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**MINUTES
SELECTMEN'S MEETING
TOWN HALL
MONDAY, AUGUST 22, 2022
5:30 P.M. - EXECUTIVE SESSION
6:00 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

APPROVED

RELEASED

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

ALSO PARTICIPATING: Town Administrator Joseph Powers

EXECUTIVE SESSION

- A. Pursuant to M.G.L., 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

CALL TO ORDER

Mr. MacAskill called the meeting back to order following Executive Session. During Executive Session, the Board discussed collective bargaining for all town's unions. They approved 3 memorandums of understanding, two for HEA and one for the Dispatchers Union, which was a contract settlement. The town has now settled 4 out of 8 unions.

PUBLIC COMMENTS/ANNOUNCEMENTS

Community Center Director Carolyn Carey was present to announce a few new programs that are being held. The first will be held tomorrow at 5:30 p.m. and is a bike basic fix it tips clinic that will use the new fix it stations that were obtained with grant funding. On September 14 at 1:00 p.m., they will be doing a clinic to learn about the art of marking a Nantucket Lightship Basket. On September 20, there will be a pizza and candy bar bingo event. Touch a truck will be held on October 8 from 11:00 a.m. to 2:00 p.m. The "Boo-Tique" will be held from October 12 through October 14 with the Halloween Drive Thru event scheduled for October 28. Mad science don't try this at home will be on November 4. Each month, the Community Center will offering "try it you might like it" events, beginning with a fitness class on September 6. Ms. Carey wanted the Board and public to know that they appreciate the additional funds that were allocated in order to make these programs free of charge and open to everyone.

Mr. Powers announced the new Go to Meeting link for tonight's meeting.

Ed McManus was present and stated that after not having the event for the last 2 years, Beach Day is back and will be held the Saturday after Labor Day. There will be a food vendor and a lot of games. They have 150 craft vendors lined up for the Cranberry Festival.

- A. Department of Transportation Notice Regarding Public Informational Meeting regarding Safe Routes To School Program for Harwich Elementary School

Mr. Powers stated that Harwich Elementary School has been seeking the safe routes to school program. There will be a virtual public informational meeting on September 13 from 7:00 p.m. – 8:00 pm. The purpose of the meeting is to decide between 2 proposals on sidewalks and to solicit

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public comment on either a widening of a proposed sidewalk or shared use path along South Street, Main Street and Sisson Road in the vicinity of the

JOINT MEETING WITH THE BY-LAW CHARTER REVIEW COMMITTEE AND BOARD OF SELECTMEN

Sandra Hall, Carol Thayer & Anita Doucette of the By-Law Charter Review Committee were present.

Ms. Hall took a moment to thank Ray Gottwald for his service to the committee.

- A. Special Town Warrant Article – Charter Review timelines with respect to the possible hiring of a consultant to assist the committee with the five-year review of the Charter and by-laws as required under Charter provision 716-1

Mr. Powers briefly reviewed the charge of the charter provision.

Ms. Hall stated that the committee is in favor of hiring a consultant and that it would be helpful to update them on what possible changes are there for the committee to look at. They have not revisited the home rule legislation in some time. She asked what the Board's timeline is for hiring a consultant is, where they would draw the funds from and what they feel a reasonable time would be to complete a study. Mr. MacAskill responded that town meeting would need to vote on the funds.

Mr. Powers said that the consultant would be to assist in the 5-year review of bylaws. It is interesting to note that there are no distinguishing factors between general and zoning bylaws. We know that the zoning bylaws need to be gone over as well.

When Mr. Powers presented the draft article to the Finance Committee, they opined if the town might want to establish some sort of charter review or revision committee, beyond the By-Law Charter Review Committee and beyond the Selectmen. Ms. Hall responded that the charter specifies that the By-Law Charter Review Committee would be doing the 5-year review and that it would not seem appropriate to put another committee on top of it. Ms. Anderson asked what the logic would be in adding another committee. Mr. Powers responded that he is just passing along the Finance Committee's comments and that if the town is going to do a deep dive into the charter, then the town may want to consider broadening the people that are involved in the process. Mr. Powers emphasized that this is not his proposal, just the comments of the Finance Committee.

