

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, NOVEMBER 7, 2016
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Brown, Hughes, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Deputy Chief Tom Gagnon, Carolyn Carey, Wil Remillard, Sally Urbano, Jack Brown, Supt. Robert Sanborn, Larry Cole, Valerie Bell, Arthur Bodin, Anne Stewart, Bob MacCready, Duncan Berry, and others.

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

PUBLIC COMMENT/ANNOUNCEMENTS

Mr. Remillard announced the details of the upcoming Veterans' Day event. The Board took comments from Ms. Urbano regarding the West Harwich Schoolhouse. Ms. Carey discussed Community Center events. Deputy Chief Gagnon discussed parking and traffic flow for the upcoming election.

Ms. Brown offered condolences to the family of Richard Canto, citizen and former member of Cranberry Valley staff.

CONSENT AGENDA

- A. Minutes – October 17, 2016 Regular Session
- B. Confirm appointment of Nicole Smith as Assistant Conservation Agent as recommended
- C. Confirm appointment of Julie Judge as Records Specialist at Police Dept. as recommended
- D. Approve award of contract for Ginger Plum Lane Reconstruction to Lawrence Lynch Corp. in the amount of \$143,000
- E. Accept gift of 2 benches with memorial plaques from Hans Keijser to be installed on Old Colony Bike Path
- F. Accept resignation of Cindi Maule as Harwich representative to Barnstable County HOME Consortium
- G. Approve nomination of Alyxandra Sabatino as Harwich representative to Barnstable County HOME Consortium

Ms. Brown moved approval of the Consent Agenda. Mr. Hughes 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 Board of Selectmen:

- 1. Utility & Energy Conservation Committee

Mr. Cole provided the annual report of the Utility & Energy Conservation Committee.

2. Harwich Housing Committee

Mr. Bodin provided the annual report of the Housing Committee.

3. Housing Authority

Mr. Stewart provided the annual report of the Housing Authority.

4. Community Preservation Committee

Mr. MacCready provided the annual report of the Community Preservation Committee.

B. National Grid Main Replacement Project Update – *Dennis McCaffery, National Grid*

Bill Ciocca of National Grid and Brad Wheeler, Project Manager, provided the attached Power Point presentation to the Board on the National Grid Main Replacement Project and took questions and comments from the Board.

C. Cape Cod Technical High School Building Project – *Supt. Robert Sanborn*

Supt. Sanborn provided the attached Power Point presentation to the Board on the Cape Cod Technical High School Project and took questions and comments from the Board.

OLD BUSINESS

A. Discussion of Capital Items - West Harwich School, Roundabout, Route 28 West Harwich Design, Albro House

Mr. Clark noted that last year there was a grass roots effort to make some improvements to the West Harwich School and it was turned down at Town Meeting. He questioned if the Board wants to go back to the proposal that was submitted or move on to something else. He said that the Capital Plan allows for preservation of the property and elimination of the building. Mr. LaMantia responded that he did not have enough information to make any suggestions but commented that we have an advantage in that we have a group of people who are looking to generate funds from other sources and if they come up with an idea we should go forward with it particularly because of the historic significance. Ms. Brown agreed but said that she could also see tearing the building down and that a playground would go nice there as well. She said she can't make a decision until more people come forward with more ideas. Mr. Hughes pointed out that the proposal failed by a very small number of votes. He suggested spending some money on environmental testing at the site. He said he thought they had a good proposal, it is a nice building and it could be brought back to the life. Chairman MacAskill said that if another proposal came back he would certainly consider it. Mr. LaMantia disagreed that we should spend money for environmental testing as the Health Director indicated that odds are extremely strong that there is not a problem there and the testing that HECH did a few years ago did not indicate a problem either.

Ms. Urbano questioned why we are now at the demolition stage when the Finance Committee said part of the reason the proposal was voted down was because they "jumped the gun" and were on the Capital Plan for rehabilitation in the future for \$700K or \$800K. Chairman MacAskill responded that demolition is being discussed because right now we are not doing anything. He said if they came back with the same proposal the Board will consider it. Mr. Clark said he took it off the Capital Plan

because if a project is voted down at Town Meeting it generally comes off the plan. He stated that having a recharge site at that location would be very advantageous. Mr. Berry questioned why no money is being spent on maintenance of the building itself and Mr. Clark responded that if you know what you are going to maintain it for then you can maintain it for a certain direction. Mr. Berry stated that if they want to resubmit the proposal they would like to go through it with someone line by line to see how they can improve the proposal. Mr. Hughes said they would need some CPC funding and he suggested that they go back and look at some of the objections made at Town Meeting. He further suggested that the Board put this out as an RFP. Ms. Brown questioned if the Town should just sell it. She said the group could put together a non-profit organization, buy the building and take it over. Ms. Urbano said the building could be given to the Historic Commission. Ms. Stewart asked if it is appropriate to have a recharge site next to a cemetery and church and Mr. Clark explained that a recharge site just puts water back into the environment. Mr. LaMantia said it deserves another chance. Chairman MacAskill said he would bring this back to the Board as a potential RFP and it is definitely not the consensus of the Board of Selectmen to tear it down.

