

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, FEBRUARY 5, 2018
6:30 P.M.**

APPROVED

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

OTHERS PRESENT: Town Administrator Christopher Clark, John Rendon, Carol Coppola, Bob Cafarelli, Carolyn Carey, Cyndi Williams, Leo Cakounes, Robbin Kelley, and others.

WEEKLY BRIEFING

Ms. Carey reported that it is the 18th anniversary of the Community Center and discussed the upcoming associated events.

Mr. Dan McLaughlin of 116 Uncle Venies Road said that as a taxpayer and restaurant owner he has written to Mr. Clark asking to be in any RFP process for a restaurant at Saquatucket Harbor and he discussed what he believed would be the benefits to the town.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Annual Town Meeting Warrant Article Deadline – Friday, February 9, 2018 at noon

Mr. Ballantine moved to close the warrant on Friday at noon. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

CONSENT AGENDA

- A. Approve Minutes – January 22, 2018 Regular Session
- B. Approve application for Dave Birtwell Rememberly Walk to be held on May 12, 2018 and waive Building Department tent fee of \$55
- C. Confirm appointment of Mary Maslowski as Administrative Assistant in the Town Clerk's office as recommended
- D. Approve Harwich Participation in the FY18 Truro Regional CDBG Grant for Housing Rehabilitation and Child Care and authorize the Chair to sign

Chairman MacAskill stated that they would be taking up Item D separately. Mr. Ballantine moved approval of the Consent Agenda Items A through C. Mr. Howell seconded the motion and the motion carried by a unanimous vote. Mr. Ballantine moved approval of Item D. Mr. Howell seconded the motion and the motion carried by a 4-0-0 vote with Ms. Brown recusing herself on this item.

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

- A. Town of Harwich Federal Financial Internal Controls and Procedures – *Carol Coppola, Finance Director*

Ms. Coppola explained that when the Town receives awards of Federal grants, the Town is required to comply with the Federal Financial Internal Controls and Procedures and she provided the attached

slide presentation on this topic. She took questions and comments from the Board. The consensus of the Board was to move forward with this.

B. Presentation on MA Seaport Economic Council Grant - Saquatucket Landside Renovation project – *John Rendon, Harbormaster*

Mr. Rendon provided the attached presentation of the Saquatucket Landside project plan which included a snack shack. He asked for the Board's assurance that they still support the project as originally applied for with the snack shack prior to his attending next Tuesday's Seaport Council meeting to accept the grant in amount of \$1 million. Chairman MacAskill stressed that Town Meeting voted \$3 million for the project with the understanding that any grants received would offset that amount and that Town Meeting should decide whether to move ahead with the snack shack or use the \$1 million grant to reduce the Town's borrowing authorization for the project. There was extensive discussion that followed as to the merits of whether a snack shack or restaurant should be included in the plan, if voters should be given the chance to opt out of either choice at Town Meeting, or if we should revisit it in a year. Mr. Ballantine moved to accept the \$1 million grant consistent with the diagram shown at Town Meeting and the grant would be subject to appropriation at the Annual Town Meeting. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Recommendation to appoint Randall Pond as the Housing Authority's representative to the Community Preservation Committee term to expire May 15, 2018

Chairman MacAskill said they didn't receive the minutes on this item that they had asked for. Mr. Howell said he wants the public to understand that we have been consistent in that we get approved minutes so he doesn't see how we can act on this and he stressed that this is not a personal animus. The Board took no action on this item.

B. Request by Cemetery Commission to name new Island Pond arboretum the "James Marceline Arboretum"

Chairman MacAskill said they would bring this item back. He reported that there is a piece missing to this and he has spoken to the Cemetery Administrator about it.

