

APPROVED

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, MAY 15, 2017
6:30 P.M.**

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

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, John Rendon, Carol Coppola, Clem Smith, Tom Johnson, Leo Cakounes, and others.

Chairman MacAskill called the meeting to order at 6:30 p.m.

Chairman MacAskill reported that the Board had just come out of Executive Session where they discussed the Fire Chief's contract.

PUBLIC COMMENT/ANNOUNCEMENTS

Chairman MacAskill presented plaques to Mr. Hughes and Mr. LaMantia recognizing them for their outstanding contributions to the quality of life in Harwich on behalf of the citizens of the Town. Mr. Hughes and Mr. LaMantia thanked the staff and volunteers as well as the citizens for allowing them the opportunity to serve.

Golf Committee members Tom Johnson and Clem Smith reported on the recent success of the Service Military Golf Association event hosted by Cranberry Valley Golf Course.

CONSENT AGENDA

- A. Approve Minutes
 - 1. April 24, 2017 Regular Session
 - 2. April 24, 2017 Executive Session
- B. Vote to remove William Griswold from Community Center Facilities Committee due to lack of attendance
- C. Accept gifts to the Council on Aging Gift Account totaling \$390.00
- D. Approve appointment of Robert Aron to the Council on Aging for a term to expire June 30, 2020
- E. Accept resignation of Jeremy Gingras from Wastewater Implementation Committee, Brooks Academy Museum and Saquatucket Harbor Development Committee

Ms. Kavanagh moved approval of the Consent Agenda. Mr. LaMantia seconded the motion. With regard to Item B, Chairman MacAskill reported that Mr. Griswold's notification letter was returned to the Town but he is comfortable voting this as Mr. Griswold has not attended a meeting in quite some time. The motion carried by a unanimous vote.

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

- A. VisiGov presentation – Harwich 2.0

Mr. Alan Jones of VisiGov provided an overview of the Harwich Visual Government presentation and took questions from the Board. Mr. Hughes asked Ms. Coppola her thoughts and she responded that it is a useful tool that helps communicate the budget to the taxpayers. Mr. Hughes moved to remove the password protection on VisiGov for the Town of Harwich and let it go live and let folks in the general public use it. Ms. Brown seconded the motion. Mr. LaMantia commented that it should include the fees used by the Recreation & Youth Department. The motion carried by a unanimous vote.

OLD BUSINESS

A. Town Administrator's Performance Evaluation

Mr. LaMantia and Mr. Hughes said the review was favorable and wanted to extend Mr. Clark's contract. Ms. Brown said it is important that the new Board negotiates the new contract. Ms. Kavanagh said she is comfortable bringing the contract to the new Board. Chairman MacAskill said it was an above satisfactory evaluation and he looks forward to taking this up. No action was taken.

B. Action Item Register

Mr. Clark highlighted the updates to the Action Item Register. No action was taken.

NEW BUSINESS

A. Fire Chief contract extension

Chairman MacAskill reported that the Board has agreed on a contract extension with the Fire Chief. He said it is a new three year contract with a 2% contractual increase and \$2,000 which was done in a wage adjustment.

B. Joint meeting of Board of Selectmen and Housing Authority to consider appointment of Robert MacCready to the Housing Authority – discussion & possible vote

Chairman MacAskill reported that Mr. McCready will get one more year on the Housing Authority based on a decision from the State. He said Town Council will review that decision and the Board will affirm it.

C. Round Cove funding scrivener's error – Town Meeting follow-up

Mr. Clark explained that during the discussion of Article 19 relevant to reallocating prior appropriations from free cash towards the Round Cove project, a person in the audience questioned the incorrectly referenced Article 14 of the 2014 Annual Town Meeting and Mr. Rendon responded to the question by clearly identifying that the appropriate funding source was in fact Allen Harbor dredging and bulkhead project. He noted the article from the 2014 Annual Town Meeting should have been Article 31 instead of Article 14 and he had asked for guidance from Attorney Giorgio on this issue who opined that the article and motion contained a scrivener's error in misidentifying the actual warrant article from the prior year and the explanation from the Harbormaster had the effect of correcting that error in the article and motion.

D. Marijuana next steps

Mr. Clark said he spoke to Town Council and made the following statement:

The Town did vote at Town Meeting to do a moratorium to be able to focus on the issue of where retail establishments that want to can sell marijuana, where can they be located in the Town. The state legislature is taking up, there were in the legislature's standpoint some potential technical flaws in terms of timing to the law that was passed. None of this has anything to do with the recreational use for individuals with the six plants in their home. None of these corrections would be involved in that but there was a provision in the law potentially for a town to have a ballot question to see if the town wanted to allow for the retail, recreational sale and basically what I found out from the Town attorney is some towns, the Town of Dennis, did vote. There is a question though as to whether to have a Town-wide ballot to see if you want to have marijuana retail sales in the community or not and the Town of Dennis voted against doing that and they had that at the ballot box. Town Counsel informed me that it may be a meeting vote as well as a ballot question. The legislature is still working out the process that if the Town wants to not allow for retail establishments, there may be a mechanism to allow for that. The long and the short of it is he believes that they'll be a more detailed process laid out for how the Town would engage in that and if it was going to be at Town Meeting and/or also at the Town ballot. We could accomplish both because the moratorium that was put into effect was put into effect through June 30 I believe of next year so we would have sufficient time to allow for that ballot question to occur as well as obviously what track that the Selectmen would put the Planning Board on in terms of, if we are going to have retail establishments where in Town from a zoning perspective does it allow for that to occur. I did ask him also the question of what happens if the Town doesn't take any action and basically an establishment wanted to sell marijuana, would it be considered without any zoning restrictions would it be considered a retail establishment. So anywhere that zoning allowed for a retail establishment to operate than the marijuana could go basically anywhere where that is allowed so I think if the Town so desires to have the ability to control the location of it there will be, hopefully a process that we'll be able to layout for the Board to decide how it wants to address that issue, if it wants to address it. I did ask him if we're behind the game here in not doing anything this year and he thought that with the moratorium was kind of giving us an extension to be able to do it more deliberately, make sure that we have it accurate, he thought several towns took the same track as we did of let's see where we are and do a moratorium and now the Town can make a more informed decision for next year's Town Meeting and election.

Mr. Clark took questions from the Board. No action was taken on this item.

E. Follow-up on letter of support to Senator Cyr and Representative Peake regarding Saquatucket Landside Grant

The consensus of the Board was to move forward with the letters of support from Senator Cyr and Representative Peake and send one from the Board as well.

TOWN ADMINISTRATOR'S REPORT

A. Public Notice – U.S. Army Corps of Engineers – Responses by June 2, 2017

Mr. Clark reported that the comment period for putting the dredge material off of Rhode Island Sound from the Saquatucket project ends on June 2, 2017. He suggested sending a letter of support indicating the importance of the project to the Town and Mr. Rendon agreed.

B. Brooks Library Painting – Rebid Process

Mr. Clark reported that the lowest bid for the Brooks Library painting project was \$630,000 and that the funding available is \$490,000. He said they intend to do a re-bid and break the project into a base bid for the front of the building and then add alternates. Mr. Hughes cautioned that this isn't really the project that Town Meeting voted for. No action was taken.

C. Tax Lien Auction – Advertisement May 18, 2017 / Auction June 6, 2017

Mr. Clark reported that we have an advertisement going out for a tax lien auction to be held on June 6. He noted that people are responding and approximately \$115,000 has been paid since Friday. He pointed out that this is for properties which are over year in delinquency and he stressed that the Collector will work out a payment plan for anyone who asks. He said he is supportive of the Collector in this effort and clarified that this isn't something the Board has endorsed and is under the authority of the Collector. Chairman MacAskill expressed concerns that we are rushing through this and questioned if we have made every attempt to collect. Mr. Clark responded that every notice we've sent for a year hasn't yielded any results and he reiterated that payment plans are available. He added that these are more geared to second homes and rentals. Ms. Kavanagh expressed concerns as well for those with financial hardships and commented that she is not comfortable with this. Mr. LaMantia requested that the Collector divide the list perhaps by separating those delinquent for over four years. Mr. Clark said he could have a discussion with her and added that there are mechanisms for those in need but those people need to come forward. Mr. Hughes pointed out that those who are paying taxes are carrying the ones that aren't paying. He added that we should contact the property owners before taking action. Mr. Cakounes suggested the Board re-agenda this item and have the tax office explain the process. Mr. Clark said he would see if we can get the tax attorney to come in and explain the options. Chairman MacAskill said he is 100% against this in this timeframe and asked that it be delayed until they get more information and Ms. Brown agreed. Ms. Brown further suggested having a Board policy on this and Mr. Clark stressed that he would have to investigate that carefully with Town Counsel.

D. Letter from Earl Beardsley regarding use of Harwich Middle School

Mr. Clark reported that Mr. Beardsley had originally shown interest in using the Middle School for a STEM museum but has since decided he needs an independent building and we can show him the West Harwich School building.

SELECTMEN'S REPORT

Ms. Brown and Ms. Kavanagh thanked Mr. Hughes and Mr. LaMantia for their guidance.

ADJOURNMENT

Respectfully submitted,

Ann Steidel
Recording Secretary

Related Documents - May 15, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes April 24, 2017.pdf
- 03 Remove Committee Member.pdf
- 04 Gifts to COA.pdf
- 05 Committee Appointment.pdf
- 06 Committee Resignation.pdf
- 07 T.A. Performance Evaluation.pdf
- 08 Action Item Register.pdf
- 09 Fire Chief Contract Extension.pdf
- 10 Housing Authority Appointment.pdf
- 11 Round Cove Funding.pdf
- 12 Marijuana Next Steps.pdf
- 13 Saquatucket Project Support Letter.pdf
- 14 Army Corps Public Notice.pdf
- 15 Letter re Middle School Use.pdf