

RELEASED

APPROVED

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TOWN CLERK
HARWICH, MA

2022 AUG -9

MINUTES
SELECTMEN'S MEETING
/TOWN HALL
MONDAY, JUNE 6, 2022
5:30 P.M. - EXECUTIVE SESSION
6:30 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL

SELECTMEN PARTICIPATING: Michael MacAskill, Larry Ballantine, Mary Anderson, Donald Howell & Julie Kavanagh (Ms. Kavanagh arrived after Executive Session roll call vote)

ALSO PARTICIPATING: Town Administrator Joseph Powers

CALL TO ORDER

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

Ms. Anderson moved that the Board go into Executive Session to discuss the items as listed below, 2nd by Mr. Howell. The vote was 4-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Anderson & Mr. Howell all voting aye by roll call.

EXECUTIVE SESSION

- A. Executive Session pursuant to G.L. c. 30A, § 21(a)(7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements ("Purpose 7")- the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g)-- To review, approve and/or discuss the possible release of executive session meeting minutes dated March 14, 2022; March 21, 2022; March 28, 2022; April 4, 2022; April 11, 2022; April 25, 2022; May 9, 2022; and May 16, 2022.
- 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;
- C. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel;

Mr. MacAskill called the meeting back to order. The Board voted to approve the release of executive session minutes. They also discussed items b and c and no votes were taken.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Charter Lighthouse School Proclamation for the Butterfly Mural

Ms. Kavanagh stated that she attended the event at the Charter School and noted that it was moving to see the amount of hard work that was put in and the history that we have. She welcomed the students in the audience that helped put the mural together. Ms. Kavanagh read the full proclamation into the record.

Mr. Ballantine, Mr. Howell and Mr. MacAskill thanked everyone for their fantastic efforts.

The Board and any member of the public was invited to call the school to set up viewing of the mural.

Water/Waste Water Commissioner Noreen Donahue was present to touch on our water situation and water restrictions. Due to the lack of recharge over the winter season, we are starting the 2022 season about 2.5' below normal water levels. At this time, outdoor watering is only allowed on Monday, Wednesday and Fridays from midnight to 8:00 a.m. and 5:00 p.m. – 9:00 p.m. Hand watering or water with a hose is allowed as needed. Water levels will be monitored as the season moves along. She asked people to keep in mind that they may be asked to further limit use as the season moves forward and reminded people to do their best to conserve water use at all times.

Chair of the Harwich Cultural Council Bernadette Waystack was present. The Harwich Cultural Council will be celebrating the Culture and Arts of Harwich on Thursday at the Cultural Center from 4:00 p.m.-6:00 p.m. in the former library space. All in the public are welcome to attend.

Barnstable County Assembly of Delegates Member Elizabeth Harder was present. She apologized to Mr. Powers and the Board for her actions at the last meeting and noted that she didn't realize that Mr. Powers had been invited to speak at the last commissioners meeting. Ms. Harder hopes that everyone can put the events of the previous meeting behind them and move forward to make sure that the County and Harwich are communicating and working well together. As promised, Ms. Harder did submit the ordinance to the Assembly to allocate the money needed to ensure the contracts for Harwich and Bourne would be sponsored. Today, the telecommunications and energy standing committee met to hear testimony and get answers from the IT director. Now the discussions will move forward to the Finance Committee on Wednesday. While she can't make any promises, Ms. Harder is working hard and remains confident that Harwich and Bourne will get what they need.

Mr. Howell commented that we pay fees to do this and they aren't saving what they think they are by cutting positions. Mr. Harder agreed.

Ms. Anderson stated that Ms. Harder has set a good example to remind everyone that we need to be focusing on the issues rather than the people. Ms. Kavanagh agreed.

Mr. Ballantine & Mr. MacAskill thanked Ms. Harder for her work.

