

RELEASED

APPROVED

**MINUTES**  
**SELECTMEN'S MEETING**  
**REMOTE PARTICIPATION ONLY**  
**MONDAY, March 23, 2020**  
**6:30 P.M.**

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

**ALSO PARTICIPATING:** Interim Town Administrator, Joseph Powers; Carol Coppola, Finance Director; Scott Carpenter, Superintendent of Schools; Kathleen Isernio, School Business Manager; Terry Russell, Tina Games, Sharon Stout, Meredith Henderson, Jon Chorey, Tom Sherry, Brian Weiner, Daniel Tworek, Dale Kennedy, Dana DeCosta, and Angelo LaMantia

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 P.M. and called to order the Board of Selectmen. Roll-call: Mr. McManus – Here, Mr. Howell – Here, Mr. MacAskill – Here, Mr. Ford – Here, Mr. Ballantine – Here. Mr. DeCosta called to order the Finance Committee. Mr. Chorey – Here, Mr. Sherry – Here, Mr. Weiner – Here, Mr. Tworek – Here, Mr. Kennedy – Here. We do have a quorum. Dr. Carpenter called to order the School Committee. Mrs. Games – Here, Ms. Henderson – Here, Mr. Russell – Here, Dr. Carpenter – Here.

Mr. Powers said the Board of Selectmen has full membership present. The Finance Committee has a majority of members present. The Regional School Committee does not yet have a quorum.

**WEEKLY BRIEFING**

- A. Coronavirus – COVID-19 Update - Mr. Powers reported on specific updates. First, he said the Town web site, thanks to the work of Jamie Goodwin, now has a Coronavirus-COVID-19 Resource page, which will be helpful to the community. Secondly, he referred to Governor Baker's order today for mandated closings in the Commonwealth until April 7<sup>th</sup> and gatherings limited to no more than 10 people.

Dr. Carpenter said breakfast and lunches for children in the school district are being supplied from two distribution points. Given the rapidly changing financial situations there are some children who would not have qualified for free or reduced meals last week but do today. Any child, or parent, can come to the Regional High School in Harwich and pick up a breakfast or lunch each day. The same is true at the Middle School in Chatham. We are also working collaboratively with the YMCA Cape Cod and today opened an emergency day care center at Harwich Elementary School for first responders and other critical personnel who need day care. That site is open from 6AM to 11PM.

**B. Construction of Route 137 – Mr. Powers will speak to that under OLD BUSINESS – Item B**

Mr. Ballantine said they hope to have a meeting on Thursday which will be open to the public, near the end of the meeting.

**PUBLIC HEARINGS/PRESENTATIONS**

**Joint Meeting with the Monomoy Regional School District and the Board of Selectmen – regarding FY21 budget.**

Dr. Carpenter discussed the corrected document sent to the Department of Education. He said that although we need it back in time for Town Meeting, because of the COVID19, we don't know when we will get the feedback for you and the Chatham Board of Selectmen.

Mr. MacAskill asked why the savings from the reduced percentage increase in health insurance wasn't used to reduce the budget request? Why was it allocated back to curriculum? Dr. Carpenter said a 5 percent increase in health insurance premiums was budgeted but those costs will remain level. He said the savings will allow the district to institute an English language arts curriculum for K-4 that had been planned for several years. The program is expected to cost \$475,000; \$251,191 will come out of the health insurance savings and another \$189,809 will come from the District's Excess and Deficiency fund (E&D). Another \$40,000 had already been included in the budget.

Mr. MacAskill said this is the year the Board voted that we want a 2% increase, or less, in the budget. He said a lot of Town departments felt some pain with reductions, and the Board came in with a very responsible budget for the Town. Dr. Carpenter said they need the curriculum; it was a question of whether we would need it in one year or over the course of several years. He said they made the decision at the administration level in consultation with the School Committee. Mr. MacAskill said he understood the explanation; however, he's feels there is a gap he's not willing to vote on.

Mr. MacAskill asked about the Excess and Deficiency (E&D) fund, which contained \$2,095,281 at the end of FY19. He asked what is left after the \$550,000 from E&D is used? Dr. Carpenter replied, \$1.4 million in the Reserve Fund.

