

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, NOVEMBER 20, 2017
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Brown, Howell, Kavanagh, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Deputy Chief Gagnon, Lt. Kevin Considine, Carolyn Carey, John Rendon, Christine Joyce, Cyndi Williams, Art Bodin, Gary Carreiro, David Nixon, Joanne Brown, Lisa Butler, Bob Brackett, Matt Hart, Tim Sawyer, and others.

Chairman MacAskill called the meeting to order at 6:30 p.m. He reported that the Board discussed real estate issues in Executive Session tonight regarding owners unknown and Judah Eldredge properties.

WEEKLY BRIEFING

- A. Presentation of Recognition Plaque to Police Matron Patricia Scarnici

Deputy Chief Gagnon honored Patricia Scarnici with a recognition plaque on behalf of the Police Department for her 16 years of service as a Matron and noted that she was also involved in the Citizens' Police Academy. Ms. Scarnici thanked the Police Department for giving her the opportunity and Chairman MacAskill thanked her for her service to the Town.

Ms. Carey thanked all who donated to the Cape Cod Cares For Our Troops event. She also announced that there will be an open house at the Cultural Center on December 2, 2017. Deputy Chief Gagnon announced that the Police Department is now accepting applications for the position of Patrol Officer. Ms. Joyce, Chair of the Voter Information Committee, spoke in support of Ms. Groswald's appointment to the Committee tonight. Ms. Williams discussed upcoming events at the Chamber of Commerce. Mr. Bodin commented on the recent Cape Housing Institute sessions.

CONSENT AGENDA

- A. Approve Minutes – November 6, 2017 Regular Meeting
- B. Approve request by Fire Department for tent fee waiver for Homeless for the Holidays fundraising event at Brooks Park
- C. Approve committee appointments:
- | | | |
|---------------|--------------------------|-------------|
| James Joyce | Planning Board | Full Member |
| Meghan Mahieu | Board of Appeals | Alternate |
| Daniel Tworek | Board of Appeals | Alternate |
| Pam Groswald | Voter Information Comm. | Full Member |
| Anne Howe | Wastewater Support Comm. | Full Member |
- D. Approve contract with Galaxy Integrated Technologies in the amount of \$143,195 for Security System at Public Safety Building and authorize Town Administrator to sign
- E. Approve application for Hawkers & Peddlers license for Pilgrim Lodge to sell Christmas trees and waive associated \$60 fee

Mr. Howell requested to remove Item C and Mr. Ballantine moved approval of the balance of the Consent Agenda. Ms. Brown seconded the motion. Chairman MacAskill stated that the clause "if applicable" should be removed under Article 16 – Prevailing Wage of the contract under Item D. The motion carried by a unanimous vote.

Mr. Howell moved approval of Item C with the term expiration dates as follows:

James Joyce	June 30, 2020
Meghan Mahieu	June 30, 2018
Daniel Tworek	June 30, 2019
Pam Groswald	June 30, 2019
Anne Howe	June 30, 2019

Ms. Brown seconded the motion and the motion carried by a unanimous vote.

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

A. Annual Meetings with the Selectmen:

1. Water Commissioners

Mr. Carreiro, Chair, provided the annual report of the Water Commissioners and took questions and comments from the Board.

2. Community Preservation Committee

Mr. Nixon, Chair, provided the annual report of the Community Preservation Committee and took questions and comments from the Board.

NEW BUSINESS

A. Posting method for public meetings

Mr. Howell stated that in 2010 we changed the way we operated and began posting on Thursdays at noon and that procedure was codified in 2012. He noted that this was an attempt at making a hard deadline for stability purposes and he doesn't know how it got to the point that every board was affected. He pointed out that the Town Clerk has always been the gatekeeper and holder of records so to put her in the secondary position for posting is odd. He said he anticipates drafting something for the Board's consideration with an official posting time and asked for guidance from board. He urged the Board to put the Town Clerk in the primary posting role. Mr. Ballantine responded that perhaps Thursday at noon is too short a time and we need to give people reasonable time to review the agenda and also allow staff time to post. Mr. Howell noted that agendas would still go on the internet but not necessarily be the official posting. Chairman MacAskill stated that other towns have gone back to using the bulletin board as the official posting method and that is what he would like to see. Mr. Howell said he would meet with the Town Clerk and Channel 18 Director and bring something back. Chairman MacAskill cautioned that 48 hours' notice is the law and we need to also be cognizant of the time it takes for them to do their job.