Mr. Clark stated that we did road safety audit for the Route 39/Pleasant Bay Road intersection which led administration to recommend installation of a roundabout which Mr. Hooper has estimated at \$600K. He reported that DPW has done a lot of site distance improvements so he recommended moving it from FY18 to FY19 on the plan to give us a year to fully assess the impact of the improvements. The Board agreed with the recommendation to leave it in plan for FY19 and Mr. Hooper concurred as well. At Chairman MacAskill's request, Mr. Hooper said he would look at the placement of the 30 mph sign at the intersection.

With regard to the Route 28 West Harwich design, Mr. Clark reported that we are looking at creating a bike lane and we got a revised estimate of \$300K to be paid out over 2 years. He said the bigger cost would be borne by the TIP program. He noted that we got an approval from MassDOT that they are good with the next stage of the heavier design concepts and they do think it is a worthwhile project. Mr. Hooper said it would be at least spring before we got a placeholder on the TIP program.

Mr. Clark reported that we got an estimate from engineer of \$12,500 to do a more comprehensive review of the Albro House but it was decided not to pursue. He noted that we have it going before CPC to see if they would fund that study and if CPC funds it then the Capital Outlay Committee is supportive of it. Mr. Hughes said it would be worthwhile to get our arms around what it would take to fix it and decide what we want to do with it. Mr. LaMantia said he doesn't know why we waste our money in that building and he can see us converting it into affordable housing. Chairman MacAskill said he is not sure we need that building but at the very least we should know what that building needs. Mr. Hughes said he is in favor of the \$12,500 request and Ms. Brown and Chairman MacAskill agreed. Mr. LaMantia was in disagreement. There was no formal vote.

NEW BUSINESS

- A. Request to approve and sign the following Conservation Restrictions as recommended by Conservation Commission:
1. 7.21 acres on Hinckley's Pond (property donor: Jacob Brown)
 2. 14 acres on Muddy Creek (Marini)
 3. 1.6 acres on Cahoon Road near Long Pond (Hipp)
 4. 2 acres at Island Pond (Sutphin)
 5. 4.1 acres on the West Reservoir (Hall)

Michael Lach, Director of the Harwich Conservation Trust and employee of Cape Cod Conservation Trust introduced Mark Robinson, Executive Director of the Compact of Cape Cod Conservation Trust. Mr. Lach stated that the restrictions are required by the Commonwealth of Massachusetts to comply with 2 state programs. He reviewed the conservation significance for each one and noted that they have been reviewed by the Conservation Commission as well as Town Counsel. Chairman MacAskill questioned why hunting and trapping would be excluded from the West Reservoir property. Mr. Lach stated that it is the Trust's policy that acquisition is to allow for protection of wildlife but it is the Board's discretion. Mr. MacCready expressed concern about public access of the Hinckley's Pond property as there is a CPC application in for Hinckley's Pond. He questioned if this property is accessible to the general public. Mr. Robinson explained that the restriction allows the right to enter the premises from adjoining publicly accessible land during the hours between sunrise and sunset, for passive recreation purposes and subject to the terms of the Conservation Restriction. Mr. MacCready stated that he read that language in the document but wanted to know if it is practically available to get to Hinckley's Pond through that property. Mr. Robinson responded that the property adjoins the Town herring run property. Mr. Lach stated that they do not have plans for a walking loop there and they would have to study that. Chairman MacAskill questioned where the restriction's language for "no hunting" came from and Mr. Lach responded that the drafts were drawn up by the Conservation Commission and sent to Town Counsel but reiterated that it is the Board's prerogative.