ORGANIZATION MEETING OF THE BOARD OF SELECTMEN

A. Nomination for the following;

1. Chair

Ms. Kavanagh moved to nominate Michael MacAskill as Chair of the Board of Selectmen, 2nd by Ms. Anderson and approved 5-0-0.

2. Vice Chair

Mr. MacAskill moved to nominate Mary Anderson as Vice Chair of the Board of Selectmen, 2nd by Ms. Kavanagh and approved 5-0-0.

3. Clerk

Ms. Kavanagh move to nominate Donald Howell as Clerk of the Board of Selectmen, 2nd by Ms. Anderson and approved 5-0-0.

4. Interview and Appointment Committee (Two Members)

Mr. Howell moved to nominate Julie Kavanagh and Larry Ballantine to the Interview Committee, 2nd by Ms. Anderson and approved 5-0-0.

CONSENT AGENDA

A. Vote to approve the following Board of Selectmen Meeting Minutes:

1. August 24, 2020
2. August 31, 2020
3. September 14, 2020
4. October 5, 2020
5. October 13, 2020
6. January 4, 2022
7. January 24, 2022

B. Vote to approve three Caleb Chase requests in the amount of \$1,000 each

Ms. Anderson moved to approve the consent agenda and recommendations thereon, 2nd by Ms. Kavanagh and approved 5-0-0.

NEW BUSINESS

A. Vote to award the sale of Municipal Bonds and Bond Anticipated Notes

Treasurer/Collector Amy Bullock was present. On May 25, 2022 we received 5 bids for the sale of municipal bonds and bond anticipated notes. The lowest bidder was Fidelity Capital Markets with an average interest rate of 3.218% with a premium of \$458,733. Over the life of the debt, the total interest amount is \$1,870,696.67.

Mr. Howell moved the following, 2nd by Ms. Kavanagh and approved 5-0-0: That the sale of the \$5,135,000 General Obligation Municipal Purpose Loan of 2022 Bonds, Unlimited Tax of the Town dated June 9, 2022 (the "Bonds"), to Fidelity Capital Markets, a division of National Financial Services LLC at the price of \$5,576,963.10 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on June 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2023	\$545,000	5.00%	2033	\$170,000	5.00%
2024	510,000	5.00	2034	170,000	5.00
2025	425,000	5.00	2035	170,000	4.00
2026	425,000	5.00	2036	170,000	4.00
2027	365,000	5.00	2037	170,000	4.00
2028	240,000	5.00	2038	170,000	4.00
2029	235,000	5.00	2039	170,000	4.00
2030	230,000	5.00	2040	170,000	4.00
2031	230,000	5.00	2041	170,000	4.00
2032	230,000	5.00	2042	170,000	4.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 18, 2022, and a final Official Statement dated May 25, 2022 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC 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 Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: 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 Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: 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.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b) at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Mr. Powers reported that Standard and Poors have reaffirmed the towns AAA bond rating.

Ms. Kavanagh left the meeting.

- B. Discussion on amending the Town of Harwich Charter, Chapter 2, Section 3, Clause I, pertaining to when Annual Town Meeting is held

Mr. Powers reviewed the clause and stated that if the Board wanted to contemplate a different date or flexibility of the date, it would require a change to the charter.

Mr. MacAskill stated that in the past, he had suggested starting Town Meeting earlier. This would be a good time to have a conversation on if there is a better time to have Town Meeting.

Mr. Howell said that the current wording is awfully restrictive. He reminded everyone that there was a charter change in the early 2000's that moved the election date so that you didn't have a newly elected person in front of Town Meeting to represent articles that they didn't have a part in. He is not a fan of any bylaws that are so restrictive that they prescribe things that force you to do something. Mr. Howells feels that it would behoove the Board to try increase attendance and see what options are possible.

Ms. Anderson suggested trying for a Saturday Town Meeting. She also commented that another way to get people to come to meetings would be to provide food. It would be nice to see more than a few hundred people help decide things.