B. Request to change name of Harwich Disability Rights Committee to Harwich Accessibility Rights Committee

Mr. Hart, Chair of the Committee, explained that there are a lot of people who are not disabled but still have problems getting around due to accessibility issues. He noted that the State is asking if towns would change the name of their committees to be more inclusive. Mr. Clark pointed out that in 2001 the Board changed the name from the 504 Committee to the Disability Rights Committee, so it is within the Board's purview to do

this. Ms. Kavanagh moved to change the Harwich Disability Committee's name to Harwich Accessibility Rights committee or HARC. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

- C. Recommendation to appoint Mary Maslowski as the Housing Committee's representative to the Community Preservation Committee

Mr. Howell moved, upon the voted recommendation of the Harwich Housing Committee, that we appoint Mary Maslowski as ex-officio member of the CPC with a term to expire June 30, 2020. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

- D. Award of Saquatucket Landside contract and approval of contract amendment

Mr. Clark explained that the Board is being asked to award the original contract of \$2.8 million to Eastward Company, and the intent is to amend it down to \$2.6 million.

Mr. Rendon recommended that we award the construction contract to Eastward Company. He reported that they have been working hard with Eastward Company and Tim Sawyer from Brown Lindquist Fenuccio & Raber Architects to reduce the contract cost to where we can move forward. He stated that the plan is a result of about 20 public meetings of the Saquatucket Development Committee with public input in addition to great support, advice and direction from the Waterways Committee. He reported that there are three aspects of plan which include the base bid without the snack shack, the septic system for which CC Construction is the low bidder, and site work at the Downey property for which they are looking to do some of the work in house. He further reported that we have recently had an investment group come forward with great interest in entering a partnership with the Town for an onsite restaurant and he expects that an RFP will be brought forward at a later date. He also noted that they still have great potential to get some grant funding including the Seaport Grant for which they expect to hear in January.

Mr. Sawyer presented the site plan and provided handouts (see attached) noting that it is essentially the same plan voted on at Town Meeting but with minor cost saving modifications. He stressed that the primary elements are intact, including garage, Harbormaster building, entire boardwalk that provides access down to the docks as well as artisan shacks. He noted that the significant piece that is not there is the snack shack. He reported that they removed one section of elevated walkway that connected the two lots as well as changed a foundation type for the elevated boardwalk and decks from driven pile to helical foundation which is significantly less costly. He and Mr. Rendon took questions from the Board regarding the difference of and the location of pilings, accessibility issues, potential restaurant, septic, drainage, contingency funds, Downey property pre-existing issues, parking including potential of meterless parking, artisan shacks, and trenching for a septic system for the maintenance building.

Chairman MacAskill expressed concern about the less than 4% contingency when we usually work on a 10% contingency with no site work estimates included in this and use of stone dust instead of boardwalks for handicapped accessibility. He commented that they are trying to get to a number and sacrificing whatever we have to in order to get to that number. He noted that they told the public that anything left in engineering was coming back to them, we have \$250,000 for architectural and engineering work and then we got a grant which we never told public we were going to throw into landscaping for \$90,000. Mr. Clark reported that we asked for \$250,000 for the project design, the grant was \$187,000 which we had to spend first which covered all the design and inspection to go with the construction. He said there is residual money of \$90,000 and it is his recommendation that we go back to Town Meeting to reauthorize it for contingency purposes or if not, for the parking lot. He added that if we get grants or CPC money, we would have more of a contingency. Chairman MacAskill responded that this is not normally how we approach projects, it's been rushed from the beginning and seems awfully tight. With regard to the contingency concerns, Ms. Kavanagh stated that we have already met some of those concerns as the project has been technically overdesigned to meet future flood issues and

that needs to be taken into consideration and Mr. Ballantine agreed and noted that he is comfortable with the contingency at this time. Ms. Brown suggested getting rid of the artisans' shacks although it would be minimal.

