

APPROVED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION/GRIFFIN MEETING ROOM**

**Monday, January 10, 2022
6:30 P.M.**

RECEIVED
TOWN CLERK
HARWICH, MA

2022 JUL 12 P 12:00

RELEASED

SELECTMEN PARTICIPATING: Mary Anderson, Larry Ballantine, Julie Kavanagh, Michael MacAskill. Absent: Donald Howell.

ALSO PARTICIPATING: Town Administrator Joseph Powers

CALL TO ORDER

Mr. MacAskill, Chairman, 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 voted Executive Session minutes. He said that everything was approved, except they did not vote to release the minutes yet, and they did not vote to approve the May 3rd minutes.

PUBLIC COMMENTS/ANNOUNCEMENTS

A. Vote to approve and present the proclamation for Josh Ford

Mr. MacAskill said that they had the honor of presenting Firefighter/Paramedic Josh Ford with a proclamation and said that Mr. Ballantine will read it.

Mr. Ballantine said that it was his privilege to read the proclamation, which states; "Whereas, On November 20, 2020 there was a serious car accident on Route 6, with a person trapped and the car on fire; and whereas, Firefighter Josh Ford was off duty, on Route 6 with his family and came upon the accident; and whereas, Firefighter Ford and an unidentified bystander without any protective equipment or tools were able to gain access to the car and remove the occupant. Now, therefore, we do hereby urge all the residents of our community to join with us in proclaiming our appreciation of Firefighter Josh Ford for his quick, decisive and courageous actions. Overcoming numerous challenges, he relied on his training and knowledge to complete the rescue under extreme conditions. In doing so, Firefighter Ford upheld the very finest tradition of our Fire Department. Given this day of January 10, 2022, by the Harwich Board of Selectmen."

Mr. MacAskill said that Mr. Joseph Powers, Town Administrator and Board Member Mary Anderson are joining them via remote participation. He asked if Mr. Powers had anything to add?

Mr. Powers said he was sorry that he could not be there in person, but he was adhering to the protocols. He thanked Firefighter Ford for this actions and said that they reflect so well

on the Town and speak to his character and ability not only as a firefighter, but as someone the Town is very proud of. He said it is a wonderful and well-earned proclamation.

Ms. Anderson said that she is in awe of what he did and although they are trained for it, to be there with his family and be able to jump in, she has no words for.

Mr. Ballantine said that the proclamation said most of it but as Ms. Anderson said to be able to jump out and do that, but also to be careful your family is protected is incredible.

Ms. Kavanagh said she did not have any words any better than the proclamation to describe how grateful they are to have Firefighter Ford in Town serving, and they are incredibly grateful for his bravery.

Mr. MacAskill echoed the other Board Members and said that the world needs more people like Firefighter Ford.

B. Mr. Mark Kelleher, West Harwich, said that he had two things in communication. First, he said that he has had several cases where he sent emails, and they have not been acknowledged. He said he is not speaking specifically to this moment, because he knows that everyone is busy due to COVID, but he would like staff to be encouraged to at least acknowledge an email within a couple of days. He said the same for the Board as well, because there is nothing worse than sending an email, and not getting at least an acknowledgement. Mr. Kelleher said the second thing was a recommendation to publish communications that came in, within the communications part of the Selectmen's packet. He said as an example, he had sent a letter to the Selectmen on short-term rentals, and he thinks that it would be advantageous to the whole town if that letter was published. He said that they may get more input from other people and make better decisions.

C. Dr. Kathleen O'Neill, Health Director, said that she wanted to make sure everyone was aware that they are currently in a COVID surge and over the last ten days, they have seen more than 150 cases reported in Harwich alone. She said, as a reminder, they still need to protect their most vulnerable, and good hand hygiene, masks indoors, and staying home if you're sick. She said that the State opened a "Stop The Spread" site at the Melody Tent in Hyannis, and people should go there and be tested if they show any symptoms. She said they also want to be considerate of their businesses and their staffing issues.

D. Ms. Carol Marie Anderson introduced herself and said she is a permanent resident of Harwich.

Mr. MacAskill asked if this was about the same topic from last year, because they cannot hear it tonight.

Ms. Anderson said that was three years ago, but it was not, she said she was there in the spirit of reconciliation and began to discuss her faith.

Mr. MacAskill interrupted and said that they are not discussing spiritual stuff tonight.

Ms. Anderson said it is her first amendment right, and said that she is looking to reconcile out of court, so she is in a different place from a couple of years ago.

Mr. MacAskill said that it is a Selectmen's Meeting and they decide who speaks. He asked her to come to the office tomorrow and make an appointment with him, and if appropriate they can add it to the agenda.

Ms. Anderson said she wanted a couple of minutes and wanted to talk about the bacterial levels at Nickerson State Park.

Mr. MacAskill said that is Brewster and told her that they needed her to get off the microphone, and again, she can make an appointment and if appropriate they will agenda an item, but they are not doing this again.

CONSENT AGENDA

- A. Vote to approve request to close from February 1, 2022 to February 28, 2022 for Cape Sea Grille – 31 Sea Street
- B. Vote to approve a Caleb Chase Request in the amount of \$1,000.00
- C. Vote to approve the Board of Selectmen Meeting Minutes for July 26, 2021
- D. Vote to approve the resignation of Patrol Officer Ryan Fazzino effective December 31, 2021.

Ms. Kavanagh moved to approve the Consent Agenda, items A through D, as listed above. Seconded by Mr. Ballantine. All in favor, motion carried at a vote of 4-0-0.

NEW BUSINESS

1. Discussion and possible vote on the Board's priorities of the use of the American Rescue Plan Act (ARPA) funds

Ms. Carol Coppola Finance Director, said that they have a memo in their packet from the Health Director, for their review, and she is available when she is done to answer any questions they might have. She said that the American Rescue Plan Act of 2021 (ARPA) funding was awarded to the Town of Harwich for just under \$1.3 million, which needs to be expended in specific categories. She said that the Town received 50% of that funding back in June of 2021, and will receive the other 50% in June of 2022. Ms. Coppola said that Barnstable County was also awarded just over \$41 million, and they are not sure how those funds will be distributed. Originally they thought that they would be distributed based on population, but she said that she does not think it will be the case. She said that Barnstable County is currently surveying residents, and has reached out to Municipalities for various meetings to discuss what those funds can be used for. If they were distributed based on population, the Town of Harwich would be receiving a little over \$2.3 million, but that is not certain, it could be an application basis that goes to the County to decide.

