

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, NOVEMBER 16, 2015
6:30 P.M.**

APPROVED

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

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Davis Spitz, Roman Greer, Lou Urbano, Rich Larios, Chris Harlow, Allin Thompson, John Sennott, Matt Hart, Dana DeCosta, Ed McManus, Larry Ballantine, Jim Atkinson, Joan Kozar, Clem Smith, and others.

MEETING CALLED TO ORDER at 6:38 p.m. by Chairman Hughes.

Chairman Hughes announced that the Board had just come out of Executive Session where they voted to ratify a Water Department employees' union agreement from July 1, 2015 through June 30, 2018.

Chairman Hughes reported that they will not be taking up the Library Trustees annual report tonight.

PUBLIC COMMENT/ANNOUNCEMENTS

Mr. Urbano stated that he will be mailing a National Registry District Application to Mass Historic for Captains Row.

Ms. Cebula reported that the grand opening of the new Family Pantry Second Glance shop was this morning and urged the public to stop by.

CONSENT AGENDA

- A. Approve Minutes
 - 1. November 2, 2015 Regular Meeting
 - 2. November 9, 2015 Executive Session
- B. Approve proposed changes to the Finance Director job description
- C. Confirm appointment of Jay Briggs as Assistant Building Inspector
- D. Approve the use of the Cable Fund for the continuation of the fiber optic network from Town Hall to the Community Center by Comm-Tract Corp in the contract amount of \$13,275 with additional items up to \$18,095
- E. Accept monetary gifts to be deposited in the Saquatucket Harbor Demolition/Beautification Gift Account in the amount of \$550
- F. Approve the request to hold 1st annual Harwich Christmas Tree Ship event at Saquatucket Harbor on December 3, 2015 contingent on the applicant obtaining a Food Service Permit for the cookout portion of the event.

Ms. Brown moved approval of the Consent Agenda. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

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

A. Annual Meetings

1. Capital Outlay Committee

Mr. Larios and Mr. Harlow delivered the annual report of the Capital Outlay Committee.

2. Water Commissioners

Mr. Thompson delivered the annual report of the Water Commissioners.

3. Agricultural Commission

Mr. Sennott delivered the annual report of the Agricultural Commission.

4. Saquatucket Development

Mr. Hart delivered the annual report of the Saquatucket Development Committee and the landside preliminary site plan (attached).

5. Library Trustees

The report of the Trustees was postponed due to illness.

B. Joint meeting with Finance Committee

1. Wastewater Organizational Structure

Mr. DeCosta reported that the Finance Committee voted on the structure and feels very strongly that this should be done under the Board of Selectmen. He noted that the Committee has a list of pros and cons with regard to this which Mr. Ballantine submitted. Chairman Hughes said he would agenda this item.

2. Free Cash Projection

Mr. Gould reported that free cash hasn't been submitted as it is not quite ready as some things held it up including allocating the solar revenue to the Water Department. He stated that the auditors will be coming in the week after Thanksgiving and someone is coming in to help him close Munis. He said he is not comfortable coming out with a free cash number for a number of reasons including the fact that he had less than three months to get the books closed as he started on April 6, the way the town operates is considerably different then the town he came from, the individual he will be working with from the Department of Revenue he has never worked with before, and the Department of Revenue is short staffed right now and they are not even looking at free cash

certification so we probably won't be looking at free cash certification until after the first of the year. He stated that he is comfortable with the \$2.5 million figure that Mr. Clark has provided as an estimate but he doesn't want to get into actual calculations at this time. Ms. Cebula requested the calculations be provided but Mr. Gould stressed that he prefers to release the free cash number after it is certified.

3. Strategy for FY 17 Budget and Article Review

Mr. DeCosta reported that the Finance Committee felt strongly about having a Saturday meeting sometime early in the process such as right after the budget is presented by the Town Administrator in the beginning of February and they would like to have every department in. Mr. Larios stressed the importance of structure and discussed having a form for capital expenditures for the departments to work with so when they come in they are prepared. Mr. Clark agreed to work with them on developing the form and Mr. LaMantia agreed to work with them as well. Chairman Hughes asked that they come back with the form before Christmas. Chairman Hughes also asked that this group work on a time schedule for the day.

4. Free Cash Spending – Why spend it all?

Mr. DeCosta said free cash should be allocated for something and if we don't have something to spend it on then put it in the bank for something next year. He added that we have an opportunity this year to try to control spending. Mr. LaMantia suggested that we start to review fees.

5. Joint Budget Review Meetings – Televised

It was agreed that the budget sessions should be televised.

