

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, MAY 8, 2017  
6:30 P.M.**

**APPROVED**

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

**OTHERS PRESENT:** Town Administrator Christopher Clark, Lincoln Hooper, Anita Doucette, Cyndi Williams, Atty. Matt Kelley, Judd Brackett, Aly Sabatino, Fran Salewski, Andrew Docken, Arthur Bodin, and others.

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

**WEEKLY BRIEFING**

Mr. Hooper reported that there will be an entire new planting at the roundabout due to a weed that had taken over.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Ms. Williams reported on the success of the Chamber of Commerce's Toast of Harwich event.

Ms. Doucette reported that there will be two ballots this year, one for the ballot questions and one for the candidates.

**CONSENT AGENDA**

- A. Approve Minutes
  - 1. April 10, 2017 – Regular Session
  - 2. February 16, 2017 – Joint IMA Meeting with Chatham
- B. Approve request by Eversource and Verizon to place a new pole on the northwesterly side of Chase Street across from an existing pole to support the line along Chase Street
- C. Accept the resignations of Adrienne and Joseph Johnson as members of the Council on Aging
- D. Accept the resignation of Michael Smith as a member of the Council on Aging
- E. Approve the nomination of Arthur Watson to the Harwich Hall of Fame
- F. Approve 2017 Junk Dealer License renewal for Marceline Salvage

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

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

- A. Public Hearing – Proposed Disposal Fee Recommendations

Ms. Kavanagh read the hearing notice into record. Mr. Hooper reported that Michael Kiernan will be retiring and thanked him for his service to the town. Mr. Hooper noted that he had conducted an analysis of expenses and a survey of disposal fees in the towns of Barnstable, Chatham, Orleans, Dennis and Yarmouth. He said his analysis indicates that the residential fee should remain the same at \$160 and recommended that the Board consider taking the following action based on market conditions:

Increase the C&D tip rate by \$10 to \$140 per ton  
Increase MSW tip rate by \$5 to \$90 per ton

Mr. Clark agreed with Mr. Hooper's recommendation. No one from the public appeared before the Board. Ms. Kavanagh moved to close the public hearing in regard to proposed disposal fee recommendations. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote. Mr. Hughes moved, based on the recommendation of the Director of DPW, to authorize the increase in C&D tip rate by \$10 to \$140 per ton and increase MSW tip rate by \$5 to \$90 per ton effective July 1, 2017. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

Mr. Hooper updated the Board on the License Plate Recognition project noting that they have installed a ground loop that initiates the cameras and he is very impressed with the system. He estimated the read rates at 98-99%.

He further reported that the Town entered into a long-term contract with ABC Disposal on January 1, 2015 but the ABC facility was not constructed and they had ended up in Chapter 11 last fall. He informed the Board that as of May 11, ABC Disposal is officially out of Chapter 11 and working with Mass Development to construct the facility.

## **OLD BUSINESS**

### **A. Approve new application for Weekday Entertainment by the Port Restaurant**

Attorney Matt Kelley and Mr. Brackett appeared before the Board to answer questions regarding their request for entertainment. Mr. Clark said he met with the Building Inspector who had concern about expansion of the number of seats and would like to see an updated site plan with seating indicated. Mr. Clark stressed that the ramp must maintain a three foot corridor for egress and questioned how they would deal with the crowd to maintain that egress. Mr. Brackett stated that there is no increase to the seating. He explained that they are requesting this license due to the competition in Harwich Port and they want to keep people entertained while they wait for tables. He explained that they have removed their air conditioning unit and therefore cleared some passage. He stated that the area does not impede any egress. Mr. LaMantia cautioned that any time there has been entertainment in that area there has been a host of complaints and he referred to the noise by-law requirement of staying within the 150 feet. Mr. Hughes noted that the times of entertainment are 5:00 p.m. to 10:00 p.m. inside and outside. Ms. Kavanagh moved to approve the new application for Weekday Entertainment by the Port Restaurant to abide by the by-laws and the times that we previously noted. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

