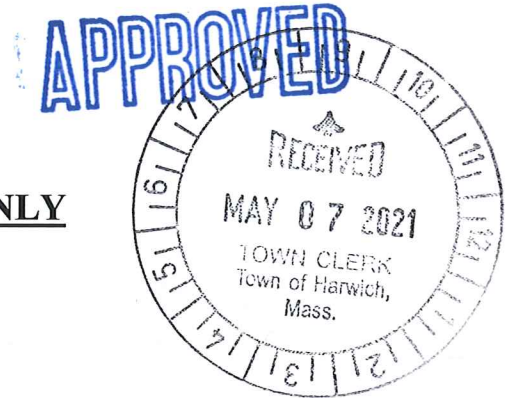


RELEASED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
Monday, February 1, 2021
6:30 P.M.**



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

ALSO PARTICIPATING: Town Administrator Joseph Powers.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:32 pm, and called to order the Board of Selectmen. He explained that he first called the meeting to order at 5:45 pm for Executive Session, where they discussed two articles. The first was pursuant to MGL c.30A, §21(6) to consider the purchase, exchange, lease or value of real property if the chair so declares and the second was to discuss strategy relating to pending litigation known as, Watkins et al. v. Town of Harwich. They discussed both of those items and they are both ongoing and they will have further discussions.

WEEKLY BRIEFING

A. COVID-19 Updates

Ms. Meggan Eldredge, Health Director, said that there was some good news, and the current active cases have gone down to 27. She said that this is lower than they have had in the past several weeks, and they are heading in the right direction. They have had a total of 481 cases of COVID-19, since the beginning of the pandemic, which is going on a year now. Harwich remains in the "red" which designates us as a high risk community. They have a positivity rate of 6.22%, which is lower than the 7.5% from last week. They continue to trend in the right direction. She believes that they will be on track for the start of Stage 3, of the reopening plan. Ms. Eldredge said that the Governor should roll back his temporary measures and the 25% restrictions should be lifted on Monday. That means that it will go back to 50% occupancy for places like gyms, offices, restaurants, and entertainment venues.

APPROVED

Ms. Eldredge then provided a vaccine update. She said that Barnstable County represents 15 towns on the Cape, with the restrictions and allocations for vaccine distribution. She said that each provider will be getting 975 doses of the Pfizer vaccine per week, and they will be going to regional clinics that will be set up. They have the Fairgrounds, the Melody Tent, and they are working on setting up another one, possibly in Orleans or Eastham. The tough part of the vaccine is that once it is removed from the freezer, there is a limited time to use it. She said that it is a pretty intense process, for both the Moderna and Pfizer vaccine. It cannot be transported, if not in a frozen state, which has made mobile clinics or homebound visits difficult. The Johnson & Johnson vaccine might make it possible. Also, people have the options of going to CVS, Walgreens and Stop & Shop, who are providers. To find appointments for the vaccine, people should go to the State website on the vaccine finder map, www.mass.gov/COVIDVaccineMap. She said that appointments will be hard to find because of the high demand and short supply. Ms. Eldredge said she has gone on it herself, and there have not been appointments within a 50 mile radius. However, she said that Massachusetts residents can go to three Mass vaccination sites, Gillette, Fenway and another outside of Boston. Ms. Eldredge also wanted to remind everyone that being vaccinated does not mean that people can go without a mask, or to visit family. It is a step towards that, but not a free for all once they have been vaccinated.

Ms. Eldredge said that Phase 2, of the vaccine distribution plan, started today. That means that anyone 75 years or older, are now eligible. She said that the next group will include those 65 years or older, or anyone with two or more qualifying medical conditions. They are moving along. She also explained that there is not a wait list, in Harwich or the county. If people are able to get on the vaccine map and enter their information, it will be stored and they could get called, if there are cancellations. It is more like a standby list. Ms. Eldredge said that they are working on an update to the Town of Harwich website, which will have a button on the home page, for the COVID-19 information.

