

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, MARCH 20, 2017  
6:30 P.M.**

**APPROVED**

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

**OTHERS PRESENT:** Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Paula Champagne, Michael Ulrich, Cyndi Williams, and others.

Chairman MacAskill stated that the Board had just come out of Executive Session where they voted to extend the Police Chief's contract and offer a high-deductible health plan to employees.

**WEEKLY BRIEFING**

Ms. Champagne reported the Board of Health's Public Hearing on amendments to the smoking regulations will be on April 11, 2017.

**CONSENT AGENDA**

- A. Approve 2017 Seasonal Liquor License Renewals as recommended
- B. Approve 2017 Seasonal General License Renewals as recommended
- C. Approve Petition by Nstar Electric Company to install 30' of conduit/cable underground to provide electric service to 73 Uncle Venies Road
- D. Approve Petition by Nstar Electric Company to install 35' of conduit/cable underground to provide electric service to 39 Rainbow Way

Ms. Kavanagh moved approval of the Consent Agenda. Mr. Hughes seconded the motion. Mr. Hughes noted that Perks is requesting to have entertainment at 8:00 a.m. Ms. Kavanagh stated that the standard is 11:00 a.m. or 12:00 p.m. and said 8:00 a.m. is a little early. Ms. Brown noted that they serve coffee and she doesn't think they are going to have live music at 8:00 a.m. She added that they must obey the noise by-law and she doesn't have a problem with this. Chairman MacAskill said 8:00 a.m. is too early and they should ask Perks to come in and state their intentions. Ms. Kavanagh amended her motion to approve the Seasonal General License Renewals with the return of Perks for a further discussion on a start of 8:00 a.m. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

**OLD BUSINESS**

- A. Chatham/Harwich IMA update – *discussion and possible vote*

Mr. Hughes reported that they met tonight and amended the draft IMA. He outlined some of the amendments which regarded dispute resolution, timing and number of payments, as well as liability which he noted will be included in operational expenses. Mr. Hughes moved that on the IMA schedule that we approve payment schedule consistent with four payments, the first being a total of \$2.265 million, the second \$1.5 million, the third \$1.5 million and fourth \$1.5 million. Ms. Brown seconded

the motion and the motion carried by a unanimous vote. Mr. Hughes noted that the total is the same as it was all along, \$6.765 million.

## **NEW BUSINESS**

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

1. Budget Articles  
#4 Town Operating Budget

Mr. Clark reported that the Finance Committee wanted to wait on this vote until the Board gets closer to signing the warrant. The Board discussed that the number could be changed. Mr. Hughes moved that Article 4 be included in the warrant and we accept and adopt from available funds in the amount of \$33,300,000. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

2. Harbor Capital Budget  
#19 Replacement of the Round Cove Boat Ramp

Ms. Brown moved to accept, adopt and include in the warrant Article 19 Replacement of the Round Cove Boat Ramp. Mr. Hughes seconded the motion and the motion carried by a unanimous vote. It was agreed to put \$200,000 estimated cost in the explanation.

#### **#20 Fund the Saquatucket Harbor Landside Renovations Project**

Chairman MacAskill commented that no one has been before the Board to show the scope of the changed project so he is uncomfortable voting this. Mr. Clark stated that it would be beneficial to have the Harbormaster in to do a presentation. He further noted that the Finance Committee voted this 7-0-1. Mr. Hughes stated that the project is completely changed and it is late to get the public educated. He added that we are still waiting for answers from the Corps of Engineers. It was agreed to have the Harbormaster in to discuss.

3. Public Works Capital Budget  
#21 Purchase and Equip DPW Vehicles

Mr. Hughes moved to include in the warrant and accept and adopt Article 21 Purchase and Equip DPW Vehicles funded from free cash. Chairman MacAskill seconded the motion for discussion. Ms. Kavanagh questioned if we need both the loader and the tractor. Mr. Clark recommended having the DPW Director in to discuss. Mr. Hughes pointed out that the loader is used at the disposal area and the tractor is used at the beaches. Ms. Brown said she is hesitant to vote this as there is so much on the warrant this year. She added that there have been a lot of extra funds thrown at DPW over the past couple of years. It was agreed to have the DPW Director come in to discuss. Mr. Hughes withdrew his motion and Chairman MacAskill withdrew his second. Mr. Clark noted that Finance Committee voted this article 8-0.

