

Board of Selectmen Meeting Minutes
January 24, 2012
Town Hall Annex Meeting Room

Members Present: Chairman Florence Seldin, Timothy Roper, Len Sussman, Sean Summers and David Whitcomb also present Jill Goldsmith, Town Manager.

Chairman Florence Seldin called the meeting to order at 4:02 pm.

I. Minutes

Executive Session of November 8, 2011; Acceptance and Release

MOTION by: Mr. Roper

Seconded: Mr. Sussman

Vote: 5-0-0

January 17, 2012

MOTION by: Mr. Sussman

Seconded: Mr. Roper

Vote: 5-0-0

II. Public Forum

Ms. Seldin announced there was a lawsuit filed by the Conservation Law Foundation and the Buzzards Bay Coalition against the EPA relative to reducing pollution on Cape Cod. The newspaper indicated the lawsuit has been settled. However, there is no information about the settlement. The two groups have agreed to work out a settlement and the court has given them until May, 2012 to make the settlement public.

III. New Business

A. Barnstable County Communication Dispatch Center; Operated by the Barnstable County Sheriff's Office

Sheriff James Cummings, Barnstable County Communication Dispatch Center, provided an overview of the services provided by the Dispatch Center. Currently, the center serves as the 911 PSAP (Public Safety Answering Point) for Chatham.

Mr. Summers asked how the Town would benefit from switching to regional dispatch services from in house to Sheriff's operation.

Sheriff Cummings explained in 2011, there were 2069 calls for incidents; the Sheriff's office charges \$18.50 per call plus a base charge of \$20,000. In 2011, they would have charged the Town \$69,376 to handle fire dispatching.

Chief Ambriscoe explained the system the fire department currently use for dispatching using one of the six firefighters on duty to perform the dispatching duties so the Town wouldn't save the salary per se. However, the Town would save approximately 2,000 hours in overtime

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costs with possible additional savings. He added there is an additional cost for CMED on top of the costs for fire dispatching.

Mr. Sussman asked the Sheriff to address concerns of the possible loss of quality of service (local knowledge).

Peter Thomas, Chief Deputy for Emergency Communications, explained the Regional Dispatch Center provides a higher quality service, using a sophisticated mapping system which provides the dispatchers with detailed location information either from a land line or cell phone. Technology now drives the business instead of local knowledge.

Ms. Seldin stated all 911 calls originating in Chatham are directed to the Barnstable County Dispatch Center then they directed back to the police and fire departments.

Mr. Thomas stated this have been the process for 13-14 years. They forward the calls to the police or fire department but the operators do not disengage from the call. They monitor the call using a mute button in the event that pre-arrival instructions are needed. The Chatham dispatcher would disengage from the call and the 911 center would provide the pre-arrival instructions.

Ms. Seldin stated the recently conducted Regional Dispatch Study indicates 2 or 3 dispatch centers on the Cape. She asked where the Sheriff's operation would fit in the context of these regional dispatch centers.

Sheriff Cummings explained the study mentioned using one location as the primary PSAP for the Cape and seeing the Sheriff's office currently does this for 8-9 towns they would probably continue serving this role.

Mr. Sussman asked if the Sheriff's office has experienced an overload situation.

Sheriff Cummings responded they haven't mostly which can be attributed to the geography of the Cape. During the last hurricane they actually took on the Barnstable Police 911 Services without any trouble. As we move forward dispatch services will get more and more expensive as technology continues to improve.

Mr. Summers asked if the BOS decided they wanted to utilize the Barnstable County Dispatch services how long would the process take.

Sheriff Cummings stated the average time frame is three months. There is one-time cost of approximately \$15,000-\$18,000 for equipment/phone lines.

Mr. Whitcomb asked if the Sheriff's office provides police dispatch.

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Sheriff Cummings stated they have not been asked to conduct dispatching for police departments.

Mr. Summers asked if it would be appropriate to task the Town Manager with quantifying any fiscal savings associated with utilizing this service.

Ms. Goldsmith responded that Chief Ambriscoe has a quote for services to move to regional dispatch contained within his departmental budget as a supplemental funding request for start-up and services.

Ms. Seldin announced no decisions are being made. This is an informational presentation only.

No action was taken by the BOS.

Ms. Seldin asked the BOS to move Item E (Economic Sustainability Committee) down on the agenda in the event there isn't enough time to address it will be placed on a future agenda. By consensus, the item was moved.

B. Land Acquisition Process – Victor DiCristina - Land Bank & Open Space

Mr. DiCristina, Chairman of the Land Bank & Open Space Committee, explained the process the Land Bank and Open Space Committee follows to identify properties that would be beneficial for the Town to preserve as open space and the process to fund the project. This procedure has been followed since Chatham had decided to take part in the Cape Cod Open Space Land Acquisition Program in 1999.

