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RELEASED

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN MEETING ROOM**

**Monday, March 2, 2020**

**6:30 P.M.**

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

**ALSO PARTICIPATING:** Interim Town Administrator Joseph Powers.

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen.

**WEEKLY BRIEFING**

Mr. Powers said that he wanted to bring the Board up to speed on a meeting that had occurred today with several parties, and the expectation is that they would add this as an agenda item next week. He said that they had their monthly meeting with the contractors, and meeting with Robert B Our, regarding contract one, and they are now progressing to the intersection of Route 39 and Route 137. Mr. Powers added that the information on the Police Department's Facebook page was confusing, so Lieutenant Sullivan will be updating the information to be more accurate as they progress to that area. He continued and said that the intersection is not going to be closed per se, but there are going to be detours and instances where traffic will be stopped. He said that Robert B Our advised the Town, CDM Smith, Weston & Sampson, and others assembled, that once they conclude the work through the intersection, they will be in the final stretch of that contract and specifically Route 137, heading towards Pleasant Bay Road. They are asking the Town to consider a number of options, several of which would include closures of Route 137, from the intersection through Pleasant Bay Road, at certain times, for certain lengths. He said that is obviously a far bigger issue than what was brought up last week.

Mr. Powers said that he had worked with Mr. Charlie Sumner from Weston & Sampson, Ms. Cindi William from the Chamber of Commerce, and Ms. Abby Our, President of the Chamber of Commerce, and they were able to assemble a meeting today where staff met with Robert B Our, CDM Smith, Weston & Sampson and

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many of the merchants along Route 137 corridor to start getting feedback on what may occur in that corridor. He said that they will also be meeting with representatives from the Lighthouse Charter School and Saint Peter's Lutheran Church this week. The major audience that is missing from this discussion are the residents in the Town, generally, but certainly residents that live along that corridor.

Mr. Powers said that that the issue comes down to, that the contract states that wherever and whenever possible, travel lanes be included where they are doing the work. He said to speak for Robert B Our, they are not convinced that they can do that. He said that they are having frank discussions about the concept of wherever possible. Mr. Powers said that he had advised those assembled that he thinks the potential impact warrants a broader discussion through the Board of Selectmen at the March 9<sup>th</sup> meeting, and he asked the board to support this as an agenda item. He said that he will have a recommendation memo for what he thinks is appropriate for next steps and, obviously no decisions have been made nor would any decisions be made unless and until the board had a chance to weigh in on this. However, they are mindful from the contractor that they are soon encroaching upon that work in that area of town.

Mr. Ballantine said that he knows that there is a particular concern from Harwich Paint, and their fear is having to close down for several weeks or months, which would not be good. He asked Mr. Powers if it is his intention to come back next week with some options?

Mr. Powers said yes, absolutely, and that's what they will see in the packet.

Mr. Ballantine said his other question is about timing and when they will our when start the Route 137 work?

Mr. Powers said that they agreed that they wouldn't start anything until they had a chance to vet this in a more public venue, so they wouldn't be doing anything until the Board has a chance on March 9<sup>th</sup> to weigh in.

A. Sewerage Work Improvement Phase 2 – Contract #1 – Construction Schedule – Weekly Update

Mr. Powers said that this is for Phase 2, Contract 1, which is the work being done by Robert B. Our. The one week look ahead for this week, March 2<sup>nd</sup>, Mainline Sewer Crew # 1, will be continuing the gravity sewer installation on Alexander Chase, Spence's Trace, and Hall's Path; as well as doing work



around the area of Route 137 and Route 39. Mainline Sewer Crew # 2 will continue to work on Route 137, and again as they proceed towards the intersection, there is an expectation that on Tuesday March 3<sup>rd</sup>, the intersection will be impacted directly by the work. They are hopeful that they can conclude that within a business day or two, depending upon how quickly they can get that work done. They are not expecting weather to be an issue. For the week of March 9<sup>th</sup>, Mainline Sewer Crew # 1 will continue gravity sewer installations and they are looking to finish up on Halls Path, and then proceed to Chris Jobeth. He said that right now they are saying that they would continue the work on Route 137, not to the point that they just discussed, that would not proceed until that is cleared up as to how extensive it will be. The three week look ahead for, week of March 16<sup>th</sup>, Mainline Sewer Crew # 1, will continue to work on Chris Jobeth and it remains to be seen what work they will be doing on Route 137 at that point, again there's an expectation that they will be working on Route 137, it's a question as to how extensively and how long.