Ms. Kavanagh moved to approve the agreement made the 20th day of November 2017 by and between the party the first part, the Town of Harwich, herein called owner, acting herein through its party the second Eastward Companies, doing business as Better Trust located in the Town of Chatham, County of Barnstable, State of Massachusetts herein called the Contractor for the Saquatucket Landside project in the amount of \$2,797,338 with the proviso that a Value Engineering adjustment be made to that in the amount of \$147,705 for the revised total of \$2,649,633, said documentation to follow. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Chairman MacAskill in opposition.

- E. CPC/Capital Outlay recommendations by Town Administrator and general discussion on their priorities

The Board discussed the list of CPC priorities as presented by Mr. Clark who noted that the Capital Outlay Committee weighed in on the free cash ones.

- Albro House - Status Assessment \$2,500
- Mount Pleasant Cemetery Gravestone Conservation \$47,000
- Community Center Basement Public Records Storage (dollar amount not indicated)
- Preservation of Judah Eldredge Property \$369,000
- Eldredge/Cornelius Pond Property – Conservation Restriction \$200,000
- Pleasant Lake Avenue Crossing Lights \$27,000
- Library Preservation \$300,000
- ADA Accessibility on Boardwalk (dollar amount not indicated)
- Hinckley's Pond Project for Alum Treatment \$600,000
- Housing Trust / Housing Coordinator \$295,000
- Brooks Park Phase 5 - \$333,500
- Records Retention Town Clerk Culling Process \$40,000
- Community Development Partnership \$10,000
- Habitat for Cape Cod \$300,000
- Harwich Housing Authority \$125,000 for Buydown / \$10,000 to run lottery

- F. Selectmen's proposed Holiday meeting schedule for Christmas and New Year's

There was no discussion on this item.

- G. Approve Holiday hours as recommended

The consensus of the Board was to give employees off on the day after Christmas.

- H. Community Center hours of operation for Holidays and Sundays

Ms. Brown stated that during her time as Selectman, she has fielded many complaints that the Community Center is not open as often as Chatham's, it follows more of a Town Hall schedule and therefore there are less hours for people to utilize the facility. She said we need to figure how to fund it to keep it open. Chairman MacAskill noted that he received an email from Lee Culver, Chair of the Community Center Facilities Committee who said it is a budget issue. Mr. Clark stressed that the Board's budget message was clear that there should be no additional hours and he questioned if the Board wanted to waiver from that message. Chairman MacAskill responded that he would like Mr. Clark to look at the budget to see areas it might come

from and more importantly what does it require in terms of employees. Ms. Brown said she spoke to Mr. Beebe who said he could run fee programs on Sundays which could potentially fund the staffing. Mr. Howell said we've never stepped up to the plate to give them any money to be able to keep the place open and if we are serious about this, we should be looking at what people want and what are they willing to pay outside of the tax base. Mr. Clark said he would look into what the additional costs would be for minimum hours. Ms. Kavanagh suggested doing a trial period to see what the interest is for a specific fee such as \$10 per week. Mr. Ballantine said he can't make a decision until he knows what the costs are and we need to be careful in looking at these hires and we should reassess where we are going labor wise. The Board took comments from Mr. Bob Brackett and Ms. Lisa Butler who spoke in support of having the Community Center open on holidays and Sundays. Ms. Joanne Brown pointed out that a change in hours affects the Council on Aging as well. Mr. Nixon pointed out there is a revolving fund for Recreation. Ms. Carey stated that the Community Center is open longer than any other building in Town other than Public Safety, averaging 88 hours a week with staffing for 64. Chairman MacAskill thanked Ms. Carey and recognized that she is working a lot more hours than on her schedule. No action was taken.

I. Summary of Sewer Regulations

Mr. Clark reviewed the regulations specifically related to what homeowners would have interest in.

