

APPROVED

RELEASED

MINUTES
SELECTMEN'S MEETING
TOWN HALL
GRIFFIN ROOM
TUESDAY, APRIL 19, 2022
6:30 PM REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL

RECEIVED
TOWN CLERK
HARWICH, MA

2022 JUL 12 P 12:00

SELECTMEN PARTICIPATING: Michael MacAskill, Larry Ballantine, Donald Howell, Mary Anderson

ALSO PARTICIPATING: Assistant Town Administrator Meggan Eldredge

CALL TO ORDER:

Chairman MacAskill opened the Board of Selectmen's Meeting for April 19, 2022 and invited attendees to join him in the Pledge of Allegiance.

PUBLIC COMMENTS/ANNOUNCEMENTS

Ms. Anderson announced for the Pantry, a grab and go event is on Sunday, April 24th and gave details.

Cindy Williams, Executive Director of the Harwich Chamber of Commerce announced the Toast of Harwich and gave details. Also, April 26th is the annual town meeting warrant article buffet review and she gave details. Finally, April 30th and May 1st is prelude to Art Week and she gave details of that event also.

A. Announcement from Amy Usowski, Conservation Administrator, on the Robbins Pond work that has been completed.

Ms. Usowski shared the activities at the Robbins Pond Conservation area, showed photos and explained improvements. She also announced the Tour de Trash community clean up and noted how to sign up. Also, the piping plovers are back and there has been some work at Bells Neck which she described.

Mr. Ballantine announced the renamed Harwich Accessibility Rights Committee has a lively committee, they're anxious to get going and the website is being updated with contact information.

Emily Mitchell, Council on Aging Director, announced that the COA will be providing transportation to this year's Annual Town Meeting and gave an overview of how it will work.

April 19, 2022

David Guillemette, Chief of Police, noted that on the agenda is the 2nd appointment for a full time Police Officer and he introduced Drew Ridenour who is the candidate. He gave a brief overview of his background and training.

CONSENT AGENDA

- A. Vote to approve Caleb Chase request for the following amounts:
 - 1. \$1,000
 - 2. \$590
 - 3. \$439
- B. Vote to authorize the Chair to sign a step increase requested by the Fire Chief
- C. Vote to approve the buyback of vacation time for the Fire Chief
- D. Vote to approve a Full-time Police Officer appointment recommendations effective April 20, 2022

Ms. Anderson moved to vote to approve the consent agenda as presented, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously.

All Board members welcomed Officer Ridenour to the Harwich Police Department.

PUBLIC HEARING

- A. Discussion and possible vote on the fee structure change for the Department of Public Works to include the Treasure Chest.

Ms. Anderson read the Notice of Public Hearing.

Mr. MacAskill opened the public hearing. This is to approve or not approve a \$5.00 sticker fee for the Treasure Chest. He asked if anyone in the public wished to speak on this, no response.

Mr. Howell moved to close the public hearing, 2nd by Ms. Anderson. Vote 4:0 in favor by roll call. Motion carried unanimously.

Mr. Howell commented that he hears a lot of people saying they are in favor of this and don't feel the \$5 is an impediment at all.

Ms. Anderson feels it is reasonable.

Mr. Ballantine agrees that \$5 is reasonable.

Ms. Anderson moved to vote to approve a \$5.00 fee for entrance to the Treasure Chest for residents, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously.

Mr. Ballantine commented that they are hoping to open the Treasure Chest on the 28th and asked when stickers could be purchased. He suggested they give a couple of weeks before they enforce the sticker rule.

Amy Bullock, Treasurer/Town Collector replied that the stickers could go on sale tomorrow and she suggested on line or by mail but gave other options.

Mr. Ballantine stated that what they would like to do is have the first day be take-in only. Sunday would be open for drop off and purchase. He also suggested that a lighted sign show that they're open but drop off only on the first day.

B. Discussion and possible vote to approve the application for a New, Seasonal, On-Premise, Wines and Malt Liquor License for Saquatucket Snack Shack, LLC d/b/a Dockside -0715 A Route 28
Food Service Permit Pending Board of Health approval on 04/21/22

Ms. Anderson read the Notice of Public Hearing

Mr. MacAskill opened the Public Hearing.

Arthur Danowski of the Saquatucket Snack Shack LLC d/b/a Dockside

Mr. MacAskill asked if anyone in the public wished to speak, no response.

Mr. Howell moved to close the Public Hearing, 2nd by Ms. Anderson. Vote 4:0 in favor by roll call. Motion carried unanimously.

Mr. Howell reminded and warned Mr. Danowski that it'll be up to him to make sure his customers don't wander off the deck and into the parking lot because they will be off premises. He is satisfied that Mr. Danowski is aware of that.

Mr. Danowski commented that they have instituted that as part of their training for staff. His target date to open is May 16th.

Ms. Anderson moved to approve the application as presented and as requested, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously.

NEW BUSINESS

A. Discussion and possible vote to approve 2022 Seasonal Lodging House Renewal - Gingerbread House B&B - 141 Division Street

Ms. Anderson moved to approve a 2022 Seasonal Lodging House Renewal as presented, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously.

B. Discussion and possible vote to approve the Memorandum of Understanding (MOU) with Harwich Conservation Trust for The Cold Brook Eco-Restoration Project

Michael Locke, Director of the Non-Profit Harwich Conservation Trust gave a summary of the project and the Trust's partnership in the effort. He also noted the benefits in regards to naturally

April 19, 2022

reducing nitrogen. He offered a timeline of the project's phases. Part of the process for describing the roles and responsibilities of the Town and the Conservation Trust is to develop a memorandum of agreement. The Memorandum of Understanding is in the packet and is before the Board for consideration. He suggested the Board may consider the MOU and then as they move forward with 203 Bank Street, they could determine how the license agreements will work.