Mr. Ballantine commented that starting Town Meeting earlier might help. What also might help is being a little tougher on the number of articles that are brought to the meeting. Having flexibility would give us more time for discussion.

Mr. Powers stated that the charter only speaks to the day of Town Meeting. The time is left up to the Selectmen.

Mr. MacAskill directed Mr. Powers to start drafting revised language.

Mr. Howell stated that this should go to the Charter Review Committee as soon as possible.

C. Discussion and possible vote on amending the General Bylaw Chapter 271
pertaining to Annual Town Meeting Requirements

Mr. Powers briefly reviewed Chapter 271 which pertains to Annual Town Meeting requirements. As he understands this, there are 2 very distinct actions that are going on which are both timed to Town Meeting and the charter, and also include the Finance Committee. He does know that Section A of the Bylaw was amended in 2013. The Board may want to contemplate 2 different deadlines for Selectmen articles verses citizen articles. The intent of the bylaw really puts pressure on the calendar. Section B says 14 days but in reality, it is more like 25 days.

Mr. Howell commented that the dates have always been confusing about which class of people have to have their articles in at what time.

Ms. Anderson feels like the warrant booklet should be out and available to people earlier than it has been. She made suggestions on things to make the warrant booklet easier to see. Ms. Anderson would like to see the booklet available in various buildings. Mr. Powers responded that there is a further reference in the charter that states that the Finance Committee has until the last day in March to render their recommendations. The Board could consider language that tightens it up to get the warrant out earlier.

Mr. Ballantine would like to let the process play out.

Mr. MacAskill stated that this is the first of a series of dates that might want to be changed. He instructed the Town Administrator to come up with a draft proposal in order for it to go in front of the Charter Review Committee.

Noreen Donahue was present and stated that when this was discussed a couple of weeks ago, the calendar was not available in the packet. Mr. MacAskill responded that it would be coming back for discussion. Ms. Donahue commented that in the past, it was helpful when the budget sessions

were done early. Many towns hold their budget sessions in January. By doing that, the articles could go to the Finance Committee by the end of February and then have things finalized by March. Ms. Donahue hopes that the departmental budget date could be moved forward a couple of weeks. Mr. MacAskill responded that he would let her know when this is brought back next month, but agreed with her comments.

D. Update from Selectmen Liaison relating to Harwich Affordable Housing Trust

Mr. Howell reported that various Trust members are being used as point people for various endeavors. The first and most important need was movement towards the action plan, which would set the blueprint for how you operate. The Trust only got about ½ of the way thru, and then COVID hit.

Mr. Howell stated that Jeff Locantore has shown up with the Adult Living Group to discuss a property on Oak Street that we have not yet been able to ascertain what could be done with it. In order to come up with a purpose for the property, the Trust decided that they wanted to procure a surveyor to come in. There is also a 501C3 VA Group that builds affordable housing for Veterans of lower means. They are interested in participating in the Marceline property and building part of that out. There has also been interest expressed from the YMCA about the Marceline property as a mixed use concept. This has not been on the Trust's agenda yet.

Mr. Howell stated that we are at the point in the year where the cell town money that has been accruing over the past fiscal year needs to be put on the Selectmen's agenda for a vote to convey it to the Trust's account. According to the Finance Director, the amount is \$99,150.

Ms. Anderson commented that she is anxious to see some actual houses.

Mr. Ballantine noted his appreciation about the options that the trust is exploring.

E. Discussion and possible vote on Remote Participation

Mr. MacAskill stated that there have been conversations in the past about if we are going to continue with remote participation. The current policy and Governor's Order have been provided in the packet. Mr. Powers added that the Governor's Order is set to expire next month and he has not heard of any plans to extend it. There is a bill in front of the Senate that would extend remote participation or make some elements permanent.

Mr. Ballantine feels that it might be a little cumbersome, but that it is good if it allows more people to be active in the meetings.

