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**SELECTMEN'S MEETING
TOWN HALL
MONDAY, MARCH 6, 2023
5:30 P.M.- EXECUTIVE SESSION
6:00 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

SELECTMEN PARTICIPATING: Michael MacAskill, Donald Howell, Larry Ballantine, Mary Anderson (present remotely) & Julie Kavanagh

ALSO PARTICIPATING: Joseph F. Powers

CALL TO ORDER

Mr. MacAskill called the meeting to order at 5:30 p.m.

(Vote to enter into executive session was not on video recording)

EXECUTIVE SESSION

- A. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with all non-union personnel including those with employment agreements: Finance Director, Chief of Police, Fire Chief and Town Administrator
- B. Pursuant to MGL c.30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position; Harwich Maintenance Employee Association (HMEA)

Mr. MacAskill called the meeting back to order following executive session. He reported that the town did agree on a contract with HMEA which finishes 6 out of our 8 contracts.

PUBLIC COMMENTS/ANNOUNCEMENTS

Harwich Chamber of Commerce Executive Director Cyndi Williams was present and announced the 2nd housing huddle for Harwich. The even will be held at the 204 Sisson Road building from 6:00 p.m. – 7:30 p.m. in the auditorium. Ms. Williams also announced an upcoming BBQ competition with local Harwich restaurants that will be held at the Harwich Community Center. Additional information can found at harwichcc.com

Director of Cultural Affairs Kara Mewhinney was present and announced an upcoming concert at the 204 Sisson Road building which is being sponsored by the Harwich Cranberry Festival. The concert will be held on March 18, 2023 at 7:00 p.m. in the auditorium and tickets are still available. Harwich is currently accepting applications for the Seaside Marketplace. Ms. Mewhinney announced that there is still a call for art for the community art show that will be held

on April 29th. She welcomed any Harwich residents in any medium to submit a piece of their work.

Harwich Cultural Council Chair Bernadette Waystack was present and announced a community input form that will be held on March 18, 2023 at 2:00 p.m. in the library meeting room at the 204 Sisson Road building. The purpose of the forum will be to gather input from the community about what they would like to see in terms of how we craft or revise our criteria for grants funding. Surveys can also be found at Brooks Free Library, Harwich Chamber of Commerce, 204 Sisson Road building, Harwich Community center or at <https://www.harwich-ma.gov/cultural-council/events/332886>

Carole Ridley was present to share news about a new six ponds resource management initiative which is a new community based planning effort sponsored by Harwich Conservation Trust. This initiative will try and deepen the understanding on how we can safeguard resources in this area. A lot has occurred over the past few decades and this will help gather data and deepen our understanding of resource conditions and what we can do through community engagement to develop management strategies to be sure that this area is protected. This Saturday there will be an open to the public event at 1:00 p.m. to learn more at the the initiative. More information can be found at harwichconservationtrust.org. Ms. Ridley also commented that she feels that it would not be appropriate at this time to have any further discussions on relaxing regulations regarding accessory dwelling units in the six ponds district. She urged the Board to give the discussion careful consideration and added that any decisions about this area really need to be science based.

A. Committee Vacancies

Ms. Kavanagh read the list of existing committee vacancies. Citizen interest forms can be submitted to the Town Administrator's office.

B. Update from Elizabeth Harder, Harwich Delegate, Barnstable County Assembly of Delegates

Elizabeth Harder was present and stated that after paying dues for a couple of years, she is now the Vice Chair of the Public Services Subcommittee and is also serving on the Economic Affairs Committee, Health and Human Services Committee and the Telecommunications and Energy Committee. Starting with telecommunications, the Cape Cod Commission is doing a broadband access study which is about digital equity. The hope is that additional information will be available in spring/summer. Ms. Harder learned that if you go to fcc.gov/acp people can apply for help if you need assistance paying your bills for broadband. In other news, the Aquifund is now up and running, which was previously known as the septic loan program. This program is for residents that are told that they need to hook into the sewer system, or upgrade their septic systems to include innovative/alternative technology. Program information can be found at <https://www.capecod.gov/departments/health-environment/programs-services/water-and-wastewater/community-septic-management-loan-program-csmlp/>

Ms. Harder went on to say that the Public Services Committee is doing a deep dive in the dredge because it has had problems in the past. We need to make sure that it is healthy and whole because what the dredge offers to the towns at a discount is so necessary to everyone the Cape.

In response to Ms. Ridley's comments, Ms. Harder stated that there are 2 other studies being done, one of which is a freshwater pond initiative and the other is a comprehensive housing study. The fresh water pond initiative will help with water shed areas and local ponds on pollution and education and possibly ideas about zoning. The million dollars that was given for the housing study was to set up something not unlike the 208 plan to help with ideas and examples of how to move forward with zoning and bylaw changes for things like accessory dwelling units. This study should be completed by mid-summer. Ms. Harder stated that she can be reached at elizabeth.harder@capecod.gov if anyone would like to contact her.

