

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 13, 2016
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Brown, Hughes, Kavanagh, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Carolyn Carey, Chief Guillemette, Chief Clarke, Barbara-Anne Foley, Matt Hart, Charles Helliwell, Richard Gunderson, and others.

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

WEEKLY BRIEFING

Chief introduced new Police Officer Ryan Fazzino to the Board.

CONSENT AGENDA

- A. Approve Minutes - May 31, 2016 – Regular Session
- B. Approve FY17 Committee Re-appointments
- C. Approve FY17 Miscellaneous Appointments
- D. Approve FY17 Annual Police Appointments
- E. Approve the appointment of Ryan Fazzino as a Full-time Regular Police Officer effective July 1, 2016 with an annual salary of \$46,020.21 (P-3, Step 1)
- F. Approve and authorize Chair to sign Cooperative Agreement with Barnstable County for dredging program
- G. Approve the Application for Weekday Entertainment License for the Mad Minnow Bar & Kitchen at 554 Main St. (Rt. 28) in Harwich Port

Ms. Kavanagh moved approval of the Consent Agenda. Mr. Hughes seconded the motion. Chairman MacAskill noted that Items B and G will be taken out of order. The motion carried by a unanimous vote. Ms. Kavanagh moved approval of Item B FY17 Committee Re-appointments. Ms. Brown seconded the motion. Mr. Hughes expressed concern about issues of attendance on the Historic District Commission. He stated that the Town Engineer brought forward the concept of fiberglass reinforced columns at the Library and the Commission said they don't want them. He noted that Town Counsel said that the only recourse is through power of appointment or to go to the State Judicial Supreme Court which is very expensive and time consuming. He said that as a minimum the individuals put forward for reappointment should be interviewed to determine attendance and any other issues involved. He amended the motion to include "with the exception of the Historic District Commission." Mr. LaMantia seconded the motion. Ms. Brown commented that she doesn't know that they can interview based on a member not agreeing to plastic columns. Mr. MacAskill stated that it was an attendance issue. Mr. Hughes noted that the Board also got "stood up" for their annual report. Mr. McManus stated that he doesn't know the reasons for their vote but Harwich Center is a nationally registered historic district and they should follow the Secretary of Interior's guidelines on rehabilitation of historic structures which state that

you need to reuse existing materials to the greatest extent possible and only replace when it is beyond repair which is not the case, and if you do replace it, it should be replaced with materials in kind. He further noted that it is a Community Preservation Act requirement to follow the Secretary of Interior's guidelines. Chief Clarke commented that in certain areas you have to look at common sense and use current technology and he added that there is a time to listen to professionals and Mr. Cafarelli is a professional. Ms. Brown said she is not comfortable with this as she hasn't received any correspondence on attendance and it is not right to single out one committee. The motion failed on a 2-3-0 vote with Ms. Brown, Mr. LaMantia and Ms. Kavanagh in opposition. Mr. LaMantia moved to approve the committee appointments as presented. Ms. Brown seconded the motion and the motion carried by a 3-2-0 vote with Mr. Hughes and Mr. MacAskill in opposition. Ms. Kavanagh moved approval of Item G, approve the application for Weekday Entertainment License for the Mad Minnow Bar & Kitchen at 554 Main St. (Rt. 28) in Harwich Port. Ms. Brown seconded the motion. Mr. Hughes stated that the application is incomplete as they did not tell us when they want to have entertainment or if it is inside or outside. Ms. Greenhalgh said the hours on the license are consistent with other establishments. Mr. McManus noted that the previous establishment was limited to indoor because of the residential use next to their patio. Mr. Hughes moved to approve the application by Mad Minnow for Weekday Entertainment License for indoor application at this time with hours of entertainment consistent with other establishments in the area. Ms. Brown seconded the motion. Ms. Kavanagh withdrew the original motion and Ms. Brown withdrew her second. Mr. Hughes' motion carried by a unanimous vote.

