

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, MARCH 13, 2017  
6:30 P.M.**

**APPROVED**

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

**OTHERS PRESENT:** Town Administrator Christopher Clark, Police Chief Guillemette, Fire Chief Clarke, Deputy Police Chief Gagnon, Deputy Fire Chief LeBlanc, Sheila House, Cyndi Williams, Michael Jacek, Supt. Carpenter, Brian Widegren, Jack Brown, Diane Turco, Elaine Dickinson, Arthur Dickinson, Judy Ford, and others.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Cyndi Williams of the Chamber of Commerce announced the upcoming job fair this Thursday at the High School. Sheila House announced the showing of the film "Screenagers" on March 22<sup>nd</sup> at the High School which addresses teens and use of technology.

**CONSENT AGENDA**

- A. Approve Minutes – February 27, 2017 Regular Session
- B. Approve request by Garden Club to close Pine Street on May 27, 2017 for plant sale
- C. Approve petition by Verizon Wireless to locate one small cell wireless antenna on an existing pole at 2 Cove Landing Road
- D. Approve Chapter 90 project request for cracksealing various roads

Ms. Kavanagh moved approval of the Consent Agenda. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

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

- A. Public Hearing – Application for Seasonal, Common Victualler, All Alcoholic Beverages License by Ten Yen LLC d/b/a Ten Yen, 554 Route 28, Harwich Port, Michael Jacek – Manager contingent on Board of Health approval

Ms. Kavanagh read the hearing notice into record. Michael Jacek introduced himself and said his plan is to have a 10 seat sushi bar offering sushi and ramen contingent on a grease trap remediation to allow for an additional five seats and the patio is also contingent on that. Chief Clarke spoke in support of Mr. Jacek and his business endeavor. Mr. Clark said there are no issues from a department standpoint. Mr. Hughes moved to close the Public Hearing. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote. Ms. Brown moved to accept the seasonal application, Common Victualler, All Alcoholic Beverages License by Ten Yen LLC contingent on Board of Health approval. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

**OLD BUSINESS**

## A. Action Item Register

The Board agreed to take this item up at a later time. Mr. Hughes had no updates. Ms. Brown said she is scheduled to meet with Mr. Clark and will speak with him about what she has found out about reevaluating Town Hall hours. Chairman MacAskill said he would send Mr. Clark items for updating.

## NEW BUSINESS

### A. Agricultural Commission inactivity

Chairman MacAskill reported that we received a letter from a resident on Chatham Road and his main complaint is that there is no Agricultural Commission and he is looking for a liaison for something that has happened at the farm on Chatham Road. He said that he has spoken with the Chairman of the Agricultural Commission who indicated that they haven't met in almost a year and that there is no activity at all. Chairman MacAskill recommended removing all the current members and then advertising the vacancies. Mr. Hughes recommended sending them a letter telling them that if we don't hear from them within a time certain we will assume they have resigned. Chairman MacAskill noted that the Chairman has asked for that. Mr. Hughes said it is official if the Board of Selectmen does that. Ms. Brown agreed that it is alright to disband this as many of the terms are up in June anyway. Mr. LaMantia said maybe they only need us to ask them to do something. Chairman MacAskill said they weren't meeting as they had nothing to do. Mr. LaMantia said if we don't give them anything to do then in a year and half we are going to be doing this again. Ms. Kavanagh said she doesn't see a reason not to disband. Chairman MacAskill agreed with Mr. Hughes' recommendation. He asked that staff send those letters as a courtesy. Chairman MacAskill asked Mr. Clark if the Board should act as liaison in the absence of an Agricultural Commission. Mr. Clark responded that you want to have your regulatory boards not feel pressured and this Board didn't do their job so it makes sense for the Selectmen to have the complainants come in and state their case. He cautioned that we want to be sure we don't strong-arm the Conservation Commission. Mr. Clark suggested another option is that he meet with the neighbors and put together a letter to the Conservation Commission with recommendations and copy the Board of Selectmen and the Board agreed.