**B. Sewerage Work Improvement Phase 2 – Contract #2 – Construction Schedule**

Mr. Powers provided the update for Phase 2, Contract 2, which is being performed by RJV Construction Corp. For this week they are continuing their work on both Sou'West Drive and Nor'East Drive, and the work will necessitate road closures between 137 and Church Street. The two week look ahead they expect to continue the work in that area, again with road closures. The three week look ahead is starting sewer work on Church Street and they were talking about road closures between Bay Road and Queen Anne.

Mr. Powers said that at their meeting earlier they had a chance to speak with representatives from RJV, and discussed if the detours in that area were absolutely necessary. He said that they indicated that they could hold off, and they are working with staff to limit the number of detours.

**PUBLIC COMMENTS/ANNOUNCEMENTS**

- A. Ms. Marguerite Heffernan, Harwich resident, said that she wanted to ask about the sewer work, and asked if they can do any of the work at night instead of during the day?

Mr. Ballantine said that they have asked that question, and it is much more expensive to do the work at night. However, it is an option being considered.

Ms. Heffernan said that if they could do some of it at night, because it is a thoroughfare for Route 6, so it is going to be a pain.

B. Ms. Pat Bertschy, Alzheimer's Family Support Center, said that she was there to ask for their vote to approve the Birtwell Memorial Walk for Alzheimer's. She said that it is an annual event and they have been doing it for about 10 years. However, four years ago the Birtwell family started to raise money and give it to The Alzheimer's Family Support Center, because of their operations on the Cape. She said that she brought a handout and she wants the Town to realize how much the Alzheimer's Family Support Center provides through the COA to the seniors in Harwich.

C. Ms. Laurie Jalbert, said that she and her husband Steve live at 24 Church Street in Harwich, and they also own an adjacent lot, which the Town plans to build the pump house. She said that she has been trying to get answers to her questions about the project by calling, writing and coming to Town Hall, but has not gotten any answers. She said that she is there to ask the questions now and expects to get answers.

Ms. Jalbert said that they did not receive notice of the taking, so she had submitted a records request to the Town, which she has also not received a response on. She read through the list of questions that she had: What is the basis for the value the town assigned to the permanent and temporary takings of her home, a property including a lot? What is her resource if she disagrees with the amount to be compensated for the takings? Will the Town assess a lot and home differently once the pump is on it? Where will it be situated on the lot? What are the dimensions? How much road frontage is it going to take up? Will it be in compliance with the Harwich zoning? When will construction begin? How often will the Town access the pump house once it's built for any water, sewer, or other work, including maintenance? What are the plans for maintaining the pump house once it's built, ensuring it does not become an eyesore? Is there any chance that it could be located elsewhere for example, across the street? If the lot becomes unbuildable due to the lack of road frontage, the town will need to buy the entire lot at fair value, or provide in writing that it will be a buildable lot.



Ms. Jalbert said in closing that her husband has been battling cancer for the past year, so they simply do not have the bandwidth for chasing this information down. She said that they have spent all of their savings, and this land is what they have left, and directly impacts their lives and financial well-being. She would really like to get answers to her questions and resolve any issues that they have with the pump house project.

Mr. Ballantine asked if she could leave the questions with Mr. Powers and they can follow up.