Ms. Kavanagh stated that she understands both sides of this. What the Finance Committee might be saying is that this needs to be analyzed piece by piece, department by department to make sure that what we have makes sense.

Mr. Howell commented that this is a big endeavor and that he can understand why we would want to hire a consultant. He thinks that we would want people that are knowledgeable of the charter. There are 2 levels of review, one being the charter and the other would be a massive effort that would require an elected commission.

Mr. Ballantine stated that he is in favor of the consultant and that he would like this review to stay within the committee. He wants to be sure that the committee invites public comment and widely advertises their meetings.

Ms. Anderson suggested asking the Finance Committee what their concerns are and then reporting them back to the By-Law Review Committee.

Ms. Hall stated that when they did the charter originally, it was done in 12 months. They met weekly, sometimes more than once and they also had discussions with some boards. The consultant would be very helpful in guiding the process. Ms. Hall sees this as a 2-step process. In her opinion, the Planning Board might want to handle the review of the zoning bylaws.

Ms. Thayer feels that this conversation started when they talked with the Finance Committee earlier this year about the timeline and tightening up deadlines for Town Meeting.

Mr. MacAskill noted that everyone is in agreement that we will do a comprehensive review and then also look at some potential charter changes for Annual Town Meeting. He asked why a comprehensive review has not been done in the last 5 years. Ms. Hall responded that they did not have a committee and that they have only been back as a group for the last year or so. Mr. MacAskill noted that the last comprehensive review was done back in 2006-2008. Mr. Howell added that he was the chair of the committee when it was brought back. The committee was dormant for years. When he came back in around 2015, it took about a year to reformulate the committee and the main focus was on water and wastewater. They also did a deep dive into what being a liaison meant.

Ms. Hall provided the Board with a grid of what the timelines would look like now if we went back to the original plan. Mr. MacAskill asked how close her document is compared to what Mr. Powers presented to them. Ms. Hall responded that she has not had a chance to look at it. Mr. MacAskill added that he knows that the Board was happy with what this year's dates were.

B. Next steps for Charter Review Article

Mr. MacAskill stated that the first step is getting for a consultant approved by town meeting. Once we meet with a company, then we can start to look forward.

Mr. Powers and the Board agreed that they have no issues with the Bylaw Charter Review Committee being involved in the procurement process.

C. Discussion on potentially amending the Harwich Charter Zoning and General By-laws

Mr. MacAskill commented that he couldn't agree more that zoning should start with the Planning Board.

Ms. Kavanagh would like to see us be able to attack some of the things that need changing while incorporating Planning.

Ms. Anderson agreed in keeping the general bylaws with the Bylaw Charter Review Committee and zoning bylaws with Planning.

Mr. Howell noted that the previous Town Planner Jon Idman spent weeks reading through the bylaws and codes. This is not the same as the deep dive that we need and Mr. Howell suggested that someone would need to go through this electrically as well.

Mr. Ballantine agreed that zoning review needs to be separated out.

Ms. Hall thinks that referring to Planning for zoning is good.

D. Potential revision of timelines and deadlines in the lead-up to town meetings

E. Clarification of Section 4-5-2 of the Charter with respect to additions to staff

Mr. Powers provided the Board with a full text of the charter that refers to the additions of staff and noted that it is a matter of interpretation and debate. A legal opinion has been obtained and provided.

Ms. Hall feels that the question is really a question of transparency. The original intent of the charter was that additions to staff would be included in the warrant articles. She added that we all knew that was the intent and that was how it operated for many years. While you can interpret the language any way you want, the positions are established by the Selectmen but only subject to funding by Town Meeting. Ms. Hall would like to see the language expanded to stipulate that the additions to staff should be in the warrant, in the interest of being fully open to discussion by the tax payers.

Mr. MacAskill stated that he takes exception to the lack of transparency. The Board goes through these meetings every week and has many conversations before we go to Town Meeting. He isn't sure how much more transparent we can be and would not support a change.

