that will be taken up by the Board. Those items set for discussion will be so identified. For those items set for action the agenda description should describe the nature of the action to be taken. Items placed on the consent agenda will have a specific recommendation. Individual items will not be discussed separately unless a member request that an item be taken off consent, at which time the item will be moved to the action item portion of the agenda. The appropriate motion to move the consent agenda is; "I move approval of the consent agenda and the recommendations thereon."

The Board's agenda, including the Town Administrator's report, other reports and documentation, recommendations on action items, and any informational material to be discussed shall be delivered to the Board members no later than 48 hours prior to the regular meeting of the Board. Packets containing similar material (exclusive of confidential materials) shall be placed at the Library, the foyers of the Police and Fire Departments and the reception desk at the Community Center.

## **SECTION 7 ORDER OF BUSINESS**

At every regular meeting of the Board, the order of business shall include (not necessarily in this order):

1. Call to Order
2. Weekly Briefing
3. Information
4. Consent Agenda
5. Town Administrator's Report
6. Public Hearings
7. Action Items
8. Discussion Items
9. Selectmen's Reports
10. Announcements
11. Adjournment

## **SECTION 8 PUBLIC COMMENT**

At each regular meeting of the Board there shall be a period set aside for public comment. Such comments shall include any item of concern to the public not on the Agenda.

## **SECTION 9 PARLIAMENTARY GUIDELINES**

In all matters of parliamentary procedure not provided for in the constitution and laws of the Commonwealth, the Home Rule Charter, or explicitly elsewhere in these rules, the presiding officer and the Board members shall be guided by the principles of fairness, clarity, and efficiency, in that order. In determining any parliamentary question, the Board shall generally rely upon Robert's Rules of Order.

## **SECTION 10 QUORUM**

The majority of the total membership of the Board of Selectmen shall constitute a quorum.

## **SECTION 11 ORDER OF SPEAKING**



When two or more members request the floor at the same time, the Chair shall recognize the member who shall first be heard. No other member or person shall be heard while a member holds the floor.

## **SECTION 12 REFERRALS TO COMMITTEES**

When a matter before the Board relates to a subject which may properly be examined and reported upon by an existing or new ad hoc committee of the Town, such matter shall, upon motion and a majority vote of the Board, be referred to such committee. Any matter may be referred to a committee, commission or board for advice. Issues may also be referred by the Board to Town Legal Counsel for advice.

## **SECTION 13 RECONSIDERATION**

At any meeting which vote has been taken, it shall be in order for any Board member who has voted with the prevailing side to move for immediate reconsideration or to serve notice that a motion for reconsideration shall take place at the next regular meeting of the Board. The vote for reconsideration shall be open to debate, shall be limited to twenty minutes and shall require a majority vote.

## **SECTION 14 CLEAR STATEMENT OF MOTIONS BEING VOTED ON**

All motions, substitute motions and amendments shall be clearly restated immediately preceding the vote by the Board of Selectmen.

## **SECTION 15 VOTES**

All actions taken by the Board requiring a vote will be by a majority unless otherwise provided for in MGL, the Home Rule Charter or as otherwise provided by law.

All final votes of the Board shall be entered in the minutes by name except for unanimous votes. Every Board member present when the question is put shall vote yes, no, or abstain.

## **SECTION 16 BOARD LIASONS**

After the organization of the Board, the Chair, subject to approval by the full Board, may appoint liaisons to standing committees.

## **SECTION 17 BOARD SUB-COMMITTEES**

The Board may designate sub-committees comprised of Board members as is deemed necessary. Board Sub-Committee meetings shall be posted as required by law. Sub-committees will operate under the following guidelines.

1. Sub-committees will be established by action of the board
2. Sub-committee members shall be appointed by the chairman of the Board of Selectmen
3. Sub-committees may make recommendations for Board action, but it may not act for the Board of Selectman
4. Sub-committees will periodically be provided with tasks and assignment
5. Sub-committees may be dissolved by a vote of the board at any time.

## **SECTION 18 TOWN COMMITTEE PARAMETERS AND GUIDELINES**

Except for regulatory bodies and those designated by the Town Charter or State law, all Committees shall be advisory to the Board of Selectmen and shall take no actions that may bind the Board.

Committees shall follow a schedule of meetings to be coordinated through the Town Administrator's office which shall be publicly posted and in accordance with the Open Meeting Law and the Committee Handbook.

The conduct of all committees shall likewise be governed by the Committee Handbook.

## **SECTION 19 APPOINTMENTS**

Appointment and reappointment recommendations shall normally be made by the Interview and Appointment Committee of the Board and shall be acted upon by the Board at a public meeting. Vacancies on committees must be advertised for two weeks before they may be filled by the board. Except by consent of the Board, any Board action regarding appointments shall be acted upon only after proposed appointments and interviewed candidates have been provided to all members prior to the meeting at which the appointments are proposed. Normally, all interested parties for a vacant position shall be interviewed prior to an appointment recommendation.

## **SECTION 20            INQUIRIES AND INVESTIGATIONS**

The Town Charter gives the Board of Selectmen the authority to conduct inquiries or investigations into any and all Town matters which it deems proper to review.

## **SECTION 21            CORRESPONDENCE**

All received correspondence (whether addressed to the Board as a whole, or to any particular member) shall be entered into a daily correspondence folder for all members to review. In the event of correspondence directed to a particular Selectman, a copy shall be delivered to his or her desk for their personal review. Final action taken relative to any correspondence shall be by majority will of the Board. No correspondence shall be removed from official correspondence files.

Correspondence from the Board shall be available in a folder in the Selectmen's office, shall reflect the voted will of the Board and may not be removed except for defect and correction.

## **SECTION 22            MEETING DURATION**

The weekly Board of Selectmen meeting shall not proceed past three and one half (3½) hours of the regular scheduled meeting time unless there is a 4/5<sup>th</sup> majority vote of the members.

Adopted: 6/7/04

Voted Amendments: 3/6/06

Voted Amendments: 10/10/06

Voted Amendments: 6/30/08