CONSENT AGENDA

- A. Accept the following committee resignations effective immediately:
 - 1. William E Stoltz, Planning Board
 - 2. James Managan, Council on Aging
 - 3. Joseph Beasley, Zoning Board of Appeals
- B. Approve Board of Selectmen Meeting Minutes:
 - 1. February 21, 2023

Mr. Howell moved to approve the consent agenda as presented, 2nd by Ms. Kavanagh and approved 4-0-0.

NEW BUSINESS

- A. Discussion on possible uses and Requests for Proposals (RFP) for 204 Sisson Road including, but not limited to:
 - 1. Update from Director of Cultural Affairs on operational status including, but not limited to events, floor plans, building opportunities etc.

Kara Mewhinney was present to provide an over report of the 204 Sisson Road building and what it could be for the Town of Harwich. It wasn't long after she began began that she saw the vision was already existing in the town and the story was just left untold. The 204 was never given the chance for the community to see what it started as and what it has evolved into. It is with no doubt that the facility grows daily through programming and community engagement. The inspiration starts the moment you walk through the front door. The many artists, creatives, and makers began to develop the cultural community back when they set up shop. Classes were implemented, open houses held, community stakeholders began hosting events and programs were developed. That has not changed.

The concept she is speaking to tonight for the facility is so that we can create a simple understanding of what the building is so that for Marketing and Branding purposes so that we are able to market the facility which will allow us the opportunity to tell the story, prioritize what is taking place, and place further development into the future program possibilities. This will also

help us in navigating the future and understanding for Facilities Management requests along with the Operational oversight of the building.

The concept of developing our basic building blocks and foundation will support years of evolved programming and expansion in many areas. We have a variety of resources that can serve the community through within enhanced or newly developed programs such as the Culinary Arts Program with the support of Café 204 for example we can create a community gathering location for folks to grab a coffee, tea, pastry or even just come in to have a seat and gather it would serve for a municipal lunch program and catering options available for rentals. The expansion of the culinary arts program will lead into offerings for youth to active older adults and serve as an internship location for the youth and school partners. The growth of this program can lead into a general education and nutrition program as well as a farm to table concept of growing and caring for your own food and how to use that in your dishes. Another program that can start and grow is our Creative Art Therapy Program with two important sections one first and foremost focused on Veterans and Military families the other focused on Youth. Through the Veteran program there is opportunity for federal funding. Through Creative Art therapy and Expressive Art we can engage communities in ways we never imagined before. We have many talented artists at the 204 currently that have success with working with individuals with disabilities and juveniles at risk. These program extensions will allow the chance to cast our net on broader group to benefit. Our general Arts education and Cultural Programs through our tenants and community members will continue to expand as we network and collaborate with more instructors, organizations, and groups to provide diverse programs Other areas of impact for increased program and offerings would be for veteran based celebrations and collaboration, Municipal use for department heads and their programs/meetings, Extension of recreational programming, Wedding and Private Use for event rental. There is a fine balance between private and public events, private events will help stimulate revenue growth and the public events have a direct reflection into the community engagement factors.

Provided tonight for review was the 204 Action Guide which provides an overview of the current operating structure, market analysis, operating plan, and a marketing/sales plan. The Concept of 204 Sisson Road as the “Cultural Arts Municipal Building” with a focus on the mission and vision of the facility. Facility Map shows that we have 36 studios currently in use with 42 Artists in house, the area available for program/event rental are noted as the Gymnasium, Auditorium, Cafeteria, and Library. Additionally not to miss we have two rather large field spaces available.

Ms. Mewhinney reviewed the following operation cost overview as provided to the Board.

Operational Cost Overview (estimates)

Facility Operational Cost \$150,000 year Gas, Electric, Water, Other Utilities, Custodian
Salaries & Wages DOCA separate line, Recreation paid through program revenue

Facility Management

Service Expense	\$40,772	Custodian, Paper Goods, Office Supplies, Other Facilities
Utility Expense	\$76,719	Gas, Electric, Water, Other Utility

Total	\$117,491	
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Revenue

Long Term Studio Rental	\$144,300	Classroom Wing
Saquatucket Harbor Art Shacks	\$6,000	Seasonal
Event/Program Rental	\$10,000	Activity Wing, Classes, Workshops
Total	\$160,300	

Overall Net Gain/Loss

Facility Management	\$117,491
Revenue Sources	\$160,300
Total Net Gain/Loss	\$42,809

Capital Requests FY2024-FY2028

Facilities items from Sean Libby-not exact numbers/line items based on previous provided information from Sean Libby

