

APPROVED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
Wednesday, March 24, 2021
6:30 P.M.**

RELEASED

SELECTMEN PARTICIPATING: Larry Ballantine, Stephen Ford, Donald Howell, Michael MacAskill, Edward McManus.

ALSO PARTICIPATING: Town Administrator Joseph Powers

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained that he first called the meeting to order at 6:00 pm for Executive Session, where they discussed two items. The first was a contract with Harwich Employees Association and they moved to approve. The second was a with respect to collective bargaining strategies for the next fiscal year, and this discussion will continue.

WEEKLY BRIEFING

A. COVID-19 Updates

Ms. Kathleen O'Neill, Health Director, expressed her gratitude for the Board approving her promotion. She said that the department has transitioned smoothly, especially with the assistance of Ms. Jennifer Clarke, Executive Assistant, and the guidance and support of Mr. Powers and Ms. Eldredge.

Ms. O'Neill provided the update to the COVID-19 cases in Harwich. As of today, there have been a total of 606 cases of COVID-19 in the Town of Harwich, and they are following 18 active cases. The positivity rate has increased to 3.06%, which has moved them back into the yellow category. Ms. O'Neill said that many changes have occurred since the Board last met. This past Monday, it was announced the people 60 years or older, and certain workers will now be able to receive the vaccine. This includes, but is not limited to; restaurant and food workers, medical supply chain workers, transit and transportation workers, public works, water, wastewater, or utility

workers, sanitation workers, public health workers, court system workers, funeral directors and funeral workers. She said that Barnstable County has been holding several clinics a week, in addition to off Cape vaccination sites. Individuals can sign up at VaxFinder.mass.gov, and look for appointments and pre-registration is highly recommended. Also, she said that they are still supplying a list to Cape Cod Health Care, for individuals that are 65 plus and do not have internet, or have trouble navigating the sites. These individuals can be put on the list by calling Health Department or the Council on Aging.

Ms. O'Neill said that Monday, was also the day they moved into Phase IV, Step 1. This includes the opening of larger facilities, and gathering limits have changed for public venues, which is now allowing for 100 people indoors, 150 outdoors, and dance floors can re-open. Events held in private homes are still limited to 10 indoors, and 25 outdoors. The travel order has been changed to an advisory; and no longer applies to individuals that have been fully vaccinated. She said that testing is still available through Cape Cod Healthcare and Outer Cape Health. Ms. O'Neill said the last thing is that Barnstable County has officially confirmed the first case of the Brazilian P1 variant on the Cape. She said that they still do not know the impact of the various variants on the vaccine, so it is still important to continue to wear masks, maintain social distancing, and have good hand hygiene.

Mr. Ballantine said that he received a question about the Community Center not being open on the weekends. Ms. O'Neill said that they have to follow very strict hygiene protocols, and unfortunately, it cannot be maintained on the weekends at this point.

Mr. Powers said that Ms. Carey is more than happy to discuss that with anyone, and she can work through the schedule with anyone. They have been impacted, but are still open for business.

B. Update on ongoing efforts by the Town in support of the business community

Ms. Cyndi Williams, Executive Director, Harwich Chamber of Commerce, said that there are no new updates tonight, but she will have some announcements next week.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Mr. McManus announced that next Monday and Tuesday, from 10:00 am to 4:00 pm, at the Harwich Police Department, the Cape Cod Hospital Blood Donor Room is doing a blood drive. He said that the blood levels they have are very low, and it would be good for anyone to show up for the two-day drive. People need to make an appointment and can do that by calling the Blood Donor Room at Cape Cod Hospital.
- B. Mr. MacAskill said he just wanted to clarify from their public hearings last Monday, that there were two documents in the packet, one said a report from the Noise Committee and the other said Presentation by the Noise Committee. He wanted to clarify that they were not vetted by the Board of Selectmen or the Noise Committee. It was from one member of the Noise Committee and one person's opinion. He said that it was not vetted or discussed.

CONSENT AGENDA

- A. Discussion and possible vote to approve a Caleb Chase request in the amount of \$1,000
- B. Discussion and possible vote to support the nomination of Jennifer Harrington as Animal Inspector
- C. Discussion and possible vote to accept a gift from Paul B. Manning of \$250,000 to support the Saquatucket Harbor to Harwich Port Sidewalk design

Mr. MacAskill moved to approve items A through C, as listed above. Seconded by Mr. McManus.

Mr. Ford said that he wanted to thank Mr. Manning for the contribution to the Town and this project. He said that the project is moving along, and on a much more accelerated basis. He explained that Mr. Manning has lived in Harwich during the summers for a long time, and his family has been part of this community for a long time. Mr. Ford said that Mr. Manning has clearly has shown his love for this Town and they greatly appreciate what he has done. Mr. Ford said that it will make a great contribution for Harwich, to get this project done.

Mr. Howell said that he also wanted to thank Mr. Manning. However, he has often said that nothing significant should happen in the Consent Agenda, and \$250,000 seems significant to him. He said things like that should be under New Business in the future.

Mr. McManus said he would like to make sure that after they take action, they also should follow up with a letter to Mr. Manning.

Mr. MacAskill also echoed Mr. Ford's statements and thanked Mr. Manning and said that his contribution is really going to push this project along.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ford - Aye, Mr. McManus - Aye. Mr. Ballantine - Aye. Motion carried by unanimous vote.

NEW BUSINESS

A. Discussion and possible vote – potential lease extension for 374 Main Street Bog

Mr. Howell said he had asked for this to be on the agenda, and he is extremely frustrated. He said that in December, he passed along the desire for the Conservation Commission to take action on this, and again a few weeks ago. He said that the lease was signed by the Board of Selectmen. This is the last leased bog that they have, and he does not want to see the pump house go out, and not be able to use it again. He explained that he brought this up because the current tenant would have to start removing equipment immediately, in order to make the deadline for this. He saw it on the agenda at Conservation Commission, but, said that is irrelevant to him. Mr. Howell made a motion to extend the lease by one year; so that they can have a coherent discussion and all parties will know what they are doing. Seconded by Mr. MacAskill.

Mr. Ballantine asked if they have the power to do that, the way the Town Meeting vote is, and the way the lease is written? Mr. Howell said that it is their lease, and they had signed it.

Mr. MacAskill said if it was challenged, they could take it up at any time. However, they are asking someone that has had this bog and counting on this bog, to be told to get out just as cranberry growing season is beginning, would

be unfair. He agrees with Mr. Howell and is not concerned with what the Conservation Commission comes up with at this point. He said too much time has gone by and the individual there now has been looking at creating educational elements to the bog. He thinks a year will give them the time to be able to spend some time with some real public input. He also agrees that it is there lease, and they can extend the lease.

Ms. Amy Usowski, Conservation Agent, said her first comment is not on behalf of the Conservation Commission, and that one year to her is not a big deal. She would like to say that the Conservation Commission had a meeting with Mr. Leo Cakounes last year, and they have been having 4 - 5 hour meetings, with 15 hearing per meeting. She had received Mr. Howell's request and said she would put it on, as soon as they could, and have it on for next week. She said they are interested and it is important to them. She said that the Chairman and commissioners were also on the line and there is not pre-conceived notion that they would not potentially re-lease the bogs or property. Ms. Usowski said that they can do whatever they are legally entitled to do, but she just wanted to make that known.

