



APPROVED

RELEASED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
MONDAY, MAY 24, 2021
6:30 P.M.**

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

ALSO PARTICIPATING: Town Administrator Joseph Powers

CALL TO ORDER

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

WELCOME

A. Newly elected member Mary Anderson

The Board welcomed new member Mary Anderson.

WEEKLY BRIEFING

A. COVID-19 Updates

Mr. Powers indicated that the Town received a copy of information that was sent out to all licensed establishments that related to the Governor's Order for expansion of outside service.

Health Director Kathleen O'Neill was present remotely. Harwich is not currently following any active cases of COVID-19 and has been downgraded to the "gray" designation on the state's reporting map. Approximately 66% of our fulltime residents have been full vaccinated. This Wednesday, the Town will be offering the COVID-19 2nd dose private clinic. Last Friday, the Board of Health voted to rescind the mask mandate on Route 28 from Lower County Road to Bank Street, effective immediately. The Board of Health wanted to remind everyone that if you are not vaccinated or are immunocompromised, that it is still advised to wear a mask. Health Director O'Neill also stated that on May 29, 2021, the State will be releasing all sector specific COVID-19 protocol, with some exceptions.

Ms. Anderson asked what the difference is between what effective as of May 29th and June 15th. Health Director O'Neill responded that June 15th is when the State of Emergency is projected to end. There is nothing that the public will need to do differently between the 2 dates.

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

Mr. Powers stated that May 29th is a big day for the Commonwealth of Massachusetts. Last week, the Alcoholic Beverages Control Commission (ABCC) released their advisory regarding the end

of COVID-19 related restrictions. The memo was released to all establishments that are licensed with the ABCC. Within the body of the memo, they noted important changes for patios/outdoor expansions as well as takeaway/delivery of alcohol. When the orders are fully lifted, any establishment that is looking for outdoor expansion, will need to do so as they did in non-pandemic times. The Town also received notice from the Massachusetts Municipal Association (MMA) that there is a bill circulating asking for the Governor to enact extensions of many things relating to the pandemic. Notice of any official changes will follow.

PUBLIC COMMENTS/ANNOUNCEMENTS

Harwich Chamber of Commerce Executive Director Cyndi Williams was present remotely. She noted that this weekend showed a real uptick in numbers in the parking lot by the Chamber building. The visitor's center will be open this Friday afternoon and continue to be open 7 days a week through Columbus Day. Ms. Williams is looking forward to coming back before the Board with summer updates and announcements. Additionally, Ms. Williams asked that everyone be patient and respectful this summer while enjoying all of Harwich's 7 villages.

Ed McManus was present remotely and reported that the Harwich Cranberry Festival Committee met last Thursday for the first time in a long time. They voted to move ahead with a full range of activities including craft shows on July 10, July 11, August 14 & August 15, which will be held on the front lawn of the Harwich Cultural Center. They are planning a family beach day to be held on September 11 followed by the Cranberry Festival on September 18 & 19. Starting on July 8, Harwich will be holding their summer concert series in the courtyard of the Cultural Center. The series will run every Thursday night for 8 weeks. As always, they are looking for new members to help with festivals and the summer concert series.

Library Director Ginny Hewitt was present remotely. Last week was the first week that Brooks Library was open to the public and it went very well. They will be expanding their hours as of June 1st. The Library will be open Monday through Thursday from 1:00 p.m.-7:00 p.m. and Friday and Saturday from 10:00 a.m. - 4:00 p.m.

Mr. MacAskill read a memo of recognition that Fire Chief David LeBlanc has been sworn in as the Director for Barnstable County District of Firefighter Association Chiefs of Massachusetts, taking over for Chief Burke. Chief LeBlanc has also been re-elected for the Barnstable County Fire Chiefs Board. Mr. Ballantine added that this is not only recognition for Chief LeBlanc, but for the Harwich Fire Department in total. Chief LeBlanc was present remotely and noted that Harwich Fire has had a long history of serving more than just the community.