### B. Fire and Police Department additional personnel and possible override – *discussion*

Chairman MacAskill stated that at the recent budget hearing, the Police and Fire departments came forward asking for more personnel, specifically, the Police Department wanted one additional employee and the Fire Department wanted two additional employees. He noted that the Board's budget message calls for no additional hires without the justification. Mr. LaMantia said he would be in favor of adding the people but we do need the money to do that now and in the future, and it would have to be from taxes. He said there is always the option of putting it on the ballot as an override. Ms. Kavanagh agreed that the positions are needed but we need to look at where we are getting those funds and to see if the taxpayers are willing to support an override. Ms. Brown said she would be in support of a ballot question. Mr. Hughes said these things come to a higher priority and said we should task the Town Administrator to see what would have to be given up in the budget to fund these positions and let the Board decide the priorities and at that time we can consider the ballot question if the Board doesn't want to give anything up. Mr. Clark said there are a couple of options including seeing if we can reprioritize but he feared we would have to lay people off to accomplish that. He said he could

come back with a list of offsets and a cut list but at this point it would have a chilling effect. He said putting it onto an override ballot allows the community to know exactly what they are getting and that does provide for funding on an annual basis as well. He said the third option is making it a priority for the next fiscal year. Chairman MacAskill did not support going through everyone's budget and said it would not be enough to support three full-time positions. Chief Clarke stated that Mr. Clark is very thorough with the budget and it is incumbent on them to come in with what they need. He commented that they don't have any gravy or fat and they are very efficient. He said he would be troubled to ask Mr. Clark to take from another department. He said the right format would be to let the citizens decide if they want to do this by increasing their taxes. Chief Guillemette agreed with Chief Clarke that he did not want to raid other department budgets and said the voters should decide if they want the enhancement of services. Ms. Kavanagh suggested taking the tech position and making that an administrative position. Mr. Clark suggested taking some of the money from the Records Clerk and creating an IT professional. He said they would bring the concept back of having a second IT professional that is funded through existing resources and the personnel could work at Town Hall and be assigned to Public Safety on a day to day basis. Mr. Hughes stressed the need for a 5-year IT plan. Mr. Hughes suggested that we put the new Police and Fire positions on as a ballot question and Ms. Brown agreed. Ms. Kavanagh said we should look at the current budget as well. Chairman MacAskill said he would bring this back next week for a vote and Mr. Clark said he would work on a ballot question.

#### C. IT Overview – *discussion*

Chairman MacAskill said the IT budget is up over 5% and he would like to know who we have and what they do and asked Mr. Clark to get started on this. He noted that Water, Police and Fire have their own IT people. Mr. Clark said we should look at the structure over five years. The Board agreed that we need an IT plan and Ms. Kavanagh said it should be expedited. It was agreed that the Board should send Mr. Clark any ideas. Ms. Brown suggested creating an IT Committee. Chief Clarke said we should first start by discussing with this the talent we have internally and Mr. Clark and Chairman MacAskill agreed.

#### D. Non-Binding Ballot Question

Diane Turco, along with Elaine and Arthur Dickinson and Judy Ford, said they are asking the Board to approve a non-binding ballot question for the spring ballot calling attention to the spent fuel pool at the Pilgrim power plant and asking Governor Baker to address this. She further discussed the proposed ballot question. Ms. Kavanagh said we should accept it, Ms. Brown said she supports it, Mr. Hughes said it should say that we instruct our congressional delegation to remove these to a permanent repository. Chairman MacAskill said he supported this as well. Mr. Hughes moved that we include this non-binding ballot question. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

#### E. Annual Town Meeting Warrant Article review and possible vote:

1. Budget Articles  
#5 MRSD Budget

After discussion with Supt. Carpenter and Mr. Widegren, Mr. Hughes moved that we accept and adopt from available funds the MRSD budget at \$24,563,557 and take up the capital items at another time. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