Mr. Howell said that it is not just one instance that has made him angry, this is action by inaction and it has been happening a lot. This was brought up back during the Commission's annual meeting back in December and it was not a suggestion, but something that was a desire of the Board of Selectmen. This has happened over and over again. He is giving a year by extending the lease, but they have to understand that they need to work with the town, it is not a freestanding committee. Unless they have concerns that they should bring to their attention, they signed the lease. He was on the Board when the lease was first signed in early 2000's.

Mr. Powers said that he reviewed the lease agreement and said that there is no language prohibiting or expressing the extension of the lease, nor any references to specific statute. Therefore, generally speaking, it is a lease agreement and can be executed by the Board of Selectmen. He said that it is the Board's authority to do so, and he does not see any reason that the Board not to take a positive action on the motion.

Mr. McManus said he does not have any problem with extending the lease for a year, but if they are going to renew this lease, it seems there should be some process of putting it out for a request for proposal. He explained that for

timing purposes and the ability to put a crop in for anyone new coming in, the request for proposal would have to go out much earlier in the year.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

- B. Discussion and possible vote to appoint the Town Administrator as a voting member of Cape Cod Municipal Health Group (CCMHG)

Mr. MacAskill moved to appoint the Town Administrator as a voting member of Cape Cod Municipal Health Group (CCMHG). Seconded by Mr. Howell.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

- C. Discussion and possible vote to authorize the Chair to sign the Memorandum of Agreement between Harwich Council on Aging and the Social Security Administration

Mr. MacAskill moved to authorize the Chair to sign the Memorandum of Agreement between Harwich Council on Aging and the Social Security Administration. Seconded by Mr. Howell.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

- D. Discussion and possible vote to approve Board of Selectmen Meeting Minutes

1. June 17, 2019
2. June 24, 2019
3. October 15, 2019

Mr. MacAskill moved to approve the approve Board of Selectmen Meeting Minutes for June 17, 2019, June 24, 2019 and October 15, 2019. Seconded by Mr. Howell.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

E. Discussion and possible vote – 2021 Seasonal All Alcohol Liquor license renewals

1. 30 Earle Road LLC DBA The Commodore Inn – 30 Earle Road
2. Wychmere Harbor Functions LP DBA Wychmere Harbor Beach and Tennis – 23 Snow Inn Road
3. Pleasant Bay Group Inc. DBA Wequassett Inn – 173 Route 28
4. Lucky Labrador Inc. DBA Perks – 545 Route 28

Mr. MacAskill asked Mr. Powers if any of the people on the list above, are there any hearings or violations that the Board should know about. Mr. Powers said there are no hearings or violations, that they are aware of.

Mr. MacAskill moved to approve the 2021 Seasonal All Alcohol Liquor license renewals for items 1 through 4, as listed above, with the understanding that any and all previous conditions that were associated with them are also being brought forward. Seconded by Mr. McManus.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

F. Discussion and possible vote – 2021 Seasonal Wine and Malt Liquor license renewals.

1. AJG Corp. DBA The Weatherdeck Restaurant – 168 Route 28

Mr. MacAskill moved to approve the 2021 Seasonal Wine and Malt Liquor license renewals for AJG Corporation, DBA The Weatherdeck Restaurant - 168 Route 28, with the understanding that any and all previous conditions that were associated with them are also being brought forward. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

OLD BUSINESS

A. Discussion and possible vote – FY22 Monomoy Regional School District budget.

Mr. Powers said that they had Dr. Scott Carpenter, Superintendent, Ms. Tina Games, School Committee Chair, Mr. Michael MacMillan, Business Manager, and Mr. Terry Russell, Harwich representative on the school committee. He said that he will turn it over to Dr. Carpenter for his update on the FY22 proposed budget. Mr. Powers noted that he had made reference to this last week, and this conversation precedes the full conversation on the warrant which has numbers that may not synch up.

Ms. Games began and said that they will see the budget that was approved by the School Committee on March 11th, and she had been there last week with just a few adjustments they had. She said that this is the School Committee budget at this point; and they are all there to answer any questions.

Dr. Carpenter said that one thing they are really proud of, in terms of school district and the two towns, is the incredible work that the teachers have done throughout the pandemic. He said that their teachers have been leading the way on what it takes to move forward. They were the first district on the Cape, to open their doors and see students every day, five days a week for Elementary and Middle Schools. The High School was rotated, with in person two days, and home the other days to keep class sizes down. There has been tremendous work behind the scene with a really dedicated teaching staff. Dr. Carpenter said that they do not really know what the long term effects of COVID-19 are going to be, and there is some acknowledgement of that and how they planned in this budget. He said that they hope to be transitioning towards a new normal, but they do not know if there will be some COVID residual challenges for them.

Dr. Carpenter said that one challenge they have seen as a district, and also Cape-wide, is the decline of school age children, though they are seeing this greater in Chatham. This ultimately shifts the minimum required contribution, calculated by the State, towards Harwich. They have been in conversations with both towns and how to go about the assessment portion of the budget. He said that there is also an overall reduction in staffing, which is reflective of the changing enrollment. Overall this budget maintains all existing services and programs.

Mr. MacMillan said that they developed the budget in line with the districts mission statements, and to support the district's strategic plan objectives. They also have an objective to keep class size averages at 18 plus/minus one, at the Elementary, at a 19 plus/minus two, at the middle and high schools. He

said that the budget is budget driven, they tried to make it as transparent as possible. He said that they have built this budget recognizing the financial environment of both towns. Mr. MacMillan said that there are still some assumptions, and as they move through the year, the numbers get firmed up. He explained that enrollment has always been a bit of a wild card, especially with COVID this year, but they are expecting to return to previous trends. He said that they are not changing services at the lower grade level, but reduced staffing, and they have preliminary state funding for both towns, and health insurance rates are now set and reflected.

Mr. MacMillan shared a screen showing the student trends. He said that this not only shows the enrollment drop, but also the make-up of their students, and how that compares to the State averages, regarding students of disabilities, English learners, and the economically disadvantaged. He shared the enrollment trend for each school, and said that they have met their district goals of maintaining class sizes and programs across the district. Mr. MacMillan shared the budget and said it is a \$300,000 increase from last year, which is less than a 1% increase. Though, that does mean it will only be less than 1% for Harwich. He said that they have worked hard, considering the ongoing impacts of the pandemic. They are still pursuing the strategic objectives for the district, and to meet the needs of the students. Some of the priorities have been identified by the Principals and Directors, and many of the items listed, have been able to be funded through reductions elsewhere, or a savings which they have identified. To highlight a couple; they retained an additional full-time nurse, which was added this year, they added math interventionist for the High School, a reading specialist for the Middle School, and added a math assistant position at Chatham Elementary School.