Mr. Hughes moved that we approve the Conservation Restrictions for 7.21 acres on Hinckley's Pond - property donor: Jacob Brown, 14 acres on Muddy Creek - Marini, 1.6 acres on Cahoon Road near Long Pond - Hipp, 2 acres at Island Pond - Sutphin. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Mr. Hughes moved approval of the Conservation Restriction on 4.1 acres on the West Reservoir - Hall property with the modification that hunting be allowed. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

A. Action Item Register Update

Mr. Clark reminded the Board that on November 14th we have the public hearing on the Entertainment Licenses about creating uniform hours.

B. Route 39 & Pleasant Bay Road Intersection Update

Mr. Clark reported that the vegetation has been cleared at the intersection.

C. HCT Reimbursement for Sutphin Property

Mr. Clark reported that free cash was certified for \$1.9 million and this is the earliest that it has been approved. He stated that about \$1 million would be dedicated for capital budget as well as \$500,000 for snow and ice operations, \$72,000 for reimbursement to the Harwich Conservation Trust on the Sutphin property, and funding of the Middle School at about \$125,000.

D. Thankful Chase II Reimbursement

Mr. Clark reported that \$107,000 was spent from the Affordable Housing Fund for back taxes for acquisition of this property after which someone came forward to claim ownership of the property and Board of Selectmen minutes

the property was awarded to this person by the court. He explained that the person eventually did pay the tax bill and so the \$107,000 was put back into the fund at the conclusion of FY15.

E. Potential Amendment to Regional Agreement with MRSD

Mr. Clark reported that he met with the Chairman of the School Committee as well as the Superintendent regarding the 5 year mark of the agreement and associated look back clause. He stated that the Superintendent has indicated that there are some items we may want to look at. He said it may be worthwhile to have a combined meeting with the Boards of Chatham and Harwich, the School Committee and the person who oversaw the construction of the agreement initially, in an effort to see what elements of the agreement they want to look at. Mr. Clark suggested sending a letter to the school and Chatham Board to see if we can schedule a meeting and Chairman MacAskill directed him to do so.

F. Initial Draft Funding Schedule for Capital Budget

Mr. Clark reported that this is a preliminary draft of what the funding is for the Capital Budget. He provided an overview of the figures and noted that it doesn't get voted until December. Mr. Hughes asked that Mr. Chris provide an explanation of how he would like to spend free cash.

SELECTMEN'S REPORT

Mr. LaMantia reported that he participated in an hour long video conference call with VisiGov and they are working on a stage 2 of their program which they think will be ready for January. He stated that they've agreed to share numbers back and forth so we could keep a better eye on what they are doing and understand how their program works. He noted that there are a number of towns that had the same kind of concerns we did in terms of what the numbers really represented and they are trying to fix that. He added that they are working on including the enterprise fund. Chairman MacAskill said he intends to put this on the agenda.

A. BOS/Town Administrator Path Forward

Mr. Hughes read the attached statement. It was agreed that all the goals and objectives should go on the action item list. Ms. Brown moved that we adopt this memorandum of recommended course of action to move forward. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

B. Committee Vacancy List

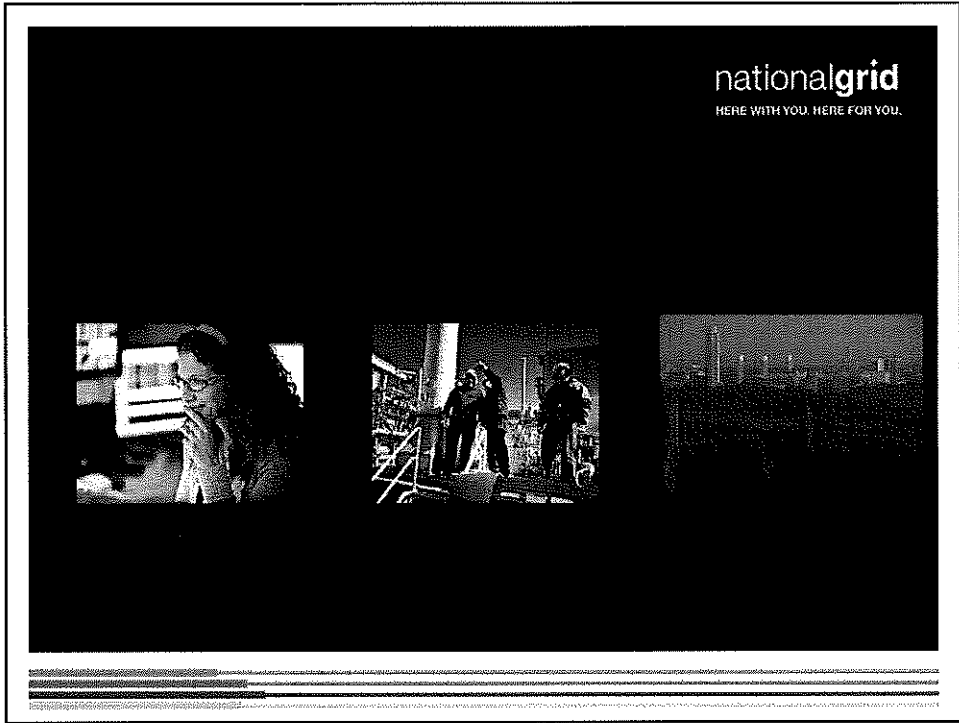
Ms. Brown read the Committee Vacancy List into record.