#### **#22 Fund the Road Maintenance Program**

Mr. Hughes moved to include in the warrant and accept and adopt Article 22 Fund the Road Maintenance Program estimated \$700,000 from available funds as a debt exclusion. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

4. Charter/Zoning/MGL Amendments

#36 M.G.L. Ch. 44, Section 53F ¾ - PEG Access and Cable Related Fund Acceptance

Mr. Hughes moved to include in the warrant and accept and adopt. Ms. Kavanagh seconded the motion carried by a unanimous vote.

#37 Amend the Zoning By-Laws – Add New Section “Temporary Moratoria”

Ms. Kavanagh moved to accept the amendment to add Article 32 and add the new Section 325-134 A Temporary Moratorium on the Sale and Distribution of Marijuana and include in the warrant and accept and adopt. Mr. Hughes seconded the motion and the motion carried by a 3-1-0 vote with Ms. Brown in opposition.

#38 Various Amendments to the Home Rule Charter

Ms. Brown moved to accept, support and include in the warrant Article 38 Various Amendments to the Home Rule Charter. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

5. Private Petitions

#40 Promote the Town of Harwich

Chairman MacAskill noted that the Chamber of Commerce originally asked for \$35,000 but they have since written a letter changing the request to \$25,000. He noted that the amount can be changed on Town Meeting floor. Mr. Clark pointed out that the Board cannot change petition articles. Ms. Kavanagh moved to include, accept and adopt and support Article 40 as recommended by Administration at \$25,000 from free cash. Ms. Brown seconded the motion. Mr. Hughes disclosed that he is a member of the Chamber. The motion carried by a unanimous vote.

B. Approve new application for Weekday Entertainment by the Port Restaurant

Chairman MacAskill said he is not sure what this is for. He questioned if there is seating or are people waiting in line. It was agreed to ask the Port to come in.

C. Special Town Meeting Articles – *discussion and possible vote*

Mr. Clark outlined the Special Town Meeting articles. Mr. Hughes moved to approve the inclusion of Article 1 Fund Snow and Ice Deficit in the Special Town Meeting. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Mr. Hughes moved to include Article 2 Fund Shortfalls in Budget Transfers in the Special Town Meeting. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Mr. Clark noted that we received a citizens petition outside of the Board's deadline for Special Town meeting submissions and the number of signatures were below the threshold. He suggested it be held over for Town Meeting at a later date.

D. Ballot Questions – *discussion and possible vote*

Mr. Clark outlined the ballot questions and the Board recommended changes to the order of questions.

Mr. Hughes moved that we remove the Police and Fire positions from the ballot and make them a budget priority for FY19. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

E. One Liners update

Mr. Clark reviewed the Finance Committee votes.

F. New Insurance Plan offering

Mr. Clark described the new high-deductible health care offering for health insurance. Mr. Hughes moved to offer on a voluntary basis to all non-union employees and members of all unions that agreed to the offer, the higher deductible plans offered by the Cape Cod Municipal Health Group with terms consistent with the memorandum from the Town Administrator dated March 17, 2017. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

G. Vote ATM Warrant

Chairman MacAskill said they would bring this item back next week.

**TOWN ADMINISTRATOR'S REPORT**

A. Wastewater pamphlet

Mr. Clark noted that he included this item for the Board to look at but there are still some adjustments to be made. Mr. Hughes suggested adding the ballot question numbers at the top.

**ADJOURNMENT**

Ms. Kavanagh moved to adjourn at 7:45 p.m. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary

2017 SEASONAL LIQUOR LICENSE RENEWALS

The Belmont Condominium Beach Club Corp.  
d/b/a The Beach  
One Belmont Rd. West Harwich, MA 02671  
Erica Goldberg, Manager  
Club - All Alcohol

Blue Stripe LLC d/b/a The Cape Sea Grille  
31 Sea St., Harwich Port, MA 02646  
Jennifer Ramler, Manager  
Common Victualler - All Alcohol

Port Restaurant and Bar, Inc.  
541 Route 28, Harwich Port, MA 02646  
Justin R. Brackett, Manager  
Common Victualler - All Alcohol

