

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, SEPTEMBER 10, 2018
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Ballantine, Howell, Kavanagh, MacAskill, McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Evan Melillo, Chief Clarke, Carolyn Carey, Scott Tyldesley, John Rendon, Cyndi Williams, and others.

WEEKLY BRIEFING

Chief Clarke announced that there will be a 9/11 Memorial Ceremony at the Public Safety Facility tomorrow at 10:00 a.m.

PUBLIC COMMENTS/ANNOUNCEMENTS

Ms. Williams announced the winners for the parade float contest as follows:

- Best overall – Jack Conway Realty
- Most Town Spirit – Harwich Town Band
- Most Fun – Drummer Queens Band

She further announced other upcoming Cranberry Festival Events including fireworks on September 15 at 8:00 p.m. Mr. McManus reported that Beach Day at Red River Beach was well attended.

CONSENT AGENDA

- A. Approve Minutes – August 20, 2018 Regular Meeting
- B. Accept the resignation of Joan Felahi as a full member of the Council on Aging
- C. Accept the gift of an Eastern Redbud tree in memory of Jacob Spitz to be planted at Island Pond Cemetery
- D. Approve the request by Eversource to install approximately 40 feet of conduit/cable under the roadway to provide service to the homeowner at 14 Hudson Lane

Mr. McManus moved approval of the Consent Agenda. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

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

- A. Presentation – Intermunicipal Agreement between Barnstable County IT and the Town of Harwich – Bill Travers

Mr. Travers provided an overview of the proposal which included an assessment of technical infrastructure and services, network IT support services and project needs which isolates and corrects the issues causing the problems. He described services they provide to other towns as well. Mr. Clark said the idea is for FY19 for them to come in and do the study, have the back up that we need, and then we'll incorporate those elements into the FY20 budget for whatever recommendation comes back. He said he expects the recommendation to be back in about 60 days. Mr. Travers said they would be able to start work right away.

Mr. Howell discussed his interest in system vulnerability and recovering data and he questioned if they are able to get into remote screen work and Mr. Travers indicated that they have that capacity. He took questions and comments from the Board regarding software platforms and productivity. There was no vote on this item.

NEW BUSINESS

- A. Request permission to refinance affordable home on Driftwood Drive as required by Deed Rider

Mr. Howell questioned if this is just to refinance and not to put on an addition or anything else and Mr. Stewart said that is correct. Mr. McManus moved that we approve of the refinancing request for 16 Driftwood Lane. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

- B. Winter Boat Storage at Saquatucket Harbor

Mr. Rendon discussed the need for winter boat storage and outlined his letter to the Board dated September 5, 2018 as follows:

At a public hearing on November 28, 2016, the Board of Selectmen approved a request for the Harbormaster Department to offer winter boat storage service at Saquatucket Harbor. The following year, based upon expressed sentiment from a commercial provider at the May 2017 Annual Town Meeting, the winter storage policy outlined in the Harbor Management Plan was revoked by the Board of Selectmen. As evident from the letters attached as enclosure 1 from boaters with permitted slips at Saquatucket Harbor, there is still a real need for available boat storage at Saquatucket Municipal Marina for larger deep draft boats. These larger boats have tall superstructures or masts that make it impossible to transport over the road. Having the ability to haul the boat out at the Saquatucket Harbor boat ramp using a local commercial hauler and then store in the west side parking lot would greatly benefit the boater. The Town would offer storage service only, and any minor work such as preventative maintenance, winterizing, shrink wrap, etc would be done by owner or local commercial providers. Similar to the policy that was approved in November 2016, I recommend that the period for landside boat storage run from November 1 through May 15 annually at a cost of \$22 per foot.

Paul Duffy of 1 Belmont Road explained that his vessel has a 5 foot draft and 60 foot tall mast and he is seeking winter boat storage. He said can go to Mattapoisett, Sandwich, or Sesuit but there is no service provider in Town that can provide this service to him. He asked that the Harbormaster be able to rent space for vessels that fit his profile. He noted that there are probably 30-50 potential customers for the service in Harwich and Chatham.

Ted Baylis said he has a boat he'd like to store at Saquatucket and in years past he had to take it to Mattapoisett due to lack of available facilities here. He said there is a waiting list at Stage Harbor Marine and they can only store about 12 boats. He said it will create more business for the local boatyards who will need to come in to do winterizing as well as maintain and paint in the spring.

John Our, owner of Harwich Port Boatyard, said he'd love to lease the property and he only has 20 slips but he can take on some more boats on his other properties. He commented that this is how he

maintains his employees during the winter. He said he would be more than interested in leasing the property to give these boat owners a place to go and keeping the business in Town.

Mr. Duffy noted that Mr. Our's operation was not set up to handle his boat.

Mr. Barry Bessette said it's difficult for sailboat owners to take the mast off the boat and only very few places can store the boat mast upright. He said this need is for sailboats or big boats.

Mr. Rick Reed said he made the mistake of hauling his boat along the road because he could find a spot and it was not easy. He stressed that there is a clear need for this service.

Mr. Ballantine said he would like to see us try to lease it out again. He said maintenance and washing should be done in a place where they're trapping the wastewater so it's not getting into the harbor.

Mr. MacAskill agreed and said he is against storing boats there and there is at least one business owner in Town that can accommodate them. He said we have a new facility and having boats in shrink wrap there for up to seven months is a disservice to the Town.

Mr. McManus said he has no problem with having boats stored here and it makes sense.