ADJOURNMENT

Mr. LaMantia moved to adjourn at 8:35 p.m. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary
Board of Selectmen minutes
November 7, 2016



nationalgrid
HERE WITH YOU. HERE FOR YOU.

- Eastham, Orleans, Chatham, Brewster, Harwich, Dennis
 - No new service connections or increased natural gas use (i.e. larger appliances)
 - Two exceptions only for existing residential gas customers:
 - 1. Natural gas barbecues are permitted as added load
 - 2. Emergency natural gas backup generators may be permitted
 - Appliance replacement of same type and load does not require approval
- Yarmouth
 - National Grid must review all requests for new or added loads to confirm they will not affect system reliability
- Barnstable
 - National Grid must review requests for new or added loads over 1,000,000 Btu to confirm they will not affect system reliability

2

Usage Guidelines

Typical Residential Usage

Heat	100,000 BTU
Hot Water	40,000 BTU
Cooking	30,000 BTU
Dryer	30,000 BTU
Total	200,000 BTU

Typical Commercial Usage

Roof Top HVAC	200,000 BTU
Commercial Kitchen	500,000 BTU
Hot Water	75,000 BTU
Total	775,000 BTU

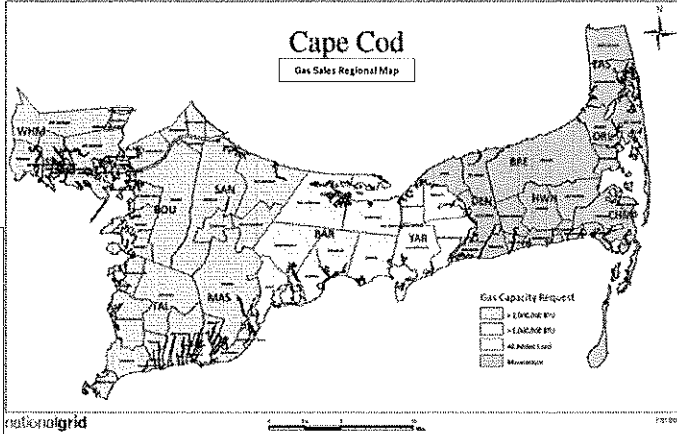
Maximum Area - Permits any increase in natural gas use by existing customers with two exceptions (subject to application, review and approval by National Grid):

1. Natural Gas barbecues
2. Emergency natural gas generators

All Other Towns - New or added load approvals are subject to application, review and analysis by National Grid for the prescribed Gas Capacity Request thresholds shown.

Natural gas appliance replacement of the same type and load does not require National Grid approval.