C. Transfer of land from Board of Selectmen to the Cemetery Commission for Island Pond Cemetery

Ms. Kelley described the project to turn part of Island Pond Cemetery into an arboretum which she noted requires a certain amount of acres. She further pointed out that this land will give us 60 more burial spaces and a parking area. Mr. Howell moved to support the transfer of land from the Board of Selectmen at the request of the Cemetery Commission to the Cemetery Commission for Island Pond Cemetery. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

D. Wastewater Support Committee information

Chairman MacAskill stated that he requested some information from Dave Young for the Wastewater Support Committee and Mr. Young had asked what the information flow would be. Chairman MacAskill explained that tonight's discussion is to establish a chain of command. Mr. Clark stated that the new Committee can't have Mr. Young at their beck and call and he recommended having Mr.

Pelletier be the repository for information and be the staff support we used to have Mr. Young provide. He said if requests come in from the Committee they could be channeled through himself or Mr. Pelletier and that could be the chain of command. Mr. Howell said he would urge CDM Smith to come up with a timeline for when and how this will affect people and Mr. Clark responded that they are working on a more detailed timeline. Mr. Ballantine stated that the Committee would like to have a definite path. He said they have asked Mr. Young to come in tomorrow and present in more detail where we are now, a time schedule for actions before Town Meeting, a schedule for implementation, and a fix on what costs are going to be. Ms. Pflieger said they have received some information from Mr. Young but have requested up-to-date maps and more detailed timelines. She pointed out that we are supposed to supplying a list of qualified engineers and/or plumbers. She commented that she needs to have a feeling of what this project is about and where we are with it so she can talk to the people and answer their questions

- E. Appoint Selectman Ballantine to serve on Cape Cod Water Protection Collaborative for a term from February 25, 2018 to February 28, 2019

Mr. Howell moved to appoint Mr. Ballantine to that position effective immediately and with an expiration date of February 28, 2019. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

- F. Revenue allocation for Water Department cell tower lease

Mr. Howell moved to support the money going into our Housing Trust. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

- G. Establishment of two member Board of Selectmen Personnel Board

Chairman MacAskill said this is a request of one Board member but something he had been thinking of for some time. He stated that with everything going on with personnel and the most recent vacancy of the Assistant Town Administrator and some other positions, he thought it would be good if the Board were more involved in the overall structure. Mr. Howell said that it's not really a Personnel Board but rather this really delves into organizational structure and he would support it on that basis and not getting in the day to day operation of personnel. Ms. Kavanagh, Ms. Brown and Mr. Ballantine agreed. Mr. Clark also suggested getting away from calling it a Personnel Board. Mr. Cakounes pointed out that a Personnel Board would have to post agendas and minutes. He suggested that if the Town Administrator asked two of the Board to aid him in a Personnel Board scenario then they aren't required post and provide minutes. Mr. Ballantine volunteered to work with Mr. Clark to put some structure together and bring it back. Mr. Clark said he would like to have one member of the Board sit on the search committee for the Assistant position. Mr. Ballantine said he would be reluctant to do that right now as we need to discuss what our greatest needs are for that position and he suggested we focus on procurement and legal experience. Chairman MacAskill commented that given Mr. Cakounes' suggestion, do we really need to come back with this. Mr. Clark said he would reach out to Mr. Ballantine and Mr. Howell. Ms. Kavanagh said she would like to be involved in the recruitment process.

- H. Housing Trust membership make-up

Mr. Clark described the Yarmouth makeup of their Housing Trust which includes the Town Administrator – Chair of the Trust by Town Meeting by-law, one member of the Board of Selectmen – required by State law, one member of the Yarmouth Affordable Housing Committee – by Selectmen Board of Selectmen minutes

