

RECEIVED
TOWN CLERK
HARWICH, MA

2022 MAY 25 A 8:41

MINUTES
SELECTMEN'S MEETING
TOWN HALL
GRIFFIN ROOM
MONDAY, AUGUST 10, 2020
5:30 PM EXECUTIVE SESSION
6:30 PM REGULAR MEETING
REMOTE PARTICIPATION ONLY

APPROVED

RELEASED

SELECTMEN PARTICIPATING: Larry Ballantine, Stephen Ford, Michael MacAskill and Edward McManus. Donald Howell is present intermittently and virtually.

ALSO PARTICIPATING: Interim Town Administrator Joseph F. Powers

CALL TO ORDER:

Chairman Ballantine opened the Board of Selectmen's Meeting for August 10, 2020 at 5:30PM. Mr. MacAskill moved to enter into Executive Session, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

EXECUTIVE SESSION

- A. Pursuant to MGL c 30A s21(a)(6) to consider purchase, exchange, lease or value of real estate if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
- B. Pursuant to MGL c30A section 21(a) paragraph 3 to discuss with respect to collective bargaining for Harwich Employees Association (HEA) and the Highways and Maintenance Employees Association (HMEA) if an open session would have a detrimental effect on the town's bargaining position and the chair so declares:
- C. Pursuant to MGL c30A section 21(a) paragraph 2 to conduct strategy sessions for contract negotiations for nonunion personnel - Finance director and Police Chief
- D. Pursuant to MGL c30A section 21(a) to conduct strategy sessions for contract negotiations for nonunion personnel - Interim Town Administrator.

Mr. Ballantine reopened the Board of Selectmen's meeting reporting that in Executive Session they discussed items A and B. They then adjourned the Executive Session with the intent of going back into Executive Session after the General Session is over to keep on schedule. He invited attendees to join him in the Pledge of Allegiance.

Mr. Ballantine noted that Selectman Howell will be attending virtually on and off as he is home post-surgery.

WEEKLY BRIEFING

- A. COVID-19 Updates

Interim Town Administrator stated that Meggan Eldredge Health Director is on a day off. The Senior Health Agent Katie Tenaglia is present.

Katie Tenaglia Senior Health Agent stated that the report is in the packet and she reviewed statistics on active and inactive cases of COVID. Harwich hosted a COVID test clinic for restaurant workers and she offered instructions for people who want to get tested. She also reported on the Governor's orders regarding gatherings and face coverings.

Mr. McManus commented on the confusion regarding restaurant guidelines.

Ms. Tenaglia replied that they are happy to work with restaurants to help with the guidelines.

Interim Town Administrator Powers described the difference between a restaurant and a bar. He has reached out to Administration for some clarification.

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

Cindy Williams Executive Director of the Chamber of Commerce reported that things are the same. Beach Sticker sales were mostly to Massachusetts residents.

PUBLIC COMMENTS/ANNOUNCEMENTS

Mr. Ballantine commented that the annual meeting for nonresidents will be held next week. Department Heads have put information together and a video has been made. It will be on next week's agenda.

Mr. McManus commented on vandalism of political signs and urged anyone who had been a victim of that to file a police report.

CONSENT AGENDA

A. Minutes for Approval

1. June 1, 2020
2. June 5, 2020

B. Vote to approve - 2020 Annual committee Re-Appointments - As listed in the packet

Mr. MacAskill moved to approve the Consent Agenda as presented, 2nd by Mr. McManus. Vote 4:0 in favor by roll call. Motion carried unanimously.

NEW BUSINESS

A. Discussion and possible vote to authorize Chair to request a biological survey at 99 Riverside Drive on Herring River related to a pending request for a Class III Marine Aquaculture Permit for Nantucket Sound Bay Scallop Company, LLC

Interim Town Administrator Powers explained the Aquaculture Permit and why the request is necessary.

Mr. MacAskill moved to approve a biological survey as described, 2nd by Mr. McManus. Vote 4:0 by roll call. Motion carried unanimously,

B. Board of Selectmen Committee Liaisons.

Mr. Ballantine noted the list of assignments which he kept the same as the previous year but adjustments can be made upon request.

Mr. MacAskill moved to approve the Board of Selectmen Committee Liaison list as presented, 2nd by Mr. McManus. Vote 4:0 by roll call in favor. Motion carried unanimously

OLD BUSINESS

A. Discussion and possible vote to refer the zoning amendment relative to “Multifamily” to the Planning Board for required public hearing

Charlene Greenhalgh Town Planner explained the zoning amendment.

Mr. MacAskill clarified that tonight they are voting to send it back to the Planning Board, not supporting it.