## B. Response to the RFI for the West Harwich School

Ms. Sabatino reported that the response deadline for the West Harwich School RFI was April 10. She noted that she received a few inquiries and one response which was more of an informative response and not a proposal. Mr. Hughes suggested installing signage at the building indicating that it is a Town building and to report any vandalism to a to be determined person and install motion sensing spotlights on four sides of the building by bringing electricity back to the building to make the site more secure. He suggested that he could get a group together to paint the building by the fall. He further suggested bringing water back. Ms. Brown suggested putting the RFI back out again as perhaps not everyone knew that it was out. Ms. Kavanagh suggested having Coastal Engineering update their study from 2007 before we put any work into it. Mr. LaMantia said its time to make a decision on this building and we need to set a target date for that. He said this is the same conversation that happens every time we put out an RFI and nothing comes back. Chairman MacAskill said he intends to put this back on the agenda to discuss a new RFI for the building. He said he doesn't want to spend any money on it until we decide what we are going to do with it. Mr. Clark pointed out that the Coastal Engineering report was specifically done for a housing project. He said he would like to try to find out what is the highest and best use for that site for different elements. He said the site lends itself very well to where we could do recharge and potentially a pump station. He added that if we are going to have an evaluation done we need to have a sense of what we should look at and come back with some suggestions for possible potential uses and solicit information from the neighborhood. Mr. LaMantia stressed the need to keep in mind the costs.

## NEW BUSINESS

### A. Committee topics:

#### 1. Annual Re-appointments process and possible policy

Ms. Brown reported that we have over 60 re-appointments for this June and typically we send out a letter stating the term is up and if you don't wish to continue to please let us know. She said the Board is not required to re-appoint everyone who wants to continue. She said there have been many years of blindly rubber stamping and re-appointing because of the need for volunteers. She stated with much change happening and the need for new committees, such as an Economic Development Committee, we are looking at these charges and the people that are volunteering and trying to figure out ways to get new people involved and streamline the committees so that we can move forward. She said she doesn't see the need to change the process. Chairman MacAskill suggested limiting appointments to 2 terms. Mr. LaMantia stressed that we don't have a lot of people who want to be on committees and we shouldn't make things harder or we will have less people. He said we need to be thankful for the people that are on those committees and look at things they want to do. He said he doesn't see changing the number of years they serve. Ms. Kavanagh indicated that we shouldn't limit how long they are going to be on a committee as we are in a precarious position with getting volunteers. She suggested having another committee fair to find out the interest. Chairman MacAskill noted that the last fair netted out one volunteer. Mr. Hughes suggested rotating the Chair to get other people to step up and not always having the same people driving the bus. He said if someone has served 2 terms and someone else wants a chance that person should step aside. Ms. Brown said she would support a 2 term limit and said it is always good to have a fresh set of eyes looking at things. She added that after 2 terms they should

re-interview people. Mr. Waystack, Chair of the Board of Assessors, pointed out that they are a regulatory board and all members have to be certified to sit on the board. He recommended that the reappointment letter require the volunteer to state that they are interested in serving which would allow the Board to see if someone is serious. Mr. Clark responded that he did that in another town and there was a lot of backlash. He suggested that interested people should sit in on the committees and observe prior to appointment. He suggested that Channel 18 interview the Chairs of the different boards and committees. Ms. Brown suggested training for committee Chairs. Mr. Clark pointed out that our Town Counsel provided that type of training and it was taped and televised. He suggested adding that information into the renewal letter. Mr. Mador suggested giving people of the organization a landfill sticker, beach pass, rounds for the golf course or gym membership to serve on committees. There was consensus of the Board to include Mr. Waystack's suggestion in the re-appointment letter. Chairman MacAskill asked Ms. Brown to separate the general committees from the regulatory boards. He said he would bring this conversation back when they have a new Board.

## **PUBLIC HEARINGS/PRESENTATIONS** *(Continued)*

### **B. Presentation on the science of eel grass as it relates to nitrogen levels in the environment – Scott Carpenter, Superintendent MRS D**

Mr. Carpenter provided the attached Power Point presentation on the science of eel grass as it relates to nitrogen levels in the environment.