For questions, contact National Grid.
Kerrie Doyle - 781-907-2201

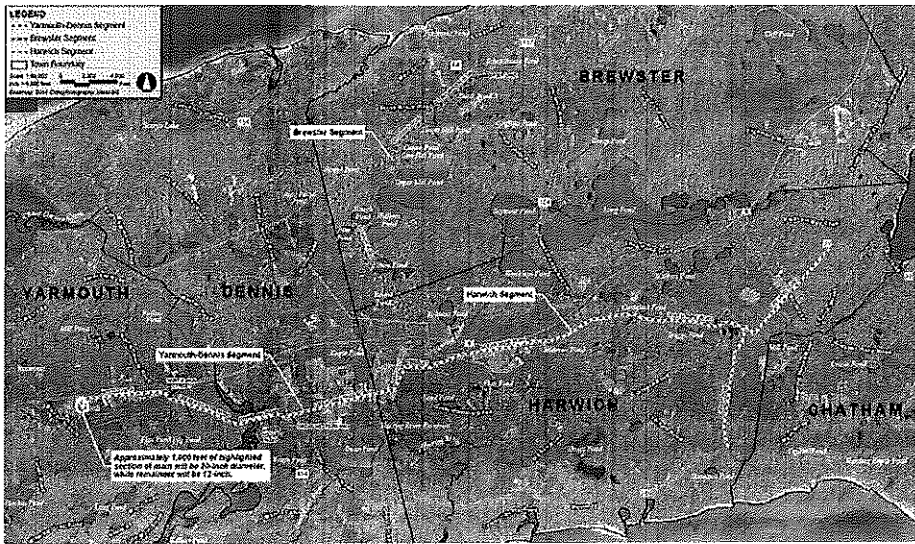


LEGEND

- Yarmouth-Dennis Segment
- Brewster Segment
- Barnstable Segment
- Harwich Segment
- Yarmouth-Dennis Segment
- Harwich Segment
- Harwich Segment
- Harwich Segment

Town Authority

Scale: 1" = 1 Mile
NAD 83
ESRI
© 2008 National Grid



Approximately 1,000 feet of underground sections of main will be 30-inch diameter. Actual diameters will be 12 inch.

- November 2015: Filed with MEPA
- December 2015: Completed engineering and design
- January 2016: Open houses in Harwich (1/20) and Dennis (1/28) & Harwich (7/12)
- Early 2016: Filed with Massachusetts Siting Board, Cape Cod Commission
- December 2016: Construction Start on Eastern Segment (Harwich only)
- January 2017: Expected regulatory and permit approvals
- April 2017: Begin construction
- Early 2019: Complete construction

Eastern Segment Route
National Grid





Mid-Cape Main Replacement

Ensuring safe, dependable natural gas distribution on the Mid-Cape for years to come.

[Learn more](#)

For more information: ngrid.com/midcape or (800) 235-0955

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Feasibility Phase & Schematic Design

MSBA Module II: Forming the team

Completed Items to date

- On September 30, 2015, the Cape Cod Regional Technical High School was invited into the Feasibility and Schematic Design Phase.
- On February 1, 2016, Strategic Building Solutions, DBA Colliers International was chosen as our Owners Project Manager (OPM).
- On May 17, 2016, Drummey, Rosane and Anderson (DRA) was selected as our designer.



Feasibility Phase & Schematic Design

MSBA Module III: Feasibility Study

Completed Items (continued)

- On June 23, 2016, the Cape Cod Regional Technical High School committee chose to close our Welding/Metal Fabrication and Early Childhood Education programs.
- On July 11, 12 and 29, "Visioning Sessions" were held at our school with an educational consultant assigned to our project, Dr. Frank Locker. Thirty-five stakeholders from inside and outside the school participated.

For up-to-date information on the progress of the project, visit <http://capetech.us/domain/50>



Feasibility Phase & Schematic Design

MSBA Module III: Feasibility Study

Completed Items:

- In October 2016 we submitted with the assistance of our team:
 - Educational Program design
 - Initial Space Summary
 - Evaluation of existing conditions
 - Site development Requirements
- From October through December 2017, a preferred solution study will take place.



Feasibility Phase & Schematic Design

MSBA Module III: Feasibility Study

Items to be completed (continued):

- From October 2016 through December 2016, a preferred solution study will take place which will identify:
 - New school options
 - Several renovation/addition options
- By January 4, 2017, we need to select and submit our preferred option to the MSBA in consultation with our school building committee and our school committee.
- On February 15, 2017, the MSBA would approve our preferred solution.



Feasibility Phase & Schematic Design

MSBA Module IV: Schematic Design

Items to be completed (continued):

- From February through May 2017, the design process occurs.
- By early June 2017, specific, detailed cost estimates will be generated
- By August 2017, project scope and budget should be complete with warrants due to sending towns by August 24, 2017
- On August 23, 2017, MSBA approves the Schematic Design



Feasibility Phase & Schematic Design

MSBA Module V: Funding the Project

Items to be completed (continued):

- From February/March through August 2017, communication with appropriate town committees explaining our preferred option with design and financial specifics.
- On October 24, 2017, a district-wide election will be held pursuant to Chapter 71 Section 16 (n).



What is Chapter 71 Section 16 (N)?

- Vote of the district committee authorizing the debt is approved by a majority of the registered voters in the member towns voting on the question at an election under the following provisions:
 - Warrant addressed to registered voters in member towns
 - Warrant signed by a majority of district committee
 - Sets forth date of election
 - Polling places

What is Chapter 71 Section 16 (N)?