Mr. Ballantine asked if the vaccines that the pharmacies have, are part of the 975 number? Ms. Eldredge confirmed that they are not part of the 975. She said that they do not get the vaccines from the Department of Public Health, but straight from the CDC, and it is a different allotment. However, she said that they seem to be having the same shortage problems, but people should try to get one where ever they can.

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

Ms. Cyndi Williams, Executive Director, Harwich Chamber of Commerce, said that she was going to share some information on the annual Harwich Magazine, which reflects the Town and the businesses. She said that this year's theme is *Harwich Life, live, work, play, and grow*. They are going to take everyone on a journey. She said that they did not want it to screen pandemic, but everyone has been through so much this year and so much has changed. The cover will have a photo of the campground, taken by a local resident.

Ms. Williams said that they are also, they are partnering with the Cape Cod Chamber to do video spotlights, which will reach 1.7 million unique website viewers, 85,000 Instagram, Facebook, TikTok and Twitter followers, and 38,000 email subscribers. They have also joined a group called Grant Watch and will be searching for grants that come out and will keep everyone updated. She concluded and asked everyone to continue to support the local restaurants and businesses.

ANNUAL COMMITTEE PRESENTATIONS

A. Harwich Housing Committee

Mr. Arthur Bodin, Chair, Harwich Housing Committee, said that during the past year, the Housing Committee has focused on its mission, which is to be an advocate for housing. He said that they have supported their representative, to the Community Preservation Committee, by supporting funding for Affordable Housing Initiatives, and the Rental Assistance Program, which is administered by the Harwich Housing Authority. When called upon the Housing Committee has offered voice and written comments supporting affordable housing projects.

Mr. Bodin said that earlier in the year, the Committee participated in a joint meeting with the Affordable Housing Trust Committee, to form a partnership for a more singular approach in solving housing issues. The Chair supports the Affordable Housing Trust, by attending meetings and adding input on agenda items, and recommendations of direction. He said that the Committee is committed to being a partner with the Affordable Housing Trust.

Mr. Bodin said that the Committee visited other towns, and witnessed firsthand the progress those towns are achieving in building affordable housing. One of these projects is a recently finished project in Hyannis, sponsored by the Housing Assistance Corporation, which is called The Ridge Road Apartment Complex. This project demonstrates what can be achieved with a small parcel of land and a design, which complemented the area. The Committee has maintained its representation on the County Home Consortium Advisory Council, participating in their monthly meetings and playing a role in determining the allocation of housing funds that the County Home Program administers.

He said that the Committee also supports the Real Estate & Open Space Committee by attending their meetings and advocating for housing. He said that the Real Estate & Open Space Committee plays a pivotal role in the determination of the use of land that becomes available to the Town.

Mr. Bodin said that during 2020, Habitat for Humanity started work on six homes on Murray Lane, West Harwich. He said that they are thankful that Habitat for Humanity is back in Harwich, and building owner occupied homes. It is important that they support this great organization, now and in the future.

In closing, he thanked the Interim Town Administrator, Joe Powers and the Board of Selectmen, for their support of housing initiatives, and the Town Planner, Charleen Greenhalgh for her support in all requests.

Mr. Howell said that he is in pretty frequent contact with Mr. Bodin, and they are looking forward to having another joint meeting. He said that he has had conversations with Community Development Partnership, relative to Ms. Andrea Aldana and Ms. Pelinda Deegan, being made available, because they are not being utilized to the fullest. He said that the role of the Housing Committee is different from the Housing Trust, and that they are really relying on them being more of the outreach, to discuss why affordable housing is important. He would like to make sure they can continue doing the outreach.

Mr. Ballantine asked about rental assistance and what type of outreach they do for it. Mr. Bodin said he would have to refer that to the Housing Authority, for rental assistance questions. Mr. Howell said that Ms. Aldana is probably a better person for that, because they do have a contact mechanism. However,

they don't do it, but HECH and CDP, does some rental assistance if people are in need. Mr. Howell said it would be great to have someone inside Town Hall for this purpose.