## **NEW BUSINESS**

### **A. Committee topics** *(Continued)*:

#### **2. Review charges and possible merger of Bikeways Committee and Trails Committee**

Ms. Brown noted that the Bikeways Committee charge dates back to April 1983 and she outlined the charge which included investigating the feasibility of constructing a bike path. She commented that we now have network of bike paths. She noted that Mr. Hooper has informed her that the Bikeways Committee focuses on the Old Colony Rail Trail because DOT governs the Cape Cod Rail Trail. Mr. Salewski, Chair of the Bikeways Committee, said he was taken aback when he heard from Ms. Brown that the Board wanted to combine the Bikeways and Trails Committees. He said it should have been clarified that they were going to be looking at all the committees. Ms. Brown noted that the email did say they are going to be looking at all committees. She noted that she also asked for minutes and Mr. Salewski informed her that they do not take minutes. Mr. Salewski stated that the committee primarily works with DPW in maintaining the bike trail and look for ways to improve safety. He noted that they currently have 7 members. He agreed that the charge needs to be updated. Ms. Brown stated that in order to create a charge they need to have minutes in order to know what you are doing and Mr. Salewski responded that there aren't any minutes. Ms. Brown said there needs to be a concerted effort by the Board of Selectmen and the Committee to create a new charge that involves actual maintenance and observation of the bike path. She stressed the need to move forward and noted that their duties have lessened. She suggested combining Bikeways with the Trails Committee

with increased membership. She noted that the Trails charge indicates that the trails are used by hikers and bicyclists. Mr. Salewski said he polled the Bikeways Committee and nobody has any objections to combining them. Mr. Hughes commented that Trails Committee deals with dirt and gravel trails and Bikeways deals with the bike path which is asphalt. He said it is the responsibility of the liaisons to work with the Chairs to update charges and teach them how to run a meeting. He said he believed these 2 committees have different functions and Bikeways is active and has enough members. He agreed the charge needs to be updated and keeping minutes is essential. He encouraged them to keep going but tighten things up. Ms. Kavanagh said if they are amenable to merging its worth a shot to see if that could work out as it might streamline efforts and might allow for volunteers to other Boards. She suggested having a trial period. Mr. Salewski said the people coming on the Bikeways Committee were mainly interested in biking. Ms. Brown said you could always have subcommittees within a committee and it would be one less liaison for the Board. Mr. Salewski said Mr. MacAskill is the only liaison they've ever seen. Mr. LaMantia agreed with Mr. Hughes and didn't see a benefit of putting the 2 committees together. Chairman MacAskill said Ms. Brown should work with Mr. Salewski and the committee on an updated charge. He noted that we have 55 committees and where it is possible to merge he would like to encourage that. Mr. Docken of the Bikeways Committee stated that there were protocols not being followed they can get that squared away. He said there is nothing in their minutes that leads him to believe that the Trails Committee would be interested in their committee. Mr. Hughes reiterated that they are totally different.

Ms. Brown said the Trails Committee charge is more current and outlined the membership. She said that on the town website it indicates there are 7 members rather than 5. She noted that in 2005 the Board of Selectmen added 2 more members from the general public. She stated that there are currently 9 members and she can't find anything to indicate that the charge changed to 9 with 7 from the general public as it is currently. She noted that Mr. Cushing is not seeking reappointment and that he indicated that all of their members did not support merging the 2 committees. Mr. Hughes said the newer format for charges should indicate that they need a Chairman, to have minutes, etc.

Chairman MacAskill questioned how cumbersome it would be to find everything on every committee, e.g. how many members, if there have been amendments to the charge, or new people added. Mr. Clark responded that this is a great project for a college intern. Ms. Kavanagh noted that the high school is doing internships. Mr. LaMantia said there was a goal of putting most of the charges into the Committee Handbook and he doesn't know if that was completed. Ms. Brown stated that UMass Dartmouth might be interested if we wanted to reach out there. Chairman MacAskill said whoever is going to be the liaison will have to work with the Trails committee on their charge. Ms. Brown said she doesn't mind being liaison to the Trails Committee next year.

### 3. Review charge of Housing Committee

Ms. Brown said she believed the charge was outdated and had some racial undertones. She noted that we need to narrow it down and not point out anyone's racial background. She added that when we write the new charge we need to be clear if we are addressing only affordable housing or housing in general. Mr. Bodin said you have to keep advertising and suggested holding two volunteer fairs a year. He said he would start working on the charge. Ms. Brown said the charge should have some finance verbiage in it and Mr. Clark responded that this would fall under the

financial departments of the town. Mr. Clark agreed to help with the charge. Mr. Bodin said that in most towns this committee is referred to as the Affordable Housing Committee and in our town it is just the Housing Committee. Mr. LaMantia responded that it used to be the Affordable Housing Committee and he doesn't know when that changed. Chairman MacAskill said that we should find out. Ms. Kavanagh agreed to be liaison to the Trails Committee and work with Mr. Bodin on the charge as she has experience in that area.