Mr. MacAskill also recognized Fire Captain Donald Parker who just started his 38th year with the department.

Mr. Ballantine stated that the Board had put together a certificate to recognize Harwich resident Ella Lombard who celebrated her 100th birthday on May 23. Mr. MacAskill thanked Mr. McManus for presenting Ms. Lombard with the certificate.

PUBLIC HEARING

- A. Public Hearing (continued)- Discussion and possible vote to approve the transfer of the Seasonal, All Alcohol, On Premise Liquor License from Phoenix Park, LLC d/b/a The Cape Cod Irish Pub to Chase Escape Cape Cod, LLC d/b/a The Summer House Café-126 Route 28

Mr. MacAskill opened the public hearing by reading the legal notice.

In the packet, the Board was provided updated information from the Health and Building Departments. The Health Department is still waiting to finalize the food service permit and the Building Department noted conditions on their permits.

Thomas Paulini and Nick Fiorillo were present remotely. Mr. Fiorillo asked what conditions the Building Department placed on the permits, noting that he was under the impression that the building permits had already been issued. Mr. Powers read into the record the conditions that were listed on the building permits as well as the memo from the Building Commissioner that was provided in the packet.

Building Commissioner Ray Chesley was present remotely and noted that the majority of the conditions on the permits are standard. The main conditions were placed by the Health Department and are regarding the septic system and food service permits. Mr. Chesley stated that the Building Department has no issues with the liquor license transfer based on the building permits that have been issued. Work listed on the building permits must be started within 180 days from when the permit was issued. As long as there is continuous progress being made, there is no time limit on a building permit.

Mr. MacAskill stated that he would like to move forward with tonight's public hearing.

Health Director Kathleen O'Neill was present remotely and stated that the most important part for the applicant is to schedule their kitchen pre-open inspection, adding that the Health Department is scheduling out at least a week. The Health Department could issue a temporary food service permit until the Board of Health meets on June 15.

Mr. Howell noted that Ms. O'Neill had indicated a problem with a non-functioning septic system. Ms. O'Neill responded that the system is functioning, however it needs to be brought up to code. The Health Department has spoken with Mr. Paulini and have an agreement that the applicant can continue to use the property as the former occupant did until the septic system has been upgraded.

Mr. Howell questioned how this application is considered a transfer, noting that the license was not being utilized for the longest time and that there is no business relationship between the applicant and the previous business owner. Mr. Powers responded that this is considered a transfer because the Irish Pub had renewed their liquor license.

Mr. Powers reviewed the Ballarian Factors that need to be followed in order to move ahead with the hearing.

Mr. MacAskill moved to open the public hearing, 2nd by Mr. Ballantine. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Police Chief David Guillemette was present remotely. He stated that while there are no disqualifying criminal events, he did notice on the application that there were 2 previous liquor code violations, one in 2003 for over serving a patron and one in 2016 for serving an under aged dining patron.

Mr. Ballantine asked Mr. Chesley if there is enough parking on site to handle a seating capacity of 162 and occupancy of 375. Mr. Chesley responded that they have kept the same parking plan that previously existed and not sure of the number of parking spaces.

Mr. Fiorillo reiterated that they are looking for a transfer of the existing liquor license that has been with the property for some time. They hope to complete 40 plus years of deferred maintenance to the building. He went on to review both his and Mr. Paulini's employment history as well as restaurant/bar experience.

At the request of Mr. Ballantine, Mr. Fiorillo explained the 2016 liquor license violation. He stated that it was a unique set of circumstances with a table of family members, one of which was underage. The underage patron did not have any alcohol, however there was an open wine bottle at the table. Mr. Paulini discussed the 2003 violation. He stated that the Police Department has been in the parking lot and noticed the vehicle of someone that they were looking for. When they entered the establishment, they saw a person at the bar who had too much to drink. Mr. Paulini noted that this was his only liquor license violation in 44 years.

Ms. Anderson wanted to confirm that they will be using paper products due to the septic system and that no food can be prepared on site. Mr. Fiorillo responded that is correct and stated that they have an agreement with the Health Department.