Ms. Coppola said that when she came before them in June, to discuss the Federal funding, they had been working on what they call an interim final rule from the Federal government, regarding these ARPA funds, and the final rule came out last Thursday. She said the final rule gives them more flexibility to communities, which is great, and it simplified the approach and the reporting. There are certain categories that these funds can be used for, and the Town of Harwich is a small community that is considered a non-entitlement unit with a population of under 50,000. She said that their money flows through the State, with regard to the \$1.3 million dollars, and with the \$41 million, it will flow through the County. She said that for smaller communities, you can replace up to \$10 million in revenue, which would be reported to the Federal government. For example, if they were going to replace revenue that they lost in FY20 or FY21, they would not have to do any calculations, they would just have to report it, and use those funds on general government services. She explained that this means anything from public health, public safety, and investment in infrastructure, technology, and things of that nature.

Ms. Coppola said that the second category is the support of public health, and the economic responses to the pandemic. She said that public health would be the testing sites, the cost to deliver vaccinations, and COVID surveillance. She explained that they had received significant invoices for \$10,000 to \$15,000 on a monthly basis, and the Town does not have the funds to support that, so they could use this money for that. She said that they can also assist households, small businesses, non-profits and possibly some of the impacted industries, such as, restaurants. She said that there are also funds put aside for health care, because the pandemic has caused quite a bit of mental health and substance challenges. They can provide premium pay to eligible workers, but there are stringent requirements, and not a lot of flexibility in in this category. She said that they will need to be non-exempt, low wage workers, such as, hourly workers that earn overtime, you can provide up to \$13/hour per worker, to a maximum of \$25,000. Ms. Coppola said that they can invest in water, sewer, and infrastructure for broadband, and those categories are quite broad. She added that the Town of Harwich has considerable sewer expenditures coming up, so this could be used to support that endeavor as well.

The funds have to be committed by December 31, 2024 and they have to be fully expended by December 31, 2026. Ms. Coppola said that there are some categories that you absolutely cannot use this funding for, which include; not using it to support that service, can't fund your pension, and you can't put it away in a rainy day fund, and you can't offset any tax revenue reductions. She said that she reached out to legal counsel to confirm they could use those funds to support the installation, purchase, and training of Office 365 for the town, to purchase at home COVID test kits, COVID surveillance, and wastewater construction. Ms. Coppola said it is up to the purview of the Board, how they would like to expend those funds. She said that they will have reporting that they will be required to complete on a quarterly basis with the Federal Government, which is in place and ready to begin at the end of April. Ms. Coppola said that they can have further discussion, especially about the County Funds, which will be a larger conversation, now or at another time.

Mr. MacAskill thanked her and asked what the total amount is, that they have received so far? Ms. Coppola said it is \$635,443.

Mr. MacAskill asked if that what they will receive twice? Ms. Coppola confirmed that it is 50%.

Mr. MacAskill asked if they had put in for some reimbursement before with the ARPA funds, that they were denied? Ms. Coppola said they have not spent any of the money, but they had other Federal funding sources from FEMA and the Cares Act Fund.

Mr. MacAskill said that the Cares Act was the one that had denied some reimbursements, and asked if they could use this money to pay for that? Ms. Coppola said that she fought tooth and nail, and has everything covered.

Mr. MacAskill asked if she has met with the Town Administrator, and how much planning has been done? He said that he would assume there will be recommendations with dollar amounts made to the Board, at some point with what they have already come up with, correct?

Ms. Coppola said that is correct. She has met with the Town Administrator and they discussed the ARPA funds and the use of them. She said that their final ruling came out last Thursday, so Friday they had a long discussion about those funds and if they are considered grant funds, which they are, and there is no appropriation needed from the Town of Harwich to expend those funds. She said they have had some planning, but they are waiting to finalize the Capital Plan too, because that's an important piece and aspect of this. She said that they have not committed or expended any of these funds without the Board's approval.

Mr. MacAskill said that he was going to turn it over to the other Board members for questions, and then perhaps their County Delegate and Town Administrator. However, he just wanted to add a comment about the memo in the packet from Dr. O'Neill, and the overwhelming rudeness of people that are contacting the Health Department. He said that Dr. O'Neill sent him some emails that she had received over the weekend, which were personal attacks on her for a few people littering and throwing their masks on the ground. He said it is really overwhelming, and he does believe that the Health Department could use some immediate funds. He said that they will talk about this with the Town Administrator, but with the amount of calls and emails, they should act on this sooner rather than later. Mr. MacAskill said that he would urge the public, when calling these departments, to understand what they're up against and like many other departments they are probably lacking staff as well. He said people need to be patient, and breathe a little bit before they call the Health Department, or any department, and bark at them. He said that they are doing the best they can, with the resources they have, and everyone needs to take a breath and realize that these people are working under circumstances that they've never worked under before.

Ms. Anderson said that the memo from Dr. O'Neill was just eye-opening and she said she does not know what is wrong with people feeling so entitled and not following normal social niceties. She asked if they could use some of the money to hire staff? She said this is not likely the last go-round with a pandemic or some other situation that will tax their Health Department, and it sounds like they need additional staff.

Ms. Coppola said to support the pandemic, they can hire personnel to support the endeavors of the department, and it does not have to be a rehire of someone that was laid off, it could be a new hire. She said it would depend on the department.

Ms. Anderson said in the 30-40 page document that came through today, on page 20 it talked about improvements to vacant and abandoned properties, including; rehab maintenance, renovation, and remediation for conversion to affordable housing. She asked if Ms. Coppola has looked into that at all, because she wondered if they could use some ARPA money for some of the properties that they own to get some housing quickly?

Ms. Coppola said that they can use ARPA money for renovation, or for the construction of affordable housing.

Mr. Ballantine said that he thinks there is time for Ms. Coppola and Mr. Powers to come back with some recommendations. He said he would like to see a way to move forward with helping the Health Department as soon as possible, and said that they had come to them a year and half ago looking for help at the beginning of COVID. He said based on the memo, he would like to see that move ahead and then wait for recommendations on the rest of the possible expenditures.

Ms. Kavanagh said that she would reiterate the importance to help the Health Department and agreed to the terrible treatment and how much work they have done through the pandemic. She said she also thinks that the general public does seem entitled in terms of thinking that they should be making picking up masks a priority, and that is a real problem. She said that the Health Department has a lot of functions that people don't think about, and the pressure that is on them during this pandemic is bad enough. She said whatever they can do initially should be aimed at helping the Health Department, and then she agrees with Mr. Ballantine, she would like to get more ideas of exactly where they could target the money. She said that she thinks they should look to target the areas that they already spent, like testing and things like that, so they can recoup some of that money and clean those bills up.