B. Harwich Housing Authority

Ms. Tracy Cannon, Executive Director, Harwich Housing Authority (HHA), said that first, she will speak to the rental assistance. She said that they have the rental assistance and would be happy to help people at any time. They do receive a lot of calls from people looking for help, and information. They also send people up to Homeless Prevention, and they have a lot of resources.

Ms. Cannon read the report and said that the Harwich Housing Authority shares office space with the Chatham Housing Authority, and is located to 240 Crowell Road in Chatham. The office is currently closed to the public due to COVID-19, however, they are scheduling appointments, when needed. They have five board members, and currently have one vacancy.

She said that the mission of the Harwich Housing Authority, is to provide affordable, decent, safe and sanitary housing through the maintenance of their existing units and the development of new units. This is done to create an environment, which enables residents to live responsibly and with dignity; to support residents in their effort to achieve self-sufficiency; to honor public commitments in a fiscally and ethically responsible manner; to create and maintain public confidence in the Authority's operations and staff; to ensure that the facilities owned and managed by the HHA are marketable to the community and are appealing to residents; to enable the HHA staff to improve their performance through appropriate vision, training, and career development; to establish performance goals that meet or exceed industry standards and that optimize the use of available resources to achieve their performance objectives; and to assist the Town, State and National governments in identifying and addressing housing needs. Ms. Cannon said that eligibility for housing is subsidized through the Harwich Housing Authority, and is governed by the rules and regulations promulgated by the Commonwealth of Massachusetts Department of Housing, Community Development, and the United States Department of Housing and Urban Development.

Ms. Cannon said that the Harwich Housing Authority operates a total of 41 units of State subsidized housing, under three different subsidy programs.

These programs include; The Massachusetts Rental Voucher Program, which currently has 21 scattered site family and elderly vouchers. The vouchers amounts are based on income and pay for any portion of rent that exceeds 30% - 40% of household income. The State has opened it up to a wider income base for eligibility. The next one is the Massachusetts 705 Family Housing Program which consists of (12) family units, (2) two-bedroom units and (10) three-bedroom units, and includes one which is wheelchair assessable. The rent for these units are based on 27% of household income, after deductions. And lastly, there is the Massachusetts 167 Program, which is through the Department of Mental Health. This program has a total of (8) special needs units, in a single building, which is currently leased to VINFIN.

Ms. Cannon said that the projects being funded with Community Preservation Act funds, which were approved by Harwich Town Meetings, include; The Rental Assistance Program, which is still going strong. She said that they had requested \$150,000 in additional funds from the CPC, to continue the program, and received \$200,000. They have been updating their waiting list and preparing to accept their newest recipients. She said that with these funds they will be able to assist a minimum of 18 households and have assisted over 100 households, since the program started. Ms. Cannon said that under this program they offer assistance to qualified families by paying a portion of their rent each month (not to exceed \$350 per month) for a maximum of three years. This program is designed to help people as they work towards becoming self-sufficient and they are recertified each year.

Ms. Cannon said that they continue to contract with the Chatham Housing Authority for management of the HHA. She said that Ms. Kayta Koehler-Rice and herself handle the daily activities of the HHA and Mr. David Chausse is the Maintenance Mechanic, and works a part-time schedule with the HHA. She said that the Harwich Housing Authority wishes to express its gratitude and thanks to the Town and the citizens of Harwich for a successful 2020 and they are looking forward to a productive 2021. Ms. Cannon said that their biggest thing right now, is to get the housing assistance out. The 12 units are full and they rarely get vacancies. They have allocated some funds for landscaping to get things neatened up and all in all, they are in good shape.

Mr. Howell made mention of Ms. Elizabeth Harder being on the call, and commented on her passion for housing. Ms. Harder expressed their need for more housing.

C. Historic District and Historical Commission

No report.

PUBLIC HEARING/PRESENTATIONS

A. Presentation by Jeff Locantore on potential reuse of the former Bank Street Fire Station/Harbormaster office

Mr. Powers said that Mr. Jeff Locantore and Jonathan O'Callaghan have been meeting with him regularly, and they have a proposal that Mr. Locantore would like to present this evening about the reuse of the property at 203 Bank Street.

