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HARWICH, MA

2022 APR -5 P 1:18

MINUTES
SELECTMEN'S MEETING
DONN B. GRIFFIN ROOM, TOWN HALL
732 MAIN STREET, HARWICH, MA
6:15 PM (Executive Session)
6:30 PM (Regular Meeting)

APPROVED

RELEASED

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

ALSO PARTICIPATING: Town Administrator Joseph F. Powers

CALL TO ORDER: Chairman MacAskill opened the Board of Selectmen's meeting for September 20, 2021 at 6:15 PM. Ms. Anderson moved to enter into Executive Session, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

EXECUTIVE SESSION:

- A. Executive Session pursuant to chapter 30A sec. 21(a)(2) to conduct strategy session in preparations for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel - Water/Wastewater Superintendent
- B. Executive Session pursuant to Chapter 30A sec. 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. c30A, s22(f),(g)—To review, approve and/or discuss the possible relief of executive session meeting minutes dated January 4, 2021, February 1, 2021, March 8, 2021, March 15, 2021, March 24, 2021; votes may be taken.

Chairman MacAskill reopened the regular meeting at 6:32 PM following Executive Session. They did not take any action on A., the non-union personnel. They did vote to approve the meeting minutes listed in the packet. He invited attendees to join him in the Pledge of Allegiance. He stated that they are under a mask mandate from the Board of Health. There are masks at the back of the room for anyone who needs one. This was announced in a Special Meeting by the Board of Health. Last week he announce that it wasn't a mandate if they could social distance, he was corrected by the Board of Health this week. Unless there are few enough to all be 6 feet apart, it's mandatory for all.

PUBLIC COMMENTS/ANNOUNCEMENTS:

Town Administrator Powers announced that tomorrow, Tuesday, September 21, 2021 is our Special Town Election at the Community Center. The polling hours are 7:00 AM to 8:00 PM. They encourage everybody to participate. Secondly, the town has been made aware of a group calling themselves the Harwich Wastewater Committee. They've advertised that they are going to have a ZOOM meeting this Thursday, September 23rd at 6:00 PM. He emphasized that this is

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a private group, this is not the Town of Harwich. They will be reaching out to them to make it certain that it is a private group and they are hopeful that they reach out to have our Wastewater experts available to answer questions.

Ed McManus reported that the Cranberry Festival was well attended and went smoothly. The vendors did well and people enjoyed themselves. He thanked the people from the town, the Police and Fire Department, the folks at Public Works especially the custodial staff, Carolyn Carey, Don Bates Cross Country Team and members of the Key Club. The last few volunteers cleaning up were an average age of 73, they concluded that unless they get new volunteers, this would be the last festival. They will convene a meeting at the Chamber of Commerce offices, October 6th at 6:30 PM and ask folks who are interested in seeing it continue to attend. It's a spectacular community event and he'd hate to see it disappear. There isn't enough energy in the remaining volunteers to keep it going. This weekend was a success and a good way to begin coming out of the pandemic.

