

SELECTMEN'S MEETING AGENDA*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Executive Session 5:30 PM

Regular Meeting 6:30 P.M.

Monday, July 15, 2019

**As required by Open Meeting Law, you are hereby informed that the Town will be video and audio taping as well as live broadcasting this public meeting. In addition, anyone in the audience who plans to video or audio tape this meeting must notify the Chairman prior to the start of the meeting.*

I. CALL TO ORDER

II. EXECUTIVE SESSION – 1. Pursuant to M.G.L. c. 30A, §21(a)(3), review current status and strategy recommendations with Town Counsel with respect to pending litigation matters and the Police Collective Bargaining Agreement for which a discussion in open session would have a detrimental effect on the litigation position of the Town. These matters include the listing below.

A. KP Law, P.C.

1. Lothrop Insurance Claim – Discussion
2. Sullivan, et al. v. Harwich Board of Selectmen – Dog Appeal – Settlement
3. Abate Dog Order – Settlement
4. 541 Main Street, LLC v. Town of Harwich Planning Board
5. Collins, et al. v. Orsini & Town of Harwich Zoning Board of Appeals, et al.
6. Cuddy, Trustee v. Harwich Planning Board
7. DeSimone and Trustees of the DeSimone Family Living Trust v. Town of Harwich and through the Harwich Board of Selectmen
8. Eardley v. Harwich Police Department
9. Eldridge, et al. v. Town of Harwich, et al.
10. Fratus Jr. v. Harwich Board of Selectmen
11. Jones v. Harwich Board of Health and Town of Harwich
12. King and James Kelly v. Harwich Conservation Commission
13. King and Kelly v. Walter Diggs et al. and the Harwich Conservation Commission
14. McCourt, et al. Town of Harwich Zoning Board of Appeals, et al.
15. Rego, et al. v. Harwich Zoning Board of Appeals
16. Viprino v. Diggs, et al. (Harwich Conservation Commission)
17. Walsh Brothers Building Company, Inc., et al. v. Harwich Conservation Commission and Town of Harwich
18. Watkins, et al. v. Town of Harwich, et al.
19. Viprino v. Town of Harwich
20. Daks et al. v. Town of Harwich Conservation Commission and Walter Diggs, et al.
21. Fire Station No. 2 Bid Protest
22. Harwich Police Department v. O'Brien

B. Feeley & Brown, P.C.

1. Police Patrol Contract – FY2020 - 2022

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SELECTMEN'S MEETING AGENDA* Continued

III. PLEDGE OF ALLEGIANCE

IV. WEEKLY BRIEFING

V. PUBLIC COMMENTS/ANNOUNCEMENTS

VI. CONSENT AGENDA

- A. Approve the recommendation of the Assistant Town Administrator regarding a Petition by Eversource Energy to install 10+ feet of cable/conduit under the public road in Bank Street to provide service to customer at 78 Bank Street.
- B. Approve the recommendation of the Assistant Town Administrator regarding a Petition by Eversource Energy to install one (1) new FO mid span Pole labeled 515/1.5 on the side of the public road in Mary Beth Lane, Harwich.
- C. Accept the resignation of Katherine Green as Real Estate and Open Space Committee representation to the Community Preservation Committee – effective 7/1/19.
- D. Accept the resignation of James Hartley from the Harwich Youth Counselor Advisory Board – effective 7/1/19
- E. Approve committee appointments per the request of the Interview Sub-committee as follows:
 - 1. Noise Containment Committee
 - 2. Cultural Council
 - 3. Brooks Academy Museum Committee

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

VIII. NEW BUSINESS

- A. FY 2020 Reserve Fund Transfer Request – Labor Support for Office - \$10,000.00
- B. Review – Draft Performance Review Town Administrator
- C. Potential Ratification Vote of The Harwich Police Federation Massachusetts Coalition of Police Local #446 – July 1, 2019 through June 30, 2022
- D. Potential Ratification Vote - Sullivan Dog Appeal – Settlement
- E. Potential Ratification Vote - Abate Dog Order - Settlement

IX. CONTRACTS

X. OLD BUSINESS

- A. Lower County Road Discussion
- B. Vote to approve the Budget/Warrant Time Line FY2020

XI. TOWN ADMINISTRATOR'S REPORTS

- A. Public Health Advisory
 - 1. Mill Pond, Harwich & Brewster – Fish Contaminated with Mercury
 - 2. White Pond, Dennis & Harwich – Fish Contaminated with Mercury
- B. Department Reports
- C. Draft Non-Resident Taxpayers Public Meeting Notice

XII. SELECTMEN'S REPORT

- A. Committee Vacancy List Review

XIII. 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

Patricia Macura, Admin. Secretary

Date: _____ July 11, 2019