Mr. Locantore thanked the Board for the opportunity to be there to discuss this and explained that himself and Mr. O'Callaghan are working with an attorney to form a 501c3, which would be called Adult Share Living Harwich, Inc. The mission statement would be to obtain housing for adults 22+ who are disabled in any way that can live independently who would not be able to afford a place of their own on Cape Cod. They also would like to live in a shared house with adults their own age and share the same or similar interests.

Mr. Lacantore said that Mr. O'Callaghan is working tonight, and was not able to attend the meeting, but he wanted to share a brief overview of who they are. Mr. Locantore said that he is 35 years old, and has Cerebral Palsy and two different types of seizure disorders. He has lived in Harwich since 1990, and graduated from Cape Cod Regional Technical High School in 2004 with a High School Diploma and a Business Certificate from the Business Management Program. He was on the honor society during his junior and senior year in High School. Mr. Lacantore said that since high school, he has been a volunteer within many different departments for Harwich, and wants to be able to do some affordable housing, for disabled adults in town.

Mr. Lacantore said that Mr. O'Callaghan is 36 years old, and has cognitive and physical disabilities. He moved to Harwich permanently in 2017, but had summered here with his parents, and grandparents, since he was young. He graduated from Whitman Hanson Regional High School in 2003, and works

for Windsor Skilled Care Nursing & Rehabilitation in South Yarmouth, as a dietary aide and in the summer for Cranberry Valley Golf Course in Harwich. Mr. O'Callaghan likes to golf, kayak, garden, and work on nonprofit projects, such as housing for the disabled and the Cranberry Festival Committee, as a volunteer to help the community of Harwich.

Mr. Lacantore said that they are hoping the Board of Selectmen would consider allowing Adult Shared Living Harwich, the ability use the old fire station property as a place to put a prefabricated house, which will have a total of 4-bedrooms and 4.5-bathrooms, and will be completed in phases. He said that they are looking for support from the Board of Selectmen. He said that they already have a treasurer, secretary, photographer and an advertising person, and once they are established as a nonprofit, they will be getting into the media outlets. Mr. Lacantore said that the reason they are doing this, is to try and be with adults their own age. He has worked diligently with Mr. Powers, who has been a great supporter, and has helped them with a lot of information. He has also worked with Mr. Bodin, and he would like to thank them for their support.

Mr. Ballantine asked if Mr. Powers could review the process and issues that surround this.

Mr. Powers said that Mr. Locantore had reached out to him about using the property at 203 Bank Street, for a different use, and they have been in touch regularly since. He said that there are currently Town Meeting votes in place, and some of what he is suggesting would require secondary actions by the Town, either through the Board or at Town Meeting. He said that they had agreed that Mr. Lacantore would do the presentation tonight, to get some questions answered.

Mr. MacAskill said he knows Mr. Lacantore has been at this for a long time and commended the great job, level of communication and his fundraising efforts for the plan he has. He asked Mr. Powers where things are at, with the RFP process for the property.

Mr. Powers said that the RFP is in preparation. He said that they also received information from Engineering, regarding a wetland designation to the property. Mr. Powers said that he is not sure, at this point, what impact that may have on the process.

Mr. MacAskill discussed the request to use some of the property for parking for the walking trails. Mr. Powers said there are two acres of land in play, but he is not sure what the issue of the wetland designation could be. He said that there was also some discussion of possibly keeping the building, therefore, before it is torn down, he wanted to have this presented.

Mr. MacAskill said that he thinks this would be a great statement for the Town of Harwich.

He said that there may also be some other options for locations, and reviewed some options that Affordable Housing Trust may have, or other Town owned properties. He said that he supports this.

Mr. Ford said that it was great presentation, and that it is certainly a need, and something that they should consider.

Mr. Howell said that he echoes what Mr. MacAskill said. He is not sure if that property is the best choice, but it is a commendable goal, and it is something they should be looking at doing.

Mr. Ballantine said there are some steps and competition on that property, and they will have to work through the process.