	<i>FY2024 Requests</i>	<i>Future Anticipated</i>
Slate Roof & Gutter FY25		\$650,000
Rear Storefront Door FY26		\$80,000
General Repairs FY26		\$185,000
Cultural Center Upgrades Boiler, Water Heater, Generator, Partial Window	\$1,116,000	
Total Mechanical work	\$1,116,000	\$915,000
Auditorium Bifold wall replacement	\$187,152	
Auditorium Sound System	\$150,000	
Auditorium Seating	\$85,275	
Auditorium Lighting	\$50,000	
Total Program work	\$472,427	
Total Mechanical	\$1,116,000	\$915,000
Total Requests	\$1,588,427	\$915,000

Five Year Plan anticipated \$2,503,427

Mr. Ballantine stated that his concern for the last couple of meetings has been to be sure that we are looking at a vision of what our regional approach might be. He also had had a concern about the separation of the municipal side of the building from the cultural side. He would like to see the cultural side be the primary focus of the building, to not limit ourselves and then work on the municipal space that might be needed. He went on to say that he appreciates the financial side of this and understands comments that government cannot be run like a business. While he is not expecting the town to make a profit, all good operations have financial responsibilities and revenues and expenses need to be tracked. Ms. Mewhinney has done a good job of putting this information together. Mr. Ballantine's vision is to expand more on what Ms. Mewhinney is doing on the regional side.

Mr. Howell stated that what still concerns him, and he has expressed this in the past, is the Massachusetts Cultural Council capacity guideline of build it and they will come. They talk in

terms of stress on facilities and where things are maxed out and where increases can be made. Given all of that, he is not entirely sold on renovating the auditorium because he is not sure who the renters would be. As the space sits now, it is a cafetorium and is not a theater and isn't outfitted to be open in terms of the space wings. Mr. Howell added that it does warm his heart to go through the building and see all of the artists.

Mr. MacAskill responded that he does believe that if we build it, they will come. Ms. Mewhinney has already spoken to groups and knows what they want to do and will pay.

Ms. Mewhinney stated that by repairing the wall alone in the auditorium would enhance our seating capacity. Other repairs in the auditorium would be fixing systems that are no longer in use or at the end of their life. We currently do not have a sound system that can handle bigger groups. Any enhancements would be at a base minimum level to provide an opportunity for other groups to come in. She provided a baseline rough number of \$475,000 for auditorium repairs that could also be supplemented with facilities grants as well as other grants.

Ms. Kavanagh said that she likes what Ms. Mewhinney is doing and has brought in a lot of different avenues and a lot of different clients and opportunities. She added that some of the improvements through green communities might get us funding as well. Ms. Kavanagh noted that she likes the idea of a creative art therapy program, adding that there are many private and public aspects to the building. Ms. Mewhinney is a great steward of the building and Ms. Kavanagh added that there are some improvements that need to be made in order to bring in some of the bigger players.

Ms. Anderson commented that nothing about the cultural center concerns her. Harwich is poised to have an incredibly successful operation under Ms. Mewhinney's leadership. Ms. Anderson would like to see us wrap up some of the negativity around the building and let Ms. Mewhinney do her job.

Mr. Powers stated that from day one Ms. Mewhinney has been an immediate and positive impact to Harwich. At this time, staff is looking for concrete decisions from the board. There is negativity around the address, the potential uses and the costs. There are existing issues now that we have never addressed because we have never gotten to the point of being able to see the future. Mr. Powers added that there are significant traffic flow issues that need to be addressed and that discussions need to be had with the school district.

Mr. Powers has been operating on the fact that the Selectmen had reaffirmed that the 204 Sisson Road building is a municipal government building. The Selectmen as an executive branch own, operate, control and are responsible for the building. Mr. Powers is hopeful that through the Selectmen's leadership, we can build off of the vision. The costs of FY24 for cultural affairs programming are minimal compared to the building needs that we have, and the building needs that we have are not insurmountable, but they require a commitment.

Mr. MacAskill asked how much is in the revolving fund. Mr. Powers responded that the last report he saw read approximately \$300,000, but that he could provide updated numbers.