policy, one member of the CPC – by Selectmen policy, and one citizen at large – by Selectmen policy. He stated that by statute we definitely have to have a Selectman member on it. He volunteered to serve as well. Mr. Howell questioned if anyone has asked Town Counsel to give an opinion relative to Selectmen being on this as our Charter says you can't appoint a Selectman to a committee to which they have appointment authority over. Mr. Clark said he would send it to Town Counsel. Chairman MacAskill stated that Chatham and Bourne do not have their Town Administrator on the Committee. He suggested they say "or delegate of the Town Administrator" as they do in Brewster. He said it doesn't make sense to put that responsibility on the Town Administrator. Ms. Kavanagh said it would be helpful to have the Town Planner on the Committee instead of the Town Administrator and Mr. Howell and Ms. Brown agreed. Mr. Clark said he wouldn't remove the Town Administrator and Yarmouth has been successful because the Town Administrator is on it. It was agreed that it would be the Town Administrator or his designee. Mr. Ballantine suggested having a representative from the Housing Committee and Ms. Brown suggested having more than one person from the community involved. Mr. Bodin questioned what the term of the Town Administrator would be. He said it works well in Yarmouth with having the Town Administrator as Chair. Chairman MacAskill suggested the make-up of the Committee be the Town Administrator or his designee, a Selectman, a Housing Committee member, and one citizen at large. Ms. Brown suggested having two at large members and that the designee be the Town Planner. Ms. Brown said she would like to get some input from the community a little bit more. Chairman MacAskill asked that the Board give some thought to the structure. No action was taken.

I. New approval process for Executive Session minutes

Chairman MacAskill stated that it was pointed out to him that we probably shouldn't be approving executive session minutes in open session. He noted that he sent an email to Attorney Giorgio and he agreed and suggested approving them in executive session with a line item in open session or delegating someone on the Board to approve the minutes. Mr. Howell stated that he was in favor of voting the minutes in executive session and was against having a delegate approving them. He noted that when the purpose for the executive session no longer exists, the information becomes public. Mr. Ballantine and Ms. Kavanagh were also in favor of approving the minutes in executive session rather than having a delegate.

OLD BUSINESS

A. Reallocation of staff in Community Development Department

Mr. Clark stated that his original intent was to take some of the savings and put it down in Administration but the budget is going to be much tighter than he had thought so he doesn't think there are resources to accomplish that. Mr. Ballantine said the plan makes sense and Ms. Kavanagh and Ms. Brown agreed. Mr. Ballantine moved to accept the Administrator's proposal of reallocating staff in the Community Development Department as shown in his memo of December 21, 2018. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

B. Proposed Charter changes

Chairman MacAskill stated that this item is on the agenda in case the Board has questions. Mr. Howell said he has conveyed the changes to the By-Law and Charter Review Committee and they are working on finalizing their wording for the changes that assign the number of people to committees. He said there isn't going to be anything relative to ex-officio appointments as that mostly sits in the by-laws of the CPC and other towns do it other ways and we may want to look at it and decide what

direction we want to go in. Mr. Ballantine noted that in Section 7-10, it indicates that the Conservation Commission has 7 members but they also have potential for three associate members. Mr. Howell said they are going to rework this language and it should be in the paragraph related to the committee. Chairman MacAskill questioned if they want to make these all 7 and 9 members, other than those that are statutory, considering how difficult it is to get volunteers. Mr. Howell said they discussed this at last year's Town Meeting that we were going to give numbers to committees, so it wouldn't be consistent with what they said. Chairman MacAskill discussed going back to Town Meeting with a recommendation and Mr. Howell agreed.

C. Wastewater update – Cold Brook, East Harwich, Dennis/Yarmouth/Harwich

With regard to Cold Brook, Mr. Clark stated that there is a \$1.5 million grant earmarked for the Town for fish navigation and he is setting up a meeting next week as to how to move this project forward. He said he is having continuing discussions with the Harwich Conservation Trust to see about the changes that would be contemplated in that area. With regard to East Harwich, Mr. Clark reported that staff is working on design and they are looking at whether the pipe goes on the north or south side of Route 137 and how deep they can get it. With regard to Dennis/Yarmouth/Harwich, Mr. Ballantine said we have had input from K-PLaw on an option for Special Legislation and it is favored to model a regional partnership tentative to a meeting on March 22nd at the Dennis COA at 6:00 p.m. with the Selectmen from all three towns for the purpose of getting an update on proposed legislation.

TOWN ADMINISTRATOR'S REPORT

A. Update on Route 28 sidewalk

Mr. Clark reported that he had a discussion with Mr. Hooper and MassDOT District 5 to see if we can move forward on this project. He said he thinks the mechanism to do that is that they would do the design work and we would pay a contractor that they approved. He said they will come look at it and provide feedback and we have budgeted \$250,000. Mr. Cakounes suggested asking Mr. Hooper to write a letter to the MPO stating that it would be a good idea to have a sidewalk allocation in their plan. Ms. Kavanagh said we should be looking at the sidewalk near Station 2.