Ms. Kavanagh feels similar to Mr. MacAskill in that the Town Administrator is supposed to run the town. The Board talks about staffing at length in open meetings. If you are going to have a Town Administrator run the town and he is empowered to hire and fire, then that is how we should go about it.

Ms. Anderson said that she could argue and sees both sides. On one hand, we have a good process with the current administration and she trusts them that they are hiring the best person. If Mr. Powers hires someone that doesn't work out, it is a reflection on him. She can also see the want for having information on the top candidates.

Mr. Howell disagreed, starting with the legal opinion. He stated that he isn't looking at getting away with the least possible explanation. For the time that he has lived here, there has always been an article. The reason for the article was to highlight the position so that the town's people didn't get the feel that there was government bloat.

Mr. Ballantine feels that this is an important issue for the town when a new position is added and he noted that the funding is for year after year.

Ms. Kavanagh stated that the Board is here every Monday and is constantly talking about these things and the agenda packets are public information. She did agree that people deserve the information, but added that it is available year round. If the public doesn't like the idea of an added position, they should bring it to the Board's attention.

Mr. Ballantine's issue is that when it is in the budget, it prevents a reasonable discussion at Town Meeting. He added that people don't know how to debate a single item and that it is rare for someone to point out that they don't like a budget line item.

Ms. Hall feels that people don't sit at home and watch meetings and they don't read the paper. The public doesn't know how much these topics are discussed at meetings, so they attend Town Meeting to look for what is wanted and why. There is a lot of money surrounding expanding your employee base.

Ms. Thayer briefly talked about proposition 2 ½ and bringing this forward as an article.

Ms. Doucette commented that years ago when the charter was put together, Selectmen's meetings were not aired on TV, so a lot of the public didn't realize that a new position would be going to Town Meeting, so an article would be brought forward.

Mr. MacAskill stated that the Bylaw Review Committee and Selectmen could bring this back and meet again. He added that if any members have an opinion about Town Counsel, that they can bring them forward. Mr. MacAskill feels that Mr. Giorgio is a great attorney and that he has served the town well. If we are going to talk about past practices as our practice, then Mr. MacAskill feels that we need to take a step back and look at the tax nightmare that the town is in and think about how much past practice we truly want to follow.

Noreen Donahue was present and wanted to talk about the process of hiring new people. We are only talking about a process here, not a position or department. She feels that people should not be punished if they choose not to look at the Selectmen's. We owe them to publish all information at a town meeting. As far as transparency, Ms. Donahue looks at it in terms of tracking the jobs. When you have an article, you are approving what is in the article and the funding. Ms. Donahue was happy to see the legal opinion that was provided. She is asking that we decide how we want to do this and what is best for 2022, and then make the charter agree with that. She feels that we need an article for every full-time and part-time job.

Elizabeth Harder was present remotely and reminded everyone that there were problems a few months ago. The main problem was about new positions. Once you create a new position, you have that position forever with OPEB, benefits, etc. Ms. Harder feels that when new positions are being created, that it would be best to have separate items in the warrant so that people are aware of what is being created. If you don't give the town the ability to speak up at town meeting, then they don't have an opportunity.

As a Town Administrator, Mr. Powers is always looking for opportunities to understand the community's viewpoint. When he looks at the chapter that is dedicated to the role that he possesses, he sees a string of very easy to understand words that can be left to interpretation. After the words Town Meeting should read by a warrant article. The absence of that tells him that we know the warrant is the creation of the Board, separate from the petition process. The absence of the language also leads him to continue to believe that administrative functions fall to the administrator and that this is a reminder that no position goes forward unless it is funded. Mr. Powers agreed that this issue is about process and procedure.

F. General Harwich Charter discussion

Ms. Hall stated that the committee will discuss this further and bring it back.

Mr. MacAskill stated that this topic will be on an agenda in the near future.

Ms. Hall adjourned the meeting of the Bylaw Charter Review Committee.

CONSENT AGENDA

- A. Accept the resignation from Ray Gottwald from the By-law Charter Review Committee
- B. Vote to approve the following Board of Selectmen Meeting Minutes:
 - 1. June 27, 2022

Mr. Howell moved to approve the consent agenda as listed, 2nd by Ms. Anderson and approved 5-0-0.