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

- A. Saquatucket Development Committee request for Selectmen's public review and approval of the Saquatucket Landside Concept plans – Matt Hart

Matt Hart of the Saquatucket Development Committee, thanked all departments and staff involved in this cooperative effort. Harbormaster John Rendon provided the details of the plan (see attached Power Point presentation). Mr. Cafarelli stated that he is comfortable with site plan but would have to go out to bid for architectural services for the buildings and the architect would be doing the construction supervision. He added that he might go out to bid for the hydro-geologic services as there some things he doesn't feel comfortable with. Mr. Rendon said he expects the project to be in the \$2.5 to \$3 million dollar range. Mr. Hughes asked if they would seek a liquor license for the café and Mr. Rendon responded that they would. Mr. Hughes stated that the lease payments over time should cover building and septic costs. He added that they should be prepared with an alternative use should the café not work out. Mr. Rendon said they can put bid a package together within a couple of months after approval of what they are proposing. The Board and Mr. Rendon took questions and comments from Mr. Helliwell and Mr. Gunderson. Mr. LaMantia moved to accept the preliminary site plan for the land side portion of Saquatucket Harbor as presented and support moving forward towards the construction phase. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- A. Middle School Interim Use – *discussion and possible vote*

Mr. Clark outlined the following memo to the Board regarding continued use of the Middle School dated June 9, 2016:

During my time as Town Administrator, I have been attempting to minimize costs to the Middle School as the Town deliberates its re-use. Once the building was officially turned over to the Town from the Monomoy Regional School District, I set up a process in which Sean Libby, Facility Maintenance Director was responsible for maintenance of the building and grounds; Carolyn Carey, Community Center Director was given the task of seeking various parties to utilize overflow space from the Community Center; and Eric Beebe, Recreation Director, was encouraged to also make use of the building for recreation programs. The primary intent of these actions was to retain some level of use in the building to be able to minimize insurance costs, and having a presence in the building would allow for better observation of its status. I believe this initial Administration effort has been successful but is not permanently sustainable.

The Board was initially inclined to utilize the building for housing purposes and then last year requested a non-binding ballot question be put forth for the voters to consider the re-use at the May 2016 Annual Town Election. The ballot question results came in as follows:

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|-----------------|---|-----------|
| 1. Option three | sale of building for affordable or senior housing | Votes 653 |
| 2. Option four | retention as private self-sustaining cultural center | Votes 393 |
| 3. Option one | retention as a relocated Town hall and community activities | Votes 295 |
| 4. Option two | demolition and retention of land for future general use | Votes 156 |

I believe that a key policy decision needs to be made by the Board of Selectmen in regards to which direction should the re-use of the Middle School be made.

In my previous experiences, I have seen such questions emerge for elected officials. One consideration to be made is that without a clear definitive direction being achieved by the elected officials, then perhaps Administration should put together a more formal Interim Use Plan for the Middle School.

The Interim Use Plan that I would propose would be to pursue modest maintenance only with a more intensive use of the building. Options 4 and 1 call for use of the building as a cultural center or for other community activities. During this last two year, Administration, working with the above department heads, has only allowed for very short term use of the building. I would suggest that an Interim Use Plan would be for a period of five years with the intention of doing license agreements or rentals throughout the building and also establish a revolving account for the deposit of revenues to offset the increased costs to operate. This interim period of time could provide the Board with valuable information regarding the actual viability of operating the Middle School as a cultural center. The Town already has a very heavily utilized Community Center and Administration does not believe that a duplication of services is warranted. I have had initial discussions with Sean, Carolyn and Eric regarding giving them the opportunity to see if the concept of a cultural and recreation center has viability at that site. We have attached some materials regarding its current utilization and costs for the Board to consider.

The FY 16 budget included the line item of \$125,000 for the operation of the Middle School. It appears based upon current spending, that approximately \$50,000 will remain from this allocation and if not utilized will fall to so-called free cash at the close out of the budget. I have had preliminary conversation with Sean Libby about what recommendations he would have regarding minimal maintenance requirements for the school that could be done. First, he recommended that the portable classrooms at the rear of the building should be detached and sold or demolished. Second, if there is a desire for greater utilization of the building then the domestic hot water system will need to be repaired. These are two preliminary recommendations that will have to be followed up prior to June 30, 2016

If the majority of the Board of Selectmen vote consistent with option 3 to sell the building for affordable or senior housing, Administration will update the previous RFP making the necessary adjustments to limit any housing proposals to the strict footprint of the existing building. Any RFP process will need to include a formal town warrant article and Town Meeting action for the disposition of the property to a private party. The current status could be retained until such time as Town Meeting deliberations are concluded.