Mr. Howell asked Mr. Paulini if he has held a continuous liquor license since 1977. Mr. Paulini responded that with exception of 2 or 3 years, he has. Mr. Howell went on to ask about the magnitude of the food service being offered. Mr. Fiorillo responded that they are complying with the suggestions of the Health Department and will be offering a temporary limited food service menu. A copy of the menu has been submitted to the Health Department. All food will be prepared off site so there will be no washing of dishes. Mr. Fiorillo added that as they upgrade the septic system, they will look to become a full service inn/restaurant on Herring River.

Mr. Howell noted that the Board will be taking a serious look at any applications for outdoor entertainment. Mr. Fiorillo responded that they are aware of previous issues and that they don't intend on being anything of what existed on the property in the past. They are planning on being there for long term enjoyment and want to be friendly neighbors.

Mr. MacAskill appreciated their comments about being a friendly neighbor and hopes that they will upgrade the septic sooner rather than later. He asked the applicants if they have ever been denied a liquor license in any other town. Mr. Paulini responded that he has not. Mr. Fiorillo

responded that in the late 90's, he was a minority partner in a business in which the town decided to not issue a new license in that area of town. It was denied based on geography, not violations.

Sally & Lou Urbano were present remotely and stated that they are not opposed to this application at all and are excited to see long overdue work being done on the building. They did state their concerns regarding noise, noting that sound is magnified on that corridor. Mr. Urbano asked if a closing time of the establishment would be addressed. Mr. Urbano noted that the parking lot will hold a maximum of 50-60 carts and that is being generous. He asked where any overflow parking would go and would the town be responsible for putting up no parking signs on the surrounding streets. Mr. Fiorillo responded that ride sharing has proven to be beneficial for situations like this. They will do their best to let patrons know that ride sharing is the way to go.

Ginny Doyle was present remotely and stated that she is encouraged that they will be completing the long overdue septic upgrade. She asked if they are renting the property or buying it. Mr. Fiorillo responded that they have entered into a long term lease with an option to purchase the property. In the lease, there is specific language with regards to the septic upgrades. He added that he has vast experience with renovations of historic buildings and looks forward to bringing back the former glory of this location. Ms. Doyle wanted to impress upon the applicants that the neighbors in the area, which she is one of, will be watching very carefully what type of entertainment license is issued. Mr. Fiorillo understood their concerns and offered to meet with abutters to see what he has accomplished.

Mr. Urbano again expressed his concerns about parking and asked the applicants to give more consideration to their parking plan.

Mr. MacAskill moved to close the public hearing, 2nd by Ms. Anderson. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Mr. MacAskill commented that the Board does not normally put pouring times on the license. Chief Guillemette added that historically, the Board of Selectmen have gone along with the state regulations, which are closing at 1:00 a.m. He does not recall any discussions regarding pouring times, but they have talked about entertainment, which ends at 12:00 a.m. to allow for a 1 hour cool down period.

Mr. MacAskill moved to dispose of the Ballarian Factors and that none prevent the Board of Selectmen from making a decision, 2nd by Ms. Anderson. The vote was 3-1-0 Mr. Ballantine, Mr. MacAskill and Ms. Anderson voting aye and Mr. Howell voting nay by roll call.

Mr. Howell stated that he looks at this as a new license rather than a transfer. He feels that it has become obvious over the last 15-20 years that the Board of Selectmen have had a naive assumption that they can cancel a license after a year or 2. Mr. Howell would have rather gone through the list one by one.

Mr. MacAskill moved to approve the transfer of an on premise seasonal all alcoholic beverages license from Phoenix Park, LLC, d/b/a Cape Cod Irish Pub, Brendan O'Reilly to

Chase Escape Cape Cod, LLC, d/b/a, The Summer House Café, Thomas Paulini, Manager, located at 126 Route 28, West Harwich, with all other previous restrictions from the prior license be added and that all staff comments and requests be included, 2nd by Ms. Anderson. The vote was 3-1-0 Mr. Ballantine, Mr. MacAskill and Ms. Anderson voting aye and Mr. Howell voting nay by roll call.