Mr. MacAskill asked what will need to happen in order to take the handcuffs off and allow Ms. Mewhinney to move forward. He has not heard any Board member say that they are not interested in going forward with this project and added that the traffic concerns can be addressed with programming. Mr. MacAskill respects that it is important to a lot of parents to be able to pick up their kids and not have them on the bus. He added that sending them down Parallel Street would likely not go over well with the neighbors. Mr. Powers responded that we know this is a municipal building and asked how do we as a town under chapter 30b fill a municipal building that is not going to be a government operation. The first step would be to go through the RFP process that would offer classrooms for rent in a particular manner and particular use. The short answer would be to allow Mr. Powers to work with Ms. Mewhinney on the RFP process and then come back to the Board with a scope of services. The tenants that respond to the RFP can enjoy a 3-year use agreement and the town can enjoy the fact that there is a rate schedule that moves within the 3-year time period. We currently do not have a lot of program space for government and Mr. Powers feels that it would be prudent of us to set aside some space in the building for non-cultural, non-housing, non-recreation use. The best use of the building was determined by an architectural firm that was hired by the town and was considered to be a school. There is a way to do educational programming separate from cultural and that is social and human services and potentially an integrative academic program.

Mr. MacAskill asked how we can move forward to do things that are not related to the RFP process, as Ms. Mewhinney outlined. Mr. Powers feels that is already being done and that cultural programming is of a government nature. Ms. Mewhinney has a span of control over a space separate and distinct from the classrooms.

Mr. Powers stated that the existing tenants in the building have had leases granted to them, but that the Board has told him over the years that should be re-examined, which would be done through the RFP process.

Ms. Mewhinney said that she needs a decision on the vision of the building to be able to support the vision as a cultural arts center for marketing and branding purposes to make it appealing to people and lessen any confusion. The RFP process would need to be simplified immediately and decisions need to be made because there are tenants in the building that are running programs.

Mr. Ballantine would like to give whatever is needed to move forward. His comment has been that we need to open this as much as we can and get as much input as possible. Mr. Ballantine noted that his fear is that we will make capital improvements and then don't fill the programs.

Mr. Howell commented that he is supportive but is concerned that there is no proposal that talked about integrating a HVAC unit. He would like to see that be a consideration to make sure that we are not duplicating costs. There needs to be a mechanism to keep the building at an even temperature.

Ms. Kavanagh knows that we saw different information on license agreements versus leases. Mr. Powers responded that the change would be stronger and better for all parties involved. Ms.

Kavanagh would like to see what happens with the RFP process and offers received before we look at government use.

Ms. Anderson stated that it sound to her that what staff needs is for the Board to get out of the way and to let staff put the RFP together. She agreed with Mr. Howell's comments about the HVAC system.

Mr. MacAskill wants to leave the meeting tonight with Ms. Mewhinney knowing that the Board is accepting of her vision and to allow her to work with Mr. Powers to give broad reach to start bringing in programming. He added that this project will need strong support at Town Meeting. The Board unanimously loves what is going on with the building and wants to expand it. He asked that Ms. Mewhinney sent back to the Board, through Mr. Powers, action items that she would like to see addressed.

Bob Weiser, Music Director of the Harwich Cranberry Festival was present and thanked the Board, Ms. Mewhinney and Mr. Powers for getting the discussion to this point. He patted everyone on the back for having resisted the bulldozer approach to the building and getting it to the point of cultural purposes. Mr. Weiser looks forward to being one of the presenters willing to use the space.

204 Sisson Road tenant Sharon Digennaro was present and voiced her concerns that they are going to take her room away. Ms. Digennaro commented that she has medical issues and extreme social anxiety and works in her room alone but knows that there are wonderful people around her. 3 years ago, she had applied for a grant form the art council to teach and work with other differently abled people. She received the grant and then it unfortunately, that was taken away when COVID forced everything to shut down. Her goals are there and her room is packed and she is now thinking about renting a space outside of her room to work with others. She is before the Board tonight to ask them to address concerns about classrooms being used for offices. Ms. Digennaro commented that she would need advanced notice if she will be moved from her space, adding that she loves what she does and wants to continue as part of the community.

2. Request for Proposal (RFP) for cultural program

Mr. Powers stated that he would assist in drafting a scope of services for the RFP and outlined the process. One of the criteria that he would want to rely on is that if a respondent has experience working in a classroom setting in the town. The model we are trying to solidify in the RFP is what we already had, we are just trying to put structure around it to protect all parties. Mr. Powers wants to remain consistent in saying that this is a municipal government building and there are multiple uses that we can and need to use it for.