Ms. Anderson stated that remote participation is the way of the future and that we could likely get rid of some language that restricts people from being remote. She agrees that the Chair of the meeting should be present that there should also be a quorum present. If the Chair is comfortable with some being remote, what is the harm?

Mr. Howell stated that there are 2 layers to this. One being people participating in a meeting that is being held in person and the other being people who are conducting the meeting remotely. He finds it at times daunting to get everyone on the same page. He isn't sure that he wants to encourage the committee meetings to be remote. Mr. Howell does agree that the public should be able to participate remotely.

Mr. MacAskill's concern is remote participation relating to hearings. He would like to see a policy of the Board that hearings have to be in-person. He asked the Board if they would be interested in

crafting a policy for hearings. The Board agreed. Mr. MacAskill stated that he would work on crafting a policy with Mr. Powers.

F. Discussion and possible vote on Board of Selectmen Policy regarding Advertising Requirements

Mr. Powers provided the Board with a copy of the long standing policy regarding advertising requirements. The policy goes over advertising at least 2 weeks or 14 days prior to the meeting and includes information about posting in the paper, which puts pressure on the overall process. Even though we have a well thought out process, the Board might want to rely on statutory direction and then re-look at the Board's specific policy.

Mr. MacAskill commented that this came up following a previous meeting on transfer station fees. By the time the fees came to the Selectmen, they couldn't be approved until the next meeting and then will go into effect on July 1. He suggested that we drop the advertising from 14 days to 7 days where possible.

Mr. Howell stated that he can't imagine that everyone starts their newspaper reading by going to the legal ad section. He suggested finding a way to have signs around town with important upcoming hearings.

Ms. Anderson would like to talk more about getting information out to people and to let the Board tell the story rather than social media. She referenced an e-newsletter that Chatham puts out and suggested that Harwich look into a similar idea.

Mr. Ballantine agrees with all ideas brought up so far.

Mr. MacAskill pointed out that it is also expensive to run the legal ads. He suggested that the Board look at 7-days and start with other alternatives. The Board directed staff to look into options and report back to them.

G. Discussion and possible vote to approve the 2022 Committee Reappointment list

Mr. Howell asked if from the list provided, that Jeff Brown & Bob Bradley's names be pulled so there could be discussions with them first.

Ms. Anderson stated that the only person she has not been able to reach is Meg Patterson from the Housing Committee.

Mr. MacAskill stated that his only ask of the Interview Committee is to talk to some members on the Charter Review Bylaw Committee who have been on there for a very long time. He believes that it is a 5 member committee and alternates are not included. Our new Town Clerk should be on the Committee.

Mr. Howell moved to approve the 2022 Committee Reappointment List with the note that the Affordable Housing Trust appointments would expire on June 20, 2024 and all other appointments expire on June 30, 2025 that at this time, Bob Bradley, Jeff Brown and Meg Patterson's names will be withheld pending discussions with the in person, 2nd by Ms. Anderson and approved 4-0-0.

H. Discussion and possible vote on the Miscellaneous re-appointments for 2022

Ms. Anderson moved to approve the miscellaneous re-appointments for 2022, 2nd by Mr. Howell and approved 4-0-0.

Mr. Howell stated that he has been working with Ms. Powell in the Administration office and are working on determining correct expiration terms.

OLD BUSINESS

A. Vote to approve beach closure times as recommended by Recreation and Youth Commission

Mr. Powers stated that after the Board had their meeting in May, a group was assembled to discuss everything to do with the original proposal. There is a potential for a compromise, but the overall effort is that we are all looking for the times to be matched up, for the beach and parking lots.

Fire Chief David LeBlanc was present. Since 2018, Department of Environmental Protection has the final ruling on open fires. The only open fires that are allowed outside of open season are July 4th fires overseen by the Fire Department, Christmas tree burning that falls during a certain time period and cook fires. Fires need to be overseen by a person over age 18 and must be a reasonable size in a clear area and enclosed by rocks. He cannot restrict someone from a cooking fire and no permit is required. The current policy of the Recreation Department is that they would give any permission for fires on a beach because they are town beaches. Based on the data, Red River Beach and Bank Street Beach are not the problem areas. The Fire Department has only been to both sites 7 times since 2018.