Mr. MacMillan said that unfortunately, not all requests, by Principals and Directors, were able to be met including; updating textbooks, increasing a speech and language position, a team chair, and a special education teacher at the High School. He said he would highlight some specific parts of the budget. The out-of-district expenditures, which is when they are not able to provide education inside the district; such as, those with special education needs, and they pay other schools, outside the district, to provide. He said that they did see an increase from FY20 into FY21, and they are expecting a small increase into FY22. They do receive funding from the State for this, and that funding did increase for next year. So, that will help reduce the budget. The next one is school choice, that has not come down much since 2018, and they are taking a conservative approach again this year. Another part is the

employee health insurance, and they are part of the Cape Cod Municipal Health Group. He said that they have set their rates to an increase of 2 - 3%, but there will be a reduction with a premium holiday for FY22, which has helped in getting the budget as low as possible. He reviewed some other drivers to the budget, which included, custodial supplies and services, which has seen an increase due to the demands of COVID-19, substitutes, heating and utilities. There will be a small increase in capital expenditure this year, for two-parts; facilities and technology. Technology is just ongoing leases on equipment, and a few facilities projects such as replacing phone systems.

He explained how they get to this budget and said that with school choice, they pay out about \$1.2 million, to those leaving the district, but get in a little over \$1.4 million, to those coming into the district, for FY22. He said that also, circuit breaker, which is the funding in relations to special education costs, which has increased, and then IDEA, Title 1, and Early Child Integration Grant, those are all grants that supplement the budget allowing them to do additional services. He said that *Make Way for Kids*, was a program at Harwich, which is no longer running, so the fees from that are no longer offsetting the budget, but they also do not have the expenditure from it. Also, the Athletic Revolving Account, with COVID limiting attendance at games, they are not able to rely on that for next year. Mr. MacMillan showed a comparison to other districts, which was based on FY19 data, but it has changed so much in the past couple of years. He said that a take away is that they are around the middle, the smaller you get, the higher your per-pupil costs get.

Mr. MacMillan said that for the budget, \$41.5 million, and the way the assessment works is first they reduce the fund by general fund revenue, and state aid. Then what is left they split up between the two towns. The general fund revenue consists of Chapter 70 funds, transportation, charter school reimbursement, excess and deficiencies, and some other items. All of these things combine and help reduce the budget. He explained that when the State is calculating their funding for the year, one of the things they calculate is the minimum local contribution each town is required to pay. This is important because it factors in how the assessment is calculated. Both towns saw a reduction in their foundation enrollment, for budget years FY21 into FY22. The Chatham required minimum contribution went down, while Harwich's went up, and that is really about percentages. The chart shows that Chatham had a much bigger reduction in percentage, which is about an \$89,000 increase for Harwich, and close to \$300,000 decrease for Chatham.

They have the budget at \$41,562,234, which is a \$300,000 increase from FY21, an increase of .7% and it is offset by general fund revenue and state aid. The biggest of that is \$3,850,274 from the State, which is an increase from last year, Excess and Deficiency is now \$800,00, a small decrease from last year. Overall it is an increase of \$133,496. So there was a budget increase of \$300,000 but an offset of \$133,496, so, the net effect on the total assessment is \$166,000. Then we get into the process of spreading the costs between the two towns. He said that the first thing that happens, according to the regional agreement, is that each town is assessed the local minimum contribution, which again shows a small increase for Harwich, but a bigger decrease for Chatham. That has an impact on Harwich because once you take those funds and put them aside, everything else is split up based on the three average of the foundation enrollment. He explained that this creates an increase for Harwich of \$597,947. Transportation is down slightly, because the aid has gone up, to help. Capital and Stabilization has gone up slightly, and Debt has gone down, as they paid off the last of the short term borrowing. Therefore, the net effects of all of these bring Harwich to an increase of \$541,000, just over 2%, and decrease to Chatham of just over 4%. Mr. MacMillan also explained that they are receiving grants to help offset towards the minimum contribution, they are receiving \$650,000 from the federal grant and Harwich can choose to use up to \$89,000 of that grant to count towards that assessment.

Mr. MacMillan overviewed an assessment alternative, with taking out the costs for the local minimum contribution, and each school's costs, then splitting the remaining costs, as they have been doing. He also explained that these figures have not been in front of the school committee yet.

Dr. Carpenter explained that he had been asked at previous school committee meetings about compiling historical data for the Harwich and Chatham assessments. They put together a table that looks at what the school spending looked like for both schools, for FY07 through FY22. He said that what you can see is that the assessment for Chatham has negligibly changed since FY07, where in Harwich, there has been a substantial increase. Dr. Carpenter moved on to the next slide and explained, as Mr. MacMillan had said, that enrollment is driving a lot of this. On the next slide, he provided a timeline of when regionalization happened. He said that FY11, is when Harwich and Chatham had a special town meeting on December 6, 2010, to vote to form Monomoy Regional. In FY12 is when they started to transition, because the district was starting to operate as a regional school district. Though they were still

operating as two high schools, two middle schools, two elementary schools. Dr. Carpenter said that he came on board in FY13 to fully bring the district together, and become fully regionalized by FY14, with one high school, one middle school, and two elementary schools. He said that both schools have really benefited from regionalizing. The financial piece, but also the programs and opportunities for the students they have been able to offer as Monomoy. Dr. Carpenter wrapped up with the last two slides, which showed the apples to apples changes after regionalization for both towns.

Mr. Ballantine thanked them.

Mr. MacAskill asked, from their original budget presentation, he would like to know what the number and/or percentage that they had for the health insurance increase? He also thanked them for the presentation and the deductions that they presented in their budget. Mr. MacAskill said that he would also like to know what the current percentage is that they have with the health insurance increases and the dollar amount. The other number he is looking for is the balance for the E&D account, minus the \$800,000 they are using.

Mr. MacMillan said it was about an 8-10% increase, but he would have to look for the number, but right now it is at a decrease. He said that E&D was certified by the State, at \$2.1 million, so if you take out the \$800,000, it would be \$1.3million. He said that the E&D is a little complicated, because it fluctuates throughout the year.

Mr. MacAskill said that the increase they had projected was around \$500,000, 10% increase, and the actual decrease is around \$400,000, 7% decrease. With a difference of about \$500,000. He would like to know where that money went. Mr. MacMillan said he is thinking of an earlier version of the budget, but it has received multiple deductions to the budget from the health insurance.

Mr. MacAskill said he had something for Ms. Games and Dr. Carpenter. He said, in looking at this year, with the pandemic, and the position the Town is in, and services they are not able to fill, he would like to know what the thought was to move forward now with buying the \$500,000 this year, versus waiting till next year when they are out of the pandemic.

Dr. Carpenter said that the ELA curriculum is something that has been a strategic priority for the school district, for the last couple of years. They only pulled it out of the current fiscal year because of the pandemic setting. Therefore, there was a budget reduction due to that going into Town Meeting. He said that they have reassessed where they are, and the number of ways that COVID has helped their budget; with staffing savings, early retirement savings, and no athletics. He said that they sat down with the school committee about implementing the ELA curriculum for this year, because they are at a point that they seem to be emerging from this pandemic, and able to launch this strategic initiative.