CONSENT AGENDA

A. Vote to approve the Caleb Chase Fund request in the amount of \$933.57

Mr. MacAskill moved to approve the Caleb Chase Fund request in the amount of \$933.57, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

NEW BUSINESS

A. Discussion and possible vote to award the Bond Anticipation Notes (BANs) to Fidelity Capital Markets in the amount of \$1,408,300 at a net interest cost of .3196%

Finance Director Carol Coppola was present. Annually, the Town of Harwich issues Bond Anticipation Notes (BANs) to support capital and infrastructure projects authorized at Annual Town Meetings and by ballot votes when appropriate. The existing BANs total is \$1,765,800, and these short term notes are due and payable on June 11, 2021. Last year the BANs sold in a competitive market at a net interest cost of 1.004%. This year, we received news on May 19 that the BANs sold on the competitive market at a net interest cost of .3196%. Ms. Coppola respectfully requested that the Board of Selectmen award the FY2021 BANs to Fidelity Capital Markets in the amount of \$1,408,300.

Mr. MacAskill moved to approve the sale of \$1,408,300 1.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated June 11, 2021, and payable June 10, 2022, to Fidelity Capital Markets, a division of National Financial Services LLC, at par and accrued interest, if any, plus a premium of \$9,555.32, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Mr. MacAskill moved that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 11, 2021, and a final Official Statement dated May 19, 2021, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Mr. MacAskill moved that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with Securities Exchange Commission Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Mr. MacAskill moved that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Mr. MacAskill moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

Mr. Howell added that this is a result of a lot of hard work through the years and would not have been possible without our great team and everyone sitting in the room.

B. Discussion and possible vote-Proposed 2021 Board of Selectmen Summer Meeting Schedule and Hours

Mr. Powers presented the Board with a schedule for review. The schedule takes into consideration the well-earned vacation time of staff and gets to an every other week meeting schedule of the Board, which would start after July 4. The meetings would also begin at 6:00 p.m.

Mr. MacAskill commented that his only problem is that the Board is so far behind on many items. He found that by going to an every other week schedule, meetings become 3-4 hours long and the Board still runs behind. Mr. MacAskill noted that he would give the summer schedule a shot, but would like to leave it open to schedule extra meetings if needed.

Ms. Anderson agreed with Mr. MacAskill and suggested maybe holding meetings every other week for July and August.

Mr. Howell feels that the way to do it would be to approve the list with the caveat that special meetings could be scheduled. He also suggested maybe having single topic meetings to finish some open projects.

Mr. Ballantine would like to see the Board approve the summer schedule and then separately develop schedules for some of the big ticket items.

Mr. Powers did not argue any of the points being made, but feels comfortable with his recommended meeting schedule. The Administration team will be meeting with Department Head's to discuss budget related items. With this proposed schedule, he was trying to rely upon an old practice of every other week in the summer to give a break to staff, but also have a chance to

get into the details of what needs to be done. Mr. Powers added that by June 14, he will be providing the Board with a schedule of what the Town Meeting calendar will look like.

Mr. MacAskill moved to approve the proposed 2022 Board of Selectmen summer schedule, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

C. Discussion and possible vote- Fiscal Year 2022 Holiday Calendar

Mr. MacAskill moved to approve the Fiscal Year 2022 Holiday Calendar, 2nd by Mr. Howell. The vote was 4-0-0 Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson voting aye by roll call.

D. Introduction and preliminary discussion of regulatory process and community outreach for a proposed affordable rental housing development on Chloe's Path (off Sisson Road adjacent to the Harwich Police and Fire Departments and across the street from the Harwich Cultural Center)

Attorney Andrew Singer & Architect Tim Sawyer were present remotely on behalf of Peter Donovan & Gary Terry.