2. Capital Budget

#8 Adopt the Capital Plan

Mr. Hughes moved to accept and adopt Article 8 the Capital Plan and include it in the warrant. Ms. Brown seconded the motion and the motion carried by a unanimous vote

3. Administration

#9 Capital Items Funded From Free Cash

Mr. Hughes moved that we include in the warrant and we accept and adopt from free cash as the source the following items which total \$116,819 1) Fire Department Gas Metering Detection Devices \$24,779 2) Police Bullet Proof Vests (town portion) \$22,000, 3) Police Ballistic Helmets \$10,220, 4) Police Electronic Sign Board \$17,820, and 5) DPW – Fuel Management System at \$42,000. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

#10 Facility Maintenance and Repair Fund

Mr. Hughes moved on Article 10 Facility Maintenance and Repair Fund, that we include this in the warrant in the total amount of \$818,086 and that we accept and adopt from free cash the funding for the following items: 1) Community Center Gym Floor Resurfacing \$57,724 2) Town Wide Radio System (Town segment) \$102,643, 3) Town Wide Radio System (Water portion) \$33,930 4) Brooks Library Generator & Install \$110,000 5) Police Public Safety Complex Security System Replacement \$153,789 6) Recreation Red River Beach Parking Lot Paving/Overlay \$225,000 7) DPW Middle School Operations \$125,000 for a total of \$808,086. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

4. Fire Capital Budget

#14 Fund Replacement of Fire Department Pumper

Mr. Hughes moved for Article 14 Fund Replacement of Fire Department Pumper in the total amount of \$420,000, that we include this in the warrant and that we accept and adopt Article 14 Fund Replacement of Fire Department Pumper as a capital exclusion. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

#15 Fund Plans and Bid Documents for Station 2

Mr. Hughes moved to include Article 15 Fund Plans and Bid Documents for Station 2 in the warrant and accept and adopt this article as a debt exclusion in the amount of \$310,000. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

5. Golf Capital Budget

#16 Golf Course Landscape Reclamation and Major Tree Removal

Mr. Hughes moved to include in the warrant and accept and adopt Article 16 Golf Course Landscape and Reclamation and Major Tree Removal in the amount of \$43,000 from Golf Improvement Fund. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

**#17 Golf Course Irrigation Upgrade and System Re-Build**

Mr. Hughes moved to include in the warrant and accept and adopt Article 17 Golf Course Irrigation Upgrade and System Rebuild in the amount of \$39,000 from Golf Improvement Funds. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

**#18 Reconstruction of Maintenance and Operations Infrastructure at Golf Course**

Mr. Hughes moved to include in the warrant and accept and adopt Article 18 Reconstruction of Maintenance and Operations Infrastructure at Golf Course in the amount of \$1,200,000 as a debt exclusion. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

**6. Water Capital Budget**

**#23 Fund the Purchase of Vehicles for the Water Department**

Mr. Hughes moved to include in the warrant and accept and adopt Article 23 Fund the Purchase of Vehicles for the Water Department in the amount of \$107,856 from retained earnings from the Water Department. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

**#24 Fund the Replacement of Old Water Services Along the National Grid Project Route**

Mr. Hughes moved to include in the warrant and accept and adopt Article 24 Fund the Replacement of Old Water Services along the National Grid Project Route in the amount of \$400,000 from the retained earnings of the Water Department. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

**7. Community Preservation Articles**

**#25 Reserve for Future Appropriation Amounts from FY 2017 Community Preservation Committee Fund Estimated Annual Revenues**

Mr. Hughes moved to include in the warrant and accept and adopt Article 25 Reserve for Future Appropriation Amounts form FY 2017 Community Preservation Committee Fund Estimated Annual Revenues. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

**#26 Fund Land Bank Debt Service**

Mr. Hughes moved to include in the warrant and accept and adopt Article 26 Fund Land Bank Debt Service in the amount of \$610,000 from CPC funds. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