Mr. Clark explained that under the procurement law we can only do a three year lease and we were trying to accommodate the construction so that's why we did the one year lease. He said we recognized that it wasn't profitable and since we knew we had the snack shack and other items coming up, we asked to go from three years to ten years to give the business community some longevity but that component of it got voted down so we are limited to just doing the three years and anything beyond that we would have to go to Town Meeting.

Mr. Howell noted that the last time this went before Town Meeting it got turned down and it wasn't because of the term of the lease but rather that they didn't want to do it. He stressed the need for this to go back to Town Meeting as the only honest way of approaching this.

Chairman Kavanagh said that is not necessarily what she took from Town Meeting and she heard something different. She said she doesn't necessarily know that people understood at Town Meeting that there was a lack of storage for these boats. She said she would be in favor of putting an RFP back out. Mr. Our took questions from Ms. Kavanagh about ability to provide this service at Saquatucket Harbor. Mr. Our said the Town Meeting article indicated that it would be for any amount of time up to ten years. He indicated that he would be interested in renting the area from the ramp to a portion of the lot outside of the state jurisdiction that is not under the high tension wires.

Mr. Ballantine said to Mr. Howell that he read the discussion differently that we don't want to compete with local businesses and in this case we aren't competing but adding to their business. He said he doesn't see this as going against public opinion. Mr. Rendon pointed out that right now we don't have the authority to use the recycling system and he commented that the boat owners don't necessarily have to have their hulls pressure washed. He said they could be pressure washed on the trailer prior to storing at the marina. He noted that they have always allowed minor maintenance to be done at the site. Mr. Clark discussed the insurance requirements. Mr. Howell said he would be willing to support going out to bid for a lease with a five to ten year threshold but doesn't see a

downside to going back to Town Meeting. Mr. Clark suggested doing something contingent on Town Meeting approval.

Mr. Rendon said we didn't go to Town Meeting to ask them to vote on winter boat storage but rather received feedback on an article that involved a number of different items. He said they just received input on this issue and it is not what was voted on so he doesn't see how we are going against the will of Town Meeting. Chairman Kavanagh said it wasn't about boat storage but rather the term of the lease.

Mr. Ballantine moved that we prepare and send a Request for Proposal to lease Saquatucket Harbor for winter boat storage for a lease duration of three years. Mr. McManus seconded the motion. Mr. MacAskill said he'd like to see a proposal from the Harbormaster as to the defined area, the amount of boats, and the requirements for boat size. Chairman Kavanagh noted that they would be bringing the RFP back for comments and to be voted on. Mr. Ballantine said Mr. MacAskill's requests should be identified in the RFP.

Mr. Howell said he would be very disappointed if we just went for this three year bid so he will be voting no on this. He said he would be very enthusiastic about putting it out in two chunks with an option to renew so that Town Meeting gets this. Mr. McManus noted that this would mean there would be no boat storage there this year and to make sure that there is interest among local businesses we ought to put out the option that we do have the authority to put out a three year lease and they may be fine with that and if they want to push for a longer term we can do that at a later time. Chairman Kavanagh added that we can let Town Meeting decide if they want to go further than the three years. Mr. MacAskill agreed with Mr. Howell's remarks. At the Board's request, Mr. Ballantine repeated his motion as follows: I move that we prepare and send a Request for Proposal for winter boat storage at Saquatucket Harbor for a three year period. Mr. McManus seconded the restated motion.

The motion carried by a 3-2-0 vote with Mr. MacAskill and Mr. Howell in opposition.

C. K P Law Legal representation – discussion

Mr. Howell said tonight he only wanted to deal with our obligations for our current counsel. He noted there is no back up as he has asked the Finance Director and Administration for any contract or MOA we have with KP Law and he questioned on what basis we are paying them. He said he would like to address the quality of their services at another meeting. Mr. Clark indicated that it is an "at will" position so at any point the Board can solicit other attorneys to come in. Mr. Howell noted that we have not made yearly appointments but at this point he just wanted to establish that there is no binding agreement and said he would like to have a fuller discussion on our representation at another time. Mr. Howell said he would develop back-up for this discussion. Mr. McManus asked to find out the last time we made the yearly appointment of Town Counsel. Mr. MacAskill asked to broaden this to the other counsels as well. Mr. Ballantine said they should address reporting structures as well.

TOWN ADMINISTRATOR'S REPORT

A. CDM Smith Progress Report – Sewer Collection System Phase II

Mr. Clark reported that we have planned to have a more in depth discussion on sewer issues later this month. He said he booked an information session on October 3rd at 6:00 p.m. Mr. Ballantine asked that this be shared with the Wastewater Support Committee.

B. DHY Special Legislation Update

The Board agreed that this should be a major agenda item on an upcoming agenda.

C. Dredging Grant in the amount of \$36,000

Mr. Clark reported that we received the dredging grant in the amount of \$36,000.

D. Departmental Reports

There was no discussion on this item.

SELECTMEN'S REPORT

The Board discussed committee vacancies and upcoming events.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 8:25 p.m. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary

Related Documents - September 10, 2018 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes - Aug 20.pdf
- 03 COA Resignation.pdf
- 04 Tree Donation.pdf
- 05 Utility Hearing - Hudson Lane.pdf
- 06 Barn Cty Harwich IT IMA.pdf
- 07 Driftwood Lane Deed Rider.pdf
- 08 Winter Boat Storage at Saquatucket Harbor.pdf
- 09 TA Rpt - CDM Smith Progress Rpt.pdf
- 10 Departmental Reports.pdf