

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, MAY 22, 2017  
6:30 P.M.**

**SELECTMEN PRESENT:** Ballantine, Brown, Howell, Kavanagh, MacAskill

**OTHERS PRESENT:** Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Amy Bullock, Carole Ridley, Sandy Hall, Brian Dudley, Erin Perry, and others.

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

**SWEARING IN OF ELECTED OFFICIALS**

Town Clerk Anita Doucette swore into office the following elected officials:

Allin Thompson - Water Commissioner  
Donald Howell – Selectman  
Larry Ballantine - Selectman

**WEEKLY BRIEFING**

Ms. Bullock updated the Board on the tax lien sale process stating that right now we have 158 parcels left on the list, there are 35 parcels that have buildings, 11 are condominiums, and 112 are land only. She reported that she has 28 new payment plans on file for a monthly payment totaling \$15,533.33, 22 people have paid in full totaling \$74,430.27, 22 have made partial payments for \$65,621.88, and there are 6 registered bidders. Chairman MacAskill said he would put the process on the agenda for next week.

Chief Clarke reported on the recent series of public safety incidents including motor vehicle accidents, a tragedy at Saquatucket Harbor and injuries to police officers.

**CONSENT AGENDA**

- A. Approve Minutes – May 8, 2017 Regular Session
- B. Accept resignation of Anne Leete as a member of the Harwich Cultural Council
- C. Accept the resignation of Donald Howell as a member of the By Law and Charter Review Committee effective May 22, 2017
- D. Approve 2017 Junk Dealer License renewal for Monahan & Co.
- E. Vote to sign letter of support to U.S. Army Corps of Engineers for Saquatucket project
- F. Approve Weekday and Sunday Entertainment Licenses for Perks and authorize Chair to sign
- G. Vote to approve and authorize the Chairman to sign for the new pumper for the Fire Department. The bid list price is \$420,000

Chairman MacAskill noted that they would be holding Item C and will take it up at the end of the Consent Agenda. Ms. Kavanagh moved approval of the Consent Agenda Items A, B, D, E, F and G. Mr. Howell seconded the motion and the motion carried by a unanimous vote with Mr. Howell and Mr. Ballantine abstaining from Item A. Ms. Kavanagh moved approval of Item C. Ms. Brown seconded the motion and the motion carried by a 4-0-1 vote with Mr. Howell abstaining from the vote.

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

### **A. Presentation – Pleasant Bay Composite Nitrogen Management Analysis – Carole Ridley**

Carole Ridley of the Pleasant Bay Alliance explained that the Pleasant Bay Composite Nitrogen Management Analysis was developed under the auspices Pleasant Bay Alliance Watershed Work Group who worked closely with the Cape Cod Commission and Mass DEP. She stated that this should be viewed as an opportunity to assist the towns in meeting their compliance requirements in the 208 Plan process and to explore opportunities that are available through a new watershed permit that DEP is developing. She referred to the proposed resolution which was provided to the Board and noted that it has been presented to the other four communities. She noted that she was not asking for action tonight but invited the Board to participate in the joint meeting with the other Boards on June 22 at 4:00 p.m. prior to the One Cape Summit meeting. Mr. Dudley of Mass DEP discussed the procedure for establishing a watershed permit and took questions from the Board. Mr. Clark indicated that #2 indicates that we want to go through the Alliance and the better approach is to recognize that we have the CWMP and the WMA and that is the primary obligation of the Town. He said the tone needs to be that the people that are responsible at the Town level are working in coordination with Pleasant Bay Alliance. He added that it would be valuable to see what other towns on the Cape are doing and how effective those projects are. Ms. Perry reported that the Commission is working on data sharing including a technology matrix which they will continue to update and they are working on a regional water quality management database. Chairman MacAskill asked for cost projections for Harwich outside of what we are already doing with the Pleasant Bay Alliance. Ms. Ridley responded that they are establishing a framework as to how best to proceed and if a decision is made to continue with development of a targeted watershed management plan that will require some component of technical assistance or additional staff time, there is potential for additional costs but they don't know yet exactly what that would entail. She said there may be additional resources needed which they don't know if they can handle within the budget and at this stage they aren't anticipating any significant expenses but she doesn't feel comfortable saying there wouldn't be any cost. Chairman MacAskill commented that Item D seems vague and broad and Ms. Ridley responded that it signals a willingness to continue down the road but they are open to modifying the language. No action was taken.

## **NEW BUSINESS**

- A. Role of the Liaison/Policy**
- B. Liaison Assignments**

Chairman MacAskill asked the Board to start thinking about what committees they want to be liaison to. Mr. Howell indicated that there are discrepancies between the Committee Vacancy List, the website and the Charter.

#### C. Action Item Register

Chairman MacAskill explained to Mr. Howell and Mr. Ballantine the purpose and process for the Action Item Register.