Attorney Singer stated that they are here to give an informational introduction of the project and seek some preliminary input from the Board of Selectmen. The project is on 8.14 acres of land off of Sisson Road known as Chloe's Path. The property is located next to and behind the Fire and Police complex and across from the Harwich Cultural Center. Attorney Singer reviewed the layout of the property, including the wetlands and development area. This is a proposal to construct 2 buildings with 96 units, for a total of 144 bedrooms. The owners have put together a strong team and are all present remotely for any questions. Parking is being proposed under the buildings and the project is being designed to be able to easily connect to the future town sewer. In the interim, depending on timing, a nitrogen reducing community septic treatment plant is being designed. They are also proposing a bus stop on Sisson Road and a crosswalk for access to the other side of the street, which will allow residents of the units more easy access to travel and walk to surrounding areas. 25% of the apartments will be deed restricted to tenants earning no more than 80% of the area median income, and the anticipated rents for the remaining units will provide a needed housing opportunity to workforce as well as market rate tenants. As a rental community, all 96 units will count towards Harwich's subsidized housing inventory. The proposal will also require a comprehensive permit from the Board of Appeals & review with the Affordable Housing Trust as well as meetings with Department Head's.

Peter Donovan was present remotely thanked the Board for having this on the agenda. He has been involved with this property for years and has reviewed a number of different options of use for the site. They feel that they have come to the best use for the property look forward to working with the town and community.

Tim Sawyer from Catalyst Architects and Interiors was present remotely. He presented a preliminary site plan showing the proposed buildings, street going into the complex, bus shelter,

landscaping and sidewalk. Each building is proposed to be 3 stories tall with parking underneath, which allows them to make the most efficient use of the site. One parking spot for each unit is being proposed for a total of 96 parking spaces. They are proposing elevators in the building to gain access to the buildings from the parking area. The onsite septic system will be in the center of the lot. The building have been located completely outside of the 100' buffer zone to the resource area. The only things in the buffer would be a grass/gravel fire line and a walking path for tenants. Mr. Sawyer went on to present 3 different preliminary views of the property; one from Sisson Road, one from halfway down the driveway and one from in front of the Public Safety Building.

Mr. Powers stated that Attorney Singer had reached out to town staff, including the addition of Jon Idman, the Director of Community Development and Planning. Attorney Singer and his clients are contemplating a significant project in town and are working through the proper channels, starting with Mr. Powers, Ms. Eldredge, Mr. Idman and now the Board of Selectmen for the public to hear about the project, rather than through social media.

Mr. Ballantine asked if they have considered a traffic study. Attorney Singer responded that it is not something that they are contemplating at this time. They have initially looked at site distances along Sisson Road, but have not done a more formal review. Mr. Ballantine also asked if they are looking at using an innovative alternative septic system. Attorney Singer responded that they are. What would be designed is a community wastewater treatment facility, which would require a groundwater discharge permit from Massachusetts Department of Environmental Protection.

Mr. Howell asked if they are contemplating that this project will be a so called "LIP", Local Initiative Plan. Attorney Singer responded that they are proposing a friendly 40B in working with the Town, Board of Selectmen and the community. Whether it goes under the LIP application or a different process will be based on finances and subsidy.

Ms. Anderson asked for clarification on how the entire project would count as affordable if some of the units will be market rate. Attorney Singer responded that when you have a rental situation, all of the units would count towards affordable even if they include workforce and market rate.

Mr. MacAskill asked Mr. Donovan if he is the same owner as when the town was previously presented with a project for 6 homes on this road and if so, what changed from then to this project now. Mr. Donovan responded that he is the same owner and noted that they could not seem to make the numbers work for 6 single family homes or duplexes.

Mr. Ballantine thanked the applicants and all present for starting discussions with the Selectmen. He hopes that they will keep the Board apprised of their schedules and activities. Attorney Singer assured everyone that they will be kept up to date. The next plan is to reach out to Department Head's for informal technical review followed by contacting the Affordable Housing Trust, and then scheduling a community outreach meeting.