Chairman MacAskill reported that the Town of Chatham approved the wastewater article tonight.

#### B. Town Meeting review and discussion

Mr. Clark said he will be meeting with department heads and will assign the articles to the departments that are the most applicable for handling them. He noted that we will have to wait for the election. He stated that the moderator indicated that there is no requirement to have the Special Town Meeting on the second night of Town Meeting and one thought would be to have the Special Town Meeting at the beginning. He commented that having Special Town Meeting on the second night guarantees that there will always be a second night. Mr. Clark added that there has been discussion of salaries of Selectmen and if there is an action plan that is contemplated we should get that into the system for next year. Mr. LaMantia stated that Town Meeting went amazingly well. Mr. Clark reported that VisiGov 2.0 for Harwich is ready and we could put it on the agenda next week. Ms. Kavanagh thanked Mr. Clark for his efforts in creating a smooth Town Meeting. Mr. Hughes said we should look into having Town Meeting at the high school. Chairman MacAskill stated that the Wastewater article discussion went very well and he thanked Mr. Clark and his staff for their efforts.

#### C. Town Administrator Performance Evaluation

Chairman MacAskill said the individual performance evaluations didn't make it into the packet but will be in next week. He reported that every Board member recommended that Mr. Clark should get his merit increase and it was an above satisfactory performance evaluation. He reported that each Selectman offered suggestions for improvement but overall communication was very good and everyone complimented Mr. Clark on his wastewater negotiations with Chatham. He stated that Goals & Objectives started the year as a contentious issue because we didn't have a unanimous vote and Mr. Clark didn't agree on them but at Mr. Hughes suggestion an Action Item Register was created which has worked very well and Mr. Clark has completed at least 70% of it. The Board agreed with Chairman MacAskill's comments. Mr. Hughes encouraged the Board to extend Mr. Clark's contract. Mr. Clark thanked the Board for their constructive criticism and said he would like to stay in the organization. He said he has an interest in moving closer to Harwich and he would like to add an additional 2 years to his contract which currently has 1 year remaining. He noted that he has provided a self-evaluation and made suggested changes to the contract. He said he would like to see a decision made with the current Board. Chairman MacAskill said it would be better for the new Board to vote on the contract. Mr. LaMantia said new Board members aren't going to have a lot of background on this as they have not been involved and he suggested finishing up next week. Ms. Brown and Ms. Kavanagh said they could go either way on this. Mr. Hughes moved to recognize that Mr. Clark's performance is above satisfactory and recommended a 2% increase effective July 1, 2017. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote. Chairman MacAskill brought up the

consideration of a retroactive increase. Mr. Hughes said we had that conversation before and there was discussion about revisiting it mid-year and it wasn't going anyplace. He said Mr. Clark deserves the money going backward and it is certainly a consideration. Mr. LaMantia said that should be done next week.

## **TOWN ADMINISTRATOR'S REPORT**

### **A. Approval of the Harwich Housing Production Plan**

Mr. Clark reported that we submitted the Housing Production Plan and got a letter dated April 12 saying the plan has been certified and approved and is good for 5 years to expire May 22, 2022.

### **B. Planning Board – Application for Determination of Adequate Access/Improvements to a Town Way**

Mr. Clark reported that Mr. Robert Fratus wants to make improvements at his own expense to Seth Whitefield Road which is a public way. He said he will present a letter of intent to the Board and noted that there is a Public Hearing on this on May 23.

## **ADJOURNMENT**

Chairman MacAskill adjourned the meeting at 9:21 p.m.

Respectfully submitted,

Ann Steidel  
Recording Secretary

# What is a "Canary in a coal mine"?



The health of certain plants or animals can provide early warning indicator of problems in the environment.

Coal miners would take canaries into coal mines to make sure that the air deep in the mine was okay to breath.

If the canary died, something was wrong with the environment – the air was toxic and the miners needed to get out fast.

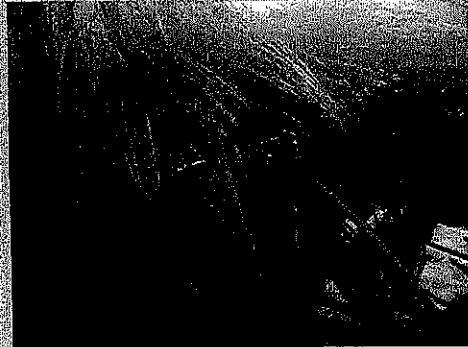


When it comes to the environment we live in, we don't have the option to get out fast. Instead, we need to pay attention to early warning indicators and address problems before its too late.