Mr. MacAskill asked, over the last six years when during a school year, if ever, have you used E&D monies? Dr. Carpenter said we can't use that money during a school year; we can only build that into the budget. In order to use those funds, we would need affirmative votes from both Town Boards of Selectmen in order to use it. He said slowly the balance has gone up.

Mr. Ballantine said his concern is that we need to trim our budgets this year, even if it does cost more in years 2 and 3. We need more discussion going forward.

Mr. Ford asked Dr. Carpenter to again describe the E&D Account and advise what has been done with that amount. Dr. Carpenter said it is used to offset the cost of the assessments on the two Towns. The School Committee also needs to determine how much they should maintain in the account. The one budget factor that none of us was thinking about is COVID19 and closures. They have potential to impact our budget.

Mr. MacAskill asked what percent went to credit Harwich and what percent went to credit Chatham? Dr. Carpenter replied Harwich is  $\frac{3}{4}$  of enroll; Chatham  $\frac{1}{4}$ . Mr. MacAskill said the implication was that it was split 50/50, but if it's worked as those percentages, that's fine.

Mr. Ford said we're going to have to rethink how we are going to approach every budget in Harwich, because revenues will take a major hit if we don't get the revenues in the summer that we normally get. I'm not opposed to the school budget; I'm saying that we're all going to have a big awakening as we move into

this year concerning the revenues to this Town. Mr. Ford said the School administration is going to have to think about that. Dr. Carpenter said the Chatham Town Manager is raising similar concerns because of possible long-term impact of closures.

Mr. Howell said he is curious the E&D, and said, based on last discussion, you don't end the year and give the money back. You are allocating it into the budget. He asked, has there ever been a year when you ended up putting it back into E&D? Dr. Carpenter said they have put money back ever since FY14. Mr. Howell said, you alluded to Free Cash. It's not like Free Cash. Mr. Howell said it sounds like you're robbing Peter to pay Paul if you're giving money back. You're not actually refunding anything; you're basically netting out.

Ms. Isernio said when they set up the assessment, we put up the total budget, then we do the offsets, Chapter 70, etc. and the E&D that we are going to use to support the budget. Just like the Town, when the district goes to borrow, it's important that we have a stabilization of the district for bonding purposes. Mr. Howell asked what was the amount at the end of the fiscal year? Ms. Isernio replied over \$400,000. Mr. Howell said you are using last year's money for this year's budget. Ms. Isernio referred to the E&A slide in the presentation.

Mr. DeCosta said he sees the E&D account growing, according to the slide. It seems to be building faster than the School District is using it. He said he'd like to see some more use of that account. He asked for an update on Union Contracts this year. Dr. Carpenter said they go into negotiations starting the beginning of next year. They are not on the FY21 budget; they will hit FY22. Mr. DeCosta asked if there is a settled percentage for FY21. Dr. Carpenter replied - 2%.

Mr. DeCosta said last year the two Finance Committees (FinComs) met and he was surprised that the Article on the Agreement allows the school committee to buy land. He said he has a problem with that and he feels it should be addressed again before Town Meetings. Mr. DeCosta encouraged the Boards of Selectmen and the two FinComs to look at this issue. He said he is not in favor of the schools buying land in the Towns.

Mr. Sherry, FinCom, said he would like to see the numbers in the Regional High School of administration vs. school population as compared to other high schools throughout the Cape.

Ms. Iernio said she will filter that answer through to Mr. Powers.

Mr. Powers said we don't have a full quorum of the School Committee.

Mr. Ballantine said we are aware of tough decisions that we are going to have to make since revenue projections will likely fall short of what we build our budgets on. This will be an on-going discussion during the next few weeks. We will ask Mr. Powers to work on scheduling so we can get back together as we get more information as to what we have to do. It's not going to be pleasant.

Mr. MacAskill asked, what are we waiting to get back to? He said he understands the school committee has already voted this budget. He asked, is it Dr. Carpenter's intention to go back to the school committee and see if there is any intention to give back some more money, or, and he asked the Board, do you want to vote this? Dr. Carpenter asked what do Mr. Powers and Ms. Coppola project to be the trickledown effect from COVID19 on the economics of Harwich? We may need to radically re-think the budget, as the one presented was formulated using a non-COVID19 scenario. If there is some guidance coming, we can take that back to our school committee as a whole. The vote the committee took is what sets our budget is for next year. Dr. Carpenter said, however, there is the ability to have that budget decrease.