Mr. MacAskill said that he understood where they were getting the money. He said that in his mind, this year, with the budget crisis, they should have used that money to reduce the budget, as well as any other saving, that they could have found. He said that they pulled \$250,000 out of their police department, and he can't say enough about some of the pain the departments have felt, and things that the town will go without. He just does not think it was the wisest decision at this time. He applauds them for working with them and trying to change the elementary school structure. However, that is not happening this year, and he does not see Chatham being able to pay the difference this year. They may need to go to the State for some support.

Mr. MacMillan also added that some of the costs for the ELA curriculum have been paid this year. Therefore, even if they did not do it, it would not impact next years' budget, as much as outlined.

Mr. Russell said that he just wanted to respond to Mr. MacAskill, regarding the ELA program. He said that they have about 1,800 kids in their district from K-12, and half of those kids are in K-5. They have often said, that they only have one good shot in each grade, there is no fill in the blanks, and his thought as a member of the committee, is that it did face a critical need. He said that they had about 600,000 in requests, wants, and needs from the staff and they voted to hold them off. They do not have stellar reading or math scores. They invested in a math program for K-8, and they are looking for those scores to improve. They have not invested in a K-5. He said that it is a critical need to not waste another year, especially after this year, and what the youngsters may have increased or decreased, in the area of reading. He said that it is an investment and there were seven of other that voted yes, and he respectfully suggests that it was a good decision.

Mr. MacAskill thanked him and his strong stance. He said that they do not need to bog down the decision process on this. He said that he would like to have a conversation with the school committee and Dr. Carpenter, about why the budget is going up, and what the plan is going forward with families that can't afford to live there.

Mr. Ballantine asked about the slide on the Alternative Assessment Method, and if that is a proposal that they are looking to possibly bringing to fall meeting, to help address the elementary school issues?

Dr. Carpenter said that it is. He said, as Superintendent, he made a public recommendation, and felt that it would be far more equitable, if they sought a revision that allowed each town to pay for its own elementary school. He thinks they have unanimous support to move that forward and hopes that they will support it, and that Chatham will support it too. He thinks it is in everyone's best interest, and would take pressure off of Harwich. He said that they could see about lining this up for a special town meeting. It would have to be sent to the Department of Education, and there is not time before Spring Town Meeting, to get the Boards to agree to something. He is worried about timeliness.

Ms. Games asked if there are some steps that they can take to create more dialogue. She said that herself, as the Chairman of the School Committee and Mr. Ballantine, as Chair, could try and work with Chatham to bring them together. She said that there are some steps that they could take.

Mr. Ballantine said he appreciated that, and said that he has met with Chatham to start some of those conversations. They will continue and bring it back to the Boards.

Mr. McManus said that he was on the Board when they created the district, and one important factor for Chatham, was that they are able to maintain their elementary school in the town. If they want to maintain the school, they need to also take responsibility for that decision.

Mr. Howell said that he appreciated the efforts of the school committee, but the fact of the matter is, Chatham's numbers are trending down. He said that something has to be done. He said that this was precisely what he was worried about and it is an evolving problem. The overall problem, is that Harwich is bearing an increasing foundational responsibility to run a school system that

is essentially ours, and Chatham residents are guests in it. The increases Harwich has been experiencing, is becoming unmanageable, and there needs to be a deadline to discuss this. Also, it is not just the elementary school; that is just the first part of the conversation.

Mr. Ballantine said that he would like to bring back the discussion with Dr. Carpenter.

Ms. Games said she would like to bring up the fleeing families. She said that Mr. MacAskill is correct, this is a much larger conversation. It goes beyond the schools, but also housing and job opportunities, as well. She said that this is a bigger conversation and she would just like to put it on their radar and be a part of it.

Mr. Russell said that the last five minute conversation is key. He thinks that it would be the right next step to have the towns meet, with the Town Administrator's, Chairman's, and Superintendent, to get a sense of what the Chatham board may support about paying the costs for their own elementary school. He thinks they would be positive about it, but it should be a formal meeting.

Mr. Ballantine said their meeting was short to get the ball rolling, but they are trying to address it. He also asked Mr. Powers about the agenda item below, for the vote. Mr. Powers said it was to simply give the Board a mechanism to react if Dr. Carpenter was prepared to have a definitive proposal. It is his understanding that they have the budget documents, but they do not have the materials in the packet. He was not sure if they would want to use the mechanism this evening.

Mr. Ballantine said it was a good presentation but he does not see that there is anything to vote on, and they will bring it back.

Mr. Powers said that it would be his intent to follow up on the meeting they had with their counterparts in Chatham and Dr. Carpenter and Mr. MacMillan and others, and come back soon with a discussion point on that. The timing of this tonight was for the Board to hear specifically on the FY22 budget, as they are about to enter into all of the articles on the warrant.

Mr. MacAskill said he thought it would be more appropriate to vote on it, once there are under the warrant discussion.

B. Discussion and possible vote to approve – Monomoy Regional School District Regional Assessment

This was not further discussed, at this time.

C. Discussion and possible vote – on all Articles in the draft Warrant for 2021 Annual Town Meeting;

1. Vote to place Articles on Warrant
2. Vote to withdraw Articles from draft Warrant
3. Recommendation votes including, but not limited to, vote to recommend, accept and adopt or any other action

Mr. Powers said that they have in front of them a draft warrant and he would request as they move through them and some appropriate motions they should make would be, if an article is intended to continue on then a motion should be made to place the article into the final warrant. If there is an article that the Board wishes to not continue on with, he would ask that a motion to withdraw an article from the draft warrant be made. He said then, if they decided to place it on the warrant then if they wanted to do a second motion with some type of recommendation, which traditionally, in the past, has been a motion to accept and adopt the article as printed.

He said that in the packet, there is a memo that updates the latest revisions of the warrant, the warrant itself, an index spreadsheet. There is also specific budget information, which the Finance Director can review, and a proposed budget article, regarding a granting of a permanent easement, which he will be asking the Board to consider inserting that into the final warrant and numbering.

He showed the memorandum that is in the packet, and explained that there are three late articles that are for review by counsel. They capital articles for the Water Department and Capital projects and he said that he inadvertently forgot to include them. Then you get to the draft article itself, and he briefly overviewed what is found in the packet.

1. Mr. MacAskill made a motion to move Article 1, to choose various Town Officers and Committees, into the final Warrant. Seconded by Mr. McManus.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 1, to choose various Town Officers and Committees. Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

2. Mr. MacAskill made a motion to move Article 2, to hear reports of all Town Officers and Committees for the year 2020, into the final Warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 2, to hear reports of all Town Officers and Committees for the year 2020. Seconded by Mr. Howell.

Roll Call Vote: Mr. Ballantine - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye. Motion carried by unanimous vote.

3. Mr. MacAskill made a motion to move Article 3, to see if the Town will vote the salaries of the Elected Officials of the Town for fiscal year commencing July 1, 2021 and ending June 30, 2022, with an estimated cost of \$128,503.00, into the final Warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 3, for elected officials salaries in the amount of \$128,503.00. Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

4. Mr. MacAskill requested confirmation on the numbers. Ms. Carol Coppola, Finance Director, referred to a memo, dated March 23, 2021, which had was not included in the packet, but provided a review of the changes, which included, consideration of the board to restore two police officers, with their salary, wages, and fees; to fund the longevity of the youth director, to reduce cemetery travel line item, to make the reduction for Monomoy Regional School District, and they just received last week, the county assessment with an increase of 6.1% and Cape Cod Commission Assessment with an increase of 5.5%. This is a total overall reduction for budget in this section is \$138,716.