Mr. Powers said that this is a potential pending legal matter. He said that the Town is aware of it, and they are working with Town Council and the complainants attorney. He said that he had become aware that the green card was not returned on the easements that were sent out in the summer. He said that it was his understanding that it had been resent, but he can follow up on that and it is where a lot of the questions would be answered. However, it is his understanding that it's a potential pending legal matter.

- D. Ms. Megan Eldridge, Health Director, said that she had two announcements. First, they have a vacancy on the Board, for the Board of Health. If anyone knows someone that would be interested. Second, she wanted to address the Town regarding the Coronavirus, which is rapidly evolving in the United States. She said that she wanted to quell any fears, and said that there is only one confirmed case in Massachusetts, which is in Boston. She said that it is the same case that has been quarantined over the last couple of weeks, and the person is recovering nicely. The State Department of Public Health does have test kits available at the State Lab, and those test kits are now going to be available to health care facilities to now be able to test for the virus in Massachusetts. Ms. Eldridge said that some important points to give, is that this is a respiratory virus, just like the flu. It is transmitted person-to-person, and there's important things that everyone can do to protect themselves; avoid close contact with people who are sick, stay home if you are sick, cover your cough and sneeze, clean surfaces frequently with disinfecting wipes, and wash your hands with soap and water for at least 20 seconds, or use an alcohol-based hand sanitizer.

She said this is rapidly evolving, so even tomorrow there will probably be new guidance on travel restrictions and who needs to be isolated and quarantined. They are not following anyone in Harwich right now. She said that face masks are useful for people who are sick, and they can prevent a sick person from

expelling the virus through coughing or sneezing. She said they are not useful if you are not sick, so she added that people should leave them on the shelves for people that need them, such as, healthcare workers, EMS and Fire, and people that work in the Hospital. She said people should try their best to social distance and wash their hands. She said that they are treating this like a seasonal flu pandemic, it is a different virus; but they have plans in place such as, don't go out in public if you are sick. There aren't any vaccines available currently for this, and they are not anticipating an emergency dispensing site, or anything like that. She said that all of the information will be available on the Town website, and they will get in touch with Channel 18 to make sure they have the most up-to-date information available to the public. Ms. Eldredge said that she wanted to assure people that they are prepared. The Health Agents Coalition has formed a subcommittee, which includes the State, EMS and the Hospitals, and they are meeting weekly to go over updates throughout the Cape.

Mr. Howell said that a lot of people are aware of this and he had a conversation with his 12 year old over the weekend. He said that he wanted to broaden what Ms. Eldredge had said, that they don't know of any cases on Cape Cod, not just Harwich.

Ms. Eldredge said yes, that's true, and said that she would be aware of anyone who would be monitored or quarantined in Harwich, but not necessarily aware if someone's being monitored elsewhere. She said that it's only the confirmed cases that she would know about.

Mr. Howell said it would be helpful if the county actually had that up on their site, because the one thing that is more epidemic, in a situation like this, is rumors.

Ms. Eldredge said that is right and that she wants to stop the rumors, and they do not have any quarantined people in Harwich.

Mr. Powers said that Ms. Eldredge has been very proactive on this issue. He said that she also established a meeting plan for next week, with staff related to emergency management services. He said that they will be treating this like any other pandemic and people can take comfort that the right people are having the right conversations, at the right time.



Mr. Ballantine said that they also got an email from Monomoy Regional School that they also have a plan going forward for a worst case, if they had to use computers for kids to stay at home. They have thought it through in the same way the Town has.

Ms. Eldredge said that she has been in touch with the school nurses, as well, and they have been handling things and they just want to make sure that they are following proper guidance, including the charter schools and the tech.

Chief Norm Clarke said that they are in good hands with Ms. Eldredge. He wanted to reinforce that people should not travel to China, Iran, Italy, Japan, or South Korea. He said for people to wash their hands, cover sneezes and coughs, and stay home if sick. He said that there is a bit of a panic going on and there is now problems getting supplies to do their job. If you can't keep your Police and Fire healthy, there will be a problem. He said that people need to trust their Government; local, county, state, and federal. Chief Clarke said that they are truly on this and he asked for peoples help in not overreacting so that they can get the supplies to do their jobs.

