

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, JUNE 11, 2018  
6:30 P.M.**

**APPROVED**

**SELECTMEN PRESENT:** Ballantine, Howell, Kavanagh, MacAskill, McManus

**OTHERS PRESENT:** Town Administrator Christopher Clark, Assistant Town Administrator Evan Melillo, Interim Assistant Town Administrator Bob Lawton, Amy Bullock, and others.

Chairman Kavanagh reported that the Board had just come out of Executive Session where they reviewed the cyber-security study and to conduct strategy sessions with respect to collective bargaining on the Fire Union contract, the Deputy Fire Chief reclassification and the SEIU Compensation Survey.

**WEEKLY BRIEFING**

No one appeared before the Board.

**PUBLIC COMMENTS/ANNOUNCEMENTS**

No one appeared before the Board.

**CONSENT AGENDA**

- A. Approve Minutes – May 14, 2018 Regular Session
- B. Approve award of Bond Anticipatory Note sales
- C. Approve Annual Police Appointments
- D. Vote to waive the permit fee for a shed to be used to serve both the Brooks Academy Museum and the Crowell Barn per request of the Chairman of the Brooks Academy Museum Commission
- E. Approve the appointment of Janet Evans as a full member of the Treasure Chest Committee with a term to expire on June 30, 2021
- F. Confirm the appointment of James Donovan as Conservation Commission's representative to Real Estate & Open Space Committee with a term to expire on June 30, 2021
- G. Authorize the Chair to sign the Judah Eldredge Land Grant Authorization Form
- H. Released Executive Session Minutes:
  - 1. April 2, 2018
  - 2. April 9, 2018

Mr. McManus moved approval of the Consent Agenda. Mr. Ballantine seconded the motion. With regard to Item F, Mr. Howell noted that the By-Law and Charter Review Committee is looking at trying to change that so the ex-officio positions are year by year since they don't coincide with the underlying appointment that is necessary to make them an ex-officio position. With regard to Item B, Mr. McManus questioned if they are taking up the General Bond sales as well and Mr. Clark responded that they are. Mr. McManus amended his motion to exclude Item B and the Board agreed. The amended motion carried by a unanimous vote.

With regard to Item B, Mr. McManus moved the following:

I, the Clerk of the Board of Selectmen of the Town of Harwich, Massachusetts (the "Town"), certify that at a meeting of the Board held June 11, 2018, of which meeting all members of the Board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$12,525,000 General Obligation Municipal Purpose Loan of 2018 Bonds of the Town dated June 21, 2018 (the "Bonds"), to Janney Montgomery Scott LLC at the price of \$13,931,095.07 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as specified: and Further voted to approve the sale of a \$7,445,150 at 2.75 percent General Obligation Bond Anticipation Note of the Town dated June 21, 2018, and payable June 21, 2019 (the "Note"), to Jefferies LLC at par and accrued interest plus a premium of \$82,197.00. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

## **NEW BUSINESS**

- A. Interview for position of Town's representative to Barnstable Assembly of Delegates
  - 1. Peter Hughes
  - 2. Elizabeth Harder

Ms. Harder and Mr. Hughes, as candidates for the position of the Town's representative to the Barnstable Assembly Delegates, provided information on their background after which the Board interviewed them for the position. Both candidates indicated that they would be seeking election to the post.

Mr. Ballantine moved to nominate Peter Hughes and Mr. MacAskill seconded the motion. Mr. McManus moved to nominate Elizabeth Harder and Mr. Howell seconded the motion. Mr. Ballantine's motion to nominate Peter Hughes carried by a unanimous vote. No action was taken on Mr. McManus' motion.

- B. Retiree Health Insurance policy change

Mr. Lawton reviewed his memo to the Board dated June 4, 2018 as follows:

When someone retires from the Town of Harwich and is part of the Town health insurance program the person can maintain that coverage throughout their retirement. It is also the case that if a person retires from the Town of Harwich and does not have the Town health insurance or drops the coverage that person may come back at any time during their lifetime and ask to be reinstated. This creates a potentially large unknown liability for the Town.

Many communities on Cape Cod, and I assume off Cape, have a policy or regulation adopted by the Board of Selectmen that provides a retiree the period of one year to decide if the person wishes to remain or join the Town's health insurance plan. This provides the retiree with the option to keep or join the Town plan and gives the Town the ability to plan for the health insurance liability.

I would ask the Board of Selectmen to adopt the attached regulation, which has been reviewed by Town Counsel. We would then notify all current Town of Harwich retirees, by letter, who are not on the health insurance plan of the one year opportunity and also notify new retirees upon the date of their retirement of the option. Thank you for your consideration of this request.

#### RETIREE HEALTH INSURANCE REGULATION 2018

Subject to any eligibility rules or regulations proscribed by the town's health insurance plans, persons retiring from service to the Town of Harwich pursuant to G.L. c 32 (the public pension law), and who are not enrolled in a town-sponsored health insurance plan at the time of retirement, have one year from the date of retirement to opt in to participate in a town-sponsored health insurance plan as a retiree, as follows: retirees wishing to opt in during this one year time period may only be enrolled either at the next open enrollment period within one year after date of retirement, or, upon a qualifying event occurring within one year from the date of retirement. Written notification of such "opt in" must be given in writing to the Harwich Town Treasurer.

Those retirees who are enrolled in a town-sponsored health insurance plan at the time of retirement must sign the town provided form stating they will remain in the plan.

If a retiree who is enrolled in a town-sponsored health insurance plan chooses to opt out of such plan they may not return to any town-sponsored health insurance plan once they have opted out.