# Why is eelgrass important?

- The presence and health of eelgrass is an important indicator of water quality.
- Eelgrass is a canary in a coal mine for our coastal waterways.
- It provides crucial habitat for many species, including spawning grounds for many fish, hiding places for baby Atlantic cod, and a home for wharf and blue mussels.
- Many animals, ranging from the Atlantic brant (a type of goose) to sea urchins to sea turtles, use eelgrass as their food.
- Eelgrass protects commercially important finfish and shellfish. Large predators cannot easily hunt for juvenile fish in this aquatic jungle. Eelgrass blades also safeguard juvenile shellfish from predators such as whelk that cannot climb the blades.



Click to see an eelgrass ecosystem through the eyes of a sea turtle.



# Eelgrass:

Our Canary in a Coal Mine  
for Clean Waterways



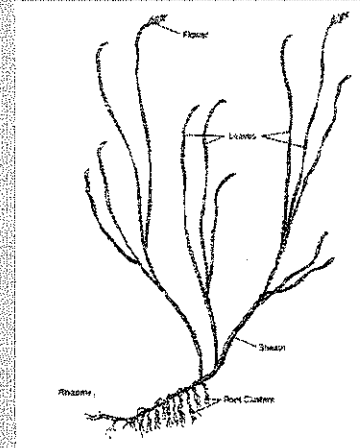
## What do you see in this eelgrass community?



Source <http://www.sengekcontact.org/education/#/restoring-eelgrass-meadows/>  
Eelgrass ecosystem drawing by Dana Galnes

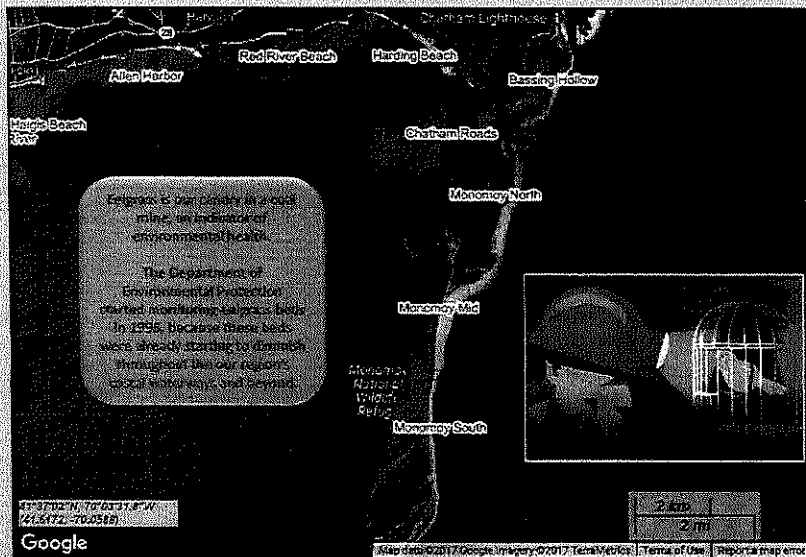
## What is eelgrass?

- Eelgrass is not seaweed or algae.
- It is a sea grass. It flowers underwater and produces seeds.
- It grows in muddy and sandy shores below the low tide zone, forming extensive submerged meadows.
- It is often only seen by boat or when snorkeling away from the shore.
- Eelgrass roots system firmly anchors it to the ocean bottom, trapping sand, which helps prevent coastal erosion. Eelgrass meadows also absorb wave energy and help calm our waters.