Ms. Coppola said they also just received information from Mass Clean Water Trust in regards to the finance schedule for Phase 2 Contract 2. That financing schedule will be delayed until decisions are made with regard to the short term rental portion of funds that go into the special fund for wastewater on the County level. So, they have decided to delay financing and that has a budget impact. They also just heard from the town of Chatham, she had requested that they wait until after July 1st, to bill for the pump station and they have agreed. That also affects the budget because those funds were going to have to be borrowed in this fiscal year. She said that these are significant numbers that just came about and gives a budget reduction for excluded debt of \$1,032,144. It is not money to be able to spend but it does reduce the amount that would be raised in tax levy, which was reduced to 2.4%.

Mr. MacAskill asked if Ms. Coppola could confirm that the number of \$39,027,463.00, is the number that is all in, including the changes. He also expressed his support of the two police positions and that he was planning to amend this motion to include this. He explained why this is important due to the fact that they have two officers out and the two vacant positions, it can take a year to get new officers on the road, and they could end up effecting the overtime number drastically, and it would be more responsible for the board to support this. He also said that the rest of the changes make sense to him and he fully supports the budget with the changes Ms. Coppola had presented.

Mr. MacAskill made a motion to move Article 4, the Town Operating Budget with an estimated cost of \$39,027,463.00, as presented, into the final warrant. Seconded by Mr. McManus.

Roll Call Vote: Mr. Howell - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 4, Town Operating Budget with an estimated cost of \$39,027,463.00. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

5. Mr. MacAskill asked to confirm that the number listed is correct. Ms. Coppola confirmed that it is correct, but stated that they did not include Governor's draft budget that would reduce the assessment by \$89,000 because it was a draft.

Mr. MacAskill made a motion to move Article 5, for the Monomoy Regional School District budget, with an estimated cost of \$27,361,049.00, into the final Warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 5, for the Monomoy Regional School District budget, with an estimated cost of \$27,361,049.00. Seconded by Mr. McManus.

Mr. MacAskill said that he appreciates their attempt at reducing the budget, he still disagrees with some of it, but he will be supporting this budget.

Mr. Howell said that he also appreciated their efforts, however, it is not a long term solution and the message he wanted to share with their colleagues in Chatham, is that he is begrudgingly agreeing to this but a permanent solution needs to be found.

Mr. Ballantine said they all agreed on this and it needs to be done quickly. Mr. McManus also agreed but also thinks it is important that all of the members of the board reach out to help getting an agreement.

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

6. Mr. MacAskill made a motion to move Article 6, the Cape Cod Regional Technical High School District budget, with an estimated cost of \$1,536,309.00, into the final Warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 6, Cape Cod Regional Technical High School District budget, with an estimated cost of \$1,536,309.00. Seconded by Mr. McManus.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye. Motion carried by unanimous vote.

7. Mr. MacAskill made a motion to move Article 7, the Water Department Operating Budget, with an estimated cost of \$4,223,405.00, into the final Warrant. Seconded by Mr. McManus

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 7, Water Department Operating Budget, with an estimated cost of \$4,223,405.00 Seconded by Mr. McManus.

Roll Call Vote: Mr. Howell - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

8. Mr. MacAskill made a motion to move Article 8, Wastewater Department Operating Budget, with an estimated cost of \$515,331.00, into the final Warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 8, Wastewater Department Operating Budget, with an estimated cost of \$515,331.00. Seconded by Mr. McManus.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

9. Mr. MacAskill made a motion to move Article 9, Public Education and Government, PEG Access and Cable Related Fund for public access, with an estimated cost of \$150,994.00, into the final Warrant.. Seconded by Mr. McManus.

Mr. MacAskill noted that this is actually paid by Comcast, for Channel 18.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 9, Public Education and Government, PEG Access and Cable Related Fund for public access, with an estimated cost of \$150,994.00. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

10. Mr. MacAskill made a motion to move Article 10, for lease purchase agreements, into the final Warrant.. Seconded by Mr. Mc. Manus.

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 10, lease purchase agreements Seconded by Mr. McManus

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

11. Mr. MacAskill made a motion to move Article 11, to adopt the Capital Plan, into the final Warrant.. Seconded by Mr. Mc. Manus.

Mr. Powers made note that the explanation makes a reference to a future article, #33, which is an error. He will make the change.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 11 to adopt the Capital Plan, as amended. Seconded by Mr. McManus

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

12. Mr. MacAskill made a motion to move Article 12, capital items funded from free cash, for items under \$50,000, which is for the Police Department digital fingerprint machine of \$18,000, into the final Warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 12, capital items funded from free cash, for items under \$50,000, which is for the Police Department digital fingerprint machine of \$18,000. Seconded by Mr. Howell

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

13. Mr. MacAskill made a motion to move Article 13, Funds for support of ADA-compliant sidewalks through Harwich Center with an estimated cost of \$50,000.00, into the final Warrant.. Seconded by Mr. Mc. Manus.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 13, Funds for support of ADA-compliant sidewalks through Harwich Center, with an estimated cost of \$50,000.00. Seconded by Mr. McManus

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

- 14.Mr. MacAskill made a motion to move Article 14, Sidewalks from Saquatucket Harbor to Harwich Port, with an estimated cost of \$200,000.00, into the final Warrant. Seconded by Mr. Mc. Manus.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 14, Sidewalks from Saquatucket Harbor to Harwich Port, with an estimated cost of \$200,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

- 15.Mr. MacAskill made a motion to move Article 15, Funds for the MS4 Mandated Stormwater Permitting and Management Program, with an estimated cost of \$200,000.00, into the final Warrant.. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 15, Funds for the MS4 Mandated Stormwater Permitting and Management Program, with an estimated cost of \$200,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. MacAskill - Aye, Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

- 16.Mr. MacAskill made a motion to move Article 16, Brooks Free Library roof replacement, with an estimated cost of \$148,500.00, into the final Warrant. Seconded by Mr. McManus

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 16, Brooks Free Library roof replacement, with an estimated cost of \$148,500.00. Seconded by Mr. McManus

Roll Call Vote: Mr. Ballantine - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. McManus - Aye. Motion carried by unanimous vote.

17. Mr. MacAskill made a motion to withdraw Article 17, Funds for roof repairs at 5 Bells Neck Road Estimated cost: \$50,000.00. from the final Warrant.. Seconded by Mr. Howell, for discussion.

Mr. MacAskill provided an explanation for the withdrawal and said that they are selling the building to put money into something they will be selling does not make sense.

Mr. Powers said that this is in there if article 44 allowing for the sale is not adopted, up to that dollar amount would be needed to secure the roof. The effort is to first engage in the sale of this, but this is needed in the background in case something went wrong. He will abide by any action of this board.