Mr. Ballantine thanked him and said that it may be a good time to turn off the TV.

- E. Emily Mitchell, Director, Council on Aging, said that she is excited to report that their next volunteer recognition event is happening this month. She said that it is going to be Tuesday, March 24<sup>th</sup> from 11:30 am - 1:00 pm, at Jake Rooney's. She said that it will be a nice plated meal for the volunteers. She said that she is thrilled to report that they have about 90 active volunteers without whom they really could not provide the scope of services that they offer. She is excited for this event and thankful for the work the work that they do. She also has invitations for the Board and hopes to see them there.
- F. Mr. Patrick Otton, 49 Kendrick Road, said that he wanted to share an announcement of a community forum that is scheduled for March 12<sup>th</sup>, at the Harwich Cultural Center auditorium. He said that it will be a discussion about their municipal water and waste disposal, and just how good their water is. He explained that there is a lot of debate if the Harwich water is good, or not good, if people drink it, or only out of bottles. He said that he has asked Mr. Dan Pelletier, Superintendent, Water Department, to come and speak to Harwich residents at this community forum about the quality of Harwich water, how is it tested, how often is it tested, what standards are being used,

and what it takes to bring us the water that we have in our homes. Mr. Otton said that he also asked Mr. Lincoln Hooper, Director, DPW, to come and discuss his job in managing the transfer station. He said that everything we touch ultimately ends up in the trash, whether it is packaging, vacuum cleaners, TVs, refrigerators, it all gets thrown away. But, where does it go? Away is not here on Cape Cod, it goes elsewhere. Mr. Hooper will talk about his job and how the transfer station works, economics of handling trash and all about recycling. Mr. Otton said that he has handouts and said that this event is for March 12<sup>th</sup> at the Cultural Center on Sisson Road, from 6:00 pm to 8:00 pm. He said it will be a question and answer session.

Mr. Ballantine said that their water is good and that a year or so ago, it was tested and they are in great shape with their water.

Mr. Otton replied that people need to hear that.

Mr. Ford said that he wanted to note, that the group that does *Know Your Town* had a very good program this past week, which had both Mr. Hooper and Mr. Pelletier speaking about both water and the transfer station. He said that it is great that Mr. Otton is doing a second one, because it was a wonderful turnout and a lot of good questions. He said that the more they can get people to understand how these departments run, and the services they deliver, is great.

## CONSENT AGENDA

- A. Vote to accept the resignation of Matthew Cushing, MD from the Harwich Board of Health effective immediately
- B. Vote to approve Caleb Chase Fund request in the amount of \$500.00
- C. Vote to approve 36th Annual Cape Cod Getaway MS Bike Ride - June 27, 2020 - June 28, 2020
- D. Vote to Approve the Birtwell Memorial Walk for Alzheimer's – May 9, 2020 – 8:30 AM – 4:00 PM

Mr. Ford moved to vote to accept items A through D above. Seconded by Mr. Howell.

Mr. Howell said that Ms. Eldredge made a comment before, and he wanted to further comment. He said that because it's the Board of Health, they are looking for a Doctor, nurse, pharmacist, dentist, or somebody involved with medicine in



one way or another. He said that if there is someone that fits that loose criteria, they would love to hear from them. They need serious people, and the work they do is very important.

All in favor, motion carried by unanimous vote.

## **NEW BUSINESS**

- A. Vote to approve the appointment of James Armstrong to the Board of Appeals as a full member – Don Howell to include term

Mr. Howell moved to approve the appointment of James Armstrong to the Board of Appeals as a full member, with a term to expire 2022. Seconded by Mr. McManus. All in favor, motion carried by unanimous vote.