B. Department Weekly Reports

Mr. Clark stated that the budget was a lot tighter than anticipated and a lot of cuts had to be made but the two firefighters and the police officer are included.

ADJOURNMENT

Ms. Brown moved to adjourn at 9:11 p.m. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary



Committee on Sponsoring Organizations (COSO) Internal Control Framework

With Accompanying Federal Financial Internal Controls & Procedures

Internal Control Standards - the "Green Book"

- Government Accountability Office (GAO) issued revised standards on September 10, 2014. In an effort to help all federal, state and local agencies improve their performance the document, *Standards for Internal Control in the Federal Government*, also known as the "Green Book" sets the standards for an effective internal control system.
- What is Internal Control? Internal control is a process that helps an entity achieve its objectives. It is the first line of defense in safeguarding public resources.
- Implementation Period –GAO's 2014 revision will be effective beginning with fiscal year 2016 and the financial reports covering that year. Management, at its discretion, may elect early adoption of the 2014 Green Book.
- How does Internal Control work? Assists the town to
 - Run operations efficiently and effectively
 - Report reliable information about its operations
 - Comply with applicable laws and regulations
- Who uses the "Green Book?"
 - Someone who manages federal/state/local programs
 - Someone conducting a performance auditor or a financial audit
 - Someone responsible for making sure that personnel follow policies and procedures related to any and all job responsibilities.

Committee on Sponsoring Organization (COSO)

- ▶ The Committee of Sponsoring Organizations of the Treadway Commission (COSO) is a joint initiative to combat fraud. It was established by five private sector organizations, dedicated to guide executive management and governance entities on relevant aspects of organizational governance. COSO has established a common internal control model against which the Town assesses its control systems. Convert the financial statements at year end – Modified Accrual Basis of Accounting (GAAP)
- ▶ Five Components of Internal Control
 - ▶ Control Environment – The tone at the top and the foundation for all other components
 - ▶ Risk Assessment – The identification and analysis of relevant risks
 - ▶ Control Activities – Policies and procedures
 - ▶ Information and Communication – Reports, regular and timely communication – flowing down, across and up the organization
 - ▶ Monitoring – Regularly assess, evaluate and test controls
- ▶ Each of the Components contains several principles which serve as the requirements of each component
- ▶ Each principle has important characteristics called attributes

Principles & Attributes Sample

The oversight body and management should demonstrate a commitment to integrity and ethical values (Principle 1)

Tone at the top
Standards of Conduct
Adherence to those Standards

Management should demonstrate a commitment to recruit, develop, and retain competent individuals (Principle 4)

Expectations of Competence
Recruitment, Development, and Retention

Management should evaluate performance and hold individuals accountable for their internal control responsibilities (Principle 5)

Enforcement of Accountability
Consideration of Excessive Pressures

Principles & Attributes

Sample Evaluation

The Town has established and uses a formal code of conduct...

The codes are periodically acknowledged by signature from all employees and committee members

Management has a positive and supportive attitude toward the functions of accounting, IT systems, monitoring, external audits.

Management looks to the IT function for critical operating data and supports efforts for improvements

The Town employs many and various forms and means of communicating important information with employees and others.

Two of the most powerful forms of communication used by management are the positive actions it takes in dealing with personnel throughout the organization and its demonstrated support of internal control

Next Steps

- Roll out Internal Controls and Procedures
- Train affected employees
- Evaluate Internal Control
- Conduct Risk Assessment
- Begin Again