Mr. MacAskill asked how we are going to watch over this going forward. Chief LeBlanc responded that enforcement would start with a complaint being filed.

Mr. MacAskill commented that lack of signage and speeding have also been a problem.

Mr. Powers reported that if anyone from the Recreation team sees pallets being stored at the beaches, that they would call DPW and have them removed.

DPW Director Lincoln Hooper was present and stated that he has visited the Bank Street Beach site. There is a stop ahead sign and then a stop sign right as you enter the parking lot. There was a request put in for a speed pump. Mr. Hooper stated that speed bumps do not belong at stop signs. Bank Street is posted as a 20MPH zone. He will be refreshing the stop sign. Trash is picked up at the beach twice daily. If his staff sees anything stashed, they will pick it up. Mr. MacAskill asked if the stop sign could be replaced with a blinking stop sign. Mr. Hooper responded that while they are effective, he was not planning on a blinking sign and that they are about \$1500. He doesn't feel that the issue is from lack of signage or visibility, it is a lack of people paying attention.

Recreation Director Eric Beebe was present and stated that they are looking to try and conform times from beach to beach to make it easier on people. He did check what other towns do and most beaches are uniform. He knows that there was pushback in other towns of closing beaches and parking lots at 10:00 p.m. He doesn't think that someone walking on the beach at 10:00 p.m. would trigger a complaint, but a 10:00 p.m. close time would give back up to the policy if there is an issue down there. 6:00 a.m. has been the opening time for years, also understanding that people like to walk the beach early as well.

Ms. Anderson stated that she would be in favor of closing the beaches and parking lots at 10:00 p.m. and reopening at 6:00 a.m. and have it be uniform across all beaches.

Mr. Ballantine stated that he would be in favor of 11:00 p.m. – 6:00 a.m. closure and that he still has concerns about speeding.

Chief of Police David Guillemette was present and stated that there is no place to run radar on Bank Street. Radar enhanced signs might have good success on that road. Other than that, you

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would be back to a speed bump option. Mr. MacAskill asked if routine patrols are done at Bank Street at night. Chief Guillemette responded that they are. He went over incident numbers from 2019, 2020 & 2021. Noise has been the most common call followed by crowd control, minor possession of alcohol, drug possession and other disturbances. A large number of the calls in the log are from patrol checks. They have put plain clothes officers and vehicles at the parking lot and directed patrols for overtime. His biggest concern is the 4th of July and commented that he would be looking for the authority to close a public beach at any time due to public safety concerns.

Mr. Howell stated that the fundamental underlying problem is the zero tolerance policy. He would be willing to delegate the authority to the Police Department to go after the people that are the problem. Mr. Ballantine agreed that it would be appropriate to give the Police Department authority of the beaches.

Mr. Powers noted that he would work with Chief Guillemette on drafting a policy and bring it back to the Board for a vote.

Chair of the Recreation and Youth Committee John Mahan was present and stated that the Committee did vote to give Chief Guillemette any authority that he needs.

Owner of the Inn on the Beach Peter McAree was present and outlined what he has seen happen at Bank Street Beach and in the parking lot. At times, he has had his guests take matters into their own hands to try and quell the noise. They have a 10:00 p.m. quiet time policy at the Inn out of respect for everyone. He feels that there is a total disregard for the laws, rules and regulations by the young adults and teenagers. Mr. McAree stated that the parking lot is the feeder to the area and that activities seem to start around 9:30 p.m. and go until 1 or 2 in the morning.

Brad Broader from 18 Bank Street was present and stated that he agrees with Mr. McAree's comments. He would like to see a 10:00 p.m. closure for the parking lot and beach.