NEW BUSINESS

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A. Review and approve the Sustainable Fishery Management Plan for River Herring Harvest at the Herring River

Brad Chase from the Massachusetts Division of Marine Fisheries was present with Natural Resources Director Heinz Proft. This is a joint plan to harvest river herring in Herring River in Harwich. A sustainable fishery management plan would be required for the harvest. There was a state wide ban in 2006 in response to concerns over declining herring populations. Since the 2006 ban, river herring runs have displayed a general increasing trend from 2007-2020. Harwich has had local control since at least the 1970's and has managed this run for over 200 years prior to state fish passage statues prepared in the 1930's. Mr. Chase reviewed what the fisheries commission will require. He went on to talk about the historic and cultural importance of over 1000 acres of spawning and nursery habitat. There has been a strong stewardship through Harwich Natural Resources and the annual spawning run electric counter at West Reservoir. The sustainability measure would be the ongoing spawning run count with a sustainability target of 10% of the time series count. The 10% cap would be 57,378 fish. At 600 permits with a 5 week season with a bag limit of 20 fish per permit per week, you would reach your 10% cap. Mr. Chase recommended that the town seeks to obtain approval from the state to do this and then figure out how they want to manage it once approval is received.

Mr. Ballantine asked if we could allow this for one year and then possibly not the next year. Mr. Chase said that is correct and that you can manage your catch the way that you want. Mr. Ballantine asked how comfortable Mr. Chase and Mr. Proft are with enforcing the 10% number. Mr. Chase responded that they key is to have permits and then also require trip tickets for the harvest. He added that there is decent enforceability.

Mr. Proft stated that in 2004, the Board approved the request to close down the run. Herring wardens, volunteers and schedules for enforcement. The town will always have the option of holding back if we need to.

Ms. Anderson thinks the proposal is great and that they should move ahead and call it when they see fit.

Ms. Kavanagh asked what the benefit of this is. Mr. Chase responded that the river herring run harvest is a traditional practice on Cape Cod. People like to use these fish as bait or to eat them. It is a practice that has faded away over time. Harvest is important and forage is more important. Ms. Kavanagh asked if the state helps with any of this. Mr. Chase responded that it is up to the town. He is proposing to have a meeting every year with the Natural Resources Department. The management of the permits and compliance will be up to the town.

Mr. Howell moved to approve the Sustainable Fishery Management Plan for River Herring Harvest at the Herring River as presented, 2nd by Ms. Anderson and approved 5-0-0.

- B. Vote to approve a Special Permit for fireworks for Harwich Chamber of Commerce – Event located at Whitehouse Field on September 17, 2022 8:00 p.m.

Mr. Howell moved to approve a Special Permit for fireworks for Harwich Chamber of Commerce – Event located at Whitehouse Field on September 17, 2022 8:00 p.m., 2nd by Ms. Anderson and approved 5-0-0.

- C. Vote to approve a Special Permit for a parade for Harwich Chamber of Commerce – Parade route as presented in packet – September 11, 2022 11:30 a.m.

Mr. Howell moved to approve a Special Permit for a parade for Harwich Chamber of Commerce – Parade route as presented in packet – September 11, 2022 11:30 a.m., 2nd by Ms. Anderson and approved 5-0-0.

Harwich Chamber of Commerce Executive Director Cyndi Williams was present and stated that she looks forward to this event every year. This year's grand marshals will be Chris and John Our. It is always wonderful when we can honor people who have helped make Harwich that community that we are.

- D. Vote to approve the following for the Harwich Cranberry Festival – 100 Oak Street
1. One day Wines and Malt Special Permit – September 17, 2022 12:00 p.m. to 8:00 p.m. & September 18, 2022 12:00 p.m. to 4:00 p.m.
 2. One day Entertainment Special Permit - September 17, 2022 1:00 p.m. to 7:00 p.m. & September 18, 2022 – 1:00 p.m. to 3:00 p.m. – outside
 3. Craft Fair Special Permit - September 17, 2022 – 9:00 a.m. to 8:00 p.m. & September 18, 2022 – 9:00 a.m. to 4:00 p.m.