CONSENT AGENDA

- A. Vote to approve Caleb Chase Fund request in the amount of \$1,000

Mr. MacAskill moved that they approve the Caleb Chase Fund request in the amount of \$1,000. Seconded by Mr. Howell.

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

NEW BUSINESS

- A. Discussion and possible vote to approve 2021 Entertainment licenses

Mr. MacAskill asked if any of these are subject to hearings, or anything that they should be aware of before voting tonight? Mr. Powers responded that the only one would be Ember Pizza, which has a pending matter. He said that he is hopeful to finalize the report on that tomorrow, and to work with the Chair on the hearing coming up. Otherwise, he is not aware of any other issues. Mr. Powers confirmed that they could approve tonight, and there would be no harm rendered pending a future discussion.

Mr. MacAskill also asked to confirm if there have been any changes to the hours requested for entertainment, or are they all renewals from last year? Mr. Powers said that he believes they are all renewals.

Mr. Ballantine asked about the amplification of the music, and if that is something that they need to consider with outdoor entertainment? He added that this past year, with moving more music outside, it seemed to cause more difficulties.

Mr. MacAskill said that he is the liaison to the Noise Containment Committee, and they have some recommendations. However, they are at a standstill on the definition of audible noise, and the 150' mark. He said that he looks at this a little differently, of the minority of the committee. The minority still holds strong that they need to better clarify audible noise, and it cannot be a lyrics test. He does think they owe the public, and the Noise Containment Committee, that spent a year of their lives working on this, some answers. They have not voted on an action plan yet and when it comes before the Board, they had discussed the need for much swifter action and punishments. He said, in voting these tonight, it would be his statement that they bring it back to discuss what the plan, policies, and procedures are going to be. They are still going to have COVID this summer, and they need to discuss it.

Mr. Howell asked about the Harwich Inn and Tavern and if the times are the same? Mr. Powers said that he would have to confirm that.

Mr. Howell said that he would also like to have added into the motion, some language about, "other such terms and conditions that have been associated with these licenses", so that they do not lose anything. Mr. MacAskill said he would modify his motion to include that.

1. Harwich Inn and Tavern – 77 Route 28 – Weekday: 12PM-12AM inside & 4PM-8PM outside. Sunday: 1PM-12AM inside

Mr. MacAskill moved to approve the 2021 entertainment license for Harwich Inn and Tavern – 77 Route 28 – Weekday: 12PM-12AM inside & 4PM-8PM outside. Sunday: 1PM-12AM inside, with any other terms and conditions previously assigned. Seconded by Mr. Howell.

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

2. Jake Rooney's – 119 Brooks Road – Weekday: 5PM-12PM inside & 5PM-10PM outside. Sunday: 5PM-9PM inside

Mr. MacAskill moved to approve the 2021 entertainment license for Jake Rooney's – 119 Brooks Road – Weekday: 5PM-12PM inside & 5PM-10PM outside. Sunday: 5PM-9PM inside, with any other terms and conditions previously assigned. Seconded by Mr. Howell.

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

3. 400 East – 1421 Orleans Road – Weekday: 5PM-12AM inside

Mr. MacAskill moved to approve the 2021 entertainment license for 400 East – 1421 Orleans Road – Weekday: 5PM-12AM inside, with any other terms and conditions previously assigned. Seconded by Mr. Howell.

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

4. Cape Sea Grille – 31 Sea Street – Weekday: 11AM-12AM inside

Mr. MacAskill moved to approve the 2021 entertainment license for Cape Sea Grille – 31 Sea Street – Weekday: 11AM-12AM inside, with

any other terms and conditions previously assigned. Seconded by Mr. Howell.

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

5. The Lanyard – 429 Main Street – Weekday: 12PM-12AM inside. Sunday: 1PM-9PM inside and outside.

Mr. MacAskill moved to approve the 2021 entertainment license for The Lanyard – 429 Main Street – Weekday: 12PM-12AM inside. Sunday: 1PM-9PM inside and outside, with any other terms and conditions previously assigned. Seconded by Mr. Howell.