Bob Nickerson was present and gave a story from a few days ago where 2-30 packs of beer were left at the edge of the property that he rents out. He also talked about his concern of speeding on Bank Street. Mr. Nickerson would like to see a 10:00 p.m. closure and a blinking stop sign.

Richard Waystack was present and feels that 10:00 p.m. closure is the solution.

Mr. MacAskill stated that no matter what time, it all comes down to an enforcement issue. To him, 11:00 p.m. closure would be right in the middle. Mr. MacAskill asked if we would be doing this for every beach, when only one beach appears to be an issue.

Ms. Anderson thinks that 10:00 p.m. is the right solution. Mr. Ballantine agreed. Mr. Ballantine asked if putting up cameras would help keep track of activity. Chief Guillemette responded that they would.

Mr. Howell asked if a lighted stop sign would turn off at any point in the night. Mr. Hooper responded that it would not, and that by having it go off would negate the purpose. Mr. Howell commented that a lighted sign might trigger complaints from direct abutters. Mr. Hooper responded that there was one complaint about the lighted sign at Pleasant Bay Road intersection and that they were able to make a minor tweak to the light.

Mr. MacAskill asked if there would be any exclusions to the closure time, such as fishing. How would the Police know what the car in the parking lot is there for? Mr. Beebe did not have an answer.

Mr. McAree stated that conformity of the times will aid in enforcement.

Mr. Ballantine moved that Town of Harwich beaches and parking lots be closed at 10:00 p.m. and open at 6:00 a.m. and encouraged staff to look at the use of lighted stop signs and cameras, 2nd by Ms. Anderson and approved 3-1-0 (MacAskill nay).

- B. Vote to rescind the board's approval from May 23, 2022 - Discussion and possible vote to approve a new annual Common Victuallers license – Grumpy Pete's Pizza LLC d/b/a Alecsie's House of Pizza – 181 Route 137, Unit 3

Ms. Anderson moved to rescind the board's approval from May 23, 2022 - Discussion and possible vote to approve a new annual Common Victuallers license – Grumpy Pete's Pizza LLC d/b/a Alecsie's House of Pizza – 181 Route 137, Unit 3, 2nd by Mr. Ballantine and approved 4-0-0.

- C. Discussion on 204 Sisson Road

Mr. Powers reported that on last Thursday, he presented the year end transfers to the Finance Committee. He also noted that the Finance Committee has reorganized and that the Chair is Peter Hughes, Vice Chair is Karen Doucette and Clerk is Dana DeCosta. Ms. Doucette and Finance Committee member Mark Kelleher are representing the Finance Committee on a Sisson Road working group. Mr. Powers met with various staff members a couple of weeks ago and did a site visit at the property. The focus was on the kitchen area, auditorium and gym space. Appropriate staff for each area were instructed to provide Mr. Powers with a narrative that are due by close of business a week from Friday. The narratives will help us focus on potential costs to bring those 3 spaces up to compliance.

Mr. MacAskill stated that there have been previous discussions about the portable classrooms off of the building. Mr. Powers responded that they were originally 3 modular classrooms, one of which is currently occupied. Conversations will be had with the tenant about relocating them. Mr. Powers will be working with appropriate staff to have the portables removed noting that we may be able to rely upon funds that are currently available and then revolving funds starting July 1.

Another discussion was regarding the storage containers on the East side of the building. Mr. Powers noted that those are storage units used by Harwich Elementary School and that they will be working with their staff to find out the status of them.

The Board had a brief discussion regarding the fields behind the school.

Mr. MacAskill commented that he did not anticipate that there would be a subcommittee for the property and that Mr. Powers was going to be the agent for the Selectmen and that the Finance Committee and Capital Outlay Committee would be involved in coming up with a plan on which direction we are going in. It was the thought that the Selectmen would control the building and that Mr. Powers would run the building on behalf of the Board.

