

RELEASED

APPROVED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
THURSDAY, March 19, 2020
6:30 P.M.**

SELECTMEN PARTICIPATING: Ballantine, Ford, Howell, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers.

Mr. Ballantine opened the meeting at 6:30 P.M. He waived the repetition of the Pledge of Allegiance. Mr. Powers reviewed the details of the remote participation meeting, the first time that the Selectmen have conducted such a meeting, This meeting does comply with the Open Meeting requirements. He said the public has access to the proceedings, as the meeting is being virtually streamed over Channel 18. Mr. Powers said six virtual department head meetings have been held this week.

WEEKLY BRIEFING

A. Coronavirus – COVID-19 Update - Mr. Powers noted that the date of this meeting is the same date as the announcement of the “presumptive first case” of a Harwich resident, which is the required language of the CDC. He said this was announced to the general public in an effort to try to reduce rumors. He said it was introduced by himself and by Meggan Eldredge, Public Health Director, in an attempt to create a communication channel to give the most up-do-date and accurate information as possible. Mr. Powers announced a Community Leadership Forum scheduled for Friday, March 20th from 12Noon to 1PM. He added there are plans for several broad teleconferences which will go a long way to establish a new routine during the COVID-19 crisis and will instill confidence and calm. Mr. Powers said the municipal government of the Town of Harwich is still moving forward as much as possible.

Mr. MacAskill asked about Town employees, that is, who is still working and who is not working. Mr. Powers said municipal buildings are closed to the General Public so as to eliminate foot traffic. The employees who are able to report are

reporting Check-in meetings with department heads are being made daily. Daily check-out meetings are made in the afternoon to see how the day has gone. He said work-flow procedures are being worked on, for example, renewing a dog license, obtaining a vital record copy, paying a bill or fine. Mr. Powers said there are plans to establish drop box mechanisms, actually located in front of the municipal buildings which are closed, where the general public can present their work to be done by the Town. Department Heads are working on messaging, signs announcing building closures and advising people how they can make contact. Messaging will expand, including using signboards, adding sign messaging to web site and other communication methods. Succession planning in departments is ongoing, so that employees who are personally impacted by effects of the virus or are caring for someone, will be identified. If we see a reduction in available staff, we are reacting. Mr. Powers said we are utilizing technological availability, like this meeting. He said all work groups are striving to establish those protocols so we have continuity of operation in our municipal government. He said we are concerned for our fellow workers and their family responsibilities and obligations. Meggan Eldredge, Public Health Director, is the primary point of contact. Representatives from the Police and Fire Departments have been mobilized as well.

- B. Sewerage Work Improvement Phase 2 – Contract #1 – Construction Schedule – Weekly Update. Mr. Powers reported that the work is continuing. Mr. Ballantine asked, how are we doing on the traffic flow? Mr. Powers reported that he has had conversations with the Town Engineer and Water Superintendent. He said it is hard for him to weigh in because the vast majority of his efforts have been responding to the Coronavirus crisis.

Mr. Ballantine asked the Board if night work should be brought up again. Mr. MacAskill said since there is a lack of traffic because of circumstances and businesses, restaurants, and schools are closed, this would be a good time to get construction past those businesses as quickly as we can. He is In favor of making some decision by Monday. Mr. MacAskill said Robert B. Our is buttoning up their business and is geared to do some extra work so there is no better time than now.

Mr. Ballantine agreed, adding it would be good to take advantage of this down time.

Mr. MacAskill said he didn't know what needs to be changed for Monday to allow for a broader discussion as well as a vote. He said RPM Carpets and the Foxes should be given an opportunity to weigh in on this.

Mr. Powers asked board members to notify him individually of anyone they want to participate in Monday's meeting. Up to 251 participants can be accommodated; however, the meeting cannot be opened up to broad phone conversations. Mr. Powers will work with identified parties to give them an opportunity to participate.