- B. Vote to approve the appointment of Brian Sullivan to the Board of Appeals as an alternate member – Don Howell to include term

Mr. Howell moved to approve the appointment of Brian Sullivan to the Board of Appeals as an alternate member, with a term to expire 2021. Seconded by Mr. McManus. All in favor, motion carried by unanimous vote.

- C. Vote to Approve Hall Karts, Inc. Weekday and Sunday Entertainment License for Go Carts, 9 Sisson Road Harwich Port

Mr. McManus moved to approve Hall Karts, Inc. Weekday and Sunday Entertainment License for Go Carts, 9 Sisson Road Harwich Port. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

- D. Vote to approve Grand Slam Entertainment Sunday Entertainment License for Bumper Boats, Batting Cages, Zip-line, Arcade, 322 Main Street Harwich

Mr. McManus moved to approve Grand Slam Entertainment Sunday Entertainment License for Bumper Boats, Batting Cages, Zip-line, Arcade, 322 Main Street Harwich. Mr. McManus commented that it is really 322 Route 28. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

## OLD BUSINESS

### A. Town Administrator Search Committee Confidential Process

Mr. Ballantine said that he shared a memo on the confidentiality process, and he thinks it is self-explanatory. He said that they have had discussions about the importance of applicants information being treated confidentially and some discussions about if Selectmen should be able to look at those applicants. He said that they had a good discussion last week with the search committee and legal counsel, and it was pressed upon them that they have to take all the steps they can think of, to be sure that these applicants are treated confidentially. He said that the other discussion that they had, is that the process they have put in place and they have an excellent search committee, and they should be allowed to do their job without the appearance of influence from the Selectmen. He said the memo is to remind them that they still have some power here, as they appointed the search committee and they will also in the end decide on who they offer the job to.

Mr. Ballantine said that he is hoping that they will vote in concurrence with his suggestions. He said that he did get Mr. MacAskill's opinion, since he was unable to attend the meeting. He said he was comfortable with this and agreed. Mr. MacAskill's only concern was that the search committee be able to look at all the applicants, and that the consulting firm does not screen them out.

Mr. Ford said that he believes if you look at their proposals and through the comments that were made, by at least the two that did present, they did all agree that all resumes received, would be received.

Mr. Howell said that he wanted to say that there is going to be confidentiality for the people who will not wind up being finalists, but if you are doing the deliberations in Executive Session, and rightly so because they fit under that exception under Mass General Law, but don't fall into the delusion that anything you say is going to be totally private forever. He said that when the finalists are put forward in the Executive Session minutes, it will become public at some point except for the names of the people who were involved. So, it's extremely important to understand that executive session doesn't mean that it's never going to get to be public.



Mr. Ballantine said that is a good point, and said that he has asked the Town Clerk to be the keeper of the applicants. He asked if there were any other comments, if not he will ask for a motion.

Mr. Ford moved that they accept the Town Administrator Search Committee's confidential process. Seconded by Mr. McManus.

Mr. Clarke said that they have a Fire Chief, Police Chief, and a State Senator. He said that they are independent thinkers and he can assure the Board and show the public that they will not be swayed. He said that they understand confidentiality from many different places. He said that they are there because they care deeply about the town, and can assure them that it will be independent, it will be fair, and it will be done right.

Mr. Ballantine said that they were not questioning that, but appreciates his comments.

All in favor, motion carried by unanimous vote.

B. Review and Vote on the selection of the Town Administrator consultant

1. Edward J. Collins, Jr. Center for Public Management
2. Community Paradigm Associates, LLC
3. Groux-White Consulting, LLC

Mr. Ballantine said that it does not look like any of the consulting firms have shown up tonight, but they will take some comments and then vote on who they all take a nomination for.

Mr. Howell said that he just wanted to bring up the screening of applicants, and the need for their driving record, their FICO score, and a number of other things. He said that he just wanted to make sure that whoever it is that gets hired, has an understanding that those are not ranking elements. He said it is just due diligence, so if somebody had a bunch of OUIs or a bunch of bankruptcies, that we know about it going in.