Mr. McManus asked for clarification on square footage requirements.

Ms. Greenhalgh replied that there were no minimum requirements regarding square footage in that district. The packet includes two documents, the zoning amendment and one that has the changes that are being posed. They will answer all questions.

Mr. Ballantine commented that they have talked about this before and want to stream line this and send it back to the Planning Board.

Mr. McManus did not receive the second document that Ms. Greenhalgh referred to.

Interim Town Administrator Powers asked if the absence of that document is going to be a problem for the Attorney general. He also asked if the “strike through” working can be taken out of the header.

Ms. Greenhalgh replied no, it was just for reference. Yes, that wording can be taken out of the header. She expects the public hearing to be held in September and before the Town Meeting.

Mr. MacAskill moved to refer the zoning amendment relative to multifamily to the Planning Board for required public hearing, 2nd by Mr. McManus. Vote 4:0 in favor. Motion carried unanimously.

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

B. Discussion and possible vote on specific topics related to 2020 Annual Town Meeting including:

- a. Appropriations from the Stabilization Fund
- b. Capital Outlay Plan
- c. Draft Warrant
- d. Date, time, location of Town Meeting

Mr. Ford commented that there is a general consensus that they want to reserve a place in the warrant for the Stabilization Fund. The Capital Outlay Plan still has some degree of confusion regarding the 7 year plan or a 1 year plan etc. A 7 year plan would be difficult with the financial unpredictability the town is facing. Nothing definitive has been offered as to whether the Board is required to do a 7 year plan.

Interim Town Administrator Powers will seek legal opinion. He noted that per the Capital Outlay Committee, if the plan is going to be expanded they will weigh in. If it is going to be reduced, they have no objection.

Mr. MacAskill commented that a lot of work has gone into this and programs are in queue, it would be a shame to start from zero. Two-thirds vote is not hard to come by and if the town loses their finances it can't do a project.

Interim Town Administrator Powers updated on the Draft Warrant which is on draft three. He noted specific article numbers. He and others did a walkthrough at the Monomoy stadium and the Town Meeting can be held there Saturday, September 26, 2020 at 10:00AM. He and staff are working out the logistics. The rain date is Sunday the 27th at 1:00PM. Town Meeting is exempt from the Governor's restrictions for gatherings. The Board of Health can and will mandate that people wear masks. Our DPW will be working with Monomoy Facilities. He mentioned what other towns have done for their outside town meetings.

Mr. MacAskill asked, regarding the Draft Warrant, if they're going to set aside time to start voting these Articles. He asked for copies of the Draft Warrant to make notes on.

Interim Town Administrator Powers will separate out Articles that the Board is ready to vote on at the next meeting. If the Board is considering a quorum reduction, the Moderator would have to agree to do so. That would limit the types of Articles that could be brought to Town Meeting. That decision would have to be made by the end of August. Some Articles could be grouped as a Consent Agenda to shorten the meeting. He will follow up with council to be sure they can do that and he summarized what they will be working on before next meeting.

Mr. McManus questioned articles relative to Proposition 2 1/2, debt exclusion and override, it references a 2/3 vote of the Selectmen and he understands it to be a majority vote at Town Meeting and 2/3s vote at the ballot.

Interim Town Administrator Powers replied and clarified.

Mr. MacAskill referred to the Tax Payers Meeting and the hour plus long video and asked to limit the agenda so they can work through the warrant next week or call a special meeting.

Mr. Ballantine replied that they are putting it on video so people can look at it at their leisure and it won't be a call in. The agenda will be short.

TOWN ADMINISTRATOR'S REPORT

Interim Town Administrator Powers reported on the appointment of a Social Services Coordinator. Also related to the C-VAC and the Monomoy School solar array, it was vetted and went back to principal parties. They reached out today to have a meeting and talk about it. More on that later.

SELECTMEN'S REPORT

Mr. McManus mentioned previous discussions regarding a three town treatment plant. He asked if they are still participating.

Mr. Ballantine replied that there was a video conference call last Thursday and he mentioned some questions and concerns they discussed. Next steps were also discussed. It is still in play but there is a lot of work to be done.

Interim Town Administrator Powers commented that other Town Administrators are also focused on the pandemic but will resume discussions for the Annual Town Meeting.

Mr. MacAskill asked that this be on an agenda for a broader discussion.

Mr. MacAskill moved to adjourn Open Session and return to Executive Session and they will not be returning to Open Session, 2nd by Mr. McManus. Vote 4:0 in favor by roll call. Motion carried unanimously.

Respectfully submitted,

Judith R. Moldstad
Recording Secretary