Ms. Seldin wanted to clarify the Conservation Foundation has taken on the Meservey property. If this acquisition does not pass at Town Meeting then the Conservation Foundation would take ownership of this property.

Mr. DiCristina pointed out this is not the first time this procedure of using a placeholder for a property has been used. It came about due to the time sensitive nature of this property.

Ms. Seldin clarified the role of the BOS in this process. According to the legislation that created the Land Bank and Open Space and Community Preservation committees, articles do not have to come to the BOS to be placed on the warrant. The Town has developed a process where these committees come before the BOS to request articles be placed on the warrant and the BOS to vote on each article but there is no requirement for them to do so. The BOS does not have any discretion in terms of expending or appropriating those funds it cannot only be accomplished at Town Meeting.

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Mr. DiCristina stated that is the correct process due to restrictions state has placed on that act. It is solely the responsibility of the Committee to place the articles on the warrant.

Ms. Seldin reiterated the BOS does not vote until they are presented with an article by the Committee.

Ms. Seldin referenced minutes of 11/1/2011 to explain why the BOS met in Executive Session. She read the Executive Session minutes of 11/8/2011. Ms. Seldin stated the BOS does not have any application from the Land Bank Committee or CPC. Application from the Land Bank Committee was submitted to CPC last night. CPC did not vote.

Mr. Roper asked the total cost of the 18 properties the Land Bank and Open Space Committee has acquired.

Mr. DiCristina stated the total purchase price of the properties (which excludes the Meservey property) is \$16,867,812. Of that amount, over \$8 million bonded that is being paid on until 2020. Private funds: over \$1 million; grant money from the state over \$500,000.

Mr. Summers wanted to clarify the BOS did not vote to support this project. The BOS feels the people should be able to weigh in on this measure.

Ms. Seldin asked if the building will be knocked down prior to the Town Meeting.

Mr. Jack Farrell, Vice Chairman, Land Bank and Open Space Committee, stated the Foundation, as owner of the property, has final decision as to what to do with the property. The Foundation has had serious discussion as to what to do with the property prior to Town Meeting. They have not made a final decision at this time.

Mr. Summers stated it is unfair to take the property down prior to the townspeople having the opportunity to vote at Town Meeting. It is a more genuine process letting the people decide the issue before the building is taken down.

Elaine Gibbs, expressed concerned there was no appraisal of the property and that it hasn't been before FinCom. She wanted to address the process as it pertains to the taxpayer. Minutes and agendas for a number of committees are not posted on the website. Although the law does not require posting to the website she asked the BOS to require all minutes and agendas be placed on the Town website and that minutes are posted in a timely manner.

Ms. Seldin stated agendas must be posted 48 hours in advance and posted in the Public Entry at Town Hall. The BOS has encouraged committees to post agendas/minutes to the Town website. Minutes are not posted on the website until they are approved by the Committee.

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Ms. Goldsmith explained the new program being implemented through the Town Clerk's office which will require the person posting the meeting to upload an agenda. Training has taken place over the last three weeks. This is a method of electronic posting is approved by the Attorney General's office.

Ms. Seldin reiterated the process of the potential acquisition of the Meservey property and that it requires a vote at Town Meeting.

No action was taken by the BOS

C. Shellfish Rules and Regulations Temporary Rule Change – Renee Gagne

MOTION by: Mr. Whitcomb effective immediately to suspend Section 403 (D) for the remainder of the 2011-2012 Scallop Season, thus allowing the commercial harvesting of scallops on Sundays.

Seconded: Mr. Summers

Vote: 5-0-0

D. Proposed Town Meeting Warrant: Amendment to the Pleasant Bay Resource Management Plan - Pleasant Bay Alliance, Carole Ridley

Carole Ridley, Coordinator for the Pleasant Bay Alliance, gave a power point presentation on improving dredging within the Area of Critical Environmental Concern. Improvement dredging has been prohibited since 1987 ACEC designation unless previously permitted.

The Alliance is proposing to change Chapter regulations with respect to the prohibition. This would require an amendment to the Pleasant Bay Alliance Resource Management Plan. The amendment would demonstrate to the State that this is an issue the affected communities have thought through and support. A proposed article has been submitted to consider the amendment at the Annual Town Meeting.

Warrant articles are being submitted in all four towns.

Ms. Seldin asked if all four towns have to approve the amendment for it to move forward.

Ms. Ridley stated the amendment would require the support of all four towns. They haven't met much opposition.

Mr. Whitcomb asked if the limitations highlighted in the proposed amendment will do what we need to do in the future.

Ted Keon, Director of Coastal Resources, particularly because the ACEC is a statewide issue other members of the Alliance and the State didn't want this to be an open door to create

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new changes to an ACEC by significantly altering the traditional channels. It didn't take much discussion for the State to recognize the unique situation here. They wanted to try to help us and have been working to help word the amendment properly.

Ms. Seldin stated the Shellfish Advisory Committee supports this but requested precautions be taken and they be notified before specific permit applications.