#### D. Goals and Objectives

Chairman MacAskill explained that last year there were six goals and sixteen objectives and the format agreed on by majority was to have trackable actions and deliverables to be graded on. He indicated that the Board will discuss the goals and objectives next week.

#### E. Committee Vacancy List

Chairman MacAskill indicated the Committee Vacancy List is on the agenda for informational purposes.

#### F. Use of Town email address by Boards, Commissions and Committees

Chairman MacAskill noted that last week we had a citizen submit a Public Records Request for emails from someone's private email address. He encouraged discussion on Board and Committee members having Town email addresses and perhaps have a policy on this. Mr. Cakounes said it is a very concerning matter and he is the one who submitted the request. He said he received a packet this morning and thanked the staff for their prompt response. He stressed the need to indicate to all Board and Committee members that if they use their private email addresses to receive agendas, minutes, etc. and hit the "Reply All" button or send an email to the rest of the committee with their feelings on a particular subject, it does not preclude them to submitting to Public Records Requests. He said the Town should give a committee or board member an option to use a Town email address. He further indicated that he will likely be following up on his Public Records Request. Mr. Clark said it is fairly simple for our IT Director to set up an email for a committee member and he added that the system is backed up regularly and he suggested that the Board create a formal policy on this. He said it is a better approach to have one email for each committee. Mr. Howell agreed with Mr. Clark about Committee and Board members using Town email and recommended setting up a policy. Ms. Brown said she keeps a separate email which she accesses on her phone as she had difficulty accessing the Town email address she was given but for now she believes keeping the email separate is fine. Ms. Kavanagh agreed with Ms. Brown and said she prefers a separate email address. Mr. Ballantine encouraged training as using another email address didn't come naturally. Chairman MacAskill stated that he has a Town email address which the IT Director set up on his phone for him. He encouraged the Board to do the same as it is a simple process and Mr. Howell agreed. No action was taken.

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

#### A. MassDOT Sidewalks to Saquatucket Harbor

Mr. Clark reported that it was discussed at a prior meeting that we had a commitment from MassDOT for construction of sidewalks at Saquatucket Harbor and he wanted to clarify that the utility was down there recently doing roadwork and not the MassDOT. He stated that the letter from MassDOT commits to putting in approximately 3,300 feet of sidewalk when they do reconstruction at that section of road. He said next time they do work we will remind them of that commitment.

#### B. Marini Property Purchase and Sales

Mr. Clark reported that there was a Town Meeting vote for the Town to acquire the Conservation Restriction over the Marini property and we have a grant coming up for which material is due no later than June 30, 2017. He noted that the Board has been provided with the draft Purchase and Sale Agreement and asked for an Executive Session next week to go over the terms and conditions of that agreement in an effort to get the Conservation Restriction so we can fulfill our grant requirements.

#### C. Town Administrator reimbursement and buy-back

Mr. Clark stated that his contract allows for reimbursement of legal costs that he incurs and he is seeking a reimbursement in that regard which is in for the Board's signature. Chairman MacAskill clarified that Town Counsel has opined that this is not to be considered an old bill as the reimbursement is a new bill. Chairman MacAskill asked Mr. Clark to provide documentation that it has been paid. He added that the vacation buy back is in other contracts and is current practice.

#### D. Town Administrator proposed Contract Agreement

Mr. Clark stated that he has one year left on his contract and said he is seeking a two year extension on top of that. Chairman MacAskill noted that Mr. Clark's performance evaluation is available to the Board and this is a reasonable request. He said they will take this up sooner rather than later.

### **SELECTMEN'S REPORT**

Mr. Howell asked to agenda at a future meeting taking a look at representation by legal counsel and what the possible alternatives would be. Chairman MacAskill said that is for whoever the Chairman is but his policy is that requests for agenda items be mailed to him.

#### A. Selectmen's Summer Schedule

Mr. Ballantine indicated that he would not be able to attend the Selectmen's meeting on June 12. Mr. Howell moved to accept the schedule. Ms. Kavanagh also noted that she would not be able to attend the June 12 meeting. The Board discussed skipping that meeting and ultimately decided to look at the schedule and bring it back.

### **ADJOURNMENT**

Ms. Brown moved to adjourn at 8:03 p.m. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary

## Related Documents - May 22, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes - May 8.pdf
- 03 Resignation - A Leete.pdf
- 04 Resignation - D Howell.pdf
- 05 Monahan & Co License.pdf
- 06 Draft Army Corp letter.pdf
- 07 Perk's Entertainment License.pdf
- 08 Fire Dept Pumper Contract.pdf
- 09 Pleasant Bay Alliance Presentation.pdf
- 10 Selectmen's Liaison Policy.pdf
- 11 Liaison list 2016-2017.pdf
- 12 Action Item Register.pdf
- 13 Goals and Objectives.pdf
- 14 Committee Vacancy List.pdf
- 15 TA Rpt - MassDOT sidewalks.pdf