John Selby of Harwich Port, distributed material to the Board and was joined by Marina Selby. Marina read, "The only one worse than a dirty fighter is someone who didn't fight at all". She continued reading a letter. "To whom it may concern, As residents and taxpayers of Harwich Port, and major stake holders, we have serious concerns regarding the proposed project of our abutting neighbors at 6 Ships Haven Road to install an oversized, rotating, intrusive and conspicuously placed solar tracker on their front lawn. The placement of this tracker will be visible from all our interior and exterior sight lines. We would have expected that we and all the abutters/residents would have been apprised of this plan with sufficient time to process and vet the situation but we only heard of it second hand last Friday, September 17th, 4 days ago. There has been zero transparency and zero communication from the abutter. We are under the impression that they project will soon commence as materials were delivered in a seemingly clandestine way, in the dark late Saturday evening, September 18th. Here is a list of our complaints: 1. Health and Safety concern, the glare of solar panels can have an adverse effect on those who are prone to migraines. The glare from solar trackers reflecting directly into our home is alarming. We feel threatened health wise, especially since we are elderly and full time residents, by the massive size, the movement of the tracker, the electricity it creates and how it is distributed. 2. The threat to our property value. We recently moved full time to Harwich Port, August 2019, after spending 16 summers here as well as a lifetime of summers on the Cape in various towns. At this stage, our home, like many retirees, is our world. We have made a huge investment, not only monetarily but emotionally into our home. To say that this proposed project has caused us considerable angst is an understatement. I can only implore you to imagine this happening next to your home. The scale of this solar tracker is appropriate for an industrial and/or commercial site, not a charming, quintessential Cape Cod neighborhood. 3. Negative impact to the town. We have yet to see a residential solar tracker in Harwich and approval of this plan could set an unfortunate precedent to the overall character of Harwich. The fact that this can be viewed from all the traffic, including foot traffic, from Lower County as well as the boats in Allen Harbor highlights the far reaching visual impact of this project. 4. Detracts from the esthetics of the streetscape. Ships Haven Road is a small dead-end cul-de-sac with beautifully maintained homes that reflect pride of ownership and respect to the Cape Cod aesthetic. A free standing, stories high and wide, rotating structure does not belong in a residential neighborhood. It will be an eyesore for not only abutters but for all that either walk or

drive by. One neighbor commented incredulously that she was not allowed to extend her deck by 3 feet yet a 14 by 30 foot monstrosity is okay. 5. Unneighborly approach. It is unconscionable to us that we were never solicited or consulted regarding this project given the direct impact it will have on us on multiple levels. And the fact that they materials were delivered in the dark was disturbing. When we recently replaced a spiral fence on our property, and although not obligated, we informed our abutting neighbor. That from our perspective is a good and caring neighbor. After reviewing the plan we saw no mention of mitigation whether it be shielding trees such as our abradis or cedars to block the nightlines from abutters homes. In summary, we see no benefit of a system of this scope to be allowed in a small residential neighborhood. We strongly feel further review and analysis needs to be conducted with respect to health, safety, noise, environmental impact on natural habitats and the aesthetic disturbance for the neighborhood in community in the vicinity. We implore you for all the above stated reasons to deny the permit for the solar tracker on Ships Haven Road or minimally halt it until further analysis. In closing, try to imagine how you would all feel if this was occurring in your neighborhood with no notification whatsoever. To end with a fighting metaphor, we feel we have been sucker punched. Thank you for your time and consideration, respectfully, John and Marina Selby. She added a footnote. They were informed that this would not be the first residential solar tracker in Harwich upon inquiry, She requested the addresses of those so they could view them firsthand and speak to the neighbors regarding the impact. She provided her email per the Building Department's request and was informed those addresses would be sent to her. She is still waiting to hear back. Thank you.

Mr. MacAskill thanks them for taking the time to present that.

Town Administrator Powers responded that it is his understanding that the Selbys had a conversation this morning with the Assistant Town Administrator about this topic and Ms. Eldredge has reached out to the Building Department for additional information. It is their understanding that there is no permit that has been issued but a permit is being contemplated and they are working through the Building Commission process. There is no venue yet for the Board of Selectmen or any regulatory board to be engaged in this conversation but staff is actively reviewing it. Regarding the comment about the addresses, he is not aware of that request being made but he will make sure that staff expedites that response.

Mr. MacAskill asked if they could request that he communicate with them with information and he replied that he would.

Carolyn Carey Community Center Director mentioned a few things happening at the Community Center. They are getting ready for Halloween, they will be doing a drive-thru trick or treat again and they are looking for donations. They also have the candy corn contest and they had pumpkins donated to guess the weight of the pumpkins. Because of COVID they can't have their boutique where people can pick up costumes so they are doing it by appointments. They will be painting pumpkins to decorate, they have their October calendars ready, they have started a Community Center News Letter that will be sent out electronically and it is on their website. One of the things in the newsletter is that she is requesting people to help them get the direction of the Community Center so she is asking what they are looking for. She knows people want it open more and that is one of their top priorities but this is about what other programs they can

bringing in. She announced that they are trying to hire at the Community Center so they can do some more great things. They are part time positions and are posted on the web page.