Mr. Howell said it is out of sequence and Mr. Ballantine agreed and said this should at least be dependent on Article 44. Mr. McManus said he thinks they should have this available.

Mr. MacAskill said he does not mind stating a new motion, however, regardless of the sale, he believes putting \$50,000 in a building that has been vacant for 30 years is a waste of tax payers money. Rather than debate this, they can change the language or bring it back re-sequenced and have a further conversation next Monday before they vote to sign the final.

Mr. Ballantine agreed, they should bring it back.

Mr. MacAskill removed his motion, Mr. removed his second.

18.Mr. MacAskill made a motion to move Article 18, Public safety radios, with an estimated cost of \$223,204.00, into the final Warrant.. Seconded by Mr. Howell

Roll Call Vote: Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 18, Public safety radios, with an estimated cost of \$223,204.00. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye, Mr. MacAskill - Aye. Motion carried by unanimous vote.

19.Mr. MacAskill made a motion to move Article 19, Purchase of a combination Pumper/Ladder Fire Truck, with an estimated cost of \$1,138,000.00, into the final Warrant. Seconded by Mr. McManus.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 19, Purchase of a combination Pumper/Ladder Fire Truck, with an estimated cost of \$1,138,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

20.Mr. MacAskill made a motion to move Article 20, Fund the FY 2022 Road Maintenance Program, with an estimated cost of \$700,000.00, into the final Warrant.. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 20, Fund the FY 2022 Road Maintenance Program, with an estimated cost of \$700,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

21. Mr. MacAskill made a motion to move Article 21, Purchase and Equip Vehicles for the Department of Public Works, with an estimated cost of \$460,000.00, into the final Warrant. Seconded by Mr. Howell

Mr. Powers made note of a Scribner's error on the explanation, to add "or equivalent" to Front-End Loader on the chart.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 21, Purchase and Equip Vehicles for the Department of Public Works, with an estimated cost of \$460,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

22. Mr. MacAskill made a motion to move Article 22, Public, Education & Government (PEG) Access and Cable Related Fund for Hearing Room & Studio Improvements, with an estimated cost of \$99,254.00, into the final Warrant. Seconded by Mr. Howell

Mr. Ballentine restated, that this is being paid by Comcast.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 22, Public, Education & Government (PEG) Access and Cable Related Fund for Hearing Room & Studio Improvements, with an estimated cost of \$99,254.00. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

23. Mr. MacAskill made a motion to move Article 23, Land acquisitions for the protection of well head and water supply, with an estimated cost of \$175,000, into the final Warrant.. Seconded by Mr. McManus.

Mr. MacAskill noted that this is coming out of the Water Enterprise retained earnings.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 23, Land acquisitions for the protection of well head and water supply, with an estimated cost of \$175,000. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

24. Mr. MacAskill made a motion to move Article 24, new source exploration for Town water supply, with an estimated cost of \$250,000, into the final Warrant.. Seconded by Mr. Howell

Mr. MacAskill noted that this is coming out of the Water Enterprise retained earnings.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 24, new source exploration for Town water supply, with an estimated cost of \$250,000. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

25. Mr. MacAskill made a motion to move Article 25, Route 28 Water Main Replacement Design with an estimated cost of \$500,000.00, to be paid for by Water Enterprise retained earnings., into the final Warrant.. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 25, Route 28 Water Main Replacement Design with an estimated cost of \$500,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

26. Mr. MacAskill made a motion to move Article 26, Station 8 Generator, with an estimated cost of \$50,0000 into the final Warrant. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill said as a quick explanation this is also a water enterprise article and it is the Water Department is seeking funds to replace a 2005 Generac generator located at Station 8 which provides back-up power to Well #8 and the corrosion control facility on Bat Road. It is related to our water supply.

Mr. MacAskill moved that they accept and adopt Article 26, Station 8 Generator, with an estimated cost of \$50,0000. Seconded by Mr. Howell

Roll Call Vote: Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

27. Mr. MacAskill made a motion to move Article 27, appropriate sums of money from the FY2022 estimated annual revenues of the Community Preservation Act in the amount of \$161,171, in each bucket, plus \$25,000 for operating expenses, in the final warrant. Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 27, appropriate sums of money from the FY2022 estimated annual revenues of the Community Preservation Act in the amount of \$161,171, in each bucket, plus \$25,000 for operating expenses. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

28. Mr. MacAskill made a motion to move Article 28, fund land bank debt service with an estimated cost of \$223,050 into the final Warrant. Seconded by Mr. Mc. Manus

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 28, fund land bank debt service with an estimated cost of \$223,050. Seconded by Mr. Howell

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

29. Mr. MacAskill made a motion to move Article 29, Community Preservation activities under \$50,000 in the estimated about of \$127,066, into the final Warrant. Seconded by Mr. Mc, Manus

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 29, Community Preservation activities under \$50,000 in the estimated about of \$127,066. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

30. Mr. MacAskill made a motion to move Article 30, East Harwich Methodist Church Cemetery Gravestone Project, with an estimated Cost of \$112,200.00, into the final Warrant. Seconded by Mr. McManus

Roll Call Vote: Mr. Howell - Abstained, due to conflict of interest, Mr. McManus - Aye, MacAskill - Aye, Mr. Ballantine - Aye. Motion carried with a vote of 3-0-1.

Mr. MacAskill moved that they accept and adopt, Article 30, East Harwich Methodist Church Cemetery Gravestone Project, with an estimated Cost of \$112,200.00. Seconded by Mr. McManus

Roll Call Vote: Mr. McManus - Aye, MacAskill - Aye, Mr. Howell - Abstained, due to conflict of interest, Mr. Ballantine - Aye. Motion carried with a vote of 3-0-1.

31. Mr. MacAskill made a motion to move Article 31, Brooks Academy Structural Improvement Projects, with an estimated cost of \$1,150,000.00, into the final Warrant. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt Article 31, Brooks Academy Structural Improvement Projects, with an estimated cost of \$1,150,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Motion carried by unanimous vote.

32. Mr. MacAskill made a motion to move Article 32, Fund a Part-Time Housing Coordinator, with an estimated cost of \$50,000.00, into the final Warrant. Seconded by Mr. McManus.

Mr. MacAskill said that they are going from \$30,000 to \$50,000 with still a part time position... and he would like an update on this. They are still stuck with a major housing need and no one to call and he does not think this is going to be part of this position. He thinks they will need to know what this person is going to do.

Mr. Ballantine said they will need to bring this back.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 32, Fund a Part-Time Housing Coordinator, with an estimated cost of \$50,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

33. Mr. MacAskill made a motion to move Article 33, Hinckley's Pond Watershed Preservation Project with an estimated cost of \$360,000.00, into the final Warrant.. Seconded by Mr. Howell

Mr. MacAskill said in the body of the article itself it says; land located on Headwaters Drive and identified as Assessor's Parcel 81-G1. He said in the description it goes on to say all of the other lots, why wouldn't the article itself, list all of the other lots? Also, it says under the care with the care, custody and control of said parcel to be held by the Conservation Commission, he said that they had voted that it would stay under the custody of the Board of Selectmen, at the very least the access to the water.