Jon Chorey was present and stated that he has been pretty involved with this building. He has heard a couple of things regarding negativity surrounding the building. Mr. Chorey stated that he is 100% in favor of the building and he is asking what we are going to use the building for and added that it seems we are starting on that road tonight. In reading the reports provided, Mr. Chorey is seeing roughly \$40,000-\$45,000 of revenue. If you do the math from the last 6 or so

years, that generates about \$300,00-\$350,000, which is about where the revolving fund is now. He feels that if you look at the numbers provided and the 2-million-dollar number that is being requested, it will take 45-40 years to pay back the 2 million dollar request. Mr. Chorey added that there are 24 items that are not included in the capital money. Mr. MacAskill responded that the \$45,000 is where we are at today. In 2011, the Selectmen had a report regarding the capital needs of the building, and that is what we are asking for at this Town Meeting. We are fixing things that were reported in 2011. The one thing that the Finance Committee and critics of the building are not seeing is the cost of doing nothing. This building is an asset to the town and the cost of tearing it down and planting grass is 1.5 million dollars. Mr. Powers added that it would be derelict of his responsibility if he didn't challenge the accounting that was being presented. This is not a note and we are not borrowing funds. There was a lengthy budget discussion on Saturday where Mr. Powers presented a balance budget. We have the funding in available in place if Town Meeting were to approve the entire capital plan as presented. To suggest otherwise is being irresponsible.

Richard Waystack was present and commented that many of the tenants are looking for reassurance that no one is looking to eliminate them and move them from their space. Mr. Powers responded that he bears the responsibility of the town for procurement and that he cannot show his hand or suggest that the RFP will be written for a specific person. We can rely upon language that can capture what we are doing now going forward. Mr. Waystack stated that in his 38 years in the community, he has never seen any municipal building go through the scrutiny that this building is going through. He feels that if we took this process to examine each one of our buildings, that there would never be any work done.

Mr. Ballantine asks what drives the requirement to go from what we are doing with leasing to the RFP process. Mr. Powers responded that there has been practice for years, that it not the best practice that the town would want to perpetuate. It is clean and transparent to do the RFP where we say that we have municipal property that we want to put out into the marketplace. This process is aimed to get us back on track and transparent.

Mr. Howell asked if everyone that has a studio space is teaching people. Comment from the audience was no. Mr. Howell thinks that we are shooting ourselves in the foot here. We are turning something that is operating one way and making it something else. Mr. Powers responded that he appreciates the potential criticism and that this where he said earlier that he is looking for direction from the Board.

Mr. MacAskill stated that it is important for everyone to remember that as we craft the RPF, Ms. Mewhinney has all of the tenants in her mind. The board is going to vote on the RFP and highly advantageous is something that we can use. For him, it is certainly highly advantageous if you are a tenant in the building. What Mr. Powers has outlined is that he must follow the law. Mr. MacAskill has not heard once from any member of the Selectmen that they are looking to displace any tenant. That is not to say that there is someone in the building that is doing something that they shouldn't be that is not a benefit to the town. It will be up to the Selectmen to decide. Mr. MacAskill asked that Mr. Powers work with Ms. Mewhinney to pin down what they are considering for municipal operations.

3. Request for Proposal (RFP) for social/human service uses including, but not limited to an integrative academic program

Mr. Powers stated that he has heard from groups under the concept of what is the highest best use of the former middle school, and that the best use is for a school. That was the information provided by the study done in 2010. Mr. Powers has been approached by groups about rooms that could be used for the social/human service fields which could include but would not be limited to integrative academic programming. Even if the Selectmen directs Mr. Powers to do the RFP, the town always reserves the rights in their RFP's to not move forward. Mr. Powers is looking for a sense of the Board as to if they have heard anything from the community and if they think there is a potential need to do an RFP of this nature.

Ms. Kavanagh stated that she has only heard one possible scenario, but not in depth. While she would not be adverse to putting out the RFP, she would like to understand the particulars.

Mr. Howell said that he is not receptive to this at all and that we said it was going to be a cultural building and we are already backing off of it a bit to a certain extent to have back up space for general government. Mr. Ballantine feels that Mr. Howell raises a good point and that while he knows there is a need for more youth services resources in Harwich, he is not sure that the cultural center is the place for it.

Ms. Anderson stated her agreement to let Mr. Powers pursue this and is also of the opinion that we should protect the building for more culture and what we know we need for office space. Mr. Powers should fashion the RFP and see what is out there.

Youth Services Counsel Sheila House was present and stated that she has been approached by some non-profit organizations looking for space for kids that are not making in the school system to be able to work on educational things and transition back into the school system. The program would not take up a lot of space and the cultural center seems like a great place for it. She added that the Albro House is under the affordable housing trust now and that the youth services department will need a home. Mr. MacAskill responded that the Albro House is not currently on the affordable housing trust list. Mr. MacAskill asked if the Board would have any issues with staff showing them what space they would be thinking of using. Mr. Powers responded that he could work with Ms. Mewhinney to see what might work best for the flow of the building.

Mr. Powers reminded everyone that the insurance company has said that a certain percentage of the 204 Sisson Road building must be for municipal use and another percentage used for cultural. This is a municipal building with a great cultural program inside of it. Mr. MacAskill would like to see what that looks like on a map before moving forward with the RFP.