Mr. LaMantia and Mr. Hughes asked that operating costs be provided and Mr. Hughes said the building should be self-sustaining. The Board took questions and comments from Mr. Gunderson and Ms. Pflieger.

Mr. Hughes moved that with funds that are currently available through the end of this year, that we approve restoring minimal hot water service to the school in those areas that are being used at the moment primarily the bathrooms around the gym. Ms. Brown seconded the motion and the motion carried by a 4-1-0 vote with Mr. LaMantia in opposition.

Mr. Hughes moved that assuming the funds are available, first and foremost we see if we can't sell, we get somebody interested in paying to take away those two portable classrooms and short of that, if that doesn't work out, that we get them demolished or removed somehow someday once we know the cost though. Mr. LaMantia seconded the motion. Mr. Clark said he would like authorization to do the demolition if we don't get anyone to take them. Mr. Hughes amended his motion to including encumbering the funds to knock them down and dispose of them. Ms. Brown expressed concerns about getting rid of space that could be utilized especially as we don't know what we are doing with the building yet. Mr. Clark stated that Mr. Libby has indicated that the structures are ancillary to it and expensive to operate. He said they are well past their useful life. Ms. Kavanagh suggested offering it to Town departments and Mr. Clark said we could offer to other governmental agencies such as the Tech School. The motion carried by a 4-1-0 vote with Ms. Brown in opposition.

Ms. Brown moved to charge Administration with the task of developing a 2 year interim use plan of operation of the former Harwich Middle School including Town use and possible lease agreements with interested non-profit organizations. Ms. Kavanagh seconded the motion. Mr. Hughes said he would rather wait to see what the potential uses are. Mr. Clark should we should at least see what the marketplace has. After a lengthy discussion, Ms. Brown moved to amend her motion to say "possible license agreements" instead of "lease agreements." Ms. Kavanagh felt that it might discourage those who are interested in a longer term. Mr. Clark noted that right now it is only zoned for single family and any change would have to go to Town Meeting. He added

that the licensees would probably be looking at a license agreement of at least a year and they would have lead time should they need to get out. Ms. Kavanagh seconded the amended motion made by Ms. Brown. Mr. LaMantia amended the motion that they do not go over the budget that is already approved for this year and next year. Ms. Brown seconded the amendment made by Mr. LaMantia. Mr. Hughes asked for clarification on the amendment and it was agreed that they would not go over the FY17 budget. Mr. Hughes recommended they wait the three weeks when they have the financial numbers in front of them. At the request of the Chair, Ms. Brown restated her amended motion as follows: to charge Administration with the task of developing a 2 year interim use plan of operation of the former Harwich Middle School including Town use and possible license agreements with interested non-profit organizations. Mr. LaMantia restated his amendment as follows: and that this be handled within the FY17 budget. Mr. LaMantia's amendment failed on a 2-3-0 vote with Ms. Kavanagh, Mr. Hughes and Chairman MacAskill in opposition. Ms. Brown's amended motion carried on a 3-2-0 vote with Mr. LaMantia and Mr. Hughes in opposition.

B. Selectmen Liaison assignments for the 2016-2017 year

Ms. Brown moved to accept and adopt the Selectmen Liaison assignments for FY2017. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

C. Selection of McGinley, Kalsow & Associates, Inc. for the Library Painting Restoration Project Funded through CPC

Mr. Hughes moved to authorize Sean Libby's recommendation on McGinley, Kalsow & Associates for library painting restoration design work provided that the cost does not exceed \$25,000, if it does exceed \$25,000 that we would go out to bid. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

TOWN ADMINISTRATOR'S REPORT

A. Letter of Appreciation/Recognition to Community Development Departments

Mr. Clark noted that a letter was received from a builder recognizing the outstanding service provided by particular employees.

SELECTMEN'S REPORT

Mr. LaMantia noted that there was an article in the Cape Cod Times about the Pleasant Bay Alliance joining an organization that is dealing with climate change. He said he would like to write a note to the Pleasant Bay Alliance asking them if they have support of the other towns and will they be using Town funds to pursue this activity. He commented that they only deal with a quarter of the Town so he would think they would have people from other areas of Town. Chairman MacAskill asked Mr. LaMantia to send any questions to him and he will request the Alliance to come in.

Chairman MacAskill asked Mr. Hughes if he would serve on the negotiating team with Mr. LaMantia for the Chatham IMA and Mr. Hughes agreed to serve in this role.