Mr. powers said that this was reviewed by Counsel so that he could present to the Community preservation committee. He asked them to hold off on this one, so that he can vet those questions with Counsel.

Mr. Howell also added that Mr. Powers should point out to Counsel that they had voted and that is there desire, they did not want Conservation Commission to have control, they may be designated as the point person, but not in control automatically.

Mr. MacAskill removed his motion. Mr. Howell removed his second.

34. Mr. MacAskill made a motion to move Article 34, Harwich Natural Heritage Trail Project, with an estimated cost of \$150,000.00, into the final Warrant.. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 34, Harwich Natural Heritage Trail Project, with an estimated cost of \$150,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

35. Mr. MacAskill made a motion to move Article 35, Brooks Park Lighting Project, with an estimated cost of \$125,000.00, into the final Warrant. Seconded by Mr. Howell

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 35, Brooks Park Lighting Project, with an estimated cost of \$125,000.00. Seconded by Mr. Howell

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

36. Mr. MacAskill made a motion to move Article 36, Sand Pond Revitalization Project with an estimated cost of \$83,500.00, into the final Warrant. Seconded by Mr. Howell

Mr. Ballantine said that this is a CPC article, so it needs to say on, however, he is not going to support this. He has difficulties with the money on this location.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they recommend that they indefinitely postpone Article 36, the Sand Pond Revitalization Project with an estimated cost of \$83,500.00. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

37.Mr. MacAskill made a motion to move Article 37, Amend The Code of The Town Of Harwich Charter to Amend Chapter 9, Section 6, related to the capital plan, into the final Warrant. Seconded by Mr. Howell

Mr. Howell said this is their second chance for a first impression and they need to lock in the relative years on the plan. That was the major intent on the motion to provide a planning tool, for us and the tax payers.

Mr. Powers said that soon after Town meeting is adjourned, he will be working with the departments and committees to develop a 5-year capital plan a 5-year CPC plan and to resume an overall concept of a 5-year financial projection plan. The capital outlay committee understands the intent of this article and supports it. He also said if you look at the last line before explanation, technically this is a request from the Town Administrator and he apologized that he has not formally presented this in front of the board for their action, and he would accept any edits. And to follow what Mr. Howell said, this is the intent going forward.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 37, Amend The Code of The Town Of Harwich Charter to Amend Chapter 9, Section 6, Seconded by Mr. Howell.

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

38.Mr. MacAskill made a motion to move to withdraw Article 38, Amend Zoning Bylaw - §325-42 Design Requirements, Subsection L, from the final Warrant. Seconded by Mr. Howell.

Mr. MacAskill explained that he does not believe that this year has been a fair year for the public being involved in meetings and thinks that they should spend more time to educate on this and bring it back next year.

Roll Call Vote: Mr. Howell - Abstained, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by a vote of 3-0-1, with Mr. Howell abstaining.

Mr. Powers asked if the Board would be willing to take up the proposed permanent grant easement for the cell tower that was discussed? He said that in the packet, on page 268, has the draft warrant article that was provided by counsel. The Board has vetted the overall proposal, so if it is agreeable, he would request that they replace Article 38, which they have withdrawn, with the proposed permanent easement for the cell tower?

Mr. MacAskill moved to replace Article 38, with the proposed permanent easement for the cell tower, as presented in the draft warrant, and move this into the final Warrant. Seconded by Mr. McManus.

Mr. Howell said that he felt they were poorly represented by counsel and will not vote for it for that reason.

Mr. MacAskill noted that it is very important that this is for a very specific plan. Mr. Howell said that is what he was eluding to.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Abstained, Mr. Ballantine - Aye. Motion carried by a vote of 3-0-1, with Mr. Howell Abstaining.

39. Mr. MacAskill made a motion to move Article 39, Amend Zoning Article XXIV By Adding A New Section - §325-160 Design Guidelines into the final Warrant.. Seconded by Mr. Howell

Mr. MacAskill said this one is a very short section and there has been a lot of public involvement and it has already been voted in DCPC.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 39, Amend Zoning Article XXIV By Adding A New Section - §325-160 Design Guidelines. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

40. Mr. MacAskill made a motion to withdraw Article 40, Amend General Bylaw Ch. 304 — Water Dependent Structures, from the final Warrant. Seconded by Mr. Howell.

Mr. Brad Chase, Chairman, Conservation Commission, said that he would like to encourage the Board of Selectmen to consider this article. He said that it has been in the works for numerous years and they view them as essential improvements to clarify and improve the language. They do think these natural resources are under a lot of pressure, and they are important to the Town of Harwich.

Mr. Ballantine said that he thinks a lot of the comments he has on this is pretty self-explanatory and he supports it.

Mr. Howell asked when the hearing was and how many people attended.

Mr. Chase said that the first publicized hearing was in 2019 and then they had two publicized meetings in 2020 and then in February 2021, where they voted on the changes. He said three of them were done through Zoom, but they had participation and he feels a lot of them are important improvements. Four meetings are a fair amount of exposure for them.

Mr. Howell said the people from the Town have not been able to attend.

Ms. Usowski said they were publicized and had a few people from the public attend. They have worked to get the word out there and recently on her recent podcast with the library there was a segment encouraging people to look at and comment on sections of the bylaw. She is also hoping to get together with Channel 18 to do more. She said the commission has worked very hard and request it go to Town Meeting to let the town people decide.

Mr. MacAskill appreciates the commission's work on this and Ms. Usowski's words as well. He said these things really need to happen at the board level .. it has not been a fair year for people to have public participation. He does not think it is worth putting it on this year and we need to educate the public more on these things. They need to come back before us, he does think it is the time to put it on the warrant.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - No, Mr. Ballantine - No. Motion tied at a vote of 2-2-0.

- 41.Mr. MacAskill made a motion to withdraw Article 41, Amend General Bylaw Ch. 310 — Wetlands Protection Bylaw from the final Warrant.. Seconded by Mr. Howell

Mr. Howell said he presumes the bold print is the new section, and he understands that the conservation commission has been using the 60' measure already in their descriptions, is that true?

Mr. Chase said they have been recommending it in the past year or so. They voted to impose it the year before.

Ms. Usowski said that it is a regulation currently, not a bylaw.

Mr. Howell is just wondering why they are validating something that is already happening.

Ms. Usowski, regulations have a less stringency then bylaws do, bylaws would give this more strength.

Roll Call Vote: Mr. McManus - No, MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - No. Motion tied at a vote of 2-2-0.

- 42.Mr. MacAskill made a motion to withdraw Article 42, Amend General Bylaw Ch. 131 — Historic Preservation from the final Warrant. Seconded by Mr. Howell

Mr. Howell said what is the point of having these discussions if we are not going to be serious about pairing down the warrant during a pandemic. This is not the right time to move forward with reconstruction of bylaws, it just isn't.

Mr. McManus said what he is looking at it says; Placeholder for HDHC Demolition Delay Bylaw. Mr. Powers said that this is something that he spoke with the chair of that commission, and he has language but when he was able to get it to counsel he advised them that the board has been looking at reducing warrants, so the historic commission will not be

meeting in time to vet this further, so at this point there has been no action taken on it.