Mr. Powers first thanked Ms. Coppola for getting the discussion to the Board so quickly, and said that she may be the only person that has probably read the entire 400 plus page original document. He said that they also provided an executive summary, which runs 45 pages. He said that Ms. Coppola has been on top of this from the earliest mention of these funds being available, and they did have an impactful conversation on Friday. He also said if anyone reads Dr. O'Neill's well-crafted letter will understand what they are up against and that does not factor in the belligerence of ignorant behavior in the community. He said that they are really in a difficult spot. However, they need to be mindful of where the money

came from, meaning this is all a result of the global pandemic, which is still wreaking havoc with about 18% of their workforce unable to be in person. The money came with a purpose, and the money came with a cost, and that is the pandemic, and the mindset he has been applying, is to look at uses that would not otherwise be available. He said that supporting public health would be an appropriate use, because they are still in the midst of a public health crisis, whether this is considered a state of emergency, or not. He said that Ms. Coppola also mentioned technology, and that is a theme that they will hear quite often in the coming weeks. He said not only for this process, but for the budget, because they need to be able to be a nimble and the way to get there is to leverage technology, and implementing Office 365. Mr. Powers said that another key piece that he wanted to emphasize the final rule, which does not require appropriation from Town Meeting. He said this is a game changer, and means that as soon as they can prioritize and identify where they need to spend the money, they can do so expeditiously. He thanked Ms. Coppola and also Dr. O'Neill and everyone on her team. He said he hopes that they can keep the faith and know that they support and appreciate their endeavors.

Mr. MacAskill said that he would also like to take a look at the Council on Aging. He said he is not sure if they have put in any requests, but he thinks this has had an impact on them as well. He asked if Mr. Powers could reach out to them to see what their immediate needs are.

Mr. Powers said he would do that. He said that they have gotten great detail from the final rule so they know what they are dealing with, and will be meeting with the Department Heads tomorrow to do a deeper dive. He also would like to dive into the situation that is occurring at the County level amongst County leadership, and then for the board and staff to weigh in on that issue. There is a need for the money that is available.

Mr. MacAskill thanked Mr. Powers, and then called on Ms. Elizabeth Harder, Harwich's Delegate to Barnstable County Assembly of Delegates.

Ms. Elizabeth Harder, Harwich's Delegate to Barnstable County Assembly of Delegates, said that the situation at the County level it has been resolved. She said that there was a debate over who would have the final say on how the \$40 million was going to be spent. As the County works through the ordinance process, they passed an ordinance to override the commissioner's veto, and the Assembly of Delegates will have a say in where the \$40 million goes. She said that they felt this was very important because the towns should have their representative there fighting to make sure that the largest towns didn't get all the money, or something like that. Ms. Harder said it was also important to have a debate about why the County got money instead of each town just getting their own money. She said that the reason is because they are one of the few places that has county government in Massachusetts. They may be different towns, but they share the same water, the same coastlines, bridges and roads, and sometimes one town will have more money than another. She said that was the thinking of why the County would get money rather than individual Towns. She said that the County will be conducting a survey and they want to hear from everybody, so anyone listening should go to www.BarnstableCounty.org/ARPA, to fill out the survey and let the County know what they think the priorities are. She said that the

other thing to remember is that this is for COVID relief that is the primary reason they have this money. She said that every Town has a wish list, but they are entering into year three of people suffering from this pandemic. She agrees that the Health Departments have a major sense of urgency, but spending all this money does not have an impending sense of urgency. She said that they have until the end of 2024 to decide where the money goes, and till the end of 2026 to spend the money. So, there is no need to panic and there is time for everyone to be clear-headed, take a deep breath, and really try to make the best decisions.

Mr. Ballantine said that he thinks that it is well explained, but his concern is that sometimes when they get out of their realm, into county and state for instance, discussions become more political than directly affecting what their concern is, which is COVID relief. He hopes that they will look at this, and be sure they aren't pushed into a political discussion on regionalization, or the military base, or something of that sort. He said that may not necessarily help their immediate and longer term needs.

Ms. Harder said that is why she focused that this is for COVID relief, and is called the Rescue Plan. It is not about fighting for anything else, it is for COVID relief.

Ms. Kavanagh said that she did a great job in explaining it and agrees that they should be focusing on the COVID related issues, and costs, in front of them. She said that they have time to really assess those and spend it smartly, and she reiterated her support for helping the Health Department.

Ms. Anderson said that she agreed with Ms. Kavanagh, that they need to take care of the Health Department. She said he also would like to see what Mr. Powers and his team come up with for the best way to spend this money and she appreciates Ms. Harder pointing out they don't have to decide for another couple of years, and then a couple more years to spend it. Therefore, this can be very well thought out.

Mr. Powers said that he just wanted to remind them that there are two buckets, the \$1.27 million which the Town of Harwich received directly from the State, and can hit some things that are pressing such as technology and the Health Department. Then separate from that is the money coming from the County, which Ms. Harder just spoke about. They are both under the same rule, and the money that they have had on hand since June, is something that they would be looking to expend sooner rather than later, because they have immediate use for that. He said that will come back to the Board.

Mr. MacAskill said that the only question he has, is how the \$41 million was calculated when they gave it to the Cape?

Ms. Harder said that it was done by the population of the Cape. She said she thinks that is where people got confused, because they said if they did not have a County Government, then Harwich would get this amount, Barnstable would get that amount. So, needless to say, the bigger towns are supporting doing it that way, and the smaller towns are not. She said there is a reason they have County Government, because the things that every Town

wants to do, they would not be able to do it on their own. There are things that they can do at a County level that will help everyone. She said there is so much to be discussed, and contrary to rumors, nothing has been decided and no money has been spent, there is nothing to fear right now.

Mr. MacAskill said that the takeaway really is that the survey is important to the people of Harwich, and if they get Towns that are more active on the survey, they are probably going to get more attention. He said it is important for people to go to the County website and say what they think is right for the Town of Harwich.

Ms. Harder said the more input she has, the more backup she has to fight for Harwich.

Ms. Coppola said that they can put a link on the Town's website to the survey to assist with that endeavor. She said that she does not want to see the Town of Harwich wait too long on the County funds, because although they have time for a full commitment for an expenditure of those funds, they may not have that much time to make decisions. She said at some point the pool of \$40 million is going to be distributed.

Mr. MacAskill said that he agrees that sooner is better.

Ms. Harder said that the date is the end of February that they want direct requests through their portal. She said that they are working on changing that, but the sooner they can get their proposals together for the County funds, the better.

2. Annual Committee Meeting

1. Community Preservation Committee

Mr. Dave Nixon, Chair, Community Preservation Committee (CPC), said that he had a public comment and wanted to let people know that the CPC meeting for Thursday night has been cancelled, and will be held next Thursday night.

Mr. Nixon thanked Ms. Kathy Green for putting together the information that the Board has in front of them. He said that he requests that the other members of the CPC Board participate to really get into what the CPC is. He said for the 18 years of funding, since 2004, the CPC has distributed \$29,460,398.50, and the list of all applications of all the articles in the document are also online at the CPC website. The total amounts rescinded, or returned, is \$1,477,777.38, which is over an 18-year period, and doesn't include the applications this year.

Ms. Kavanagh said the CPC does a terrific job, and they have a great handle on the projects that are important, that qualify, and making sure that people give an overall view of why their project is important.