## What's happening to our eelgrass beds? 1995

Source: [http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass\\_map.htm](http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass_map.htm)



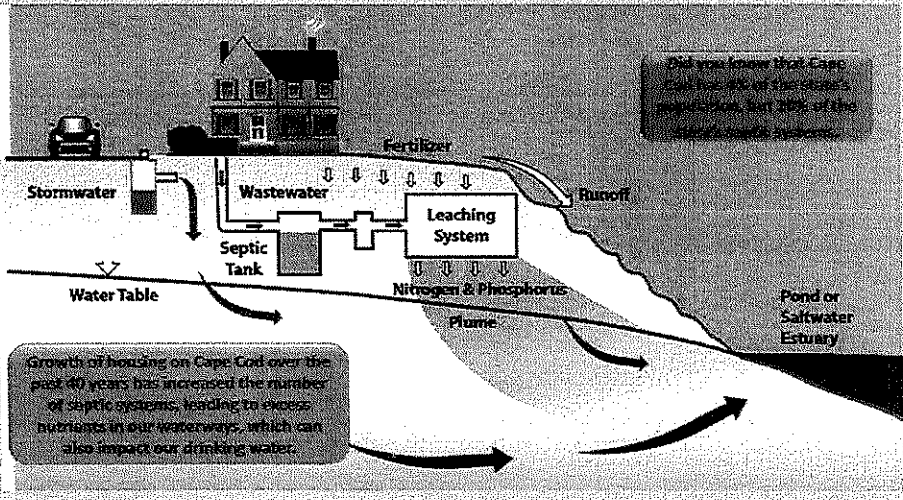
## Two Ecosystems in One

- Beachgoers encounter the long, thin, black decomposing blades of eelgrass washed up on the shore.
- The dead eelgrass is cast up on the beaches by wind and waves as the tide goes out, creating piles of "wrack".
- Wrack helps to trap sand and prevents beach erosion.
- Within the wrack, is a whole new ecosystem. Many insects and invertebrates live in the dead eelgrass, and many shorebirds, like sandpipers and sanderlings, pick these insects out of the wrack and eat them.
- Just like maple trees lose their leaves in the fall, eelgrass loses its leaves in the late summer and fall. Some of the dead eelgrass leaves float away from shore are eaten by other marine animals.



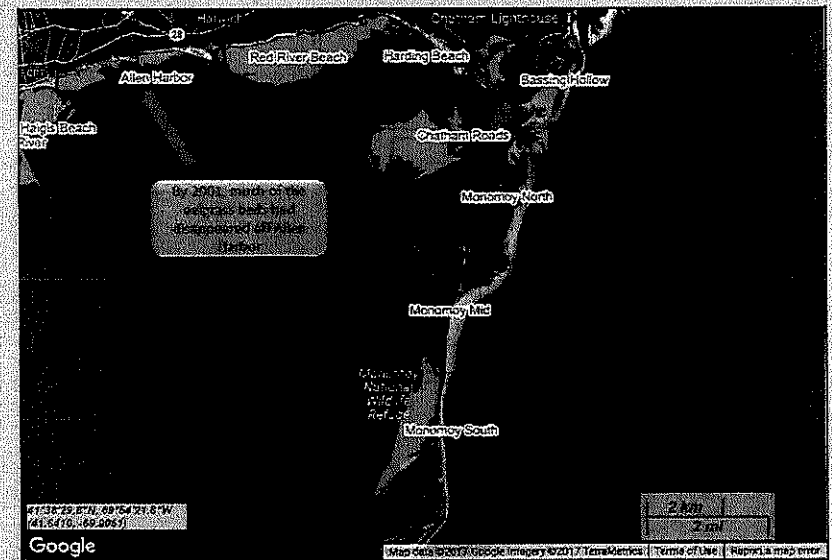
# What's causing the loss of eelgrass?

Answer: Too much nitrogen is entering our saltwater ecosystems, making the water less clear, depriving the eelgrass of sunlight. Similarly, in our freshwater ponds, too much phosphorus is entering the water, creating algae blooms and diminished water clarity. The vast majority of these excess nutrients is coming from our homes' septic systems.

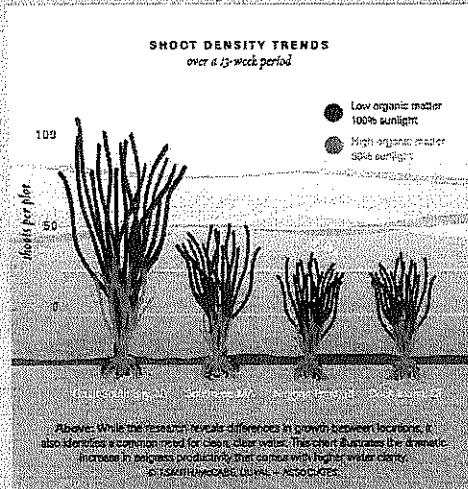


# Loss of our eelgrass, six years later 2001

Source: [http://maps.mass.gov/images/dep/eelgrass/eelgrass\\_map.htm](http://maps.mass.gov/images/dep/eelgrass/eelgrass_map.htm)