Mr. Howell would like to see further information on the percentage divide at some point. He has previously brought up the that the Community Center does not seem to meet the same definition and he would like to know where the divide is. Beyond that, Mr. Howell noted that the schools are projecting enrollment declines. He cannot believe that there isn't room in one of the school buildings for this integrated program. Ms. House responded that part of the problem with the kids

being in a school setting is that it is too easy for them to relapse. When the kids are in an environment where they are with their peers and working on the same goal and being encouraged and mentored by adults, they thrive. She anticipates that her department will be expanding after she retires, adding that this would just be more programming to help catch the kids upstream.

Heather McKenzie, a tenant at the 204 Sisson Road building was present and noted that the building is currently occupied 100% with tenants. She feels that tenants will be displaced if there is a certain percentage of the building that is required to be for municipal use. Mr. MacAskill responded that there is the cafeteria, auditorium, gym, music room and field out back and that there is additional space to get to the 30% municipal requirement without displacing artists.

B. Debrief on March 4, 2023 Budget Meeting and discussion on Fiscal Year 2024 Budget; Votes may be taken

Mr. Powers thanked everyone for the meeting on Saturday. The Finance Director, Assistant Town Administrator, Water/Wastewater Superintendent and Mr. Powers met this afternoon to go over the differences that were discussed for water/wastewater. Mr. Powers is looking to get the Finance Committee a spreadsheet on Tuesday ahead of their public hearing on Thursday.

Ms. Kavanagh, Mr. Howell and Mr. Ballantine agreed that the session on Saturday went well. Mr. Ballantine does think he needs some follow up information for him to better understand some of the Fire Department and Water Department line items.

Mr. MacAskill asked when the Board would want to take up the new positions and start voting on some of these items. The Board agreed to start next week.

C. Debrief on Monomoy Regional School District budget presentation on February 27, 2023; Votes may be taken

Mr. Ballantine thought the information provided was a great job and a good budget. As for this years budget, he is ok with it, but feels that we need to look at how we are assessed in the near future.

Mr. Howell knows that there was some push back from the Town of Chatham on this, but he cannot believe that they were not paying attention to the last couple of years as to what Harwich was talking about. We made it very clear that the elementary school was a fundamental problem but that the problem was growing up and going into the rest of the school system which was creating a major disparity on the funding formula. Harwich was out front and very honest about saying that we would do what we could to effect immediate change in the situation but that there needed to be a secondary conversation about how the overall agreement is structured. Ms. Kavanagh agreed and stated that when we moved to a regional school system, we depended on information and numbers we were provided. No one can predict the future, but Ms. Kavanagh thinks that there is always room to discuss revisions and how to address it so that everything remains a viable system moving forward. She added that Chatham needs to have a realistic outlook as well.

Ms. Kavanagh said that she is always in favor of the school budget and appreciates the difficulties that the school is facing, but that she cannot get behind the use of ESSER funds despite what Dr. Carpenter relayed to the Board about how there is a bubble in the middle school numbers. While she doesn't pretend to know the numbers better than the school district, she does have a problem with the way that the current budget is structured. Ms. Kavanagh doesn't dispute that the 2 new positions are needed, but she is not ok with how the ESSER funds are proposed to be used. Ms. Kavanagh wants to support the school budget, but only if it is properly funded.

Ms. Anderson thinks that this needs to be a top priority once we are beyond Town Meeting. She commented that a letter was received from Charles Gruska about other ways that the budget can be structured.

Mr. Ballantine commented that we owe a debt of gratitude to Dr. Carpenter for putting together these figures. He asked that Mr. Powers put this on Dr. Carpenter's plate to get numbers together on how he sees the budget going forward.

Mr. Powers said that he was drawn to the paragraph in the letter that talks about funding. When Mr. Powers came in as the Interim Town Administrator, the concept of a side working group was brought up. Former Selectmen Stephen Ford was a large part of those discussion. He agreed that the Board should tie up the FY24 school budget discussions and then immediately get back to the table to talk about moving forward.

Ms. Kavanagh noted that we are not even out of COVID and that the kids are going to continue to have ramifications for some time. Statistics and MCAS scores are irrelevant to her if the kids and teachers are not getting the help that they need, and Ms. Kavanagh is stuck on that. Mr. Howell agreed and added that everything they are doing should be geared towards educating the kids first. When the district was being discussed, we were looking at a 55%/45% breakout. We are now almost at an 80%/20% breakout. Then we need to ask ourselves if this is really a multi district school or if someone is using a school that is being provided by the other town. 80%/20% is not sustainable.

D. Approve the presented changes to the Monomoy Regional School District Regional Agreement and vote to place article on 2023 Annual Town Meeting Warrant

Mr. Howell moved to approve the changes to the Monomoy Regional School District Regional Agreement as written and to place on the 2023 Annual Town Meeting Warrant, 2nd by Mr. Ballantine and approved 5-0-0.