C. Planning Board update on East Harwich Vision Statements

Chairman Hughes stressed that this is not a public hearing but rather a report by the Planning Board and there will be no vote by the Board of Selectmen. Mr. Atkinson, Planning Board Chair, announced that this is the Planning Board's final proposal for the rezoning of the East Harwich commercial district for the Board's consideration and they are seeking direction on how to proceed to the next step prior to any formal public hearing. Ms. Kozar made the attached presentation. Ms. Cebula said she is concerned with the outright rejection of a service station. Mr. LaMantia said there was concern about leakage into the wells with a gas station. The Board took comments from Carole Ridley, Anne Howe, Richard Houston, and Ted Nelson. Ms. Cebula asked if someone could calculate the percentage of land that is currently designated as open space and conservation land by acreage.

OLD BUSINESS

A. Draft Letter to Cape Light Compact – *discussion and possible vote*

Ms. Brown moved to accept this letter as written and sign it and move on. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Proposed Golf fees for 2016 season – *discussion and possible vote*

Mr. Greer reported that the Golf Committee voted to raise the Chatham rate by \$100.00 and they voted in accordance with all the other rates he recommended. Mr. Smith noted that the sentiment with some of the members was that it would bring Chatham more into alignment with Orleans and Eastham. He stated that there was a modest decline in membership from Chatham this year and Mr. Greer commented that he believes that we haven't gotten the word out enough in Chatham. Ms. Cebula noted that they want to include some surcharges and questioned if they want another capital improvement fund. Mr. Smith responded that they do. Ms. Cebula questioned why it can't go into the Golf Improvement Fund we already have and Mr. Smith responded that the fund is specific to improvements on the playability of the golf course. Ms. Cebula asked that they get the language from Town Meeting on that. No vote was taken but the consensus of the Board was to go with Mr. Greer's recommendation to keep Chatham the same as Harwich. Ms. Brown said she believed the Chatham fee should be raised. Chairman Hughes asked them to redo this and bring it back to the Board. Ms. Cebula commented that she was in favor of the surcharges.

B. Recommendation for change of Labor Counsel – *discussion and possible vote*

Chairman Hughes stated the following:

I guess I've known Leo Peloquin now for 5 years maybe since I came back on the Board. I've seen him operate and how he's performed I guess and Chris and I did have a discussion to see if it's time to go see if there's something else out there. His rates are getting pretty high as you can see in the documentation. I will also point out if you haven't noticed Chris, our Town Administrator, has been negotiating our contracts lately and I think he's gotten a better benefit and it's been a smoother process quite frankly. I'll just say when Leo was involved we were having some issues with timely responses, I'll just put it that way with existing counsel so with that Chris why don't you explain, you went out and sought some options.

Mr. Clark stated the following:

Just to elaborate a little bit, there are a few things that Leo is pretty timely on in terms of certain things. Other things that to me are some of the core items he's actually been very slow and sometimes non responsive and that's very very difficult. In general, I think that we could probably do a little bit better. I did look up, he charges \$200 per hour and in the marketplace these are firms that either I have some familiarity with or we have some familiarity with and we went and we met with the 4 firms and under the Charter of the Town this is strictly an appointment of the Board of Selectmen to select the town labor counsel and what we did here, we vetted out the 4 firms that we have some familiarity with. These are the order of preference that we had strictly to give at least some recommendation.

Mr. Clark outlined the recommendation to the Board (attached).

Mr. Clark further stated the following:

I think it is worthwhile to consider making a change. In my experience, you need to have a real solid attorney, one that administration has a lot of faith in and I think Leo was very good in some areas and not so good in others and that's why I think it's important to bring the recommendation forward.

He questioned if the Board would like to meet the firms and stated that he would be comfortable with any of the four firms.

Ms. Brown said she would like to interview Lighthouse as they are a Cape Cod firm and we should support local business.

Chairman Hughes questioned if everyone is on board with changing counsel and the Board all agreed. Ms. Cebula said she is uncomfortable with hiring a one person firm because you have no backup and agreed that if at all possible we should use a local firm. Mr. MacAskill said they should go by Mr. Clark's recommendation as he is the one who has to work with them. Mr. Clark disclosed that he has worked with Feely and Brown for 3 years so he has a much more working knowledge. Mr. MacAskill moved to accept the Town Administrator's recommendation for labor counsel to change to Feely and Brown. Ms. Brown seconded the motion. Chairman Hughes recommended a start date of December 1. The motion carried by a unanimous vote.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary

Good evening:

I'm Matt Hart Chairman of the Saquatucket Development Committee.

On behalf of the Saquatucket Development Committee, I would like to thank the Members of the Board of Selectmen, the Town Administrator and several of the Town Departments for your support during the last year and a half. The amount of professional progress made by the Saquatucket Development Committee in this short period of time will be made obvious to each of you in a few moments with a presentation of the 2015 Saquatucket Landside Preliminary Site Plan.