The Commodore Inn, Ltd.  
d/b/a Raspberries Restaurant  
30 Earle Rd., West Harwich, MA 02671  
Richard Jones, Manager  
Common Victualler - All Alcohol

Wychmere Harbor Functions Limited Partnership  
d/b/a Wychmere Harbor Beach & Tennis Club  
23 Snow Inn Rd., Harwich Port, MA 02646  
Bruce A. Pelczarski, Manager (Christopher Kolwicz, pending manager)  
Common Victualler - All Alcohol

AJG Corporation  
d/b/a The Weatherdeck Restaurant  
168 Route 28, West Harwich, MA 02671  
George Argyriadis, Manager  
Common Victualler - Wine & Malt

Phoenix Park, Inc. d/b/a The Irish Pub  
126 Route 28, West Harwich, MA 02671  
Brendan O'Reilly, Manager  
Innholder - All Alcohol

Pleasant Bay Group Inc.  
d/b/a Wequassett Inn  
2173 Route 28, East Harwich, MA 02645  
Mark J. Novota, Manager  
Innholder - All Alcohol

Charles J. Weiss d/b/a 7-Eleven 34434A  
5 Route 28, West Harwich, MA 02671  
Charles J. Weiss, Manager  
Package Goods Store - All Alcohol

Go Industries Inc. d/b/a Perks  
545 Route 28, Harwich Port, MA 02646  
Taylor Powell, Manager  
General On Premise – All Alcohol

Viera LLC d/b/a Viera Restaurant  
11 Route 28, West Harwich, MA 02671  
Benjamin Porter, Manager  
Common Victualler – All Alcohol

Ember Pizza Inc. d/b/a Ember  
600 Route 28, Harwich Port, MA 02646  
Justin Brackett, Manager  
Common Victualler – All Alcohol

MT Group d/b/a Mad Minnow Bar & Kitchen  
554 Route 28, Harwich Port, MA 02646  
Michael Strangfeld, Manager  
Common Victualler – All Alcohol

Hot Stove Saloon, Inc. d/b/a Hot Stove at Cranberry Valley  
551 Route 28, Harwich Port, MA 02646  
Ronald Leidner, Manager  
Common Victualler – All Alcohol

## 2017 SEASONAL GENERAL LICENSE RENEWALS

AJG Corp. d/b/a Weatherdeck Restaurant  
168 Route 28, West Harwich  
**Common Victualler**

Blue Stripe, LLC d/b/a Cape Sea Grille  
31 Sea St., Harwich Port  
**Common Victualler**

**Weekday Entertainment** – Recorded or live music, 5:00 p.m. – 12:00 a.m.

Commodore Inn, Ltd. d/b/a Raspberries Restaurant  
30 Earle Rd., West Harwich  
**Common Victualler**

Edward L. Kenney d/b/a Captain's Quarters B&B  
85 Bank Street, Harwich Port  
**Lodging House**

Go Industries Inc. d/b/a Perks  
545 Route 28, Harwich Port  
**Common Victualler**

**Weekday Entertainment** – Recorded or live music with use of amplification, guitar player, 8:00 a.m. – 10:00 p.m. PLEASE NOTE APPLICANT HAS REQUESTED NEW STARTING TIME OF 8:00 A.M. FOR WEEKDAY ENTERTAINMENT (PREVIOUSLY 6:00 P.M.) – not approved

Hall Karts, Inc.  
9 Sisson Rd., Harwich Port  
**Go Carts**  
**Sunday Entertainment** – Go Carts 9:00 a.m. – 11:00 p.m.

Hot Stove Inc. d/b/a Hot Stove at Cranberry Valley  
183 Oak St., Harwich  
**Common Victualler**

MT Group LLC d/b/a Mad Minnow Bar & Kitchen  
554 Route 28, Harwich Port  
**Common Victualler**  
**Weekday Entertainment** - Recorded or live music, 12:00 p.m. to 10:00 p.m.

Phoenix Park, Inc. d/b/a Cape Cod Irish Pub  
126 Route 28, West Harwich  
**Common Victualler**  
**Lodging House**  
**Sunday Entertainment** – Recorded or live entertainment, dancing by patrons, 1:00 p.m. – 12:00 a.m. on Sundays seasonally

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***Weekday Entertainment*** – Recorded or live music with use of amplification, dancing by patrons,  
7:00 p.m. – 1:00 a.m.