Art Bodin, Chair of the Harwich Housing Committee was present remotely. He stated that this is the first that he has heard that the entire complex would be considered towards the affordable

inventory rate, if other units were rented at market rate or workforce. Mark O'Hagan was present remotely and reassured Mr. Bodin that the information as laid out by the state, is correct. Mr. Ballantine asked for Mr. O'Hagan to send a copy of the state statute to the Board through staff.

Ed McManus was present remotely and commented that when he was the Chair of the Harwich Housing Committee, he was given the same information about the affordable inventory numbers.

Mr. Howell strongly encouraged the applicant to do community engagement before coming in front of the Affordable Housing Trust Board.

Sandy McLardy was present remotely and asked for clarification on the proposed parking. Attorney Singer clarified that parking would be under 3 levels of living space.

OLD BUSINESS

A. Shared Streets Grant Project

At their last meeting, the Board had directed Mr. Powers to work with staff on updated plans and designs. In the meantime, the contractor, Robert B. Our Company has substantially completed their work on the ADA ramps for accessibility. Mr. Powers had walked Harwich Center with Highways Manager Chris Nickerson and Town Engineering Griffin Ryder. In the packet, the Board was provided with updated designs.

1. Discussion and possible vote on revised design plans

Town Engineer Griffin Ryder was present remotely and commented that the plans previously submitted in December have evolved. One of the issues in this area is the width of the roadway which makes it hard to plan for safe lanes of travel while keeping parking on both sides of the street. In order to address that, we needed to lose parking on one side of the street. This was taken under serious consideration because loss of parking can impact businesses. He noted that a bike rack was added in the line of sight by Route 124. By shifting the center line to the North, there are 25 parking spaces in the existing conditions and 25 parking spaces in the proposed plan. DPW had raised concerns about parking on the North side of the street. When you are coming off of Route 124, no matter what way you turn, there are issues with sight lines. Mr. Ryder noted that there is a parking lot behind the Odile building which might be underutilized. On the Eastern stretch of Main Street, they could incorporate center median painted islands, with the hope that it will give people a visual that they are entering a more congested area and will slow down. If that does not work, some kind of rumble strip could be considered. In the more downtown area, they are proposing the high friction red type paint on the Northside of the street that does from 3.5' to 5.5' wide. The paint will be a deterrent for speed and we can use some of the planters that we purchased, which can also enhance traffic calming. There were 9 curb ramps that were installed which provide for better access on both sides of the street that meet ADA requirements. The next step will be to stripe the crosswalks and reposition the center lane to get the lanes to a width that an engineer would be comfortable with at 10' wide. While the project does come with a loss of parking spaces on the North side, it added spaces on the South side.

Lane Meehan was present remotely and stated that she likes the ADA ramps and is all for the striping. Ms. Meehan noted her concerns about the raised platforms in the street. She would also like to see more bike racks on the sidewalk or near the buildings. She commented that it might also be nice to see benches in front of some of the buildings. Ms. Meehan voiced her opposition to having seating or barriers out in the street.

Bob Young was present remotely. Mr. Young stated that because this grant was created to help restaurants during the pandemic. Part of the shared streets includes public seating. He feels that the bike rack is a good addition and likes the jersey barriers because he feels they will slow traffic. It is a temporary pilot program which includes outside seating and no one knows what will happen with the Governor's emergency order expires. The Town of Harwich should be proud of this grant, being 1 of only 17 communities that it was given to. Mr. Young would like to see Harwich make a success out of this for however how long we get to do it.

Peter Morey was present remotely and stated his concerns about the removal of parking on the North side of Main Street. He appreciates the plans being revisited but is concerned that moving parking away from the main area of commerce will negatively impact businesses in the area. He is also worried that removing parking spaces will encourage cars to travel faster. Mr. Morey is also concerned that this project doesn't meet the intent of the program.