Mr. Powers noted that his only concern is that the material provided will give us our largest warrant ever. He asked if there would be any objection from the Board for him to work with his counterpart in Chatham and Dr. Carpenter to use language to say that the substance is on file with the Town Clerks Office, or at least try to get a formal that is more suitable for the warrant. When you get to a certain number of pages, it has a financial impact as well as a delivery impact. Mr.

MacAskill asked if we could do a handout at Town Meeting. Mr. Powers responded that whatever we do, it would need to be the same in both towns.

E. Update on the following Request for Proposals (RFP):

1. Request for Proposal (RFP) for consultant for the local comprehensive plan

In the packet is the RFP as established by the Director of Planning and Community Development in consultation with the Local Planning Committee. We have a funding source that our retired planner was kind enough to secure for us.

The Board agreed to move ahead with this.

2. 62 Route 28 - West Harwich Baptist Church

Mr. Powers reported that we have completed the ground penetrating radar survey of the property in question. We are working with KP Law and the next step is tax title research in concert with what we have from the survey. Mr. Powers has tasked Housing Advocate Brianna Nickerson and we continue to move forward.

Mr. MacAskill has been asked by a member of the public if the results of the survey are public information. Mr. Powers responded that they theoretically are and that they are not associated with a public body. They are trying to release them in an organized fashion as they will be part of the RFP. Mr. MacAskill noted that his only concern is that someone that might be looking forward to move forward on this may not want to bother if the results are not favorable. Mr. Powers responded that the concern is that the town does not enjoy the ability to put in language that talks about the survey and that we make no guarantees on the survey. He would not want anyone to just look at the survey and make a decision as it is an incomplete analysis.

3. Intermunicipal Agreement (IMA) for 374 Main Street Bog

Mr. MacAskill stated that this is the long talked about agricultural education center on the bog that is currently rented by Leo Cakounes.

Mr. Powers reported that he is waiting to hear back from representatives at the Cape Cod Tech School and their attorneys on finalizing the concept of the agricultural education center, so that we can deal with any Article 97 issues. There are 2 articles that have been filed by citizen petition for the upcoming Town Meeting.

Mr. MacAskill does not see how adding the word education to this changes the use of the property and why we would need to go and spend 2 years trying to change it with the state. The attorneys also have not been able to figure this out.

Mr. Ballantine feels that this is discouraging because we have been talking about this and it has a lot of merit. This has been relayed to Town Counsel and they have been asked to look at the Town of Dennis to see how they have done something similar.

Mr. Howell stated that no matter what happens, fundamentally it is being used for agricultural educational services to grow and produce products.

Mr. MacAskill noted that Conservation Administrator Amy Usowski was present remotely. He also stated that he has communicated with John Ketchum of the Conservation Commission and that the commission will be given more information as soon as it is available.

4. Judah Eldredge property

Mr. MacAskill stated that this is not an RFP at this point and it is more of an update of an article for Town Meeting to get the appropriation for the difference. Mr. Powers reported that through the good graces of the Chair of the Real Estate and Open Space Committee and the Chair of the Community Preservation Commission, were able to unlock funds that we can rely upon to do the final proposal. The Assistant Town Administrator is advertising for appraisal services. Once this is complete, they can talk about additional funds that might be necessary to finalize the project.

Mr. MacAskill would like for the town to do everything in their power to be done with this after Town Meeting.

F. Vote to approve the following Special Permits:

1. One Day Wines & Malt – Mainsail Events – March 30, 2023 6:00 p.m. to 9:00 p.m. – Event to be held at 204 Sisson Road
2. Road Race – National MS Society – June 25, 2023
3. Road Race – Harwich Chamber of Commerce – June 24, 2023
4. Event – Harwich Chamber of Commerce – Port Summer Nights – Wednesday's 5:00 p.m. to 8:00 p.m. from July 5, 2023 through August 30, 2023
5. Event – Harwich Chamber of Commerce – Annual Fireworks at Whitehouse Field – September 16, 2023

Mr. Howell moved to approve the special permits as listed above, 2nd by Ms. Kavanagh and approved 4-0-0.

Cyndi Williams was present and stated that these are all repeat Chamber events and they look forward to putting on every year.

G. Discussion on Bylaw Charter Review Committee recommendations for 2023 Annual Town Meeting

Mr. MacAskill stated that this will be brought back next week for further discussion.

OLD BUSINESS

A. Discussion on creating a Human Resources position

Mr. MacAskill feels that the way that this has been talked about makes no sense to him and would require a charter change. He added that we employ a Town Administrator and is not sure why Harwich would hire a Human Resources position that would report to the Selectmen and take any power away from the Town Administrator. Creation of a Human Resources position would also require a revision to the Assistant Town Administrator job description as well.