SAQUATUCKET HARBOR LANDSIDE REDEVELOPMENT

FOR

TOWN OF HARWICH
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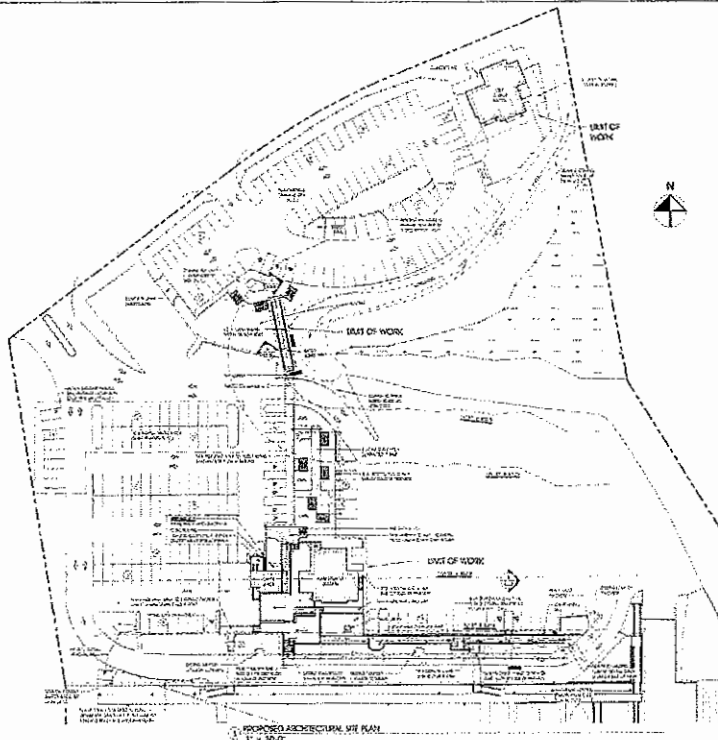
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PROGRESS SET - NOT FOR CONSTRUCTION
05-23-17