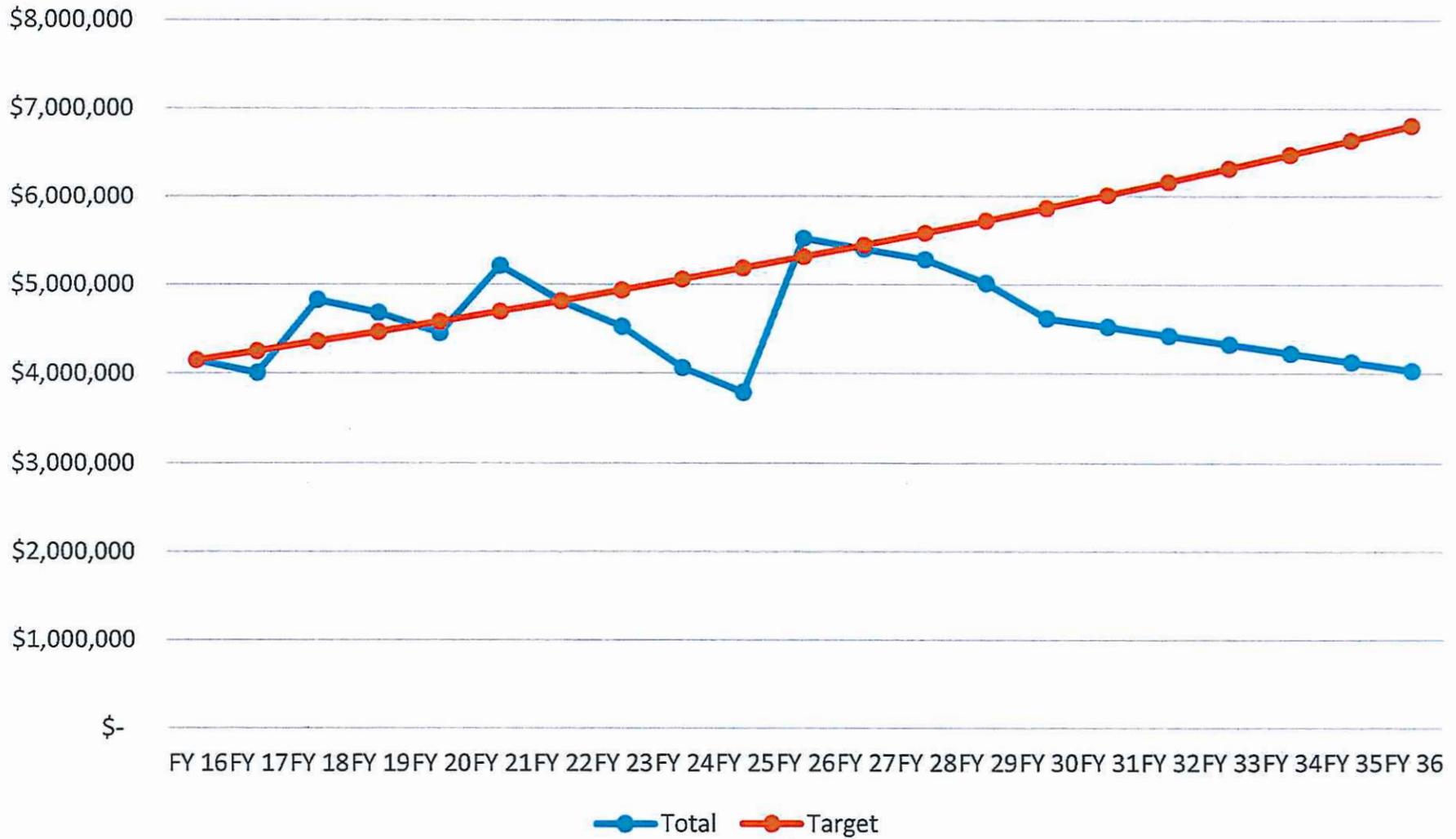
I would also like to express my appreciation to the members of the committee and the individuals from the community that actively participated in each of those 18 or more public meetings, including the meeting last month where the committee gave their unanimous approval for this Saquatucket Landside Preliminary Site Plan.

All of this planning, discussions and progress could not have been accomplished without the active participation and cooperation of the members of this committee, the general public and the individual Town departments for their professional contributions.

