

**Minutes  
Board of Selectmen  
October 25, 2011  
Town Hall Annex Meeting Room**

Attending: Florence Seldin, Chairman; Len Sussman, Vice Chairman; Tim Roper, Clerk; Sean Summers; David Whitcomb. Also attending: Jill Goldsmith, Town Manager; Ted Keon, Director of Coastal Resources; Dr. Robert Duncanson, Director of Health and Environment; William Redfield, Acting Director of DPW.

The meeting was called to order at approx. 4:00 p.m.

**I. Minutes**

October 18, 2011

Mr. Sussman made an amendment to page 6 of the minutes changing "his goals" to the "the goals/priorities." Ms. Seldin made an amendment to page 6 of the minutes, changing "the last" meeting of the School Building Committee to "the previous." Ms. Seldin also inserted the word "after."

Motion: by Len Sussman to approve as amended.

Second: by Tim Roper.

**Vote: 5-0**

**II. Public Forum**

Dr. Robert Duncanson, Director of Health & Environment, introduced the Town's part-time Health Inspector, Emily Beebe. Ms. Beebe announced a drug take-back program sponsored by the Chatham Police Dept. on Oct. 29. She said that would be held at the Police Dept. from 10 a.m. to 2 p.m. The program targets unused/unwanted prescription drugs and aims to keep them out of the ground water either from being flushed or thrown out in the trash. Prescriptions for animals will be taken as well. She announced a flu vaccination clinic would be held on November 2, 2011 at the Community Center from 10 a.m. to noon. No appointments are necessary. A "Drop and Swap" will be held at the Transfer Station on Saturday, Oct. 29, 2012.

**III. New Business**

**A. Permission to sell balloons (2012) – St. Martin's Lodge**

The Lodge requests permission to continue selling balloons at the Friday night band concert and at the July 4 parade for 2012.

Motion: by Len Sussman to approve the request.

Second: by David Whitcomb.

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**Vote: 5-0**

- B. Acceptance of Gift – Financial gift from Chatham Art of Charity  
Sue Winkfield, Recreation Programmer, said the Art of Charity gave Chatham Youth programs a gift of \$2200 for programs for pre-k to 5<sup>th</sup> grade. She said the money would be used for art program expenses.

Sharon Powell, Youth Service Coordinator, said the Middle School programs aimed at grades 5-8 received \$2500 from the Art of Charity. The money would be used for art program expenses.

Motion: by Tim Roper to accept the donation.

Second: by David Whitcomb.

**Vote: 5-0**

- C. Shellfish Advisory Committee Appointment (Continued from 10/18/11)  
Ms. Seldin said she and Mr. Roper interviewed 4 applicants to the Shellfish Advisory Committee.

Motion: by Mr. Roper to appoint Jamie Bassett to the Shellfish Advisory Committee until June 30, 2014 unless sooner revoked or a successor is appointed.

Second: by Mr. Sussman.

**Vote: 5-0**

Ms. Seldin said those interviewed but not selected would remain in the Talent Bank Pool for future consideration.

- D. Committee Reviews/Update  
Dean Ervin, Chairman of the South Coastal Harbor Planning Committee, appeared before the Board to give a summary of the year's activities. He said the Committee had not been engaged in any enforcement issues but had been involved in five matters over the past year. These were beach erosion along Nantucket Sound, eelgrass regeneration, Town Landing Master Plan, moorings and, dredging.

The Chatham southern beaches will continue to erode. Consultant engineering company has recommended a plan to nourish Chatham's western beaches.

Committee members have met with representatives from the Cape Cod National Seashore and the Center for Coastal Studies in Provincetown regarding eelgrass replenishment. Committee members learned a great deal about the consequences of eelgrass depletion and the complexity of the issue.

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The Town Landing Master Plan was created and submitted to the Board in January of 2011 to address maintenance issue at the landings.

The Committee worked with the Harbormaster's office on proposed new mooring fields for the commercial fleet and on the use of elastic moorings, which are kinder to eelgrass beds.

The Committee reviewed dredging projects to ensure that the dredging projects do not adversely impact the area.

Ms. Seldin asked if any priorities had been established from the Town Landing Master Plans. Mr. Ervin said they had not.