Ms. Anderson said she always appreciates the concise reports, and looks forward to reviewing the page on the website.

2. Youth Services Committee

Meredith Henderson, Secretary, Youth Services Committee, said that she is there with other members from the committee, Jeffrey Craig, Joy Jordan, and Sheila House. She said the members that were not able to attend tonight are; Becky Craig, Holly Tavano, and their student representative, Annalise Langelier.

Ms. Henderson read the report, and said that Harwich Youth Services is a collaborative committee working with schools and the community to inform the public about resources, educational events and supports for Harwich youth and families. Sheila House, from Harwich Youth & Family Services, saw a rise in referrals and case management this year, due to the stressors caused by social isolation and anxiety during the pandemic. There is a dire shortage of mental health counselor services on Cape Cod (this appears to be a nationwide problem) and youth on Cape Cod often have to wait 2-3 months to see a clinician. Sheila is able to see youth in Harwich within a week, and often sooner if there is an emergency. Sheila House is involved with the following boards and organizations: 1. Barnstable County Regional Substance Use Commission 2. Substance Use Prevention Council 3. Monomoy Regional School District Crisis Response Team 4. Harwich Children's Fund 5. Monomoy Regional School District Equity Task Force, curriculum subcommittee 6. Behavioral Health Innovators, Inc., which is currently running an after-school peer support/substance use program for teens called Recovery/Build APG/Alternative Peer Group-with locations in Harwich at Pleasant Bay Community Boating, and in Falmouth at Gus Canty Recreation Center.

Ms. Henderson said that two years ago when she was there reporting, they had a very long list of goals that they were able to accomplish. She said with the pandemic, they did not have as many, but they were still impactful for their youth.

The goals they were able to accomplish during the 2021 year were; 1. Bring Save-A-Life Tour Presentation. This event took place on Friday December 3rd, 2021 and was open to all wellness classes, peer leaders and 8th grade students. 2. They were able to organize future middle school events that were limited during the pandemic. On Friday October 22nd, they hosted the 1st annual Middle School Kickball Tournament under the lights at Whitehouse Field. This event brought together Monomoy Middle School students and first responders from the Towns of Harwich and Chatham. It was a spirited and fun event and we are planning more events with these two populations to keep connections strong. 3. They were able to support the Harwich Children's Fund, an all-volunteer group of community members and retired teachers, who provide needed assistance for Harwich families, including but not limited to; clothing, food assistance, camp scholarships and enrichment programs. This year, because of generous funding from the Harwich Fund of Cape Cod Foundation, Cape & Islands United Way, and Cape Cod 5, Harwich Children's Fund was able to provide winter coats, boots and clothing to over 100 Harwich Children, enrichment and summer camp placements, and scholarships for two

students attending college in the Fall of 2021. 4. They were also able to support community activities such as, The Family Fun Day Drive Thru event, which took place April 10, 2021 at Monomoy High School. Harwich Children's Fund had a table at this Fun event handing out brochures from Harwich Children's Fund, Harwich Conservation Trust and The Harwich Arboretum.

Mr. Ballantine thanked her for the report and said that the isolation for the kids has been the downside of the lockdown, it's been horrendous. He said that he knows from other activities he is involved with, Outer Cape Health Services has been seeing the same thing in that population, and they are looking for people, but it is a tough position to fill. He said it is a huge concern, and it's not going to go away any time soon. He said his fear is that even when they open up, this will be dragging on. Mr. Ballantine said they will give them all the support they can.

Ms. Anderson said that she was struck reading the report that they collaborate with 20 or so different organizations. She said that is quite impressive and she is glad that they are looking at another kickball tournament. She was sorry that she missed it this year.

Ms. Kavanagh thanked them for the fantastic job and especially during this pandemic when the kids really need them. She said it is really difficult how limited mental health services are on the Cape. She also loved the kickball tournament and said it looked like it was a great time. She said that she thinks the students, whether they are elementary, middle, high school, or college, they are exhausted, and don't have the same skills as adults for coping.

Ms. Sheila House, Town of Harwich Youth Councilor, said that the high school kids especially are the most exhausted, because they look like little adults, but they are still kids. She said how things were different when she was in high school, and spoke to a call of juniors and seniors and told them they have to give themselves a lot of credit. They have just done an amazing job, and she also acknowledges the Town for having a position like this.

Ms. Kavanagh gave the acknowledgment back to them. She agreed that when kids at least feel heard, and the acknowledgement that they are toughing it out, that is something that they probably all forget to do sometimes.

3. Harwich Utility and Climate Action Committee

Ms. Valerie Bell, Chair, said after tonight, she hopes it will be the Harwich Energy and Climate Action Committee and explained that the word utility had snuck in there, if they could change it. She said that they did not do a lot during the pandemic, because they are short on members, but she will summarize the work they have done. She said that Harwich should be proud because they have put up the solar farm and become a green community, so they are well on their way to doing the right thing for climate change, for reducing carbon dioxide, and for conserving

energy. She said that they would like to recommend and put it on the list of projects is to help Harwich switch over to electric vehicles a little more smoothly. She said that right now Harwich does not have many charging stations and more tourists are coming with electric vehicles, and charging stations are going to be part of the calculus used when they pick where to go. They should also look into replacing some of the Municipal fleet cars with electric, and she said that there are grant programs available through Massachusetts to help offset some of the costs for both the vehicles and the charging station. She said that would also help as they move through their green communities commitments.

Ms. Bell said that she looked at all the different plans that are out there, such as, the Global Warming Solutions Act, which is sort of a Federal Act, the Massachusetts Clean Energy and Climate Plan, the Cape Cod Commission who just published a climate action plan for Cape Cod, and back in January of 2020 Harwich had a Harwich Community Resilience Building Workshop looking at vulnerable infrastructure, what to do about climate and what to do in a weather disaster. She said there are a lot of suggestions, and there are a lot of action plans they can look at to guide the Town of Harwich. However, it is really going to take the Town of Harwich to decide what is important for them and what they are willing to put their money and energy into, when it comes to climate.

Ms. Bell said that the other thing she read in all the different action plans, was that Towns need to review their building codes and bylaws, to make sure they are mitigating some of the risks for their coastlines. She said the town needs to plan for retreat and explained that Orleans already has a fairly complex plan. She said the biggest issue right now is trying to drum up more members.

Mr. MacAskill commented that Mr. Ballantine had just interviewed one person, but agreed that they need people which is pretty widespread. He said that it was recommended to have nine people on the committee, but it has been three for about four years now.

Ms. Anderson said that she can't imagine the largest task of climate change with three players, so they need to beef up their committee.

Mr. Ballantine thanked them for their work and said that they are always open to interview more people. He said that his personal hope is to have enough candidates to have a range of diverse opinions. There is no doubt they need to do something about carbon dioxide, but he said that resiliency may be there most immediate concern because it is more short term. He said sometimes people do one thing, but destroy something else and he wants to be sure they have diverse opinion on the committee, so he hopes they have a lot of people volunteer.