ADJOURNMENT

Chairman MacAskill adjourned the meeting at 9:23 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary

GORHAM RE

ROUTE 28—STATE HIGHWAY

TICKETS
GARAGE

100' BUFFER
FROM WETLAND

CURRENT CLEARED AREA

100' BUFFER
FROM WETLAND

100' BUFFER
FROM WETLAND

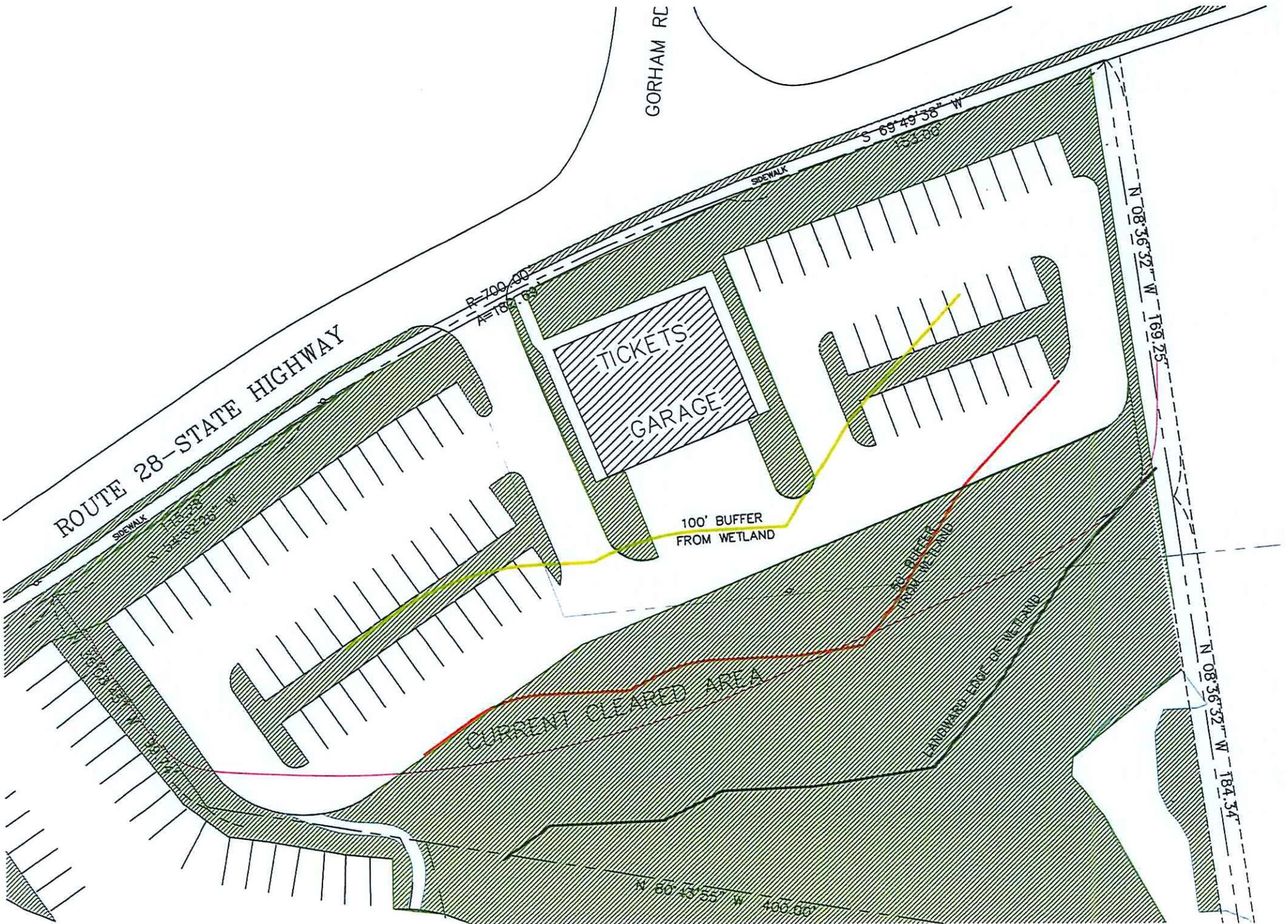
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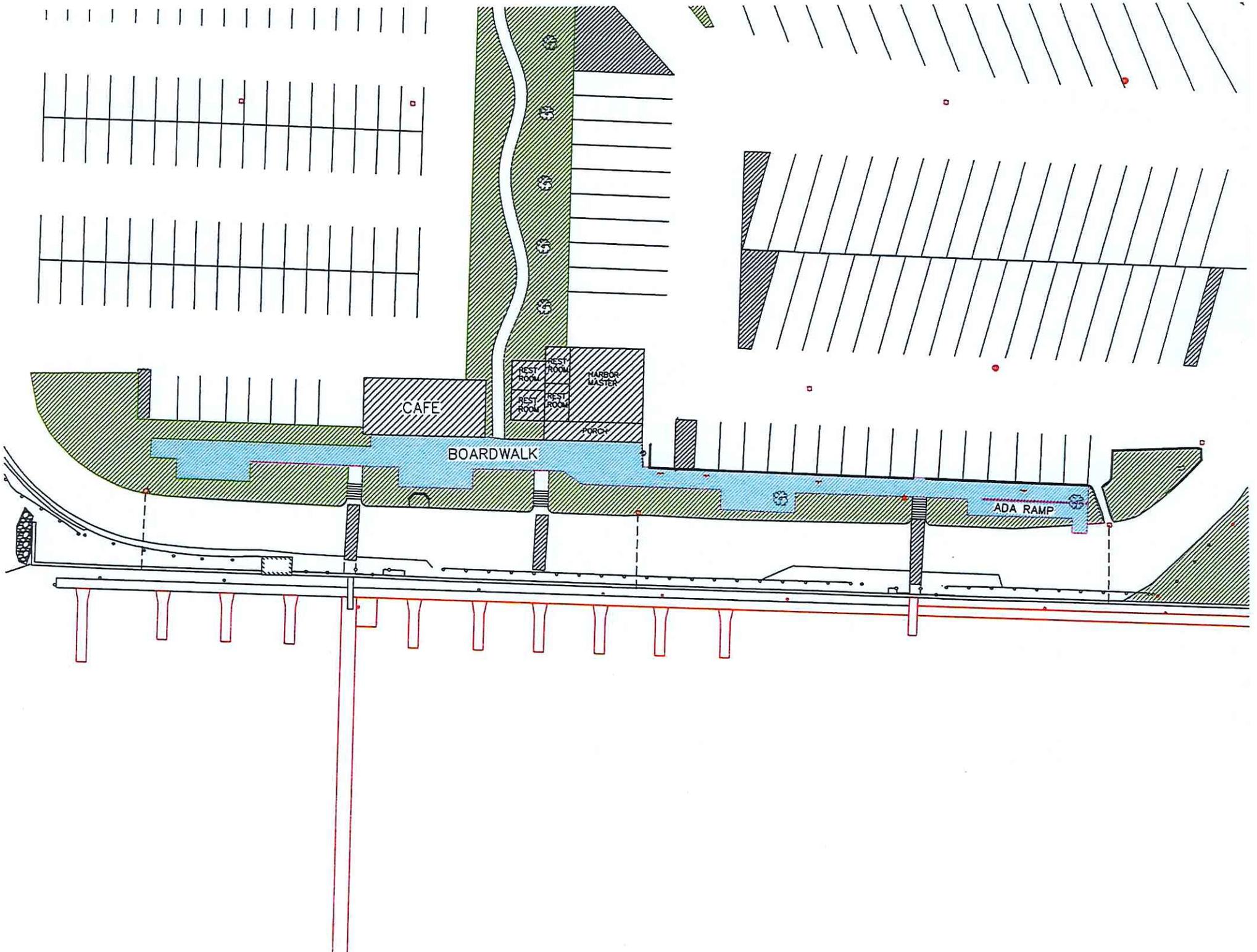