Bob Hamblet, Chairman of the Waterways Advisory Committee, spoke on the highlights of the Committee's work for the year. He said the Committee spent several meetings discussing proposed changes to the float layout at Old Mill Boatyard. He said the Coast Guard surf and rescue boats had problems and unsuccessful attempts were made to gain additional local resources until repairs to the surf boats were made. Fish Pier parking and the land swap with CBI is supported by the Waterways Committee. The Committee has spent a lot of time discussing proposed restrictions at Ryder's Cove particularly during the commercial bass season.

The Committee was asked to review mooring fees. The Committee recommended an increase to mooring fees in 2010 with the condition that the Committee have a say in how funds were spent. The Committee did not hear back from the Board on that proposal and fees were not increased.

Mr. Hamblet said the Committee was asked by the Board to examine possible changes to the infrastructure at Ryder's Cove landing with the aim to improve access and parking. Mr. Hamblet said the Committee does not feel qualified to make recommendations on redesigning the landing layout. The Committee recommends that the Town hire an engineer or landscaping company propose possible redesigns for the parcel that could include both expanded parking and use as a park.

Two members of the Pleasant Bay Alliance recently attended a Committee meeting to discuss the shoaling caused by the new break. If the shoaling continues, dredging would be needed but dredging is prohibited in an area of critical concern. The PBA suggested that the state would not make an exception even if navigation was impacted. However, PBA said a variance may be possible if the four towns were on board. This was being pursued as a preventive measure.

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Mr. Whitcomb thanked Mr. Hamblet for the report and said many of these items would have to be taken up by the Board.

Mr. Roper said he recalled that an increase in mooring fees was opposed by the commercial fleet. He said they were going to look at having two fee schedules – commercial and pleasure craft. Mr. Hamblet said he recalled the idea of two fee schedules was approved by Town Counsel but opposed by the Harbormaster. Ms. Seldin said this would have to go back on the agenda to move forward.

Mr. Roper asked about dredging. Mr. Keon said that if no dredging had ever been done in an area, the state prohibited any future dredging. He said the Alliance was proposing a procedure that the towns' should follow if the shoaling continued.

**The Board took no action.**

E. Waterways Advisory Committee - Recommendations for possible changes at the Ryder's Cove and Crows Pond Landings

Mr. Hamblet said he wrote a letter to the board on Aug. 25, 2011 making four recommendations to the Board. He said the intent was to see if the Board agreed with the recommendations.

The first recommendation was the reinstatement of the Town Landing officer position particularly for Ryder's Cove during commercial bass season. The officer had in the past also attended the other landings as was able. The fees from the ramp use could be used to help support a landing officer.

The fish buying trucks at the Cove added to the parking/traffic issues because sellers who launched at other landings came to the Cove to sell their catch. He said the Committee recommends that the selling of finfish be restricted to Town residents, mooring permit holders, and ramp permit holders. He said the Committee also said the buying trucks could be restricted in number and permitted. Mr. Roper said he has visited the Cove at several times and he said it was a complex issue. He said it was hard to imagine reigning in the free market atmosphere. Mr. Hamblet said the number of trucks coming in added to the traffic and parking issues.

Mr. Summers said that discussions on this keep coming up because the area just simply is not adequate for the amount of business going on at the Cove. He said there are two factions in the public – one to expand the facility and the other to keep it small and restricted. He sees the difficulty in enforcing permitted selling.

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Mr. Sussman said the ultimate goal is traffic control on land and water. He said the infrastructure at the Cove does need to be addressed but that incremental steps should be taken to work toward the ultimate goal. He said maybe the Town Landing officer could be the first step.

Mr. Roper noted that the ramp fee and permit restriction did cut down on the number of trailers parked along Old Comers and Rte. 28.

Mr. Summers asked how enforcement of the proposed permitting would be done. Mr. Keon said that the plan has not been fleshed out. Some discussion has been had with the Harbormaster about the water side enforcement. Mr. Keon said the buyers would have to be worked with so that they only buy from those who are qualified to sell. That happens at the Fish Pier so it is doable. Ms. Seldin asked what the Committee wanted from the Board. Mr. Keon said that the Committee wanted direction from the Board before going forward with any of the proposals.