Ms. Kavanagh thanked Ms. Bell for her hard work and that the first thing to do is get the name changed. She said then they also need to get them more members, and they need to find a way to reach out to people.

Ms. Bell said that they are going to put together a presentation in March, though they have not decided on the exact format, but maybe having an information table at the Community Center. She said she is going away for a month, but they do have plans for March and definitely looking.

Ms. Kavanagh said that once they get the members, it will be important to have a collective discussion, so that they can get their feedback on what are the most pertinent items that really need to be addressed right away. She said that they have had some strange storms in the last few years, and they need to prepare for those better, and the FEMA flood issues are going to get worse and will need to be looked at proactively. She said that they do have zoning bylaws that talk about fill and the flood, and maybe they should be looking harder at how to better determine how to protect the most difficult areas to protect, the shoreline. She said she appreciates their work and again they need to find a way to get them more members.

Ms. Bell said sometimes if there is a specific project that is being worked on, it can attract more people. She said if they were perhaps putting together a climate workshop, or something like that, people might be willing to jump in and be part of that.

Ms. Kavanagh said that if the interview committee interviewed one person, they she could that person assigned, because they currently only have three people.

Mr. MacAskill asked Ms. Bell to continue to work through their liaison for any requests that they have, and asked if they need help with grant writing for the charging stations?

Ms. Bell said that most of those grants need to be generated by the Town, because they are Municipal grants that would need to come from the Town. She said that the State website has the application form.

Mr. MacAskill asked Ms. Bell to pass that information on to their liaison, so that it could get to Administration? He also asked Mr. Powers to make note of that.

3. Discussion and possible vote on the request by Traffic Safety Committee to have charge updated

Mr. MacAskill said next up is a discussion and possible vote on the request by Traffic Safety Committee to have charge updated. He said that there are two things, first is they want to meet quarterly instead of monthly, and second they want to put a finite number on the members. He said it currently says five, or seven, so the request is to keep it at five. Mr. MacAskill asked for a consensus of the Board.

Roll Call Vote: Ms. Anderson - Aye, Mr. Ballantine - Aye, Ms. Kavanagh - Aye, Mr. MacAskill - Aye, consensus provided at a vote of 4-0-0.

Mr. MacAskill confirmed this is changed and asked Mr. Powell to have staff update the charge.

4. Discussion and possible vote to approve a Class II and Class IV Auto License renewal for Richie's Garage – 191 Queen Anne Road

Ms. Kavanagh moved to approve a Class II and Class IV Auto License renewal for Richie's Garage, at 191 Queen Anne Road. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Anderson - Aye, Mr. Ballantine - Aye, Ms. Kavanagh - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

5. Discussion and possible vote to approve the following 2022 Common Victuallers License Renewals
 1. Ashwood Food Service d/b/a Jake Rooney's – 119 Brooks Road
 2. Capeside Kitchen – 537 Route 28
 3. CDUT Corp. d/b/a Upper Crust Pizza – 1421 Orleans –Harwich Road

Ms. Kavanagh moved to approve the 2022 Common Victuallers License Renewals for items 1 - 3 listed above. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Anderson - Aye, Mr. Ballantine - Aye, Ms. Kavanagh - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

6. Discussion and possible vote to approve the following 2022 Entertainment License renewals;
 1. Beachlight LLC d/b/a Seal Pub – 703 Main Street – Weekday 6:00 a.m. to 1:00 a.m. inside and Sunday 6:00 a.m.to 1:00 a.m. inside Entertainment type: Weekday – Recorded or live music with amplification, dancing by patrons, Theatrical exhibit, play or moving picture show, any other dynamic audio or visual show whether live or recorded, karaoke. Sunday – Recorded or live music, dancing by patrons & entertainers Last Entertainment License: Weekday 6:00 a.m. – 12:00 a.m. – Recorded music, acoustic live music and karaoke

Mr. MacAskill said that they heard from the owners, and received confirmation from their attorney, that they were looking for approvals for the same as it was last year. He said that last year they had 6:00 am to 12:00 am, inside, with recorded music, acoustic live music and karaoke.

Ms. Anderson confirmed that it was the same as last year, and that she did not have any questions. Mr. Ballantine and Ms. Kavanagh had no questions.

Mr. Peter Antonellis, said he is a resident on Parallel Street behind the Seal. He asked for point of clarification if there is no amplification indoors?

Mr. MacAskill said that it states recorded music, which would definitely be amplification, but then it says live acoustic music and that is not amplified

Mr. Antonellis said that he would like to at least register his objection to any amplification, and said that it is his understanding that the amplification can be heard outdoors if windows and doors are open. He said that it seemed in the past under the COVID rules in the State of Massachusetts, that there had been an extension of outdoor dining and with windows and doors open, noise could be heard within a 150' by abutters.

Representative for the Seal Pub said that he appreciates the comment and said that they do have amplified music indoors, while people are dining. He said that they had opened windows and doors at the advice of the Board of Health, during the pandemic for air flow, but after receiving their initial complaint about noise, they rectified that by closing the doors and windows. He said that the building is very soundproof, and outside they are not seeking anything amplified, only their resident musician who is acoustic, singer, and songwriter.

Ms. Kavanagh moved to approve Beachlight LLC d/b/a Seal Pub, 703 Main Street 2022 Entertainment License, weekday 6:00 am to 12:00 am, inside, with recorded music acoustic and acoustic live music and karaoke, and dancing by patrons. Seconded by Mr. Ballantine

Roll Call Vote: Ms. Anderson - Aye, Mr. Ballantine - Aye, Ms. Kavanagh - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

Ms. Kavanagh moved to approve Beachlight LLC d/b/a Seal Pub, 703 Main Street 2022 Entertainment License, for Sunday with recorded or acoustic live music, 6:00 am to 12:00 am. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Anderson - No, Mr. Ballantine - Aye, Ms. Kavanagh - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 3-1-0, with Ms. Anderson against.

2. Ashwood Food Service d/b/a Jake Rooney's – 119 Brooks Road – Weekday 7:00 p.m. to 12:00 a.m. and Sunday 5:30 p.m. to 9:00 p.m. Inside Entertainment type: Recorded or live music Last Entertainment License: Weekday 5:00 p.m. to 12:00 a.m. inside and 5:00 p.m. to 10:00 p.m. outside – recorded or live music. Sunday 5:00 p.m. to 9:00 p.m. inside – recorded or live music, DJ and trivia.