Brooks Library Director Ginny Hewitt was present remotely. Her top 2 concerns were traffic calming and pedestrian safety. Ms. Hewitt commented on what both her and her staff see happen from the library building and added that they worry that people are not aware of the dangers of the intersection by the library. While the project seems to do all of the right things to reduce speed of motorists, Ms. Hewitt is concerned that if traffic calming measures are only partially put in place, the other measures taken will not make a difference.

Peter Antonellis was present remotely. He commended Mr. Ryder on a great job outlining the reasonable changes to accomplish traffic calming in the center. He noted that the plans do not show where trash cans will be and also stated a concern about seeing drinkers on church property. Mr. Antonellis stated a lot of pedestrians walk to the library via Parallel Street. If cars cannot pass quickly down Main Street, they may start to take Parallel Street, where there are no sidewalks for safe passage. He is not opposed to the changes to Main Street, but hopes that attention will be brought to Parallel Street.

Mr. Ballantine asked about any possibility of relocating bike racks. Mr. Ryder responded that he could look at other locations, but it might be tough because the racks required 6'-8' of space. Ms. Meehan suggesting updating the bike rack to the right of Ruggies. She also suggested the walkway location between Tile Works and The Seal Pub. Mr. Young was firmly adamant that the bike rack remain as located for the convenience of the bike riders and would like to see this project adopted as is. Ms. Meehan stated that she understands Mr. Young's comments about the bike rack, but noted that it is a moveable object that can be moved after the time period. She feels that putting a bike rack in the street is not very realistic, especially for families.

Mr. McManus stated that one of the constraints that this grant provides is that the expansions and activities have to be done within the sidewalk or streetway. They had initially proposed on doing

some things in the park across the street, but the program does not even allow the Town to spend resources on planters or tables to put in the park.

Ms. Anderson commented that she spends a lot of time going through that intersection and does feel that it is a safety issue. While she respects and hears the business owners talking about the loss of parking, the greater good is to make this move for overall safety. She is in favor of the revised plan.

Mr. Howell stated that his major concern all along is that our liaison that the Board appointed never actually reported back. You cannot pick and choose what we do with this grant because the shared streets was specifically earmarked for businesses during the COVID-19 emergency to function with outdoor seating. What really stuck with Mr. Howell was an email from resident Carla Burke who is legally blind and was making a pitch for safety improvements. If we are really capable of coming out of this with the same parking, or even one less space, he will vote to support it.

The theme that Mr. MacAskill has heard from the beginning is public safety and speeding. He feels that it is time to talk to the Police Chief and direct the Police Department to spend more time in Harwich Center. He also noted that we need to increase patrols on Parallel Street if the changes to Main Street are made. At this point, he has heard a lot more pros than cons to the project. Mr. MacAskill would think that the town should be able to put up additional bike racks aside from the grant money. The jersey barriers might look good on paper, but in the end, it is still a jersey barrier no matter how you dress it up. As far as table service is concerned, we have approved outdoor table service already. To him, this is a very responsible thing to do for patrons and for the safety of everyone in Harwich. Mr. MacAskill closed out his comments by stating that he believes that there is room for benches on the sidewalks.

Mr. Ballantine commented that there are pro and cons to these temporary measures and that he would support moving forward as presented.

Mr. Howell asked if the outdoor seating is deleted because of the jersey barriers, would we still conform to the restrictions of spending the grant money. Mr. Powers responded that funding has been acquired and several items have been purchased and implemented. The end result is for patrons to access Harwich Center businesses safer than before. He feels that we have met the spirit and intent of the grant.

Mr. MacAskill stated that we have already approved the outdoor table service, but never taken up expanded outdoor table service and asked if that is what is being discussed now. Mr. Howell added that the plan shows the jersey barriers. Mr. Ryder responded that we have reduced the plan to one bump out and it has been changed from red paint to a parking space. If we don't want to keep it, it can be removed quickly. A discussion was had about possibly relocating a bench into the bump out in front of the market.

Mr. MacAskill added that the Pilgrim Lodge was opposed to having a sign directing people to park behind the lodge. Mr. Ryder commented that he would follow up with John Eldredge at the lodge.