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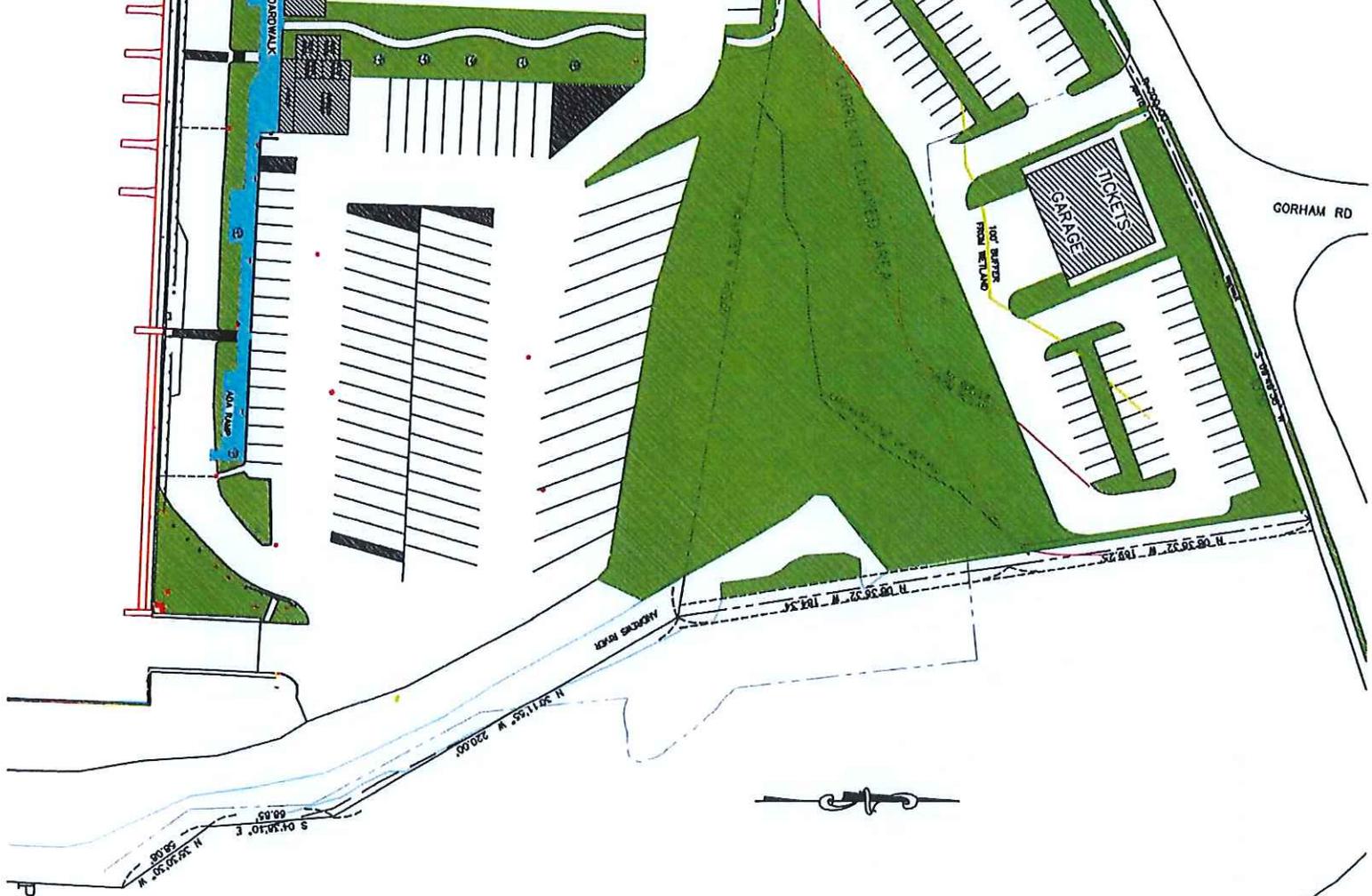
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N 08°36'32" W 184.34'

N 60°43'55" W 466.06'







PREL

GORHAM RD

GARAGE
TICKETS

100' BUFFER
FROM WETLAND

BOARDWALK



Related Documents - 6/13/16

- 01 Agenda.pdf
- 02 Minutes May 31.pdf
- 03 Annual Committee re-appointments.pdf
- 04 Annual Miscellaneous Appts.pdf
- 05 Annual Police Appointments.pdf
- 06 Regular Police Officer Appt.pdf
- 07 Barnstable Cty Dredging Agreement.pdf
- 08 Mad Minnow Entertainment Lic.pdf
- 09 Saquatucket Preliminary Site Plan Review.pdf
- 10 Middle School Interim Use.pdf
- 11 Selectmen Liaison Assignments.pdf
- 12 Library Restoration Project.pdf
- 13 Letter of Recognition.pdf