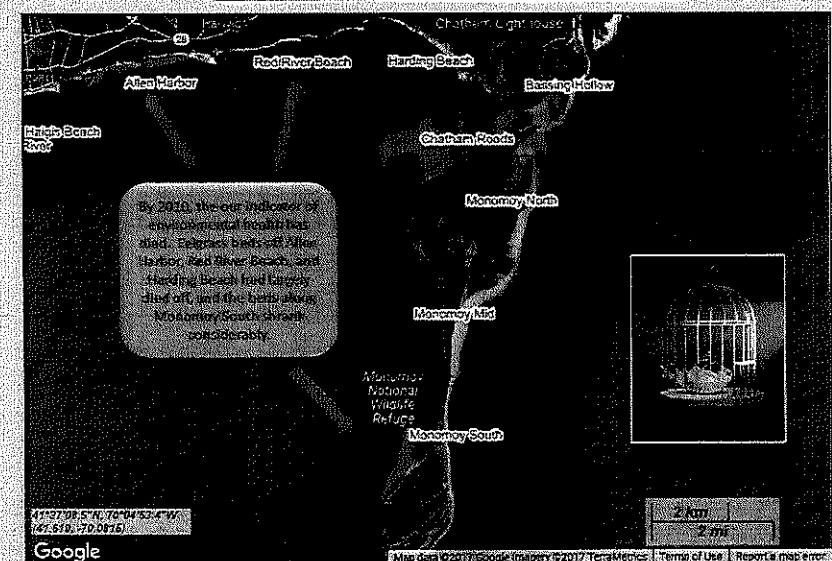
In saltwater, algae outcompete eelgrass for nitrogen, often creating algae blooms that cloud the water, depriving eelgrass of needed sunlight, which stunts the eelgrass growth.



In addition to impacting eelgrass and all the organisms relying upon the eelgrass, marine algae blooms can lead to shellfish poisoning and closure of shellfish beds, and in extreme cases can lead to beach closures.

# Further loss of our eelgrass beds, a decade later 2010-2013

Source: [http://maps.mass.gov/images/dep/eelgrass/eelgrass\\_map.htm](http://maps.mass.gov/images/dep/eelgrass/eelgrass_map.htm)



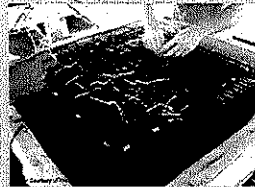
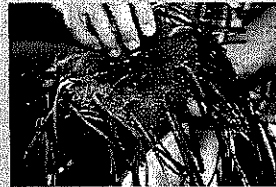
## We can still save and restore our seagrass beds.

There are three proven approaches to support the reestablishment of eelgrass beds:

**Natural recolonization** – this approach allows existing eelgrass to rebound and spread by improving water quality conditions. Upgrading from individual septic systems to municipal sewers, which will more efficiently keep excess nutrients from entering our waterways, is a key factor creating conditions that would allow for natural recolonization.

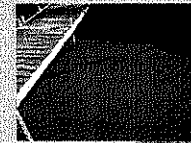
**Seeding** – eelgrass can be grown in estuaries, the seeds harvested, and the seeds spread in areas we want to reestablish new beds.

**Transplanting** – eelgrass can also be grown on substrates that can be anchored to the sea floor or mature plants removed from existing beds and relocated to depleted areas.

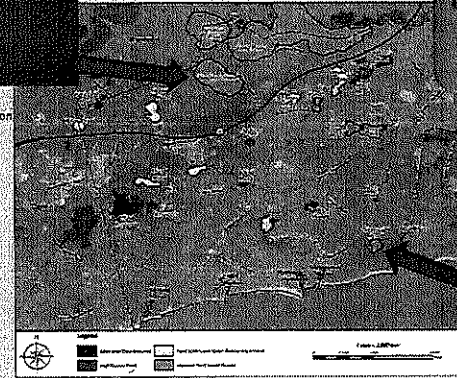


Source [http://www.edu.vpi.edu/restoration/html/tech\\_sd/restoa.htm](http://www.edu.vpi.edu/restoration/html/tech_sd/restoa.htm)

In freshwater, algae rapidly uptake phosphorus, and with the sunshine of warmer days, algae blooms turn local lakes green. The algae blocks light from penetrating the water, creating large a oxygen-deprived zone beneath the lake's surface, where fish and many other organisms can't survive.