Mr. McManus announced that this Friday, September 24th from 10:00 to 4:00, at the Holy Trinity Church, Cape Cod health Care is holding a blood drive.

NEW BUSINESS

A. Status of Request for Proposals for Bank Street

Town Administrator Powers noted that Conservation Agent Amy Usowski will present an update. This is in regarding 203 Bank Street also the old Fire Station and the Harbormaster's repair shed. The town became aware that there may be a need for a wetland delineation on the property. Before they could proceed he tasked Ms. Usowski to help us get surveyor Paul Sweetzer to review that and she has updates this evening on the status of that process and how it may or may not impact ours. Soon to be released RFP.

Amy Usowski Conservation Administrator has the plan, she just received it this morning so it was not in the packet. She provided copies of the report. She continued that it had come to their attention that there was a questionable wet area that was on our property. She described where it is on the plan and why it is a good idea to have an existing condition site plan. It came back that while it is wet, it is less than their jurisdictional size which is 3,000 square feet and thus is not regulatable. That means the edge of the ditch is the edge wetland and then 50 and 100 foot buffer zones are corresponding to that. They also already new about an isolated wetland which is vernal pool to the east of the property on town conservation land. She asked Mr. Sweetzer to put the buffer zones to that as well to give you a comprehensive plan of everything that is going on with the property. The paved parking area is noted. From the Conservation point of view, their concerns are elevated about that small little wetland and that this would be ready to go for RFP.

Town Administrator Powers said that was the last question they had to come to conclusion on so now there is nothing holding back on releasing a request for proposals for the disposition of that building in accordance with the various votes of Town Meeting. He should be able to report to the Board in the middle of October that the RFP is ready to go out in the next steps.

Ms. Anderson asked what the RFP will be asking for.

Town Administrator Powers replied that the town has the authority to dispose of all of the land. There is a consideration for demolition and that is one more thing that'll come before the Board next week, whether the Board intends for him to have the building demolished and the land be disposed of or the Board wants to go forward with the building as is etc.

B. Discussion and possible vote to accept the 5 Bells Neck Request for Proposal results from Historic West Harwich Schoolhouse, LLC

Town Administrator Powers commented that we have a long standing issue of what to do with 5 Bells Neck also referred to as the West Harwich Schoolhouse. A request for proposals went out with a response deadline of September 9th at 2:00PM. The town received one response, the sole bidder was from Historic West Harwich Schoolhouse, LLC. The bid proposal within their offer was for \$1.00. He has not done the next step which would be to evaluate their proposal to determine whether the 6 criteria that were outlined in the proposal, have been highly advantageous or less advantageous to make a determination to this Board. Given that we only had one respondent, it is his understanding that there is a discussion that can take place this evening amongst and through the Board as to what the Board may want to consider going forward. Throughout this process, prospective proposers were made aware that the town, under 30B, always retains the right for any reason or no reason to reject proposals and scrap it or also for the Board to reject proposals or to take any other action therein. We do have a fairly wide latitude as to what we can do next.

Mr. Ballantine commented that this has gone through several iterations at Town Meetings. He wants to maintain the historical nature and keep that building because of historic property and values. They have gone through RFPs on this and on the last RFP, they tried to make it very broad for people to be given a chance to respond to it. He gathers the \$1.00 was in that process so that would start the process on going forward and seeing what we could do with that building, using various funding sources, whether it be CPC or historical committees or things like that to get funding for it. He mentioned that there is always conversation about affordable housing and they question if a building like that could be used for affordable housing. The town gave an estimate of a million plus dollars to bring that up to code. That makes it expensive for affordable housing. The other issue is chlorinated hydrocarbons from a dry cleaning place there some years ago that created a plume of contamination in the groundwater and there's been a lot of discussion about that because that would prevent it from using any type of permanent housing. He thinks they need to go back and relook at that, monitoring it started in 2006. The Department of Environmental Protection was still monitoring some test wells and some houses up to 2019. The levels have dropped to the extent now that they don't find a concern for using the for housing but he couldn't find that they issued a final report which would have to be done before going forward, even though they have suggested in reports that that's true. With the wishes at Town Meeting, we have to keep the historical nature of that but that means we could do anything. We could put affordable housing in there is it was financially feasible. He would like not to do anything or vote on this tonight but ask for the Town Administrator and others to give us more evaluation before we proceed. The town has given this a lot of thought and they need to be careful going forward. Once we lose this historical property, it gone.