Mr. Ballantine said let's wait at least a couple of weeks. He said we should look at reconsideration of the budget as we go forward.

Mr. MacAskill said this is not about COVID19 for him. This is about the budget that was given to us to respond to. COVID19 will add to that. Mr. MacAskill said the Board has to vote so the school committee knows where the Board stands. He said they can come back with changes based on COVID19 but the Board needs to make it clear which direction they are leaning so the school committee knows.

Mrs. Games, School Committee, asked for a clarification concerning the School Committee quorum. She said all four Harwich members are participating since Sharon Stout just joined. Mr. Powers said the quorum would be based on the full membership of the School Committee, or at least five. Even if all four members from Harwich agreed, there would have to be one member from Chatham to agree as well. Dr. Carpenter agreed.

Mr. Ballantine said we understand that anything we agree on would have to go back to the Monomoy School Committee.

Mr. MacAskill said he wasn't referring to a specific vote that the School Committee needs to make. He said he is talking about a vote the Harwich Board of Selectmen would make. Mr. MacAskill said he would move to reject the School Committee's budget because of the reallocation of \$245,000 that they want to go to Curriculum. He said he would also ask that they consider using some more of the E&D. Mr. MacAskill said there is a process if there is an emergency towards the end of the school year; Town meetings can be called for. He said he understands borrowing and bonding but in a year like this, the Board is looking to get that budget down and go back to Town Meeting with a responsible budget. Mr. MacAskill said a \$983,000 increase is too much.

**Mr. MacAskill moved to reject the school committee budget as presented.  
Mr. Howell seconded.**

Mr. Ford said it is not appropriate to take a vote at this time. He said Dr. Carpenter made it clear that they recognize the dire situation we're going to find ourselves in. Mr. Ford said Dr. Carpenter could go back to the School Committee based on tonight's discussion and after discussion with Mr. Powers and Mrs. Coppola and give them time. Mr. Ford said it is important for us to look at E&D.

Dr. Carpenter said he is a realist as far as what the trickle-down effect of the COVID19 will be and we know that FY21 for the District and the Town will be impacted in some way. He said we need to do a little step backwards and think about what could happen.

Mr. Ford asked, is there a necessity for the Board to take a vote this evening? Dr. Carpenter replied that is the call of the Selectmen. He said the School Committee needs clarity from both Towns and they are going to need to go back and re-think.

Mr. Howell said the problem is that the school committee has voted this. He said he wouldn't be voting on the budget based on COVID19, but rather based on the methodology. Mr. Howell said the School Committee still has 1 ½ million dollars left in that E&D, which is for ongoing problems in the coming year. This isn't the budget request we asked for.

Mr. Ford said they have indicated they have the ability to decrease the budget, not increase the budget. Dr. Carpenter has expressed a willingness to look at the situation after this discussion; therefore, he said even though they have voted on it, this could change. Mr. Ford suggested the Board come to some conclusions here with the School Committee as to where we think the budget should be. He said he has some sympathy with Mr. MacAskill's motion, as we have a very tight budget and one that the townspeople have shown great concern about.

Mr. MacAskill said he doesn't want Dr. Carpenter and the school committee to leave this meeting thinking this has anything to do with the CoronaVirus-19. He said he agrees with Mr. Howell; the budget he is rejecting is the budget that was brought forward pre-Coronavirus-19. He said he doesn't want to use this as a tool for them to go back and re-assess the budget based on Coronavirus-19. He said he wants them to go back and re-assess the budget based on the Board of Selectmen's guidelines. He said the Harwich Council On Aging said that their \$7,000 cut was going to end a lot of services. Mr. MacAskill said the message he's asking the Board to send is that we are rejecting the budget as they presented it.

**Mr. Ballantine said we have a motion and it has been seconded. He called for a roll-call vote. Mr. Ford – No, Mr. Howell, Yes, Mr. MacAskill – Yes, Mr. Ballantine – Yes, Mr. McManus – No. The motion carried by a vote of 3-2.**

## **OLD BUSINESS**

Mr. Powers asked for a roll-call vote to take up Item A out of order. Roll-call vote: Mr. McManus – Yes, Mr. Ford – Yes, Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. Ballantine – Yes. Action agreed to by unanimous vote.

A. Joint meeting between the Board of Selectmen & the Finance Committee meeting regarding proposed budgets and proposed articles.