Mr. Sussman said he would support reinstating the Town Landing officer as the next incremental step. Mr. Roper said he would require more information before recommending any of the proposals, especially as one item affects others. He agreed with Mr. Sussman about the reinstatement of the landing officer.

Mr. Keon agreed that incremental steps would be the way to go. He said that it was a lot better at the Cove than in previous years since the implementation of the ramp permit. He said the issue with buying and selling was new this year and complicated the situation even though there had been improvement. Mr. Whitcomb agreed with reinstating the landing officer but said that was not going to solve all the problems. He said the broader issues would need to be looked at further.

Mr. Keon said the commercial bass season lasts until the quota is filled which could be about 20 days on average. He said the quota may decrease for the coming year.

Ms. Seldin said the Board needed to vote on the reinstatement of the landing officer and to give the Committee direction on whether or not to pursue the permitting recommendation. Mr. Sussman said the Board needed to decide between limiting the activity at the Cove or pursuing changes to the infrastructure that would accommodate the volume that exists. Mr. Summers said that the use of the ramp has evolved and the infrastructure has not expanded to accommodate the new uses.

Mr. Keon said two haul out proposals had been defeated and one proposal for parking was defeated at Town Meeting. He said someone with a bigger vision was needed to rethink and redesign the landing area and the unused parcel to accommodate the

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volume and include park and trail space. Mr. Whitcomb pointed out that Ryder's Cove is the only Town landing to which the Town owns adjacent land.

Ms. Seldin clarified that the Board was asking the Committee to resurrect the plan to expand the infrastructure at Ryder's Cove. Mr. Keon said the only existing plan was defeated at Town meeting. He said he would report back to the Board on how much it would cost to hire a new consultant to come up with a new plan for the area. Ms. Seldin said the Board would support hiring a new part-time Town Land Officer for the coming season.

Mr. Hamblet said the Committee recommends limiting parking at Crows Pond landing during the commercial bass season but that the Board did not act on the issue at this time. Mr. Hamblet said the existing non-resident parking spaces at Ryder's Cove should be converted to resident only parking during commercial bass season. The Traffic Study Committee thought the logistics of this would be complicated.

Mr. Keon cautioned the Board that he foresaw an increase in shellfishing issues at the Cove as that fishery has seen improvement in the area.

Norma Avellar, South Chatham, commented on the number of trailers parked along Old Comers Road and the amount of time a boat is tied up as the owner walks back and forth to get the trailer.

F. Bridge Street Permit Parking Discussion/Update

Ted Keon gave the Board an update of the last three years of this parking plan/permit use. The revenue from the program can only be estimated by looking at the sales from the Harbormaster's office and the citations from non-permitted cars. The total was about \$10,000. He said the program has been working as intended. The police have not had sizeable complaints about congestion in the Old Village area.

Mr. Summers said the revenue generation is nominal. The issue is the limitation of the infrastructure. Lighthouse Beach is renowned but parking limited to ½ hour or walk from somewhere else or get a ticket for parking on Bridge Street. He said the larger problem is making the resources we have more accessible and welcoming. He said the permitting programs restrict parking and make it more difficult. He said if we further limit access to the water then people may stop coming and that will effect restaurants and shops, as well.

Mr. Roper suggested that there is an opportunity for someone to start an additional shuttle service.

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Motion: by Mr. Whitcomb to continue the paid parking program along Bridge Street.  
Second: by Mr. Sussman.

**Vote: 4-1, Mr. Summers dissenting.**

G. Town Manager's Report

Ms. Goldsmith reported that she had spoken to MassDOT regarding the Mitchell River Bridge. She said MassDOT is committed to replacing the bridge within the confines of the Accelerated Bridge Program. An MOA would be in place by December. She reviewed the permitting and timetable.

Ms. Goldsmith said a workshop would be held on Saturday, Nov. 5 on the Fire Station design.

Mr. Sussman asked if the Board could be given a relation of the cost of an ambulance run to the revenue generated by the ambulance for the month of September. Mr. Roper asked for clarification on a few points in the Department Head Report.

**The Board took no action.**

**IV. Other Business**

Ms. Goldsmith noted that a grant opportunity was available through the Cape Cod Commission for the Route 28 Visioning project. She asked the Board to approve a letter accepting the grant.