OLD BUSINESS

A. Potential creation of back-up By-Law for time, place and manner for marijuana retail sales

Chairman MacAskill stated that in Brewster, the prohibiting marijuana by-law and moratorium failed. Mr. Howell said the Planning Board should have a by-law prepared for Town Meeting. Mr. Clark suggested having Attorney Giorgio in to give a recommendation on extending the moratorium and the Board agreed.

TOWN ADMINISTRATOR'S REPORT

A. Departmental Weekly Reports

No action taken on this item.

Mr. Clark reported that we received two Open Meeting Law complaints on Friday which will go on an agenda for the Board's response.

Mr. Clark notified the Board that our Town Planner and Local Building Inspector will be going to work for the Town of Chatham.

Mr. Clark reminded the Board that there is a meeting on November 30, 2017 regarding the Monomoy Regional Agreement.

SELECTMEN'S REPORT

A. Board of Selectmen meeting of November 27, 2017 – Cancelled

Chairman MacAskill announced that the Board will not be meeting on Monday, November 27th.

Ms. Brown pointed out that the Board did not take up the Selectmen’s proposed holiday meeting schedule for Christmas and New Year’s as indicated under “New Business.” Chairman MacAskill said he would put it on the agenda again.

ADJOURNMENT

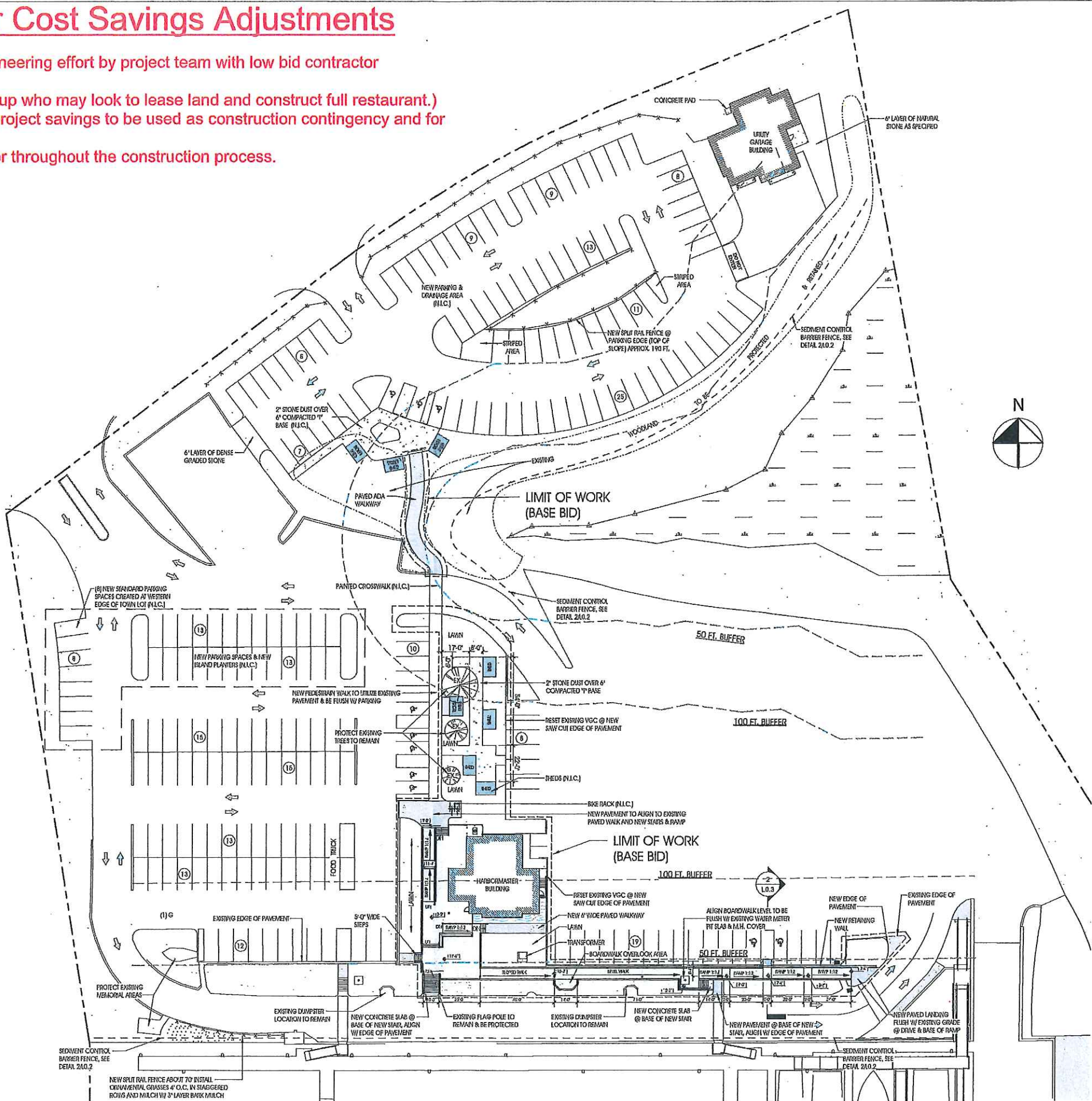
Mr. Howell moved to adjourn at 9:12 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary


Current Site Plan with Minor Cost Savings Adjustments

- *Adjustments arrived at through coordinated Value Engineering effort by project team with low bid contractor
- *Snack shack add alternate was not accepted
(Note: Town in preliminary talks with private group who may look to lease land and construct full restaurant.)
- *Value Engineering efforts resulted in almost \$150K in project savings to be used as construction contingency and for completion of site work portion of the project.
- *Other smart cost savings opportunities will be looked for throughout the construction process.



1 PROPOSED ARCHITECTURAL SITE PLAN
1" = 30'-0"

STAMP:



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203 WILLOW STREET, SUITE A
YARVORPORT, MA 02475
PH 508-362-8382
FAX 508-362-2828
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SAQUATUCKET HARBOR LANDSIDE
REDEVELOPMENT
TOWN OF HARWICH
715 MAIN STREET
HARWICH PORT, MA 02646

11.17.2017

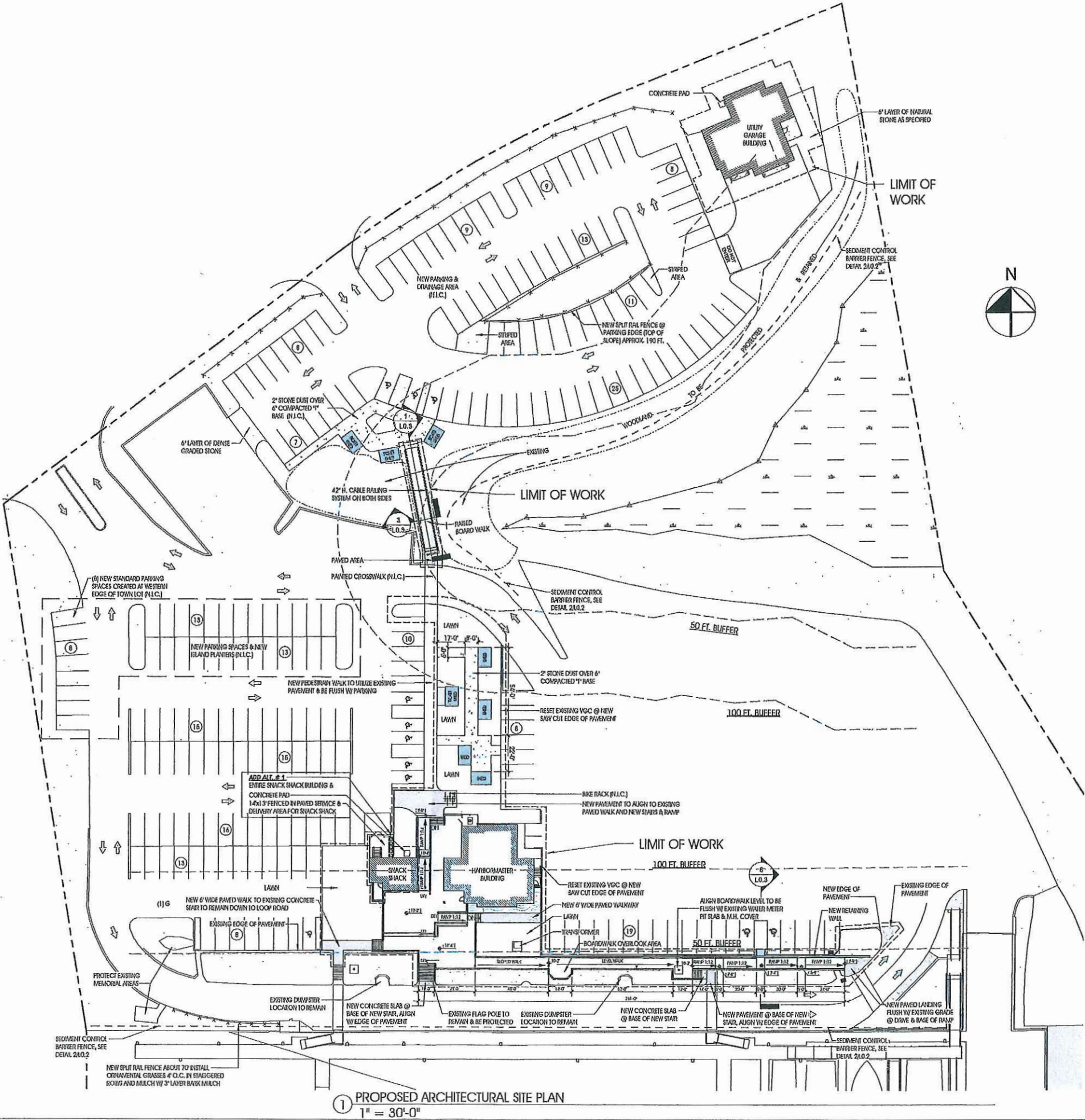
Revisions
2 09-25-2017

DRAWN BY: Author

PROJECT #:

DRAWING NO.: L0.2

Site Plan as Bid



1 PROPOSED ARCHITECTURAL SITE PLAN
1" = 30'-0"

STAMP:

BROWN LINDQUIST FENUCCIO & RABER
ARCHITECTS, INC.

