

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, MARCH 7, 2016
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Cebula, Hughes, LaMantia (participated remotely), MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Lincoln Hooper, Robbin Kelley, Carolyn Carey, Lou Urbano, Valerie Bell, Anne Stewart, Gary Carreiro, and others.

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

WEEKLY BRIEFING

Ms. Carey reported that the weight room at the Community Center is fully operational again and Chairman Hughes thanked her for her efforts in managing the process.

PUBLIC COMMENT/ANNOUNCEMENTS –

- A. Cape Light Compact's new pilot program – Valerie Bell, CLC Representative

Ms. Bell reported that the Cape Light Compact is starting their next three year program cycle and there will be some changes. She noted that they are piloting a program to help towns get on board with Mass Energy Insight, which is a tool the Compact is using to evaluate new projects so towns will have a much better grip on their energy usage. She invited the Board and Department Heads to their next meeting to hear from the Compact on this program.

- B. All votes taken tonight will be by roll call due to remote participation

Chairman Hughes reported that Mr. LaMantia is participating in the meeting remotely and noted that all votes would be taken by roll call.

CONSENT AGENDA

- A. Approve Minutes – February 16, 2016 Regular Session
- B. Approve Application for Alzheimer's "Remembery Walk – Dave Birtwell Memorial" Walk to be held on Saturday, May 7, 2016

Ms. Cebula moved approval of the Consent Agenda. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

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

- A. Public Hearing – All Alcohol Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen – repeat hearing with abutter notices

Chairman Hughes explained that this item is back again as the abutter notification was not done properly. Ms. Cebula read the hearing notice and Chairman Hughes opened the hearing. Mr. Ralph Schwartz, abutter, commented that on the last license at this location it was stipulated that outdoor service and entertainment would cease at 10:00 p.m. and he asked for the same for this license. Chairman Hughes closed the hearing. He stated that time limits are enforced on entertainment licenses and when he applies for entertainment they will deal with the time.

Mr. MacAskill moved approval of the All Alcohol Beverages License for MT Group LLC d/b/a Mad Minnow Bar & Kitchen as proposed. Ms. Cebula seconded the motion and the motion carried unanimously on a roll call vote.

B. Public Hearing – Proposed Sewer Regulations

1. By-Law
2. Associated Regulations

Ms. Cebula read the hearing notice and Chairman Hughes opened the hearing. Mr. MacAskill reviewed the draft proposal and noted that they were attempting to make the by-law portion of this into articles and the design specs and other minutia into appendixes. He stated that Mr. Clark has gotten an opinion from Attorney Giorgio. He explained that if we enter into an Inter-Municipal Agreement with Chatham we will have to draft sewer regulations consistent with Chatham's. Mr. Clark noted that it is also required by the DEP to have similar operating standards and most towns do this by regulation, not a by-law, because any time you want to change it you have to go back to Town Meeting which is cumbersome and doesn't allow flexibility for change. He proposed having the first 1 ½ pages (Purpose) go to Town Meeting and the rest should be referred to as Rules and Regulations as allowed under the statute. He stated that all regulations would have to be published and public hearings held. Mr. Clark and Mr. MacAskill also suggested another option of having the first 11 sections (18 pages) go to Town Meeting but not the minute detail of how the system operates. Mr. Clark said he will ask Kopelman and Paige what the standard practice is. The Board took comments from Anne Stewart and Chairman Hughes closed the hearing. It was agreed that Mr. MacAskill and Mr. Clark would come back in 1-2 weeks as to how they want to format this. Mr. MacAskill noted that they are waiting for some more input from Bob Duncanson. Mr. Clark noted that there is a placeholder in for the Annual Town Meeting.

OLD BUSINESS

A. Route 28, West Harwich Road Improvements – *discussion*

Ms. Cebula suggested putting the stakes in the ground now for this project so people understand where the lines are and she recommended that the Board direct the Town Administrator to do so. Mr. Clark explained that right now we have only contracted for VHB to design concepts and once that is done and brought to the public, then we can do the stakes. He noted that we also have to decide about pursuing State money if we like the plans. Mr. Hooper stated that what we have done is a very conceptual plan of what the State typically accepts. He said the starting point should be a meeting with VHB and staff on how to approach the State and then come back to the Board. He cautioned that we are a long way off from doing this project.