Mr. Howell moved to approve the One day Wines and Malt Special Permit – September 17, 2022 12:00 p.m. to 8:00 p.m. & September 18, 2022 12:00 p.m. to 4:00 p.m., One day Entertainment Special Permit - September 17, 2022 1:00 p.m. to 7:00 p.m. & September 18, 2022 – 1:00 p.m. to 3:00 p.m. – outside and Craft Fair Special Permit - September 17, 2022 – 9:00 a.m. to 8:00 p.m. & September 18, 2022 – 9:00 a.m. to 4:00 p.m., 2nd by Ms. Anderson and approved 5-0-0.

E. Vote to approve the following for the Friends of the South Harwich Meetinghouse, Inc.

1. One day Wines & Malt Special Permit – September 10, 2022 – 5:00 p.m. to 6:00 p.m.
2. Special Permit fee to be waived (\$50)

Mr. MacAskill commented on the fee waiver request. There is a cost to the town to do this and we continue to waiver the fees. He thinks that the Board needs to look at their policy. Mr. MacAskill stated that he is not picking on this group, and will vote to approve the request tonight, but will be starting with no votes going forward.

Mr. Howell moved to approve a one day Wines & Malt Special Permit – September 10, 2022 – 5:00 p.m. to 6:00 p.m. and Special Permit fee to be waived (\$50) for Friends of the South Harwich Meetinghouse, Inc., 2nd by Ms. Anderson and approved 5-0-0.

OLD BUSINESS

- A. Update from the Finance Director/Town Accountant and Treasurer/Collector – Disposition of land of low value

Treasurer/Collector Amy Bullock was present with Finance Director Ann Marie Ellis. Ms. Bullock stated that last October, Harwich received the affidavit approval for 16 parcels that are all land of low value and owners unknown. The Water Department has expressed interest in 4 of the parcels. The town can decide if we want to hold an auction on the others. All of the properties are land locked and Ms. Bullock doesn't think anyone aside from an abutter will have any interest.

Mr. Ballantine asked for clarification on the process once this has been approved. Ms. Bullock stated that if approved to have an auction, it will need to be advertised. She also feels that it would be a good idea to send notices to the abutters. Ms. Bullock suggested hiring an auctioneer. The

advertisement would need to be for at least 14 days and would start after Selectmen approval. Mr. Howell agreed with hiring a professional auctioneer.

Ms. Anderson feels that this is a great proposal.

Mr. Powers asked if the recording needs to take place before the auction. Ms. Bullock responded that the recording has already been done.

The Board agreed that the best way forward would be the route of an auction rather than imminent domain.

Ms. Bullock and Mr. Powers would work together on getting in touch with an auctioneer.

Mr. Howell stated not talking the value of the land, they only get a percentage of the overall auction proceeds so that when you are looking at state procurement laws, don't look at the total value they selling, look at the percentage if standard probably looking at ten percent, 10 percent buyers fee and like 20 percent premium.

Mr. MacAskill said that the Board would be looking for Ms. Bullock to come back with quotes and asked her to make an attempt at minimums for these properties.

B. Update from the Treasurer/Collector on tax collections

Ms. Bullock reported that tax collections for FY23 are right on track. There were 13 redemptions for tax liens in FY22 and 4 so far this year. 23 parcels have petitions to foreclose filed right now. 2 had payment plans but are now in default. There are 16 remaining payment plans, 11 of which are in good standing. The other properties have been send to the attorney for a nudge. They recorded 30 new takings in May for FY21. Last month there were 180 FY22 bills paid that were in tax lien. That leaves 216 unpaid FY22 bills that will have letters sent out.

Mr. MacAskill asked if we have anything from the surveyor that we hired for the Judah Eldredge property. Mr. Powers stated that he has nothing new to report at this time. Mr. MacAskill asked if we would apply for land of low value for that. Ms. Bullock responded that she would have to look at the value of that property.