Ms. Kavanagh moved to approve Ashwood Food Service d/b/a Jake Rooney's, 119 Brooks Road – Weekday 7:00 pm to 12:00 am and Sunday 5:30 pm to 9:00 pm, inside. Entertainment type: Recorded or live music. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Kavanagh - Aye, Mr. Ballantine - Aye, Ms. Anderson - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

7. Discussion and possible vote to approve the following New 2022 Entertainment licenses;

1. Blue stripe LLC d/b/a Cape Sea Grille – 31 Sea Street – Sunday 1:00 p.m. to 11:00 p.m. Inside Entertainment type: Recorded or live music with amplification

Ms. Kavanagh moved for discussion and possible vote to approve the new 2022 entertainment license for Blue stripe LLC d/b/a Cape Sea Grille – 31 Sea Street – Sunday 1:00 pm to 11:00 pm, inside. With entertainment type: Recorded or live music with amplification. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Kavanagh - Aye, Mr. Ballantine - Aye, Ms. Anderson - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

2. Beachlight LLC d/b/a Seal Pub – 703 Main Street – Weekday 12:00 p.m. to 10:00 p.m. outside and Sunday 1:00 p.m. to 10:00 p.m. outside Entertainment type: Weekday – Recorded or live music, dancing by patrons & entertainers, acoustic live music. Sunday – Acoustic live music, dancing by patrons & entertainers

Mr. MacAskill asked the applicant to stand up and give them an idea on this request. He said that this is a new outdoor entertainment license, and they have not approved one there in the past. He said that they can all agree, despite what the attorney wrote to them today, that there's been noise issues with the neighbors, with music inside with windows open. He questioned how they can think of doing music outside and that they are requesting approval for 10 hours a day.

The applicant, Mr. Josh Winston, said that they can certainly amend that piece of the application, and that it was filled out with the intent to copy their hours for the most part. He said that their intent is to really only be out there from about 6:00 pm to 10:00 pm, for the dinner portion of the evening. They invited Mr. John Griffin, who is their guitarist and singer/songwriter to be there, and said that his songs are mellow with low volume. Mr. Winston said that the intent is to really work with the Town, be a good neighbor, and bring in a nicer, more subdued audience who will sit there to drink wine and listen to a guitar player singing really nice mellow music. He said that the intent is not to have a ruckus party, it is really the opposite of that. He said that they really prefer, and is there intent to include some nice soft mellow dinner music, so that people can sit out and enjoy their food and wine on the deck, with their full pledge to be done with no audible noise outside by 10:00 pm. He said last year they were inundated with kids coming into town and

going crazy, and being a brand new business, post pandemic era, they have made adjustments to change the dynamic and demographic of some of the visitors.

Mr. MacAskill said he wanted to tell them his concerns, and then they will hear from the rest of the Selectmen, so that Mr. Winston can consider if they want to move forward with this tonight. He said that he would be more comfortable with a Public Hearing on this, so that the neighbors can speak. He said that he did receive some calls today, he received an email, and there is one gentleman there in person. He said a realistic time schedule would go a lot further than just a general 10 hours. He added that there is a business in West Harwich they approved a few years ago, with some very specific times that they could do music, and there was a fairly large group from West Harwich that were against that. Mr. MacAskill said he is very pro-entertainment and very pro-music, despite what some may think, but he thinks that the hours listed is too big of an ask. He said he wants to hear from the rest of the Board, before they consider a motion on this.

Mr. Winston said that it may be best to resubmit or withdraw and resubmit with the appropriate hours.

Mr. MacAskill said that since they have an audience tonight, they should listen to what the Board members have to say, so that he can go back and have a conversation about it. He said the other problem that he sees is that the deck is very small, so if you put an entertainer on the deck, where will the people sit to eat and drink their wine? He said that he believed they were given an expansion on that deck because of COVID, and it is unsure if that will happen this year.

Mr. MacAskill asked if Mr. Young could answer the question on the deck?

Mr. Robert Young, said that their seating is sort of flex seating, where they move chairs outside to the deck, but that is their licensed premises. He said that they were allowed to move into the driveway that they share with the church, and add seating in front, but that did not happen. He said that on this application they wanted to do 6:00 pm to 10:00 pm for acoustic guitar only, no amplification outside. He said that one of the complaints they had, that they were cited for was Mr. Griffin playing a wedding and a song was requested and the crowd sang. He said that a neighbor complained over hearing noise by kids, but the officer heard the noise of the guitar, and said that there is no measurement by their noise ordinance. He said that they are not violators, they try to do good in Harwich Center and he thinks that they have added to the Town. They just want the Town to realize that they want to support musicians.

Mr. Young began to further comment on what happened with Perk's last year and Mr. MacAskill said that he does not want to get into that. Mr. Young said he understands that but they are just asking for a guitar with no amplification.

Mr. MacAskill said that they just decided that they will be resubmitting an application, but they are not going to rehash what happened last year, they are not looking backwards, just forwards. He said they need to have realistic hours, and asked again if they expanded the footprint of their deck?

Mr. Young said no.

Mr. MacAskill said that is all he wanted to know.

Ms. Kavanagh said that it is good to hear that they are talking no amplification, because they already made that clear in Harwich Port. They certainly don't want to create two different standards, and she also agrees with Mr. MacAskill that it is too many hours. She said that overall, if you are talking weekdays during the summer months, 6:00 pm to 10:00 pm works, but maybe 6:00 pm to 9:00 pm on Sundays. However, she said a public hearing is important so that the neighbors feel heard.

Mr. Ballantine said that they have moved in the direction that he is comfortable with, but said that it is a small deck and he is wondering why they need amplification on such a small deck. He said if they resubmit the application, he is comfortable but they all agree that they need the public hearing to get the public input.

Ms. Anderson said that she appreciates hearing that their goal is to change things and become more mellow. However, she said she is not inclined to want outside entertainment at that location. She said it was a very challenging summer last year, with four issues that came before the licensing board, and whether they were legally accountable to the ABCC. She said she does not have any doubt that those things happened and she is not interested in outside entertainment in that location.

Mr. MacAskill said his only comment is that he thinks 10:00 pm is too late, especially if they are doing it for serving dinner and for wine on the deck. He said he would also encourage them to look at the restaurant in West Harwich because it is not every day that the neighbors get a reprieve. Mr. MacAskill said he is sure that Mr. Griffin will not be playing every single day for the entire summer, so a schedule that makes sense might be more palatable for the neighbors.

Mr. John Griffin, guitarist, said that he lives in Boston, so he would not be doing it every day. He said that he thinks that 6:00 pm to 9:00 pm is reasonable for the dinner crowd and having more specifics on the application with certain months and days of the week sounds good to him.

Mr. MacAskill said they should take a look at it, and reapply.

Mr. Peter Antonellis, resident on Parallel Street, said he was glad to hear the applicants saying they want to work with the Town and having a Public Hearing is a great idea. He said that outside is going to be an issue at this location. He said

from his experience in working with the planning department on getting the new deli on main street approved, the answer to that was working with people outside of a public hearing. If the applicant can reach out to the abutters through correspondence, whether it's verbal or written, and explain to them where they're going with this, it will help the Town come to a Public Meeting with a lot of agreement already in place. However, he thinks outside is going to be an issue.