Ms. Bullock, Town Treasurer, said she agreed with the proposed policy and noted that they have had people come back on the health insurance after years. Mr. Howell said he would feel more comfortable if this were a hearing as it affects a lot of people. Mr. McManus agreed and said it would be nice to reach out to these people who are still in the one year timeframe to let them know that these changes are being considered. Mr. Lawton responded that if the change was made we would be notifying all of the retirees who are not part of the system to indicate that they have a year to determine what they would like to do. He asked if the Board is indicating that they would like all retirees who are not in the system to be notified that we will have a hearing and Mr. Howell responded that we typically do more than one reading of a policy. Mr. Ballantine said there's no reason not to follow the second reading precedent. Mr. MacAskill said giving people a year's notice is enough and we can advertise it. Mr. Ballantine said he is not suggesting we advertise but only to follow their policy of having a second reading. Mr. Clark said the Board can waive their policy of not having a second reading. Mr. MacAskill asked if it is past practice or is it an actual policy and it was agreed that it was past practice. He commented that they are just delaying this for two weeks. Mr. Ballantine moved to accept the recommendation of Bob Lawton on retiree health insurance. Mr. MacAskill seconded the motion. Mr. McManus said he would vote against it as it would show a level of respect for the people that have served this community well if for no other reason that we should notify them by putting it on the agenda that we are changing the conditions of their retirement and Mr. Howell agreed. The motion failed on a 2-3-0 vote with Chairman Kavanagh, Mr. Howell and Mr. McManus in opposition. Mr. Clark said he would bring this back for a second reading.

#### C. Fire Union Contract FY 19-21

Mr. Clark noted that the contract was voted in Executive Session and he outlined the components of the contract.

#### D. Deputy Fire Chief re-classification

Mr. Clark reported that as a result of the Fire Union Contract being approved, the Deputy Fire Chief position was removed from the union and we have reclassified the position to Grade M-7 in the non-union plan and uniformed non-union employees are eligible for benefits such as uniform allowance. He noted that the Board voted to reclassify the Deputy Fire Chief to Grade M-7 on the non-union schedule with those provisos.

#### E. SEIU Compensation Survey

Mr. Clark reported that we have looked at 4 positions for FY19, the Community Center Director, Conservation Administrator, Building Commissioner, and Golf Director and it was determined as a result of this survey that the Community Center Director was below market and needed to be adjusted, the Golf Director and Conservation Administrator were at market rate, and the Building Commissioner was also recommended to be moved up, so those adjustments will be made for FY19. He noted that the Board voted in Executive Session to make those adjustments consistent with the memo that was submitted by Administration. Mr. MacAskill thanked the Deputy Fire Chief and Community Center Director for their outstanding work and Ms. Kavanagh thanked them both and all SEIU employees as well.

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

#### A. Sewer Plan Update

Mr. Clark reported that we are working with CDM Smith on finalizing the design. He said he attended the Wastewater Support Committee meeting and a decision was made to send out a letter to the 650 homes that were included in the ballot vote so they know that things are going to happen. He added that we continue to have coordination meetings with Chatham. Mr. Ballantine proposed looking at having a communications coordinator and suggested putting out an RFP to help coordinate a communications plan. Mr. MacAskill suggested putting this item on the agenda and Chairman Kavanagh agreed and noted that the education piece has to be addressed as well. Mr. Howell began to note another item that we are weak in and Mr. MacAskill called for a point of order and said we are outside of the topic. Mr. Howell said his comment was going to be for the Town Administrator to bring this back with a recommendation as an agenda item not just to get information out but to address concerns coming back from people. Chairman Kavanagh said there will be opportunity to discuss these items over the summer.

#### B. Cold Brook Update

Mr. Ballantine said he would like to bring this back as an agenda item. Mr. Clark said we are trying to lay out the process to go forward and he will bring back material to the Board.

#### C. Cyber Security Survey completion

Mr. Clark reported that the Town engaged the services of a cyber-security expert through a grant to review our operations but due to the sensitivity and nature of this he will not be getting into detail on it but noted that the Town will be looking at improving on some training and policies.

#### D. Piping Plovers at Red River Beach

Mr. Clark reported that there has been no change on the status of the plovers from last week so the barriers will remain in place.

Mr. Clark reported that he toured Public Beach 22 and it may warrant an agenda item under New Business to discuss recommendations for what can be done in this area to designate the easement versus the private property.

#### E. Departmental Reports

There was no discussion or action on this item.

### **SELECTMEN'S REPORT**

Mr. Howell noted that we are losing a ZBA member and are in desperate need of Planning Board members and urged the public to consider serving. Mr. MacAskill noted that the Historic District/Historical Committee is having a difficult time making a quorum.

### **ADJOURNMENT**

Mr. Ballantine moved to adjourn at 7:38 p.m. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary

## Related Documents - June 11, 2018 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes - May 14 2018 Regular Session.pdf
- 03 BAN Sales.pdf
- 04 Annual Police Appts.pdf
- 05 Brooks Academy Shed Fee Waiver.pdf
- 06 Conservation rep to Real Estate and Open Space.pdf
- 07 Judah Eldredge Authorization Form.pdf
- 08 Released ES Minutes - Apr 2, 2018.pdf
- 09 Released ES Minutes - Apr 9, 2018.pdf
- 10 Harwich Rep to the Assembly of Delegates.pdf
- 11 Retiree's Health Insurance.pdf
- 12 Sewer Plan update.pdf
- 13 Piping Plovers Red River Beach.pdf
- 14 Department Reports.pdf