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

6. Ember Pizza – 600 Route 28 – Weekday: 10AM-12AM inside & 10AM-10PM outside. Sunday: 10AM-12AM inside & 10AM-10PM outside

Mr. MacAskill said that he would not be able to make a positive motion on this at this time, due to the pending issues.

Mr. Powers said that there is a memo in the packet from staff with an explanation of what they requested last year, and this year, which is an expansion. He said that the hearing has been completed, and they are finalizing the report.

Mr. Ballantine said he would be more comfortable holding this, pending the hearing.

OLD BUSINESS

- A. Ongoing discussion – Comprehensive Wastewater Management Plan including topics related to Pleasant Bay/East Harwich Sewer Service Area

Phase 2 Contracts 1 & 2 and proposed DHY Clean Water Community Partnership

Mr. Powers explained that this is the first time they have seen this under *Old Business*, and the reason is that there is nothing significant to report on this. He said that he just has some updates, with an expectation that they will have actual topics and material for the February 8th meeting. He said that they will have Mr. George Heufelder, from the Massachusetts Alternative Septic System Test Center, on the agenda on February 8th, to discuss innovative alternatives, IA Technology. He said that there was a presentation on Thursday, January 28th to the Pleasant Bay Water Shed Work Group, and it was talking about the update on the nitrogen removal. Once they have the presentation material he will share it with the Board, and the general public. Mr. Powers said that the next meeting of the DHY Working Group, will be Friday, February 5th at 9:00 am. He has reached out to Yarmouth, with updates, and will be reaching out to Dennis this week as well.

Mr. Ballantine said that they will also have Mr. Brian Dudley, MassDEP, joining in on the meeting on February 8th, at 8:00 pm. They should have good discussion on IA performance, and regulatory issues. He said that if anyone has specific questions, it would be good to get them ahead of time.

Mr. Howell said that he wanted to confirm that the vote they took, for DHY, was to allow it to be placed on the warrant, but they did not, in any way, endorse what was going on.

Mr. Sandy McLardy, East Harwich Resident, wanted to add as a side note, that the link for the email for public comment, the blue highlighted area includes the word "to" and that should not be included. He said that he has been thinking about DHY, and as a hypothetical question; if CDM Smith had come to them and said that phases 2 and 3 would sewer over 145 homes, but will not improve Pleasant Bay, and will have cost estimates that may end up 30%, 50%, or 60% higher, and they did not take land use seriously, but let's go ahead with the next phases, what would their reaction be? Mr. McLardy said that he feels strongly that they need to take a close look at the foundation of the project.

TOWN ADMINISTRATOR'S REPORT

Mr. Powers said that it is time that they receive the notice of the Division of State Ethics and that they have to do their conflict of interest law information, and receipts. He said that he will be working with staff and information will be going out tomorrow. He said that a form will need to be signed by Board of Selectmen, and the training can be done online.

Mr. Powers said that they received notice last week, from the Cape Cod Commission, on the District Local Technical Assistance (DLTA) funds, and he will be meeting with staff to determine what opportunities there may be with the DLTA Grant Program for 2022.

SELECTMEN'S REPORT

Mr. Ford asked if the other Selectmen had received copies from the Subcommittee and School Administration presentation, regarding the budget, and how the alternative assessment method might work?

Mr. Powers said not yet, and that he is working with the Finance Director on a slight change to the assessment, and then he will distribute it. He also announced that the joint meeting has been scheduled, with the Town of Harwich, Town of Chatham and Monomoy Regional School Committee, for Wednesday, February 10th at 6:30 pm. He said that more information will come out from the School Committee.

Mr. Ford said that it is important to get the information out, as soon as possible, for the board members to review and comment. He also said that the way the school budget was presented, shows the State has come through with numbers that show a pretty substantial bump to the Town of Harwich. He said that he thinks this is something that they will all be very keenly focused on.

Mr. Powers said, as a reminder, that he will be transmitting his comprehensive budget report on Monday, February 8th, which will incorporate the money that Mr. Ford just mentioned.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 7:51 pm. Seconded by Mr. Ford.

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

Respectfully submitted,

Lisa Schwab
Board Secretary