The Board discussed contacting someone at the Department of Revenue once we receive a value on that land to let them know how much it is less what is owed.

Ms. Bullock stated that a monthly list of tax liens are posted on the Town of Harwich website.

Mr. MacAskill noted that the Board is not looking to throw anyone out of their house and that most of these parcels are vacant land. The Board agreed to have the list publicized as is. Mr. Ballantine commented that it is a long list and suggested that we prioritize some of the most expensive properties.

Mr. MacAskill asked Ms. Bullock to review the list and present it back to the Board.

C. Vote to approve the Great Sand Lakes Wastewater Collections System Design as the candidate project for use of the Town's allocation of the American Rescue Plan Act (ARPA) funds in the amount of \$616,255.31 and authorize GHD to submit the project application to the Barnstable County ARPA Portal

Water and Wastewater Superintendent Dan Pelletier and Russ Kleekamp from GHD were present. This request is building off of previous meetings held over the last several months. There was an

outpouring of support during public comment at the meetings to address the Great Sand Lakes area. With the availability of ARPA funds, they are now coming back to act on this. At the One Cape Conference there was a big emphasis on addressing fresh water ponds. Mr. Pelletier thinks that this would be a great step in that direction and would keep Harwich in the fore front. Mr. Kleekamp agreed that this would be a really good use of these funds. This would also be the last area that would be able to hook into Chatham.

Mr. Ballantine commented that the CWMP and the regulatory requirements are directed towards embayment. We want to be clear that this is outside of the regulatory and legal requirements. He wondered if it would make more sense to use these funds for the CWMP. Mr. Pelletier responded that he had the same thoughts about using the funds to address the CWMP needs. Absent doing this, there were not many other options for addressing wastewater with ARPA funds because we don't have a place to treat it. Mr. Kleekamp added that these funds are use it or lose it and come with a time frame. Mr. Ballantine wants to be clear that this is not part of the wastewater plan.

Mr. MacAskill stated that it really is for the CWMP. By sewerage Great Sand Lake, we will get our monies worth out of our contract with Chatham. Mr. Ballantine responded that the CWMP was directed towards saltwater. When we are going Great Sand Lakes, we are sewerage a different problem and it is outside of the regulatory requirements. Mr. Pelletier added that Great Sand Lakes was part of phase 8.

Mr. Howell said that the 6 ponds district was trying to mitigate phosphorus and nitrogen run off and that there is a lot of activity that happens underground. He does not want to see fresh water bodies die out because we are so concentrated on the plan and ignoring the bigger picture.

When Mr. Pelletier spoke with DEP, he asked where freshwater is in the plan. Their statement was that they haven't made the link between septic systems and phosphorus to freshwater. It is definitely a known and understood thing, but there has not been the legal pressure to make the regulators enforce it.

Ms. Kavanagh asked where we are with the other sections that were previously on the schedule for phasing. Mr. Pelletier responded that right now, we are getting the rest of the survey data for phase 2, phase 3 and parts of phase 8 in order to figure out who is in and who is out. We will hopefully have that information in the next month or so. We did submit the project evaluation forms to the SRF program as well as the Route 28 sewer project. Ms. Kavanagh asked if there is any impact to other projects by using this money for Great Sand Lakes. Mr. Pelletier responded that the only impact he can draw right now would be the town using the funds for construction costs. Ms. Kavanagh wants to make sure that we get the biggest relief for our dollars.

Mr. Powers stated that this effort solves a couple of situations. We are not the first town putting in for the ARPA funds and Harwich took their time and evaluated the needs. He feels that this is the best possible use for the funds and recommends moving forward.

Mr. Howell moved that the Board of Selectmen support the expenditure and approve the Great Sand Lakes Wastewater Collections System Design as the candidate project for use of the Town's allocation of the American Rescue Plan Act (ARPA) funds in the amount of \$616,255.31 and authorize GHD to submit the project application to the Barnstable County ARPA Portal, 2nd by Ms. Anderson and approved 5-0-0.

- D. Discussion - Changing Charter Chapter 4, clause 4-4-1 and 4-4-2
pertaining to Board of Selectmen affirming employee appointments

After the last meeting, Mr. Powers sent out a memo with this thoughts. Mr. Howell was going to send out a draft policy.