Source [http://hincleypondassociation.com/tpa\\_archives.html](http://hincleypondassociation.com/tpa_archives.html)



These algae blooms can be toxic and have led to closures of local lakes for swimming and other recreational activities.

Source <http://harwich.wickedlocal.com/article/20090630/NEWS/306309475>

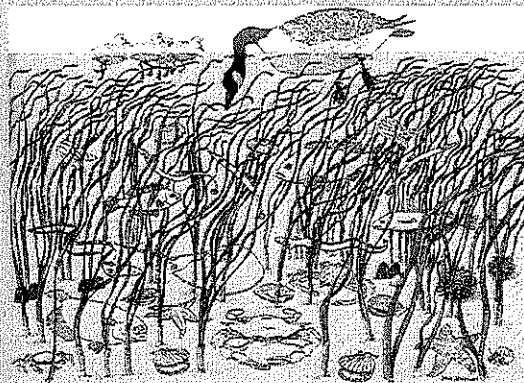
Source <http://www.skinequit.org/WaterSampling.html>

## Monomoy Regional Schools Elementary Eelgrass Contest

Draw your own representation of an eelgrass community or write about why eelgrass is important or how it can be preserved.

Turn your drawing or written ideas into your teacher by Monday, May 15<sup>th</sup>. All drawings and written ideas will be shared with Superintendent Carpenter.

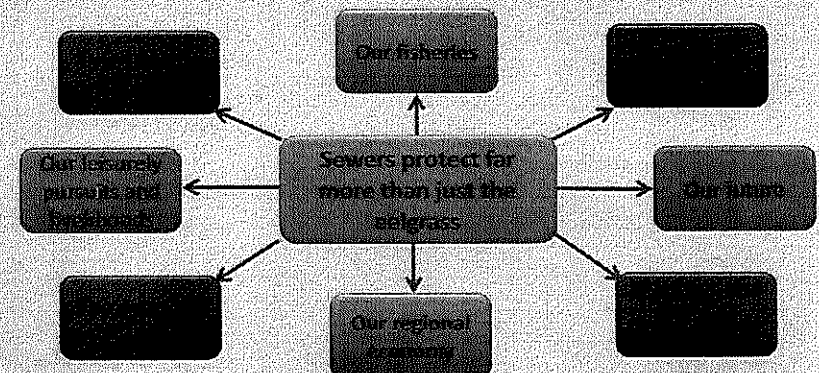
One winner will be selected at random from each elementary school. They and a parent will be invited to join Superintendent Carpenter on a fishing, whale watching, or eelgrass trip of their choosing this summer.



Sharks love eelgrass!!!

## How can we protect our waterways?

Answer: Coastal towns throughout the country are installing or using sewers for collection of wastewater to minimize the nutrients discharged into area waterways. Community sewage treatment systems are run by trained staff, who ensure the wastewater is properly treated. Sewer systems eliminate the risk that hundreds of individual home septic systems are not being properly installed or maintained, and therefore not properly treating contaminants before they leech into our waterways or into the underground aquifer supplying our drinking water.



## Related Documents - May 8, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes April 10.pdf
- 03 Minutes Chatham IMA.pdf
- 04 Utility Hearing - Chase St..pdf
- 05 Resignations - COA Adrienne Joseph Johnson.pdf
- 06 Resignation - COA M Smith.pdf
- 07 Hall of Fame - Pete Watson.pdf
- 08 Junk Dealer License - Marceline.pdf
- 09 Eel Grass Presentation.pdf
- 10 Public Hearing - Disposal Fees.pdf
- 11 Weekday Entertainment Lic - The Port.pdf
- 12 W. Harwich School RFI.pdf
- 13 W. Harwich School RFI Response.pdf
- 14 Appointment Process - Policy.pdf
- 15 Bikeways Charge.pdf
- 16 Trail Committee Charge.pdf
- 17 Housing Committee Charge.pdf
- 18 Vacancy List.pdf
- 19 TA Performance Evaluation.pdf
- 20 TA Rpt. Housing Production Plan.pdf
- 21 Planning Board Hearing - Fratus.pdf