Mr. McManus would agree with that since there is not a proposal in front of them. Mr. Powers said that he believes that this proposal has not gone through the proposal process.

Roll Call Vote: Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

43. Mr. MacAskill made a motion to withdraw Article 43, Approval of DHY Clean Waters Community Partnership Agreement from the final Warrant. Seconded by Mr. Howell

Mr. McManus asked if there was any understanding of what the other towns were doing? Mr. Powers said the most recent subgroup meeting was this past Friday .. the two other communities are still finalizing their warrants; but Dennis indicated considering holding off until their community can have broader community participation. Yarmouth was open to going forward in the spring, but was more motivated by an effort to have the three towns on the same schedule. They are understanding and looking to a special town meeting in the fall.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

44. Mr. MacAskill made a motion to move Article 44, Authorize the sale of 5 Bells Neck Road into the final Warrant. Seconded by Mr. Howell

Mr. Powers noted that this will be re-numbered as Article 17.

Mr. MacAskill noted the change of the motion to move Article 17, Authorize the sale of 5 Bells Neck Road into the final Warrant. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

Mr. MacAskill moved that they accept and adopt, Article 17, Authorize the sale of 5 Bells Neck Road. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

45. Mr. MacAskill made a motion to move Article 45, Amend the Code of Harwich General Bylaws — Chapter 8 Departmental Revolving Funds § 8-1 Funds Established into the final Warrant. Seconded by Mr. McManus.

Mr. Howell said he is trying to be consistent that they are relying too much on revolving funds, so he cannot support it and some future discussion needs to happen.

Mr. MacAskill said he agrees that they need to have a much longer conversation about revolving funds.

Mr. Powers said that the discussion will be part of the discussions that he will be undertaking with the Assistant Town Administrator in June.

Roll Call Vote: Mr. McManus - Aye, Mr. Howell - No, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried by a vote of 3-1-0, with Mr. Howell against.

Mr. MacAskill moved that they accept and adopt, Article 45, Amend the Code of Harwich General Bylaws — Chapter 8 Departmental Revolving Funds § 8-1 Funds Established. Seconded by Mr. McManus.

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, MacAskill - Aye, Mr. Mr. Howell - No. Motion carried by a vote of 3-1-0, with Mr. Howell against.

46. Mr. MacAskill made a motion to move Article 46, Annual Departmental Revolving Funds Authorization into the final Warrant. Seconded by Mr. McManus.

Mr. Powers said that the numbers mirrored what was done last year, there were no increases.

Roll Call Vote: Mr. Howell - No, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by a vote of 3-1-0, with Mr. Howell against.

Mr. MacAskill moved that they accept and adopt, Article 46, Annual Departmental Revolving Funds Authorization. Seconded by Mr. McManus.

Roll Call Vote: Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye Mr. Howell - No. Motion carried by a vote of 3-1-0, with Mr. Howell against.

47.Mr. MacAskill made a motion to move Article 47, Stabilization Fund, into the final Warrant. Seconded by Mr. Howell

This required a further discussion of the board and they will bring it back on Monday.

48. Article 48, OPEB Trust Fund, was discussed and agreed to bring it back on Monday for further discussion.

49.Mr. MacAskill made a motion to move Article 49, Fund Prior Year's Unpaid Bills, into the final Warrant, dollar amount to be determined. Seconded by Mr. Howell

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

50.Article 50, Promote the Town Of Harwich, was voted already.

51.Article 51, Defray the Expenses of The Chase Library and Harwich Port Library, was voted already.

52.Article 52, Supplement Annual Allocation of Mass Cultural Council For Local Cultural Council Grants, was voted already.

53.Article 53, Herring Fisheries was voted already.

54.Mr. MacAskill made a motion to withdraw Article 54, Amend the Code of The Town Of Harwich Charter - Update "Board of Selectmen" To "Select Board" from the final Warrant.. Seconded by Mr. Howell

Mr. Ballantine said that he would like to bring this back. He said that there are 70 towns around the State, that have made the switch.

Mr. MacAskill said that he agrees, however, they had the same conversation last year, and they agreed to do a certain amount of homework to determine what the cost would be for the Town. The State does not recognize "Select Board", and they need to determine the cost for the Town.

Mr. Howell said that he was told specifically that it was going to cost money and time to do this, and it is a figure that they do not have yet.

Roll Call Vote: Mr. McManus - No, Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ballantine - No. Motion tied at a vote of 2-2-0.

Mr. Powers made a statement about the election warrant. He said that the Board will get back on Monday evening, a reflection of all of the votes, and actions, which they took this evening. He is keeping a compendium list of the Scribner's errors to advise the Board and he is working with the Department Heads and article sponsors, to fill in the explanations that are not presently there. Mr. Powers also explained that the Board will be presented with an agenda item and the annual election ballot for May 18, 2021. They will see the candidates, two ballot questions, and two debt exclusions, which they already put on the Warrant. He said that on Monday, they will have specific agenda items to finalize and close, close and sign the warrant for the annual Town Meeting, and close and sign the warrant for the Annual Town Election.

D. Ongoing discussion – Comprehensive Wastewater Management Plan (CWMP)

1. Discussion – GHD SewerCAD modeling kickoff

There was discussion and agreement to bring this back on Monday, due to the time.

CONTRACTS

- A. Discussion and possible vote for the Board of Selectmen to execute contract with Vermeer Mid Atlantic LLC for a Vermeer SC552 Stump Cutter \$60,039.00

Mr. MacAskill asked where the money is coming from for the stump cutter. Mr. Powers said it was a directive from the Chair, to get to an acquisition and the DPW, Cemetery and Golf, all partnered together. He said that he does know the funding is available to meet this contract.

Ms. Coppola added that a third is coming from the cemetery revolving fund, a third from the golf budget, and a third from the recycling grant.

Mr. MacAskill moved to execute contract with Vermeer Mid Atlantic LLC for a Vermeer SC552 Stump Cutter \$60,039.00. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye. Mr. Ballantine - Aye. Motion carried by unanimous vote.

- B. Discussion and possible vote for the Board of Selectmen to execute contract with Colonial Municipal Group for two (2) Police Cruisers for the Police Department for \$96,930.80

Mr. MacAskill moved to execute contract with Colonial Municipal Group for two (2) Police Cruisers for the Police Department for \$96,930.80. Seconded by Mr. McManus

Roll Call Vote: Mr. Ballantine - Aye, Mr. McManus - Aye, Mr. MacAskill - Aye, Mr. Howell - Aye. Motion carried by unanimous vote.

TOWN ADMINISTRATOR'S REPORT

Nothing to report.

SELECTMEN'S REPORT

Mr. MacAskill said that they rushed through the warrant tonight, but he wanted to say they really did not. They have been discussing most of these things for a year. It has been a long process, and this year, more than normal, there has been a lot of communication and guidelines set. He thanked the Department Heads and Town Administrator for all their help, and reducing their budgets.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 10:20 pm. Seconded by Mr. Howell.

**Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. McManus - Aye.
Mr. Ballantine - Aye. Motion carried by unanimous vote.**

Respectfully submitted,

Lisa Schwab
Board Secretary