- Hours polls to be open
- Question which is to appear on the ballot
- Must post warrant attested by secretary of the committee in public place in each town
- Must publish in one newspaper of general circulation at least ten days before election
- Number/location of polling places determined by district committee after consultation with selectmen or council

What is Chapter 71 Section 16 (N)?

- Hours must be uniform throughout the district
- Hours must be not less than 4 hours but no more than eight hours
- District committee responsible for preparation of ballots
- Town clerk of each town certifies the results to the district committee
- Expenses of election paid by regional school district as operating expense
- Defeat of proposal shall not prevent the resubmission of the same proposal as a new authorization

Town Clerk's Meeting at CCT April 5, 2016

- Discussed Chapter 71 Section 16 (n)
- Discussed the example of Bay Path Regional Technical High School
- Determined October 24, 2017 election date
- Determined warrants would be due a 1 -2 months prior on August 24, 2017 (estimated)

Bay Path Regional Technical High School Example

- See Attachment B
- Approximately \$73.8 million dollar project
- Utilized Chapter 71 Section 16 (n)
- 67.41 % MSBA reimbursement rate for allowable costs
 - Cape Cod Tech currently 42 %!
- 10 towns

School Building Committee Meeting in October 2016

- Drummey, Rosane & Anderson presented seven alternatives with preliminary cost estimates as we transitioned into the preferred solution study **Attachment C**
- **Attachment D** shows scenarios by town for 30 years for each alternative

Recommended Course of Action to Move Forward

My Fellow Selectmen;

For the last several weeks we have struggled to reach agreement with the Town Administrator regarding "mutually agreeable goals and objectives for FY17". In September the Board voted to adopt a set of goals, objectives and action items . Although not unanimously adopted these are in fact the Boards Goals & Objectives for FY17.

Our original intent was to reach agreement with the Town Administrator early in the fiscal year so that an effective Town Administrator mid-year performance evaluation could be conducted and a salary adjustment considered ,if so indicated by the results of the evaluation. At this time we have yet to reach agreement and we have been advised that Chris is a finalist for the Yarmouth Town Administrator position and has applied to additional openings in other communities.

With that as an introduction I took on the task of attempting to prioritize the BOS goals & objectives as agreed to at the BOS meeting of October 24. The results forwarded to the Chairman on Thursday October 27 are included in this memo. I have concluded that my priorities, and hopefully yours, are aligned with the items and activities which are needed to support the 2017 Annual Town Meeting.

As a board we need to move forward in the best interest of this community. It is therefore that I make the following recommendations:

1. Agree to disagree with the TA on goals & objectives for FY17. We have previously voted our position, time to move forward.
2. Agree to dismiss the previously planned mid year TA performance evaluation. The failure to reach agreement on goals & objectives coupled with knowledge that the Town Administrator is looking for a change would taint the evaluation.
3. The board should turn its attention and efforts to the important items we will be seeking approval for at the 2017 Annual Town Meeting which include the following:
 - a. Fire Station #2 planning & design
 - b. Saquatucket Harbor landside renovations
 - c. Wastewater Inter Municipal Agreement & Pleasant Bay Watershed Sewage Collection System design
 - d. Golf Cart Facility
 - e. FY18 Budget & Capital Plan
4. Integrate the BOS FY17 goals & objectives into the Action Item Register to provide for tracking as we move forward.

5. Direct the Chair to collect and organize materials from previous Town Administrator searches so that we are prepared to move forward in the best interests of Harwich, if and when Chris accepts a new assignment.

I bring this memo forward with the intent of making progress for the Town of Harwich and to make efficient and effective use of our time and that of our management team. In the spirit of cooperation I ask you to give these recommendations due consideration.

Best regards,
Peter Hughes

Related Documents - 11/7/16

- 01 Agenda.pdf
- 02 Minutes - October 17, 2016.pdf
- 03 Nicole Smith Appt..pdf
- 04 Julie Judge Appt..pdf
- 05 Ginger Plum Lane Reconstruction.pdf
- 06 Gift of Benches.pdf
- 07 HOME Consortium Resignation.pdf
- 08 HOME Consortium Vacancy.pdf
- 09 Utility & Energy.pdf
- 10 Housing Committee.pdf
- 11 Housing Authority.pdf
- 12 CPC.pdf
- 13 National Grid Main Replacement.pdf
- 14 Cape Cod Tech Building Project.pdf
- 15 Conservation Restrictions.pdf
- 16 Action Item Register.pdf
- 17 MRSD Agreement.pdf
- 18 Capital Budget Funding.pdf
- 19 BOS-TA Path Forward.pdf
- 20 Committee Vacancy List.pdf