Port Restaurant & Bar, Inc. d/b/a The Port Restaurant  
541 Route 28, Harwich Port  
***Common Victualler***

Schoolhouse Ice Cream & Yogurt LLC  
749 Route 28, Harwich Port  
***Common Victualler***

Sundae School, Inc. d/b/a Sundae School  
606 Route 28, Harwich Port  
***Common Victualler***  
***Sunday Entertainment*** – Nickelodeon, 1:00 p.m. – 10:30 p.m., Sundays seasonally  
***Weekday Entertainment*** – Nickelodeon, 11:00 a.m. – 10:30 p.m.

Wequassett Inn LLP d/b/a Wequassett Inn Resort & Golf Club  
2173 Route 28, East Harwich  
***Innholder***  
***Sunday Entertainment*** – Mechanical and/or live music, 1:00 p.m. – 12:00 a.m. on Sundays  
seasonally  
***Weekday Entertainment*** – Recorded or live music with use of amplification, dancing by patrons,  
7:00 a.m. – 12:00 a.m.

West Harwich Enterprises d/b/a A & W Family Restaurant  
297 Route 28, Harwich Port  
***Common Victualler***

Wychmere Harbor Functions Limited Partnership d/b/a Wychmere Harbor Beach & Tennis Club  
23 Snow Inn Rd., Harwich Port  
***Common Victualler***  
***Sunday Entertainment*** – Recorded or live music, April – November, 11:00 a.m. – 12:00 a.m.  
***Weekday Entertainment*** – Recorded or live music, dancing by patrons, 11:30 a.m. – 1:00 a.m.

AJG Corp. d/b/a Harbor Glen Miniature Golf  
168 Route 28, West Harwich  
***Miniature Golf***  
***Sunday Entertainment*** – Miniature Golf, 12:00 p.m. – 10:00 p.m., Sundays seasonally

PRM Foods, Inc. d/b/a Harwich Port Dairy Queen  
441 Main St., Harwich Port  
***Common Victualler***

Grand Slam Entertainment, Inc.  
322 Route 28, Harwich Port

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*Automatic Amusement – 6 video games*

*Batters Box*

*Sunday Entertainment – Batters Box, 9:00 a.m. to 11:00 p.m.*

*Noise level not to exceed licensed premises.*

Trampoline Center, Inc. d/b/a Trampoline Center

296 Route 28, West Harwich

*Sunday Entertainment – 9:00 a.m. – 11:00 p.m.*

*Trampolines*

Grey Gull

547 Route 28, Harwich Port

*Lodging House*

Scribano's Inc.

d/b/a Scribano's Italian Market & Deli

302 Route 28, Harwich Port

*Common Victualler*

Sea Street Productions

d/b/a Salt Block Food Truck

31 Sea St., Harwich Port

*Weekday Entertainment*

Recorded or live music

10:30 a.m. – 10:00 p.m.

*Hawkers & Peddlers*

*Weekday Entertainment*

**Inside Entertainment - Noise from entertainment may not create a nuisance or be heard outside the boundaries of the premises.**

**Outside Entertainment – Noise from entertainment must be at reasonable sound levels which are not plainly audible at a distance of 150 feet from boundary line or source of sound amplification system whichever is further.**

## Related Documents - March 20, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Seasonal Liq Lic Renewals.pdf
- 03 Seasonal Gen Lic Renewals.pdf
- 04 TA Recommendation - Utility Hearings.pdf
- 05 Utility Hearing - Brettwood-Uncle Venies.pdf
- 06 Utility Hearing - Rainbow Way.pdf
- 07 Draft Chatham Harwich IMA.pdf
- 08 ATM Warrant Articles Review.pdf
- 09 Port Restaurant Weekday Entertainment.pdf
- 10 Special Town Meeting Articles.pdf
- 11 Draft Ballot-Version A.pdf
- 12 Draft Ballot-Version B.pdf
- 13 One Liners.pdf
- 14 ATM Warrant.pdf
- 15 Wastewater Pamphlet.pdf