Mr. Ford said that this is just a standard background check.

Mr. McManus said that he had read through the packets, and that they had two of them there to present at a previous meeting. He said based on that, he would make a motion. He said based on his view the Community Paradigm

Associates, LLC would serve the Town the best, and he moved to enter into negotiations for a contract for them to provide search services. Seconded by Mr. Ford.

Mr. Ford said that two of them had indicated the cost, however, a third one did not.

Mr. Ballantine said that they did. He said that they had sent it to him and had scanned it in and included it in the packet. He said that they are all in the same ballpark.

Mr. Ford confirmed that the number is at the low range of the proposal, and that is a good thing. He said that he was underwhelmed by at least one of the proposals, and maybe even two of them. He agreed with Mr. McManus and thought Paradigm had the best proposal, most comprehensive, and has the most recent experience on Cape Cod with Bourne, Brewster and Provincetown. He said that he had spoken with people from those towns, who said their experience was excellent. He said the only concern he had relative to that, and the other proposals was while they said they've worked with Selectman, they would work with the Selection Committee extensively, taking guidance from them as to how they wanted to set up the interviews and so forth. He said there were some proposals to do open public meetings and have anyone that wants to come talk, and he thinks that the reason they selected this committee was to do that. He does not think that would be a useful use of their time.

Mr. Ballantine said that he agrees and that two of the three made a point of saying that they will have some sort of community input. He is not sure what that entails.

Mr. Ford said that he thinks that the Search Committee will make a decision about if they feel it is helpful.

Chief Clarke said that they had spoken quite frankly about their feelings about the agendas and will most likely have an open session before they go into executive session to allow folks a brief conversation.

Mr. Ballantine said that he agrees that Paradigm has worked in Brewster recently, and Provincetown, and he wanted to be sure that they had a broad enough network and would be able to do the grunt work to elicit candidates.



He said that he was disappointed to have some discussions, because they seemed to rely almost solely on advertisements, rather than networking. He said that his sense with this endeavor is that it will take calling people up and doing the hard work.

Mr. Howell said that he agrees with what Mr. Ford said. He said that they may want to speak with them before they go off with the committee. He said that the committee are part of the community and they have been part of the community for many years and they understand that is needed in the position. He said that the search firm needs to understand that this is not what they typically do, but what they are asking is for them to cast the widest possible net, and aggregate as many people that that they can find, and turn them over to the committee. He said that he would like them to hear this from their mouths, and that they are going to do more than just throw a couple of ads in the paper, because they could do that.

Mr. Ballantine said that they will proceed. He said that Mr. MacAskill had sent an email and his preference was Paradigm, as well. He said that this is going to be a process and said that the search committee is meeting next on March 25<sup>th</sup>, so they will keep in touch. He said that they want to move forward as quickly as they can, but they have an Interim Town Administrator and they have great Town staff, so they can take some time to be sure that they do it right.

the other factor that they are all worried about is coming to Town Meeting, but whoever they hire will not be in place in time to affect Town Meeting. So that should not be a concern.

All in favor, motion carried by unanimous vote.

## **TOWN ADMINISTRATOR'S REPORTS**

### **A. GEI Consultants, Inc. Contract for Round Cove Boat Ramp Reconstruction Project - \$16,900.00**

Mr. Powers said that the reason this is on the agenda in this manner, although the contract is for under the \$25,000 threshold, he made a commitment to the Board to make the board aware of contracts that he has signed. Also, this is the second type of contract that has been offered to this form, so the total

amount that they are paying to them is now in excess of \$25,000, by virtue of this contract. He said that this is for informational purposes, and alert the Board that it has been executed and is now at a higher dollar amount, even though it's two completely different and completely separate contractual items.