Mr. Powers said he recommends postponing recommendations on any proposed budget or article. He said he will make an effort to have another meeting on Thursday, March 29, at 6:30PM. He advised that an order has been made that any Town that has an election scheduled before May 30 can move that election until after May 30. He said our annual town meeting and annual town election will not take place as originally scheduled.

Mrs. Coppola said it would be wise to postpone any discussion of the budget. She said there are significant changes that will happen to the budget for this year and the proposed budget for FY21. She said discussions at this time would be irrelevant.

Mr. DeCosta asked, because the FinCom is behind in deliberations of the Warrant, if they could have a meeting by remote participation to go over the Warrant and get some of the traditional, non-financial articles, and Community Preservation Committee (CPC) articles voted and some of the reasons written up. Mr. Powers said he is looking at pushing the entire schedule forward about a month to a month and a half. He said we might be in a situation where we would have to start some of the processes over again. He said it is entirely possible that the State will have to enact a 1/12 budget mechanism and possibly extend the boundaries of the fiscal year. He asked Mr. DeCosta if he can hold off on the FinCom request for a meeting. Mr. DeCosta asked Mr. Powers to keep the request in mind.

Mr. Powers noted that FinCom adjourned at 7:48PM.

## **NEW BUSINESS**

### **A. Discussion and possible vote to waive the hiring freeze for the Conservation to hire a part-time seasonal shorebird monitor**

Mr. Powers suggested there are two separate topics involved. He said one is to waive the hiring freeze. He asked the Board to maintain the hiring freeze, as it was enacted to help us get a handle on the FY21 budget. Given the uncertainty of the times, it is appropriate to keep it in place. All employees have an opportunity to work-from-home and a chance to work one-on-one. He said the potential hidden benefit is that we have a number of individuals, Conservation staff themselves, to do this particular function at this time. Mr. Ballantine said the Board will not move on the new business item.

### **B. Traffic Control Plan.**

Mr. Powers reported that Governor Baker's Order #13 includes the definition of essential services, and Appendix A allows that the act of construction is covered. He said there is nothing that would prohibit other than having certain



considerations of staffing. He said he will have a recommendation for the Board at the Thursday meeting. He said the contractor is looking to do work that would impact on private residences, and staff is trying to work around that.

Mr. Ballantine asked, if we take no action tonight does that mean that work will continue until we meet again on Thursday? Mr. Powers said no action keeps them going until Thursday.

Mr. Howell voiced concern about businesses at Harwich Decorating Plaza, some of which are considered essential services, and asked at what point we put construction without a travel lane in front of the Harwich Plaza. Mr. Powers agreed, adding there are medical providers there also, and said he will follow-up with staff tomorrow morning.

Mr. MacAskill asked why wouldn't we take an action tonight to allow for night work so that they can work at night? There was never going to be access denied to that Plaza, just detour. He said there is no reason not to vote it; Thursday we could unvote it.

Mr. Powers said there is a 30% markup cost estimate on night work beyond what Town expects for night work. He said he could not recommend it. Mr. MacAskill said it could wait until Thursday.

## **TOWN ADMINISTRATOR'S REPORTS**

### **A. Budget/Warrant Timeline FY21**

Mr. Powers said he has nothing else to report this evening. He said he plans the Thursday meeting with audience participation during 10-15 minutes at end of the meeting when persons can call in. Mr. Powers said the staff of Channel 18 has done fantastic work.

Mr. DeCosta asked to be put on the invite list for the Thursday meeting and subsequent meetings dealing with the Warrant and budget.

Mr. McManus suggested that public comment, which could alter a vote and require reconsideration, be conducted at the beginning of the meeting. Mr. Ballantine said that will depend on how we manage the call-ins.

#### B. Departmental Reports

Mr. Powers said he has nothing more to add.

Mr. McManus expressed appreciation for efforts of Town staff. Mr. Ford thanked the staff at Town Hall. He said these are difficult times, and we are thankful for what is being done. Mr. MacAskill said he echoes the two previous comments.

#### **ADJOURNMENT**

Mr. McManus moved to adjourn. Mr. Howell seconded. Roll-call vote: Mr. Howell – Yes, Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by unanimous vote.

Respectfully submitted,

Dorothy G. Hemmings  
Recording Secretary  
Pro Tem