Mr. Ballantine thinks that we would need to go back and look at both the Human Resources position and the Assistant Town Administrator position to ensure that they both make sense.

Mr. Howell said that we are trying to do 2 different things in these job descriptions. He is not sure that we will be ready for this Town Meeting because there isn't an agreement on what we are trying to accomplish with this position.

Ms. Kavanagh feels that it would be problematic in having the position report to the Selectmen. She was looking for employees to have an independent area for to have the ability to talk/confide. Anyone working as a town employee should have a neutral space to go. The Assistant Town Administrator is doing a phenomenal job with this now. It is going to take time to get it right and make sure that it has the biggest benefit for employees. She understands that it may not happen for this Town Meeting.

Mr. MacAskill said that he does not want to put this to rest until Ms. Anderson can weigh in. He did say that he has not found one town that has a Human Resources position that reports to the Selectmen. He added that human resources is a large part of what the Assistant Town Administrator does and that if it would free her up more to move forward on other projects, then he likely would support it. Mr. MacAskill said that he would follow up with Ms. Anderson and see how she wants to support it and then maybe put it away for after Town Meeting. Mr. Howell requested that it would be helpful to start this right after Town Meeting.

B. Discussion on proposed zoning amendment articles for 2023 Annual Town Meeting

Paul Halkiotis was present. He stated that the Planning Board's public hearing was well attended with over 50 participants. The Planning Board voted to close the public hearing for the amendments to the flood plain regulations and voted to continue the public hearings on the ADU and solar bylaws. One of the Planning Board members asked Mr. Halkiotis to look at the numbering scheme of the solar and flood zone bylaws. There was a lot of support at the meeting in terms of wanting to see changes to the ADU bylaw.

Ms. Kavanagh stated that they had also talked about the DCPC six ponds district and the fact that it will be a much larger review. There will be a lot of public hearings and input.

Mr. Howell asked if there is any part of this that does pertain to the DCPC as written right now. Mr. Halkiotis responded that there is not.

Mr. Ballantine agreed that the meeting was well attended and that small steps are good steps at this point. The bylaw currently has a 6 month time frame and Mr. Ballantine pointed out that someone raised the issue of summer help. Mr. Halkiotis responded that he did receive a call from a local landscaper that was looking for housing for his employees. Mr. Halkiotis agreed that we need to look at those housing solutions but that they are not part of this discussion.

Mr. Howell said that the argument that we can and should make is that this isn't going to solve everything that revolves around housing for everyone forever. If we get the ADU's, it will allow people who have been renting other things to move and will free up housing for others. Ms. Kavanagh agreed and thinks that the one thing that it does help address is the one thing that the trust cannot work on which is work force housing. She added that Chatham has a one-year lease requirement and that maybe Harwich can move to that after we see where we are.

Ms. Anderson said that she attended the Planning Board hearing and that Mr. Halkiotis did a great job of walking everyone through the proposals.

CONTRACTS

A. Vote to approve five (5) ten-year (10) License Agreements for Fish Shanties located at 44 Harbor Road, Harwich Port.

Ms. Kavanagh moved to approve five (5) ten-year (10) License Agreements for Fish Shanties located at 44 Harbor Road, Harwich Port, 2nd by Mr. Howell and approved 5-0-0.

B. Vote to approve an Intermunicipal Agreement with Barnstable County to dredge Allen Harbor channel and Saquatucket Harbor channel. Contract not to exceed \$198,000.00.

Ms. Kavanagh moved to approve an Intermunicipal Agreement with Barnstable County to dredge Allen Harbor channel and Saquatucket Harbor channel. Contract not to exceed \$198,000.00, 2nd by Mr. Howell and approved 5-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Powers stated that with the impending departure of the Finance Director, he has tasked the Assistant Town Administrator to work on finding resources to identify some additional help while we conduct a Finance Director search. He hopes to come back with information as early as next week.

Mr. Powers announced the promotion of Megan Green to Assistant Town Accountant. Ms. Green is a strong asset to the town and he knows that we can rely upon her to help with information leading up to Town Meeting.

Mr. Powers announced the appointment of Michael Ramirez who will be working as a scale house operator in the disposal area.

SELECTMEN'S REPORT

Ms. Kavanagh said that her and Mr. Ballantine attended the Planning Board public hearing.

Mr. Howell noted that the Saturday budget meeting was very well attended.

CORRESPONDENCE

No correspondence was discussed.

ADJOURNMENT

Mr. Howell moved to adjourn the meeting of the Board of Selectmen, 2nd by Ms. Kavanagh and approved 4-0-0.

Respectfully submitted,
Jennifer Clarke
Recording Secretary