Mr. MacAskill commented that if the town sells the property and the new owners don't want the Trust on that property or access to it, the Board will have to work on the licensing agreements and change the Memorandum of Understanding. He cannot support this tonight because of that. He referenced 8D in the packet and confirmed that it is not additional cost. He referenced page 4, C. and asked for an explanation of the phrase "the town shall".

Mr. Locke explained, that paragraph focuses on water features and is designed to meet the mitigation for the risk of water quality degradation.

Mr. MacAskill commented that he is uncomfortable with the word "shall" with no funding source behind it. He will ask town counsel's opinion.

Mr. Ballantine remains uncomfortable with this and referred to the original plan. He questioned the ecological restoration not being what they want and reducing the nitrogen reduction goals. He feels the nitrogen is a lesser concern on this document. According to this document, the town has no input into the decision, the final decision comes from the HCT.

Mr. Locke clarified that his understanding of the potential 6 million dollars in sewerage cost savings was generated by the town's consultant, CDM Smith. He suggested referring to the town's nitrogen education feasibility study. There was no design in place at the time that study was authored.

Mr. Ballantine commented that they are picking an artificial number to try and sell this project. His concern is still nitrogen reduction and questions the design. He commented that this document gives sole authority of the decision making to the Trust and HCT without any input from the town. He questioned if there should be some input from the town.

Mr. Locke replied that the town has S-Mass representation and CDM Smith and suggests they be present at another iteration of this discussion.

Ms. Anderson would like to hear Amy Usowski from Conservation, the Water Superintendent's and Administration's take on this before going further.

Mr. Howell commented that there are not enough players in the room to be able to dissect this document. He broadly supports it but needs answers to the questions posed tonight.

Mr. MacAskill asked the Board members to send an email to him or to staff with their questions and with what they would like to see, to get as many answers to questions before the next discussion.

C. Discussion and possible vote on the Board of Selectmen's 2022 Summer Schedule

Ms. Anderson moved to vote on the Board of Selectmen's 2022 Summer Schedule as presented, 2nd by Mr. Ballantine.

Ms. Anderson commented that if there is a pressing need for another meeting, it can be put in a time slot.

Mr. MacAskill noted for the public, starting on June 27th they will go to 6:00PM and then go to every other Monday.

Vote 4:0 in favor by roll call. Motion carried unanimously.

D. Discussion and possible vote on the Fiscal Year 2023 Holiday Schedule.

Ms. Anderson moved to vote the Fiscal year 2023 Holiday Schedule as presented, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously.

E. Discussion and possible vote to approve the Committee Appointments as recommended by the Interview Committee

1. John Bathelt - Council on Aging - Alternate member - Term expires on June 30, 2024

Ms. Anderson moved to approve the appointment as presented, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously,

OLD BUSINESS

A. Discussion and possible vote to approve the 2022 Seasonal , On-premise, All Alcohol Liquor License Renewal-Chase Escape Cape Cod LLC d/b/a The Summer House Cafe - 187 route 28

Mr. MacAskill commented that they have been instructed by counsel to renew the license and then go through the hearing process and see where they are in 3 months and then again 3 months after that.

Mr. Howell commented that giving them a license to take is away doesn't seem right.

Ms. Anderson questions why they don't just say no to it now.

Mr. Ballantine commented that this is the way, procedurally, that counsel has instructed them to proceed.

Mr. Ballantine moved to approve the 2022 Seasonal, On-premise, All Liquor License Renewal as presented with the address correction of 126 Route 28, 2nd by Ms. Anderson.

Mr. MacAskill agreed with previous comments but noted that they have counsel for a reason and the ABCC generally follows this process.

Vote 3:0:1 at roll call. Motion carried.

B. Discussion and possible vote on potential appointment of members to the Local Planning Committee (LPC)

Mr. MacAskill commented that the interviews were completed and the Board has their notes. He suggested that the Board members send their recommendations to staff to let staff go through those recommendations. Whatever is agreed on or is majority will be picked and then the Board can debate.

Mr. Ballantine asked if there is a way to consider increasing the size of the committee to a larger odd number, there were many great applicants.

Ms. Anderson is reluctant to change the number, she thinks it's better at 11. She also likes the idea of everything going to the office and if they agree, no further discussion is necessary.

Mr. Howell commented that there were 4 or 5 people with planning backgrounds. His concern is that there would be a citizen board to create a comprehensive plan for the whole town that's crafted largely by people who have a planning background.

Mr. MacAskill asked if the consensus of the Board is to decide their 11 and send that to the office so that at the next meeting they can make decisions. He also commented to the number 11 and noted that 7 on a committee can be a nightmare.

Mr. Ballantine commented on the different disciplines he looks at regarding applicants.

Mr. MacAskill confirmed the Board's consensus on his suggestions. It will be on the agenda in 2 weeks.

ASSISTANT TOWN ADMINISTRATOR'S REPORT

Assistant Town Administrator Meggan Eldridge announced for the public that the Fiscal Year 2023 Human Services Grant Program is out, the RFP is on the website and the information is in the packet.

Mr. Howell asked if the grantees from the prior year could be given an opportunity to fill it out.

Assistant Town Administrator Eldredge replied, yes.

SELECTMEN'S REPORT

No reports

April 19, 2022

ADJOURNMENT

Ms. Anderson moved to adjourn, 2nd by Mr. Howell. Vote 4:0 in favor by roll call. Motion carried unanimously.

Respectfully submitted,

Judith R. Moldstad
Recording Secretary

April 19, 2022