**#27 Restoration of the Chase Library Chimney**



Mr. Hughes moved to include in the warrant and accept and adopt Article 27 Restoration of the Chase Library Chimney in the amount of \$5,100 from CPC funds. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

#28 Whitehouse Field Irrigation System Replacement

Mr. Hughes moved to include in the warrant and accept and adopt Article 28 Whitehouse Field Irrigation System Replacement in the amount of \$28,500 from CPC funds. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

#29 Brooks Park Expansion/Improvements Phase 4

Mr. Hughes moved to include in the warrant and accept and adopt Article 29 Brooks Park Expansion/Improvements Phase 4 in the amount of \$167,900 from CPC funds. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

#30 Veterans Memorial Field Fitness Stations

Mr. Hughes moved to include in the warrant and accept and adopt Article 30 Veterans Memorial Field Fitness Stations in the amount of \$13,800 from CPC funds. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

#31 Restoration of Fence Rails at Evergreen Cemetery

Mr. Hughes moved to include in the warrant and accept and adopt Article 31 Restoration of Fence Rails at Evergreen Cemetery in the amount of \$39,000 from CPC funds. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

8. Reimbursement Article/Property, Sales and Lease

#32 Reimburse the Harwich Conservation Trust

Mr. Hughes moved to include in the warrant and accept and adopt Article 32 Reimburse the Harwich Conservation Trust in the amount of \$73,000 from free cash. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

#33 Sale of Town-Owned Property – 4 Central Avenue

Mr. Hughes moved to include in the warrant and accept and adopt Article 33 Sale of Town-Owned Land – 4 Central Avenue. Ms. Brown said the beach parking lot is very small and this land is good for a couple of parking spaces. Mr. Clark said that the Recreation Commission said it is too small and is more of an enforcement issue than what it is worth. Mr. LaMantia seconded the motion and the motion carried by a 4-1-0 vote with Ms. Brown in opposition.

#34 Sale of Town-Owned Property – 203 Bank Street

Mr. Hughes moved to include in the warrant and accept and adopt Article 34 Sale of Town-Owned Land – 203 Bank Street. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

#### #35 Lease of the Saquatucket Landside Property

Mr. Hughes moved to include in the warrant and accept and adopt Article 35 Lease of the Saquatucket Landside Property. Ms. Kavanagh seconded the motion. Mr. Clark took questions from the Board. The motion carried by a unanimous vote.

#### 9. Miscellaneous Articles

##### #46 Memorial Tree and Landscaping Fund for Cemetery Department

Mr. Hughes moved to include in the warrant and accept and adopt Article 46 Memorial Tree and Landscaping Fund for Cemetery Department in the amount of \$30,000 to be funded from Cemetery funds. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

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

Mr. Clark announced the Chamber of Commerce's upcoming Pre Town Meeting Warrant dinner scheduled for 5:30 p.m. on April 22<sup>nd</sup> at the 400 East. He further reported that we have an engaged an appraiser and contractor for 203 Bank Street.

#### **SELECTMEN'S REPORT**

Mr. LaMantia suggested looking at our fees again. Mr. Hughes reported that they met with the Dennis and Yarmouth Boards to talk about potential regionalizing for sewage treatment. He noted that our IMA with Chatham focuses on just the Pleasant Bay Watershed.

#### **ADJOURNMENT**

The meeting adjourned at 8:31 p.m.

Respectfully submitted,

Ann Steidel  
Recording Secretary

## Related Documents - March 13, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes 02-27-17.pdf
- 03 Garden Club Request.pdf
- 04 Verizon Petition.pdf
- 05 Chapter 90 Request.pdf
- 06 Liquor License Application.pdf
- 07 Action Item Register.pdf
- 08 Agricultural Commission.pdf
- 09 Non-Binding Ballot Question.pdf
- 10 Capital Budget.pdf
- 11 Town Meeting Articles.pdf