Mr. Tom Meehan, neighbor on Parallel Street, said that he really appreciates the direction they are going with this now, and that it sounds like it should work very well. He said that last year the biggest problem was the younger crowd and they were drinking too much and having fights in the parking lot. He said it looks like it is going to be a really nice venue.

Mr. Powers asked that if it is the intent of the applicants this evening to withdraw this application, that they state that for the record. He said that way the Town can show that the matter was withdrawn by the applicants, and came back in a future meeting.

Mr. Winston confirmed that they would like to withdraw the application, and resubmit it at a later date.

8. Discussion and possible vote on draft response to Massachusetts Housing Finance Agency in regards to Site approval application submitted by Kemah Apartments, LLC for Chloe's Path located off of Sisson Road

Mr. MacAskill said that they all received a memo and the application, and they are looking for input. He said that his real quick answer is for Mr. Powers to work on, or have staff work on, a draft response based on their meetings and all of the Board's comments and concerns. He asked if that would work for Mr. Powers?

Mr. Powers said that it's not that it doesn't work, but there are three elements that are at play with the letter we received. He said first, there is a site visit that the Board has been invited to, on January 18th at 11:00 am. He said he has it on his calendar and several other folks do as well. He said the primary reason for getting it to the board this evening, is to put it out there about the walk through. He said, separate from that, there will be a future discussion at the Board level, if the Board approves to finalize the commentary, which is due on February 9th. He said also in the letter is an item that does not need to be addressed tonight, but it also goes back to an item brought up by Ms. Anderson. He said that the Mass Housing Partnership also offers a program where they give grants up to \$15,000, for Municipalities to hire third-party consultants. His initial action on that is to continue to work with the council, who will be advising the Zoning Board on this application, but also their input on that best practice. It is really the three different things that are in play, and the timeliness of it would be regarding the January 18th site visit.

Mr. MacAskill asked who intends to attend the site visit?

Ms. Kavanagh said she has put it on her calendar.

Mr. Ballantine said he will try to make it.

Mr. MacAskill said he was going to try and make it, Ms. Anderson said she was going, and Mr. Howell said he was going. He confirmed it does not need to be posted, as they will not be deliberating anything onsite. He said he would like to get it to them sooner rather than later, because there was a lot of positive comments on this, but there was also a lot of negatives; including the restriction on the site on whether or not it's buildable. He said their application says it is buildable, but it is his understand that it is not. He said they need to outline on their application that there is a deed restriction to lift. He said the more they can get into a letter quickly, the better it will serve them.

Ms. Kavanagh said that this application also references different parking numbers, then they received.

Mr. MacAskill asked Mr. Powers if they could try and do their best to put something together, based on the lengthy hearings that they have, he would appreciate a draft sooner than later.

Mr. Powers said yes, and that hearing the Board members intend to go to the site visit is very helpful for that effort. He said that they are going to talk about it at tomorrow morning's Department Head meeting, to see what other departments will be represented at the site visit. He will be reaching out to the individual who wrote that letter to advise them of that, and also start a conversation about the narrative response which will be presented to the Board well before the due date. Also, if the Board thinks there is any value in pursuing the potential use of a third party consultant.

Mr. MacAskill said that he thinks if they can get a grant for \$15,000, they absolutely should. He said when the Board of Appeals was before them for their annual report that was a topic that they wanted to know more about, so having a housing expert follow them through this process would be very helpful for the Town of Harwich. He asked for a consensus from the Board.

Roll Call Vote: Ms. Kavanagh - Aye, Mr. Ballantine - Aye, Ms. Anderson - Aye, Mr. MacAskill - Aye, consensus provided at a vote of 4-0-0.

9. Discussion and possible vote on the evaluation and future goals for Joseph F. Powers, Town Administrator

Mr. MacAskill congratulated Mr. Powers on his very successful performance evaluation, which were all satisfactory to highly satisfactory, with a lot of great comments from the Board. He said that they fulfilled their obligations in reviewing him, and having the passing grade that that gets him his contractual increase. He then turned it over for comments from the Board.

Ms. Anderson said that the words on the evaluation speak for themselves and that he is doing a great job. She said the only reason for satisfactory versus highly satisfactory, is just due to his time in the position and her time in her position. She said she wants to see more and is quite thrilled to have him as their Town Administrator.

Mr. Ballantine said it has been a job well done. He said that some of the issues that he raised were ones that are under development. He said that they are still working out procurement activities, though they have made big improvements and he has done great on the financial side. Mr. Ballantine said his only negative would be that communication could be increased a bit, although he knows that Mr. Powers is putting his staff together and has gone through unusual times. He looks forward to another year.

Ms. Kavanagh said she would reiterate Ms. Anderson's comments in the sense that she has had limited time with him, but from her experience so far, she thinks he does a good job in terms of all the expertise he can offer the Board, and on the day-to-day. She said in terms of feedback, although there has been a lot to deal with, the communication and timely responses could be improved. Otherwise, she thinks that he has done a great job.

Mr. MacAskill said that he echoes some of their comments. He said to Mr. Powers that he was his biggest critic for a while, but they have come a long way. He said that he has certainly proven himself in a lot of areas and has gotten a lot more work done that he thought would happen. He said that there are two areas with communication, which they had a separate conversation on. He said communication with the Board has been excellent, however, as others have mentioned, communication with some employees and with residents needs to be improved. He said that is the most complaints he gets is about non-response or not a timely response. However, he can appreciate how much he has had to do, how much he has had to adapt, and how many people he has to support. The only other piece is the leadership part of the performance evaluation, and he said it is hard to grade him on leadership, when there is no mechanism to be able to speak to the department heads their feedback directly to the Board. He said he thinks that is a flaw in the performance evaluation, and quite frankly in the Charter. Mr. MacAskill said he knows that the Selectmen can't be involved in the day-to-day, but they should try and come up with a mechanism; whether it's an interview with different Department Heads, to get their comments, so that they can better grade on leadership.

Ms. Anderson said that was one area she had not mentioned previously, but is of concern, with the communication among the staff. She said in her telephone company days, they used to do 360 appraisals, where they would get feedback from direct reports, as well as peers. She said not a whole appraisal, but some feedback to use as a blueprint for improvement. She asked if they would have the ability as a Town to do that type of thing? Mr. MacAskill said he does not know the answer to that, because the Charter is very clear on Selectmen's involvement with Department Heads, but it is a great idea. He then turned it over to Mr. Powers.