NEW BUSINESS

- A. Gift of land to the Town to be used for conservation purposes under the custody of the Conservation Commission – *discussion/review and possible vote to consider this gift to the Town*

Mr. Jamie Norcross, representing Mr. Peter Donovan, proposed donating Lot 8 of his subdivision on Forest Street to the Town as conservation land. It was noted that the Conservation Commission and Real Estate & Open Space Committee are in agreement. Ms. Usowski spoke in support and said they are excited about acquiring it. Mr. Hughes read the opinion from Town Council indicating that as long as the land will be acquired by gift for conservation purposes under the custody of the Conservation Commission, no Town Meeting vote is required but the Board would have to approve. Ms. Cebula moved to accept, in concept, the gift of land, Lot 8, and put under the care and custody of the Conservation Commission. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

- B. Chapter 90 Request - Queen Anne Road Drainage Replacement – *discussion and possible vote*

At Mr. Hooper's recommendation, Ms. Cebula moved to approve the Chapter 90 request for Queen Anne Road drainage replacement. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

- C. Budget Amendment #1 – *discussion and possible vote*

Mr. Clark outlined Budget Amendment #1. Mr. MacAskill moved to accept Budget Amendment #1 as presented. Ms. Cebula seconded the motion and the motion carried unanimously on a roll call vote.

- D. Review of Annual Town Meeting Warrant Articles – *discussion and possible vote*
 1. Article 57 – Transfer Parcel of Land to the Cemetery Department to develop as a Pet Cemetery and Crematory

Ms. Kelley outlined Article 57 and took questions from the Board. Ms. Cebula moved to include Article 57 Transfer Parcel of Land to the Cemetery Department to develop as a Pet Cemetery and Crematory. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

- E. Annual Town Meeting Warrant – *discussion and possible vote to sign*

Mr. Clark stated that Mr. Giorgio has additional changes to the Annual Town Meeting warrant and anticipates having the final version tomorrow. He asked to hold on voting the warrant tonight and the Board agreed to wait for Town Council input. Ms. Cebula moved to send the Annual Town Meeting Warrant to the Finance Committee subject to some modest revisions coming from our Town Council and "rehabilitate" changing to "replace" on the water tank (Article 22). Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

F. Submission of Special Town Meeting Articles – *discussion and possible vote to open*

Ms. Cebula moved to open the Special Town Meeting warrant as of Tuesday, March 15 at 8:30 in the morning and we will close it on Friday, March 18th at noon. Mr. MacAskill seconded the motion and the motion carried unanimously on a roll call vote.

G. Wastewater Governance Model – *discussion and possible vote to approve*

Mr. MacAskill read the document and noted that it would become part of the Comprehensive Wastewater Management Plan after Town Council reviews it. Mr. Carreiro said he agrees with the proposal and the Water Commissioners are all on board. Ms. Cebula said we need an article to change the name of the Enterprise Fund to Water and Wastewater at some point in time. Mr. LaMantia discussed starting with separate funds. Mr. MacAskill moved to approve the concept of the Harwich Wastewater Governance as read. Ms. Cebula seconded the motion and the motion carried unanimously on a roll call vote.

TOWN ADMINISTRATOR'S REPORT

A. Plymouth County OPEB Trust (PCOT)

Mr. Clark explained that Other Post Employment Benefits (OPEB) has a significant liability and we are looking at different ways to try to fund that liability. He explained that we have a funding plan in which the past 2-3 years of budgets we have put in \$100,000 into the fund and last year created an OPEB Trust Fund which has created a discount rate of up to 5.75% earned on the money we have and by doing that our liability has been reduced down to about just under \$43 million. He said they have met with the Plymouth County Trust Fund and they are having people pool their money and invest it. He noted that they have selected a firm that specializes in OPEB to actively manage the funds and our discounted rate, or the amount of return on those dollars, would go potentially from 5.75% to 7 ½% and that would reduce the liability from \$43 million to \$34 million. He said he would get the materials and bring to the Board.

B. Free Cash Policy

Mr. Clark briefly discussed projected receipts in relation to the FY17 budget. No action was taken.

Ms. Greenhalgh gave details of the upcoming Wastewater Summit.

ADJOURNMENT

Respectfully submitted,

Ann Steidel
Recording Secretary

Related Documents - 3/7/16 BOS Meeting

- 01 Agenda.pdf
- 02 Announcement - CLC.pdf
- 03 Minutes Feb 16, 2016.pdf
- 04 Rememberly Walk.pdf
- 05 Public Hearing Liq License.pdf
- 06 Public Hearing - Proposed Sewer Regs.pdf
- 07 Draft Sewer Use By-Law.pdf
- 08 Forest St Subdivision.pdf
- 09 Chapter 90 Request.pdf
- 10 Budget Amendment #1.pdf
- 11 Article 57 - Pet Cemetery Crematory.pdf
- 12 Annual Town Meeting Warrant 3-7.pdf
- 13 One Liners.pdf
- 14 Special Town Mtg Article Timeline.pdf
- 15 Wastewater Governance.pdf
- 16 TA - Plymouth Cty OPEB Trust.pdf
- 17 TA - Free Cash Policy.pdf