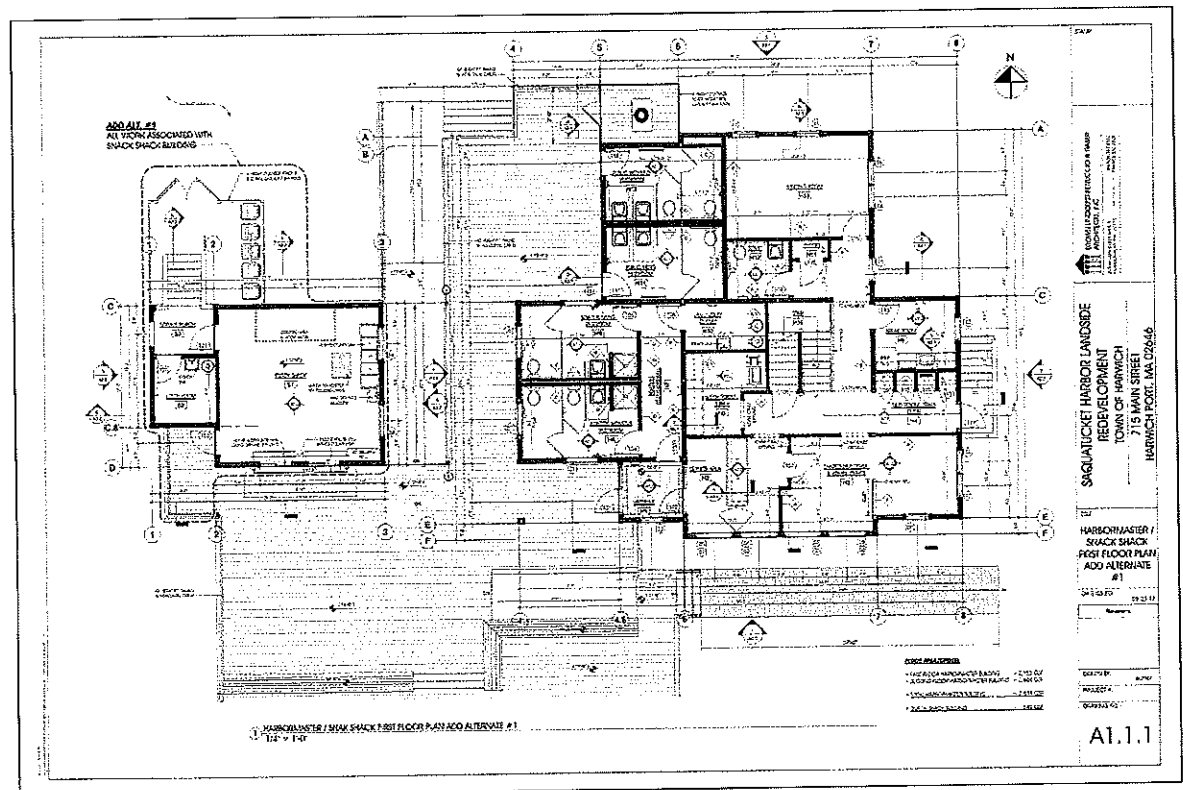
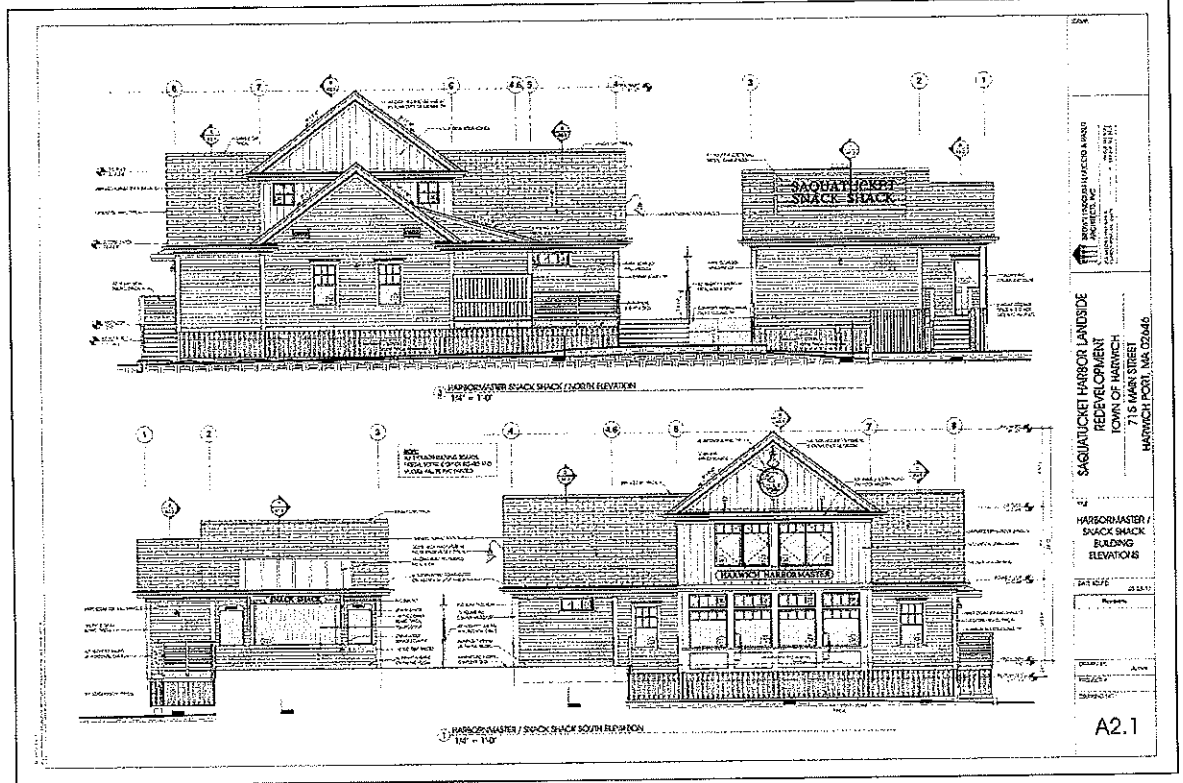
Site Plan as Bid