Mr. Keon responded they do that as normal permitting process.

Mr. Whitcomb asked Ms. Ridley to notify the BOS should they face any reluctance from other members of the Alliance so they could explain Chatham's position.

No action was taken by the BOS

E. Economic Sustainability (Development) Committee; Establish Advisory Committee and Set Mission/Charge (Continued to 1/31/12)

F. FY2013 Budget Discussion

Ms. Seldin reminded the BOS she will place this topic on the agenda each week.

Questions should continue to be emailed to Ms. Goldsmith and she will respond in writing and include it in the packet for the BOS to review.

Members of the BOS asked a series of questions on specific items within the proposed budget. Responses will be provided in writing and addressed at future BOS meetings. *It was noted that budget busters continue to grow and although the budget is not level funded the Town is operating within Proposition 2 ½.* (amended 1/31/12)

Mrs. Avellar stated she feels both the Town Manager and the Harwich Town Administrator be involved in the school negotiations.

Ms. Goldsmith clarified there is only one seat at the table so both cannot attend. This is an issue determined by law.

G. Administrative Order – Reorganization

Ms. Goldsmith explained the role of the BOS with regard to Reorganization. The BOS has the ability to adopt it sooner than thirty days or to veto the administrative order. If the BOS has concerns they should provide notification on the record.

Ms. Seldin stated according to Charter the Town Manager has right to reorganize and the BOS can accept or reject. She suggested voting on this at the next meeting.

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No action was taken by the BOS.

H. Committee Appointments – SWAT

MOTION by: Mr. Roper to appoint Paulette Fehlig to the Solid Waste Advisory Task Force until the committee's work is completed or until a successor is appointed.

Seconded: Mr. Sussman

Vote: 5-0-0

MOTION by: Mr. Roper to appoint Edwin K. Whittaker to the Solid Waste Advisory Task Force until the committee's work is completed or until a successor is appointed.

Seconded: Mr. Sussman

Vote: 5-0-0

MOTION by: Mr. Roper to appoint Ira Seldin to the Solid Waste Advisory Task Force until the committee's work is completed or until a successor is appointed.

Seconded: Mr. Whitcomb

Vote: 4-0-1 (Ms. Seldin abstained)

MOTION by: Mr. Roper to appoint Luther Bates to the Solid Waste Advisory Task Force until the committee's work is completed or until a successor is appointed.

Seconded: Mr. Sussman

Vote: 5-0-0

MOTION by: Mr. Roper to appoint Darren Saletta to the Solid Waste Advisory Task Force until the committee's work is completed or until a successor is appointed.

Seconded: Mr. Summers

Vote: 5-0-0

Mr. Roper welcomed the addition of Mr. Bates and Saletta as first time volunteers.

Ms. Seldin urge Paulette to convene meeting.

I. Sign Presidential Primary Election Warrant

MOTION by: Mr. Sussman to sign the Presidential Primary Election Warrant.

Seconded: Mr. Whitcomb

Vote: 5-0-0

J. Committee Update – Public Ceremonies Committee; Independence Day Parade, volunteers, committee membership - (Brad Schiff, Chairman)

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Brad Schiff, Chairman of the Public Ceremonies Committee, stated he is committed to following the direction of the BOS with regard to posting agendas and minutes. The Public Ceremonies Committee plans Memorial Day, Veterans Day and 4th of July parades.

The theme for the 4th of July parade will be Chatham Through the Years: A Living History which will tie into the 300th celebration. All parade entrants will be in sequential chronological order. The Committee is asking participants to theme their entry either in year the organization started or something representative of Chatham from all centuries.

The Committee will be making the application available on the Public Ceremonies Committee page on the Town website. Want entrants to have as much time to prepare. They will be set up email address for communication. They want to encourage input on how to improve festivities, suggestions for Grand Marshall, etc.

The Public Ceremonies Committee is committed to communication, improvement and innovation every year.

K. Town Manager's Report

Ms. Goldsmith provided an overview of a meeting with she had with Chris Clark. He asked to waive his right to a public hearing. He has agreed to certain conditions to impose on his licenses. On or before March 1, there will be no salvage or recycling vehicles located in the front of his property (Class III operations). He has agreed to have no more than ten vehicles for sale or active repair in the front of his property (Class II operations). By Spring, 2012 he will plant shrubs along Rt. 28 and will maintain a current Bond surety as required with a Class II license.

MOTION by: Mr. Whitcomb to approve Class II and Class III license with conditions until January 1, 2013

Seconded: Mr. Sussman

Vote: 5-0-0

L. Q and A – Postponed to 1/31/2012 BOS Meeting

I. Other Business:

MOTION by: Mr. Whitcomb to adjourn.

Seconded by: Mr. Sussman

Vote: 5-0-0

Meeting adjourned at 7:00 pm.

Respectfully submitted