Mr. Ford moved to vote to accept the GEI Consultants, Inc. Contract for Round Cove Boat Ramp Reconstruction Project, for \$16,900.00. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

#### B. Budget/Warrant Timeline FY 2021

Mr. Powers said on the budget, he wanted to remind everyone that this Saturday, March 7<sup>th</sup>, they will have the annual presentation of budgets, by departments. He said it will be a meeting with the Finance Committee and the Board of Selectmen, and he will be making contact with the Capital Outlay Committee, as well, just to advise them of that meeting. He will be meeting with Capital Outlay throughout the month of March as a concurrent action.

Mr. Ballantine said that they have not always had the Capital Outlay Committee in this meeting, but he thought it was important that they are invited to attend. He said that he will be entertaining questions, as they go forward, because they are an important part of their discussion as well.

C. Ms. Heffernan said that she had a question about the 16 acres of property that abuts her property. She said that she has been to the Assessor's Office and Building Department many times and that the property is listed under a miscellaneous file. She is very concerned about this property being developed and would like to know how the town has no knowledge of who owns the land or if taxes are being paid on it. She would like to know how in the 21<sup>st</sup> century the Town is still allowing miscellaneous properties to be accessed, and if there's actual landowners then how do they acknowledge that they have paid property taxes on this land?

Mr. Ballantine explained that this is a sore point and something that they have looked at for a number of years. He said that they have hired an attorney and it is a very long and involved process that they are still trying to go through. He suggested that she leaves her information with them.



Ms. Heffernan said that the Assessor's Office and the Building Department know the land that she is speaking about. She said that it is right by Cape Cod Tech, and that through the Habitat for Housing the same thing happened on Oak Street and no one knew that they were going to build there. She said that is almost 20 acres of land that is miscellaneous and there are foxes and turtles etc., that live on that land.

Mr. Ballantine said that it has been a problem, and they have been trying to identify the so-called properties. They need to go through long history going back to colonial times and they are trying to sort it out. He said that they will follow up with her and for her to leave her information with Mr. Powers.

- D. Mr. Powers said that the next item he has is about the temporary hiring freeze, however, he had also mentioned that was separate from any searches that were underway. He is very pleased to report that two of the searches that were underway have been completed. He said that one of them is for a part-time program aide at the Cultural Center, and the other one is for a part-time weight room clerk at the Community Center. He said that he had a nice meeting with each of the candidates and he really just wanted some guidance if these part-time positions is something where the Board would be invoking the 14 day right of affirmation? He said that they are prepared to do offer letters, pending background checks, so he would like to get a sense from the Board as to how to proceed.

Mr. Howell said that the former Town Administrator had a problem understanding this, and said that it is the charter provision for the 14 days. It is really a buyer's remorse clause and designed so that if you found out after the fact, after you hired somebody, that they were not adequately performing, they could reject the person within that 14-day period. However, it is not an affirmation though, they don't have to affirm. After the 14 days is up, absent an action by the board to reject them, they are hired.

Mr. Ballantine said he would agree with that and that they had tried to make it a little more proactive in the past. He said that he thinks that Mr. Powers could provide them with information on who the hires are.

Mr. Powers said that these are positions that they would like to have started as soon as possible, because these are positions that have been open for several months.

Mr. Ballantine said that he understands and that their direction is clear to go ahead and just to give them the information.

### **SELECTMEN'S REPORT**

Mr. McManus said that he wanted to remind everyone to go to the polls, because tomorrow is election day.

Mr. Howell said that he is not expecting an answer to this, but that they were there last year when he asked the schools to provide him with an overhead of expenses, and he is still waiting for that. However, he also remembers them promising to provide a final red line version of the proposal and he wanted to know if anyone had received it?

Mr. Ballantine said that he will follow up with Mr. Powers on that.

Mr. Powers said he had an opportunity to speak with the Superintendent on Friday evening, and they will be following up this week, because their deadline was February 28<sup>th</sup>, and to his knowledge they have not received it yet.

### **ADJOURNMENT**

Mr. Howell moved that they adjourn at 7:36 pm. Seconded by Mr. Ford. All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab  
Board Secretary