Mr. Howell moved to affirm the Board of Selectmen's support of the current iteration of the plan with the 2 notations that the bike rack will be attempted to be relocated and that the bump out would be designated as temporary, 2nd by Ms. Anderson. The vote was 4-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson all voting aye by roll call.

2. Discussion and possible vote on identifying a project liaison

Mr. Ballantine asked about the necessity of a project liaison and wondered if it would be better to have Mr. Powers be the lead and report back to the Board as a whole. Mr. Powers agreed. Mr. MacAskill asked Mr. Powers to follow up with the Police Chief about monitoring Harwich Center and enforcing the speed limit on Main Street and monitor Parallel Street. Mr. Howell asked if the Police Chief could come meet with the Board to discuss various items.

Mr. Powers noted the great efforts of Town Engineer Griffin Ryder as well as Highway Manager Chris Nickerson.

Mr. MacAskill also gave thanks to Bob Young of The Seal Pub who brought forward this grant opportunity. We are making positive changes to Harwich Center.

B. Discussion and possible vote to set a date for a Special Town Election to be held to fill the unexpired term on the Board of Selectmen (term expiring in May 2022)

Mr. Howell urged the Board to consider not having the election be held in the middle of the summer which might make it difficult for working people to campaign.

Mr. MacAskill moved to hold the Special Town Election to fill the unexpired term on the Board of Selectmen on September 21, 2021, 2nd by Mr. Howell. The vote was 4-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Howell and Ms. Anderson all voting aye by roll call.

TOWN ADMINISTRATIONS REPORT

Mr. Powers updated the Board on a contract that he executed under 30B relating to the Cemetery Department. The estimated project cost for mapping and software was \$30,110 and the actual cost was \$28,700. The contract was awarded to Web Services of America LLC located in South Dennis. The project is well underway.

Mr. Powers informed the Board that the Friends of Harwich Town Band will coming before them with an official gift donation to the town.

Mr. Powers announced the hiring of Ellen Powell in the Administration Office. Ms. Powell was working as a temporary hire and has now been hired to be the Executive Assistant to both Administration and the Board of Selectmen and will start on June 2. With the help of Sandy Robinson, Ms. Powell was able to wrap up the issue of committees. Mr. Howell commented on how they were able to get all team members on the same page and fix something that has been an ongoing issue.

Mr. Ballantine asked for an update on the snack shack. Mr. Powers regretted to inform the Board that Mr. Griffiths passed away last Friday. The family kindly reached out to the town and we are working with their attorney through our attorney on closing out the arrangements. Mr. Powers is working with KP Law on the possibility of doing a license agreement for the year, rather than a license lease.

Mr. MacAskill public offered his condolences to the family and asked that a condolences letter be sent to the family.

Ms. Anderson asked that no matter how the request is put out, for a license or a lease, that we have some actual snacks available at the location. Mr. Howell agreed.

Mr. Powers wished everyone a happy, healthy and safe Memorial Day weekend. The next Board of Selectmen's meeting will be held on Tuesday, June 1st.

SELECTMEN'S REPORT

Mr. Howell had the good fortune of being asked by Habitat for Humanity to be present at the Murray Lane habitat homes. If anyone is interested in volunteering, information can be found at habitatcapecod.org

Ms. Anderson has spent time thinking about things that got discussed last year that didn't get finished and wondered how to move forward. One of the things she would like to help pursue is the budget and expenses. She asked about chasing some of the revenue items, like the 6% room tax. Mr. Powers responded that there is nothing preventing the Board from asking him to start drafting warrant articles. Ms. Anderson also commented on buildings that are in town that are not used and the possibility of selling them.

Mr. MacAskill welcomed Ms. Anderson to the Board and stated that he looks forward to working with her. He suggested that if she has any topics for discussion, that she send them to the Chair for a future agenda.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 9:40 pm. Seconded by Mr. Howell.

Respectfully submitted,

Jennifer Clarke
Recording Secretary