CONSENT AGENDA

A. Mr. Ford moved to approve the resignation of Thomas P. Johnson from the Golf Commission effective immediately. Mr. Howell seconded. Mr. Ballantine said Mr. Johnson has been very active on the committee and expressed appreciation for all his work. On a roll call vote: Mr. Howell – Yes, Mr. McManus – Yes, Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

NEW BUSINESS

A. Mr. MacAskill moved to approve Caleb Chase Fund request in the amount of \$800. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

B. Mr. MacAskill moved to approve the appointment of John Larivee to the Recreation & Youth Commission as a full member – term to expire 6/30/2021. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

C. Mr. MacAskill moved to approve the appointment of Jacqueline Pentz-Green to the Harwich Energy Committee as a full member – term to expire 6/30/2021. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

D. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Wychmere Harbor Functions LP DBA Wychmere Harbor Beach and Tennis – 23 Snow Inn Road, Harwich, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

E. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Hot Stove Inc. DBA Hot Stove at Cranberry Valley 181 Oak Street, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

F. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – The Belmont Condominium Beach DBA The Beach, 1 Belmont Road, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

G. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Ember Pizza Inc. DBA Ember – 600 Route 28, Harwich, with any previous conditions already approved. Mr. Howell seconded.

Mr. Powers said hearings were held previously with penalties assessed. He asked if it is the Board's contention that this approval be considered "all previous conditions approved." There is an on-going pending decision to be made concerning further hearings that were held which has been impacted by the coronavirus crisis. Mr. Powers said that the Board will receive any recommendation from him as Hearing Officer. He said the Board may have to revisit the license and restrictions in the future. Mr. Powers had been scheduled to meet with counsel this week; because of the closure of the Town Office building that did not happen. As soon as it is practical, he said, another meeting will be scheduled. We don't know what is happening on a day to day basis.

Mr. Ballantine asked, is it your recommendation to table? Mr. Powers suggested to "continue the process" with "any previous conditions already approved" included. Mr. Powers said punishments would be different from conditions.

Mr. Ballantine said even though the license is approved, punishment can still be imposed.

Mr. Powers said since the licensee has previous conditions, he wants the Board to make the determination that the recent affirmation by the Board of punishments, recommended by previous Hearing Officer, will be added. I ask the Board to deliberate on this at this time.

Mr. Howell asked, have those penalties been assessed already? Mr. Powers said the penalties were presented to the licensing authority, you as a Board, and would apply to the 2020 license. He said they were not in existence for the last license but are intended to be in effect going forward. Mr. Howell said they are not a condition of the license. Mr. Powers said this needs clarification; what does the Board mean, hours of operation, entertainment, and other things?

Mr. MacAskill said we are not changing the conditions of their license. We have taken some nights away from them. They will close at 12, not playing outside, that's what is meant by conditions. By approving previous conditions, we cover ourselves.

Mr. Howell said he agrees with Mr. MacAskill. The suspension of a license is not a condition of the license.

Mr. McManus said he sees them as two separate issues. We go forward with our penalty procedure, which is separate from granting the license, based on recommendation of the Hearing Officer. It still needs to be paid, as you will, during the coming season.

Mr. Ford said he agrees. It is separate from what we are approving tonight. I think this vote is relative to the license and any conditions thereon.

Mr. Ballantine thanked Mr. Powers for raising this issue.

On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

H. Mr. MacAskill moved to approve Seasonal, all-alcohol license – Capeside Kitchen, Inc. DBA Capeside Kitchen – 537 Route 28, Harwich Port, with any previous conditions already approved. Mr. McManus seconded.

Mr. Howell said it is inappropriate to issue this license because of the proximity to the Pilgrim Congregational Church.

On a roll call vote: Mr. Ford – Yes, Mr. McManus – Yes, Mr. Howell – No, Mr. MacAskill – Yes, Mr. Ballantine – Yes. The motion carried by a vote of 4-1.

I. Approve seasonal, Wine and Malt License for Dockside Seafood Shack LLC DBA Dockside Seafood Shack – 715A Route 28, Harwich

Mr. Powers said this item should not have been presented this evening, as there are outstanding questions concerning the site plan and the seating that staff is working on, more work to be done to close out what the Board was looking for last year. Does the Board object to holding this item to be put back on a later agenda?

Mr. Ford asked if the item will be back on the March 23d meeting agenda. Mr. Powers said there will be a longer delay than next meeting. He added that he will introduce the concept of more than just weekly meetings and meetings of shorter duration. Mr. Ford said the Board should address Item I. as soon as we can.

J. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Go Industries Inc. DBA Perks – 545 Route 28, Harwich, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

K. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Port Restaurant and Bar Inc. – 541 Route 28, Harwich, with any previous conditions already approved.. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

L. Mr. MacAskill moved to approve Seasonal, Wine and Malt license – Ajg Corp DBA The Weatherdeck Restaurant – 168 Route 28, Harwich, with any previous conditions already approved.. Mr. Howell seconded. On a roll call vote:

Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

M. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Pleasant Bay Group Inc. DBA Wequassett Inn – 173 Route 28, Harwich, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

N. Mr. MacAskill moved to approve Sunday Entertainment License – Port Restaurant and Bar Inc – 541 Route 28, Harwich – Sunday’s 10AM – 12AM live entertainment inside and 10AM – 10PM live entertainment outside, with any previous conditions included.

Mr. Powers explained this item was added since the staff identified the prior-year license is not consistent with what has been applied for. I recommend this be reviewed by staff before the Board takes action.

Mr. Howell asked that action on this item be held off because of the proximity to the Pilgrim Congregational Church. He said he is sure the Church would be interested.

Mr. MacAskill withdrew his motion pending information from staff.

TOWN ADMINSTRATOR’S REPORTS

Mr. Powers said we are all aware of the state of things in our region and nationally and globally. He alerted the Board to the Teleconference Community Leadership Forum on Friday, March 20, from 12N to 1 PM. Mr. Powers said he has reached out to representatives that support the Town of Harwich, health and business organizations, education leaders, merchants, community groups, like The Family Pantry, non-profits, and representatives of the media. The purpose of the Teleconference is to give participants who are representatives of the broader community an opportunity to ask questions and to answer questions concerning the coronavirus and to gain up-to-date information. They will then be in a position to go back and distribute information to their communities.

The Teleconference will be taped by Channel 18 and rebroadcast. Mr. Powers plans this on a weekly basis as a significant step to re-establish community conversations that were taken for granted a week ago. He said to prevent us from losing our freedom, our right to assemble, we need to approach it in a different way. Mr. Powers said he hopes this event will give greater confidence and calm to the community of Harwich. We will get in a new normal routine until we can go back to what we've always known as normal.

Mr. Powers said he wants the Board to be aware that every department head and employee is doing their level best to insure continuity of government operations despite concerns and family obligations. He reminded the Board that all efforts this week have been working toward continuance of government while employees take care of all their family needs. He said it is comforting to be able to conduct the remote participation meeting, adding that we will get better at it. Mr. Powers said things may need to be done differently as we go forward. Events are changing on an hourly basis.

Mr. Ballantine thanked Mr. Powers.

Mr. Ford thanked Mr. Powers, the staff, and department heads for all the hard work. He said he has heard from a number of staff what a good a job Mr. Powers has done. Leadership now is so important. He said more frequent Board meetings are a good idea.

Mr. Howell agreed with Mr. Ford. He said these are unprecedented times, not anticipated by anyone, and the public needs to understand there is nothing more important than the safety of the citizens of the Town of Harwich. Mr. Howell said he particularly thanks Meggan Eldredge, and the Police and Fire Departments.

Mr. MacAskill said he echoes both of those comments. He thanked Mr. Powers and the department heads. He said he looks forward to more meetings and to keeping the public as informed as we can.

Mr. McManus said he echoes Mr. Ford and Mr. Howell. He said he wanted to raise one issue to be considered over the next week or so. Blood donor programs, Red Cross and Cape Cod Hospital, have taken a significant hit, since blood donor drives have been curtailed. He asked if the Board could investigate and attempt to re-start these programs so as to head off a potential additional crisis of lack of blood supplies.

Mr. Ballantine said he agrees with the previous comments. He thanked Scott Tyldesley for helping with remote call-in. We will improve. He said he participated in the Conservation Commission remote call-in meeting last night, and applicants were appreciative that we as a Town have taken the efforts to keep the business of the Town going.

ADJOURNMENT

Mr. McManus moved to adjourn. Mr. Howell seconded. Motion passed unanimously.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Tem