Richard Waystack asked if there is a plan to include anyone else in discussion on the building Mr. MacAskill responded that there will be. The plan at Town Meeting was that we have a lot of local knowledge that we need to tap to come up with a reasonable plan for the building.

Mr. Ballantine feels that the first half of the equation is the working group and the second half is the marketing piece; finding what the value is to the community.

- D. Vote to execute a license agreement for the construction of and receiving a gift of a merchandise shack at Whitehouse Field from the Harwich Mariners

Mr. Howell moved to execute a license agreement for the construction of and receiving a gift of a merchandise shack at Whitehouse Field from the Harwich Mariners as presented in the Board of Selectmen

packet to include the additional phrase “until the constructions is completed” in the open area of page 1, 2nd by Ms. Anderson and approved 4-0-0.

- A. Vote to reconsider the weekday entertainment license for the Belmont Condominium Trust d/b/a Belmont Beach Club – 1 Belmont Road – Friday and Saturday 5:00 p.m. to 10:30 p.m. outside – Live/recorded music, amplification, dancing
Previously Approved: 5:00 p.m. – 10:00 p.m.

Ms. Anderson commented that this property has never had any complaints and that she would be okay with changing the time to 10:30 p.m.

Mr. Howell stated that the Board just voted to close beaches and their parking lots at 10:00 p.m. and now this property close to the beach is asking for a 10:30 p.m. extension.

Mr. Ballantine stated that he would be in favor of sticking to 10:00 p.m.

Mr. MacAskill stated that he has no problem with the 10:30 p.m. request, but that we have been very strict about 10:00 p.m. across the Board. In his mind, they should reapply for an indoor entertainment license because the entire area is enclosed.

Ms. Anderson asked if the Board had approved entertainment at The Lanyard for 10:30 p.m. Mr. Howell responded that The Lanyard is in a remote area and that their neighbors are a gas station. The Belmont is very close to the water and the community. Mr. MacAskill asked staff to look at what was voted for The Lanyard.

Belmont Manager Jay Donovan was present and stated that the Belmont has been conducting live entertainment for almost 30 years with no complaints from neighbors. The area is technically outdoors but it is on an enclosed deck with virtually no neighbors. The Belmont also sits on a completely private beach.

Ms. Anderson moved to approve the reconsideration of the weekday entertainment license for the Belmont Condominium Trust d/b/a Belmont Beach Club – 1 Belmont Road – Friday and Saturday 5:00 p.m. to 10:30 p.m. outside – Live/recorded music, amplification, dancing Previously Approved: 5:00 p.m. – 10:00 p.m., no 2nd was heard. Motion did not pass.

CONTRACTS

- A. Vote to approve Fire Department vehicle procurement

Ms. Anderson moved to approve the Fire Department’s vehicle procurement in the amount of \$129,070.28, 2nd by Mr. Howell and approved 4-0-0.

- B. Vote to approve Change Order for Phase 2 Change order 5 for RJV Construction Corporation \$3592

Mr. Howell moved to approve change order for Phase 2 changer order for RJV Construction Corporation in the amount of \$3592, 2nd by Mr. Ballantine and approved 4-0-0.

- C. Vote to approve Change Order for Phase 2 Change order 8 for Robert B. Our Co - \$4,559

Mr. Howell moved to approve change order for Phase 2 change order 8 for Robert B. Our Co. in the amount of \$4559, 2nd by Ms. Anderson and approved 4-0-0.

TOWN ADMINISTRATOR’S REPORT

Mr. Powers congratulated the Monomoy Regional High School graduating class of 2022. Mr. Howell added that we are proud of all of the students in the Harwich school system.

SELECTMEN'S REPORT

Ms. Anderson commented on the wonderful Memorial Day Ceremony that was held at Brooks Park.

CORRESPONDENCE

No correspondence was discussed.

ADJOURNMENT

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

Respectfully submitted,
Jennifer Clarke
Recording Secretary