Motion: by David Whitcomb to approve the letter to Cape Cod Commission.

Second: by Sean Summers.

**Vote: 5-0**

**Water & Sewer Commission Agenda**

H. Public Hearing: Missed Shut-Off Appointments and Update

The fees proposed for a missed turn off/turn on appoints is \$35 for one and \$125 for multiple missed appointments. Mr. Redfield said this was an attempt to keep the department running efficiently. He said a member of the Water Dept. and a representative on the property owner must be present to witness and verify that the water has been turned off or on.

He said the fee for the service of turning on and off the water service is \$35. This covers the time in setting up the appointment the paperwork and the actual time of going out to the property. He said they are having more and more missed appointments by the property owner representative. The Dept. would like to begin charging the account when an appointment is missed to cover the time in rescheduling and changes to paperwork.

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Mr. Summers questioned the three week notification time line. He asked if there was a reminder call the day before. Mr. Redfield said no reminder call is made.

The Water and Sewer Advisory Committee did vote on and approved the proposal. He added that the fee would not be assessed if notice was given in advance that a change in schedule was needed.

Mr. Roper asked if emergency situations are accommodated. Mr. Redfield said that if the request is for an off hour turn off/on the fee was higher but every effort is made to accommodate the needs of the customer.

Ms. Seldin asked if the regulations would be changed and Mr. Redfield said the rates could be changed independently of the rules and regulations. Mr. Roper asked if this can be done online. Mr. Redfield said that could be looked at.

Mr. Summers asked how people would be informed about the fee and what the cancellation policy would be. Mr. Redfield said the customers would be informed that if they missed an appointment with less than 24 hours' notice, they would be charged \$35.

Motion: by David Whitcomb that the Board adopts the Chatham Water Dept. fees for missed appointments beginning Jan. 1, 2012.

Second: by Len Sussman.

**Vote: 5-0.**

- I. Director's Report: Please refer to the written report included in Monthly Town Manager/Department Head Report  
Mr. Redfield clarified that the water revenues are down because of a delay in the release of the latest billings.

DEP reports that the Town has stayed below the 75 galloon per person per day goal set be the Selectmen over 10 years ago. He said consumption is at 59 gallons per person per day which is even below the DEP's target of 65 gallons per person per day. He updated the Board on two sidewalk projects that are ongoing.

**The Board took no action.**

- J. Wastewater Project Update  
Dr. Robert Duncanson, Director of Health & Environment, presented the Board with the Oct. 18, 2011 project update. He provided a contract by contract update.  
Contract one at the plant itself. Landscaping was almost complete and the infiltration beds were nearing completion. Site work is near completion. Sludge dewatering building

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and current operations building roofs were being replaced. He reviewed the status of various buildings and building components. Project remains on time and on budget.

Dr. Duncanson clarified the USDA funding use vs. state SRF funding use.

Ms. Seldin asked for a description of the change orders. Dr. Duncanson said there was a variety involving everything from pipe size to the type of solar panels used.

Pump Stations (Contract 2) are nearing completion. The work is down to punch list items. The work on the stations will finish up near the end of the calendar year.

Contract 4 – side roads - was completed in the spring. Work on Barn Hill Road is not related to the sewer project.

Contract 3 is the work on Rte. 28. Construction held off to after Columbus Day. Contractor is moving very quickly. That contract is on time and may not need the previously approved extension. Final paving should be done in late March – April 2012.

Dr. Duncanson said extending to 12 hour days has made a difference and the weather has co-operated.

Ms. Seldin asked about the police detail fees and Dr. Duncanson said those fees have been twice what was budgeted. He said money would be moved between line items to cover those overages. Mr. Summers asked if flaggers could be used. Dr. Duncanson said in the long run Police officers would be less expensive. Mr. Roper said he has heard time and again that there are too many police officers on details. Dr. Duncanson directed the question to the Police Dept. as they are the ones who determine where and how many officers are assigned. Mr. Summers asked if Ch. Pawlina could appear at a future meeting to explain why so many officers are needed in some locations.

**The Board took no action.**

Motion: by David Whitcomb to adjourn.

Second: by Len Sussman.

**Vote: 5-0**

Meeting adjourned at approx. 6:43 p.m.

Respectfully submitted by Shanna Nealy.