Mr. Howell stated that he does have something to float, but nothing official to release. What he will present has very little to do with the current Town Administrator and more to do with his own feelings about his own responsibilities. Mr. Howell does not know how he could determine a position without knowing more information. He is not suggesting that the Board require any information be released publicly. His suggestion is that Board members have the ability to request any information relative in order for them to make an informed vote. Mr. Howell doesn't want to vote on form, he wants to vote on being informed. If a Board member does not want the information, they don't have to ask for it. In his experience, no Board member has ever revealed anyone's name or information. Mr. MacAskill stated that he likes this proposed solution.

Ms. Kavanagh wants to make sure that we are careful with information that is provided, noting that sensitive information like social security numbers should not be given access to. Mr. Howell responded that he is referring to resumes as additional information. Ms. Kavanagh does not want information released that candidates might feel uncomfortable with.

Mr. Ballantine and Ms. Anderson noted that they are both fine with Mr. Howell's proposal.

Mr. Powers stated that he has no objections with this proposal. He thinks the disconnect was on the distribution effort.

Mr. MacAskill asked if this should be a policy or just clear direction. Mr. Powers responded that it should be clear direction. He can make sure that the Assistant Town Administrator will have the information readily available.

E. Vote to postpone and reschedule 2022 Special Town Meeting to October 24, 2022

Mr. Powers reported that the date is changing again and that the new proposed date is Tuesday, October 18, 2022. The reason for the change is that we are still in the process of closing out FY22. Once it is closed out, we will have a clearer understanding of funding sources. The October 18th date has been run by and is okay with the Town Clerk and the Town Moderator.

CONTRACTS

A. Discussion and possible vote to approve a contract with Ballard Mack, Inc. for the purchase of a Mack Tractor for the disposal area in the amount of \$168,652.50

Mr. Howell moved to approve a contract with Ballard Mack, Inc. for the purchase of a Mack Tractor for the disposal area in the amount of \$168,652.50, 2nd by Ms. Anderson and approved 5-0-0.

B. Vote to approve the agreement with GHD for effluent recharge site investigation in the amount of \$60,000

Mr. Howell moved to approve the agreement with GHD for effluent recharge site investigation in the amount of \$60,000, 2nd by Mr. Ballantine and approved 5-0-0.

C. Vote to approve Amendment #3 – a no-cost contract extension between the Town of Harwich and CDM Smith for the Cold Brook Nitrogen Attenuation Project

Mr. Ballantine moved to approve Amendment #3 – a no-cost contract extension between the Town of Harwich and CDM Smith for the Cold Brook Nitrogen Attenuation Project, 2nd by Mr. Howell and approved 5-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Powers reviewed a contract that he signed relating to article 26 from Annual Town Meeting. The contract was for a dump body for a dump truck at DPW. The appropriated amount was for \$48,450 and the actual cost came to \$53,790. The contract has been executed with Greater Boston Police Council.

Mr. Powers signed a contract relating to article 15 from Annual Town meeting which was for Channel 18 equipment upgrades in various areas. The contract was awarded to Media Systems in the amount of \$47,083.16.

As anticipated, the town renewed their contract with Hub Tech in the amount of \$59,967.26. Hub Tech continues to be our vendor relative to our server and network monitoring.

SELECTMEN'S REPORT

Mr. Howell went out to see the progress being made at Murray Lane. These are high quality homes that people have been waiting a long time for.

Regarding the Channel 18 equipment, Ms. Anderson asked for clarification on what equipment is being purchased and what equipment is being sold. Mr. Powers will follow up with Ms. Anderson tomorrow and bring back additional information at the next meeting.

Ms. Kavanagh reminded everyone about the irrigation ban.

CORRESPONDENCE

No correspondence was discussed.

ADJOURNMENT

Mr. Howell moved to adjourn the meeting of the Board of Selectmen, 2nd by Ms. Anderson and approved 5-0-0.

Respectfully submitted,
Jennifer Clarke
Recording Secretary