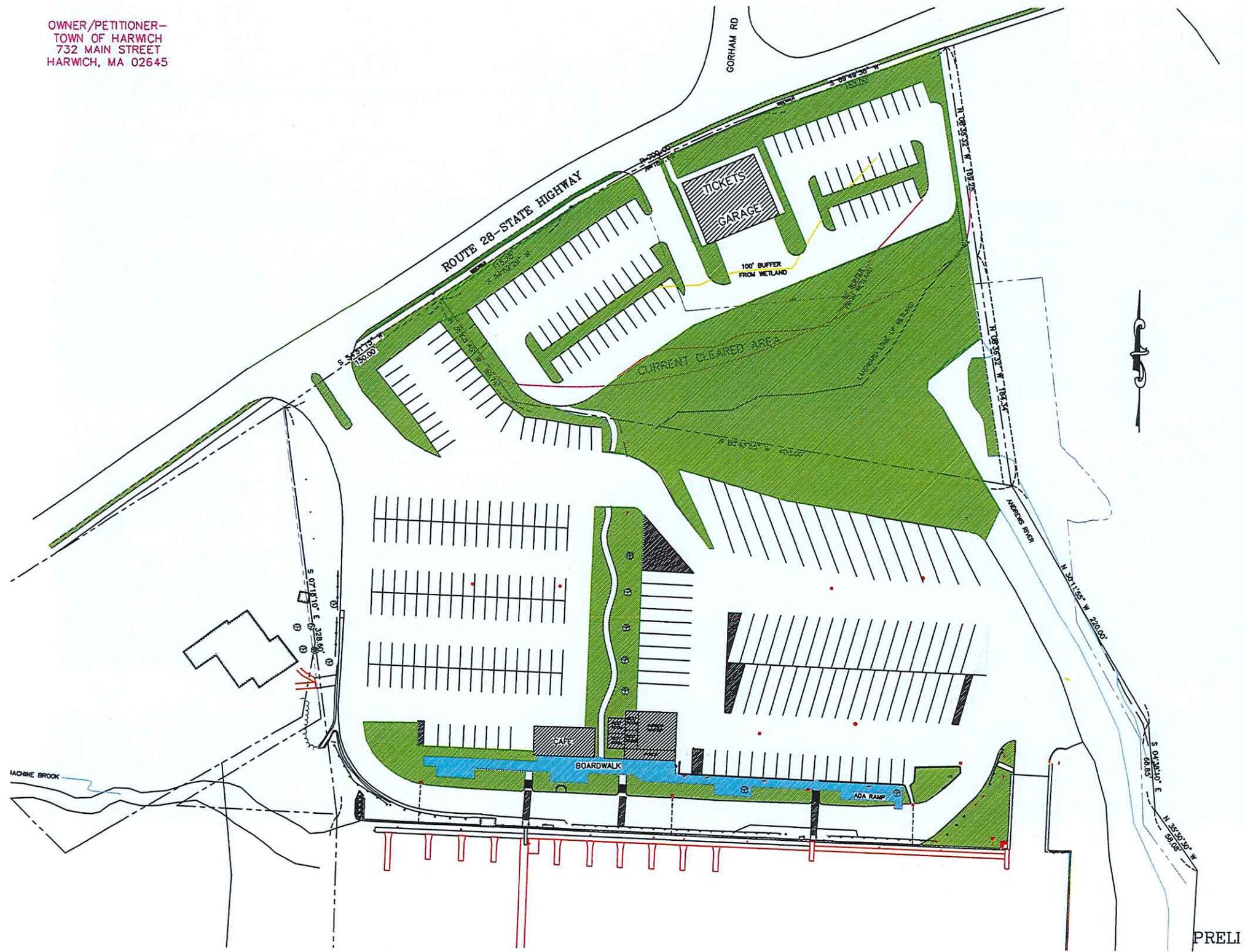
As a result after this evening, the Saquatucket Development Committee will be presenting this Preliminary Site Plan to various Town committees for their comments and approvals as we prepare to go before the public at the next Town Meeting to request the funding for the Engineering Design of the Saquatucket Harbor Landside Complex based on this preliminary plan.

Now, I would like to ask our Harbormaster, John Rendon to present the Saquatucket Landside Preliminary Site Plan. *Thank you!*

Actual and Project vs Target Debt



OWNER/PETITIONER—
TOWN OF HARWICH
732 MAIN STREET
HARWICH, MA 02645



Related Documents - November 16, 2015

- 01 Agenda.pdf
- 02 Minutes Nov 2.pdf
- 03 Finance Dir Job Description.pdf
- 04 Asst Building Inspector.pdf
- 05 Fiber Optic Network.pdf
- 06 Harwich Christmas Tree Ship.pdf
- 07 Annual Meeting - Capital Outlay.pdf
- 08 Annual Meeting - Water Commission.pdf
- 09 Annual Meeting - Library Trustees.pdf
- 10 Free Cash Projection.pdf
- 11 Planning Bd update - E. Harwich.pdf
- 12 Draft Letter to Cape Light Compact.pdf
- 13 Proposed Golf Fee Amendments.pdf
- 14 Labor Counsel.pdf
- 15 Current Labor Costs.pdf