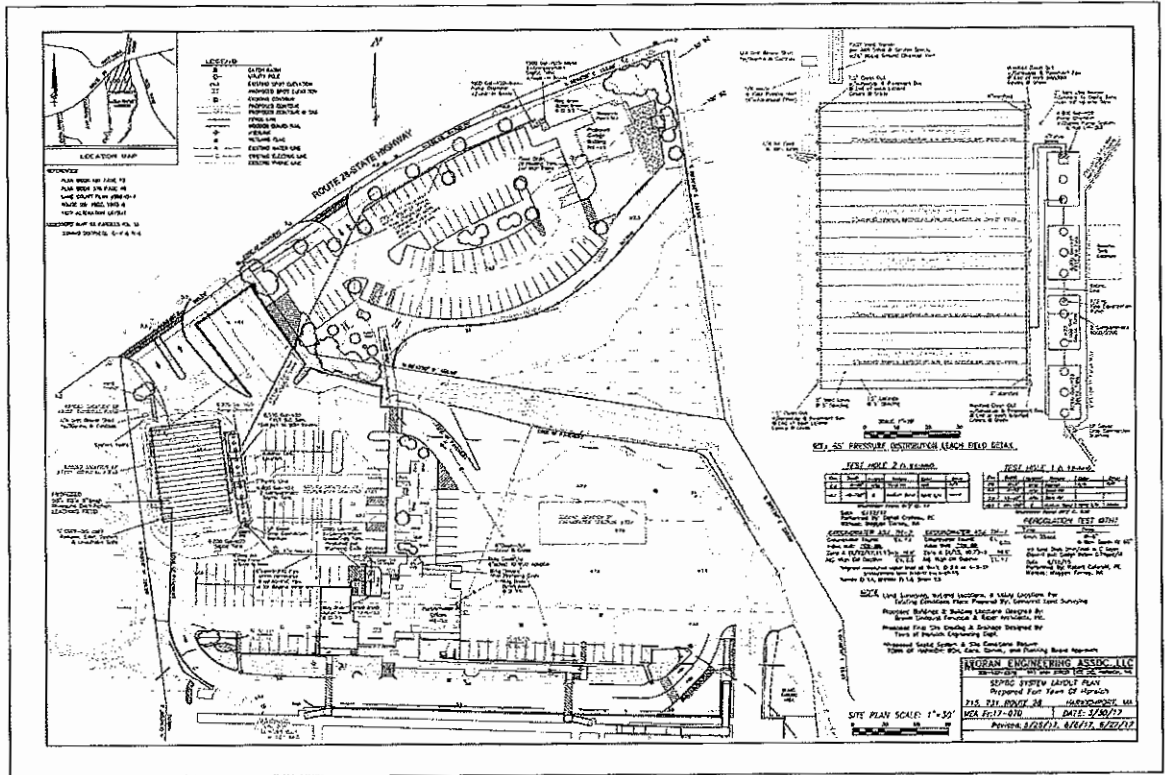


SAQUATUCKET HARBOR LANDSIDE
REDEVELOPMENT
TOWN OF HARWICH
715 MAIN STREET
HARWICH PORT, MA 02646

PROPOSED
ARCHITECTURAL
SITE PLAN

L0.2





Related Documents - February 5, 2018 BOS Meeting

- 01 Agenda.pdf
- 02 Budget Warrant Timeline.pdf
- 03 Minutes Jan 22, 2018.pdf
- 04 Dave Birtwell Remembrance Walk.pdf
- 05 Appt of Mary Maslowski.pdf
- 06 CDBG Grant.pdf
- 07 Internal Controls & Procedures.pdf
- 08 Saquatucket Harbor Seaport Grant.pdf
- 09 Saquatucket Harbor Slides.pdf
- 10 Housing Authority Rep to CPC.pdf
- 11 Naming of Arboretum.pdf
- 12 Cemetery Comm Land Transfer.pdf
- 13 Wastewater Support Comm.pdf
- 14 Appt to Collaborative.pdf
- 15 Housing Trust Membership Makeup.pdf
- 16 Approval of Executive Minutes.pdf
- 17 Reallocation of CD Staff.pdf
- 18 Proposed Charter Changes.pdf
- 19 Wastewater Update.pdf
- 20 Update on Sidewalk.pdf
- 21 Dept Weekly Reports.pdf