203 WILLOW STREET, SUITE A
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SAQUATUCKET HARBOR LANDSIDE

REDEVELOPMENT

TOWN OF HARMWICH

715 MAIN STREET
HARMWICH PORT, MA 02646

TITLE:

PROPOSED
ARCHITECTURAL
SITE PLAN

DATE ISSUED:

06 . 30 . 2017

Revisions

DRAWN BY:

Author

PROJECT #:

DRAWING NO.:

L0.2

Site Plan Presented at Town Meeting

*Project scope was adjusted based on preliminary estimate and other factors
*Snack Shack was positioned as an alternate due to anticipated higher costs



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715 MAIN STREET
HARWICHPORT, MA 02646

TITLE:

OVERVIEW
SITE PLAN

DATE ISSUED:

3.5.2016

REVISIONS:

DRAWN BY:

TRS

DRAWING NO.:

SP1.0

Related Documents - November 20, 2017 BOS Meeting

01 Agenda.pdf
02 Recognition Plaque.pdf
03 Minutes.pdf
04 Tent Fee Waiver.pdf
05 Committee Appointments.pdf
06 Security System Award.pdf
07 Hawkers & Peddlers.pdf
08 Water Commissioners.pdf
09 CPC.pdf
10 Posting Method.pdf
11 Disability Rights Comm Name.pdf
12 CPC Nomination.pdf
13 Saquatucket Landside.pdf
14 CPC - Capital Outlay.pdf
15 Holiday Meeting Schedule.pdf
16 Community Center Hours.pdf
17 Highlights of Sewer Regs.pdf
18 Weekly Reports.pdf