Mr. Powers thanked them and said he wished he could be there in person to express his gratitude for their support over his first full official year. He said he also appreciated their

support in taking the evaluation process seriously, and he read and appreciates them all, both the compliments and areas he can improve on. He said he thinks that they nailed it. Mr. Powers said to the last part, he would say that the Charter says that they employ him, he works for the Board of Selectmen, so he is confident that they can come up with a better refined evaluation form and evaluation process that captures what they are looking for. He also know that he has areas of improvement and he takes their comments to heart and appreciates it. He said he is just thrilled that the process went as smoothly as it did and that they were forthright and open. He said that they have given him a lot of good information to move forward, and lastly they have established an evaluation process that can be cascaded down throughout their organization. He thanked them for the opportunity to serve in this job in this great Town.

OLD BUSINESS

A. Updates from the Town Administrator on action taken on the following projects;

1. 5 Bells Neck Road

Mr. Powers said he first wanted to speak on his staff, meaning the administration team, first and foremost. He said he has been incredibly well served by Ms. Meggan Eldredge, Ms. Danielle Delaney, and Ms. Ellen Powell. He is pleased to be able to work, not only with that crew over the last year, but also his peers and the Department Heads. He said that they are truly a team and they are all in this together. He said that is his segue into this topic, since he has been out with an unplanned absence dealing with COVID. He said that the updates have been provided by their Assistant Town Administrator.

Mr. Powers said that they have submitted last week the request for quotes for real estate and brokerage services, which is the next step for the property at 5 Bells Neck Road. He said from his last conversation with their Assistant Administrator, he knows that they received a deferral, or a denial, of the opportunity from one of the folks they saw the quote from, so that process is still ongoing. However, they hope to have final quotes in by the end of this week, and report to them as early as next week, that they have somebody under contract for that.

Ms. Kavanagh asked about the deadline of January 12th, and asked how much time they had in terms of gathering these requests?

Mr. MacAskill said that someone in the audience answered eight days.

Mr. Powers confirmed that is correct.

2. 203 Bank Street

Mr. Powers said that this goes back to seeking appraisal services, and the request for quotes were submitted on Tuesday, January 4th, as was the other one. He said

that the Town is seeking appraisal services for 0 Town Way, which would be the property that Town Meeting allowed the Board to take by eminent domain. He said that they need an updated appraisal on that property, and then an appraisal of 203 Bank Street, so that they adequately take into consideration the true value of the property. He said they were able to get a list of appraisers and hoping to get some positive responses, hopefully by the 12th and get information back to the Board as early as next week.

3. 0 Seth Whitefield Road

Mr. Powers said that for this one, the bulk of the work was done in his absence, by Ms. Eldredge. He said that they have a proposal from their former colleague, Mr. Paul Sweetser to provide survey services related to the Judah Eldredge parcel. He said that they may recall when they revived the process, council said that the tax title examination was insufficient, and therefore they should rely upon a new survey, so they are fortunate to have Mr. Sweetser to do that. The only issue at this point is trying to find the money to get that job done, because that was not previously funded directly. He said he is working with the Finance Director to see if they can use funds that are related to the CPC vote.

Mr. MacAskill said that the appraisal estimate seemed high to him. He said that they have an open surveying position in town, and perhaps they should have a broader conversation on filling that position. He said the more they look at eminent domain takings, and all of these miscellaneous parcels and owners unknown, they could certainly keep someone busy for a few years, at least. He said he is going to agenda that for a future conversation and looks forward to feedback on the \$26,000 ask on that one property.

Mr. Powers said that the survey services goes back to the retirement of Mr. Sweetser, in either late 2018 or 2019. He said that the position has gone unfilled for a number of years, early on to support technology, which did not happen, so he is still dealing with the conundrum of trying to get an engineer that can serve the town, but who is also not hamstrung, as their previous engineer was, by the lack of survey services. Mr. Powers said also trying to do all of that within the budget process that's ongoing, and to make sure that it would not be considered a new add to staff, because it has not been budgeted for several years.

Ms. Kavanagh said that it is true they could get it done in-house, however, it is a large parcel of land and she deals with proposals all the time, and this is right in the ballpark.

Mr. Ballantine said after his first read, it seemed high, and then he found what the lawyer wrote to be convoluted and complicated, and was not sure how to interpret it. He said a survey of the boundary lines, will be separating all the various land parcels and putting it together in a way that it makes sense. He said that it may be that the price is right, but it would be nice if they had a competitive bid.

Ms. Anderson said she will rely on Ms. Kavanagh's experience in dealing with this, because she has no idea, and she agreed that the letter from the lawyers had her in circles.

Mr. Powers said he wanted to respond to Mr. Ballantine's question, and said that they have been reading a dollar by dollar, hour by hour. He said it gives them a sense of how complex a situation they are dealing with, and last but not least, Mr. Sweetser is competitive in so far as he responded to the request. It's been extremely difficult trying to get those services rendered for the town.

Mr. MacAskill said that Mr. Sweetser probably knows the land better than most.

CONTRACTS

- A. Discussion and possible vote to approve a contract amendment in the amount of \$17,600 with Vanasse Hangen Brustlin, Inc. (VHB) for the West Harwich Route 28 Corridor Improvements

Ms. Kavanagh moved to approve a contract amendment in the amount of \$17,600 with Vanasse Hangen Brustlin, Inc. (VHB) for the West Harwich Route 28 Corridor Improvements. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Kavanagh - Aye, Mr. Ballantine - Aye, Ms. Anderson - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Powers said that there is some good news that some vacant positions, caused by retirements, have been filled. He said that the Treasurer/Collector's office has a new Benefits Coordinator/Administrative Assistant, named Krystie Legendre, the Cultural Center will be getting a temporary Administrative Assistant very soon, named Talitha Abramsen, and the Water Department has two new hires coming in, Michael Lewis, Secondary Distribution Operator, and Daniel Leahy as Laborer. He said that these are critical adds to staff to fill vacancies, where the operations are needed and in most cases are responding to retirements.

SELECTMEN'S REPORT

Ms. Anderson said she will be glad to be back in the building next week.

Mr. Ballantine said he had no comments, except that they will be happy to see Ms. Anderson and Mr. Powers back next week.

Ms. Kavanagh said that she would like to remind everybody the importance of filling out that survey, at www.BarnstableCounty.org/ARPA. Also, she wanted to remind everybody what Dr. O'Neil advised about the surge they are in, and hopefully they will see it reduced soon.

Mr. MacAskill said that they will be going back to a hybrid approach for the next meeting so more people can participate during this surge of COVID-19. He said that there will be links on the agendas or remote participation, though people that want to come to the building, are still welcome.

ADJOURNMENT

Ms. Kavanagh moved that they adjourn at 8:37 pm. Seconded by Mr. Ballantine.

Roll Call Vote: Ms. Anderson - Aye, Mr. Ballantine - Aye, Ms. Kavanagh - Aye, Mr. MacAskill - Aye. Motion carried at a vote of 4-0-0.

Respectfully submitted,

Lisa Schwab
Board Secretary