Mr. Howell was inclined to accept the offer and move into the next stage but he agrees with Mr. Ballantine that they should evaluate it more. He described other bids that have been made on that property over the years. It was overly expensive even 20 years ago. He cautioned to be careful what they wish for, this is not part of the DCPC Protection area. This is a one-off building that was not contained in the lines that were delineated so, when this is gone, it's gone. He would hate to see that happen. He would like to see a cultural or educational center. There is not much parking but it would benefit the town's economy to have something like that at a time when we're trying to vie for cultural money.

Ms. Anderson commended the West Harwich Historical Group that put the proposal together. There are 2 things that interested her about getting involved as selectmen. She will never forget the 2019 Town meeting when the Town Budget passed by some 20 votes, a clear message from the residents that we have got to get our taxes in line. Selling property is a great thing because we'll get some money for the property and then it's on the tax rolls. This does none of that. We're selling it for a dollar and it's going to a nonprofit so it's not getting on the tax rolls. We've done Albrow House, the Library, the Chatham Street School and Brooks Academy. We approved at the most recent Town meeting, 1.2 or 1.3 and that's not the end of the story. Someone mentioned housing last week so she asked a realtor, who brought developer and they got the key. Their analysis was that we could get 4 apartments in there, about 650-700 square feet which is a reasonable apartment and the guesstimate is about \$800,000.00 to a million to develop it. She would like to pursue that. She loves history but our crisis is not over history, our crisis is over housing.

Mr. MacAskill's comments were also related to housing. The building is unique and he appreciates what the working group has done and the proposal that they made. They have had a very vocal group email and call. He spoke to one of the proponents of the project today and agreed to keep an open mind if they can move forward. If the proposal stays at a dollar, he cannot support it. He can support for the purchase of the building if they moved it someplace else. The land value is \$140,000.00 and he believes the Board's responsibility extends beyond the one group that wishes to purchase the property. The one dollar purchase doesn't include years to come of CPC requests. We would then be competing with some of our own historic projects. He asked that the Town Administrator do an evaluation, the pros and cons, and then they'll bring it back for further comment and vote. He opened it up to the public.

Sally Urbano of West Harwich and also part of the group that submitted the proposal, appreciated that they're keeping an open mind. The way the RFP was structured, it was not particularly friendly to their group. She understands that the group can be called in for a conversation or they can do a presentation for the Board. They did a lot of research and it's not just the dollar, they have pledges of \$20,000.00 to stabilize the building initially. She knows that if a 501C3 is set up, if you collect money before you own the thing, you have to disband it. They have a good proposal and could validate why they did what they did if they get a chance to share with the Board.

Duncan Berry of West Harwich spoke, he was not one of the group but a consultant. One of the conversations was about the submitting price. He used the example of Baltimore in 1965 auctioning off buildings at \$1.00 a piece to rebuild the waterfront. That's been SOP for 60 years. There was talk of an amount of \$694.00 which is a symbolic number. The point of view of the residents is that, if you read the Town Report for 1872 with the combine total of all the investment in the land for the 3 schools came to \$10,077.00. The town has gotten its money's worth for that piece of property, it has been supported since his great great grandfather was paying taxes and all of our ancestors paid taxes on it. The point of view from the people who submitted the bid, it's a symbolic transfer to take over an old building and have it function in a civic manner. If possible he would like to be at the table if this is discussed. An item that could not be included in the proposal was that during August all the academic institutions are on vacation and they could not get letters of intent from 2 entities who are dying to occupy and use it as a satellite campus for a combined program that exists with the Department of Architecture at

the College of Charleston and the American Academy of Building Arts. They want to use it as a site to develop preservation carpentry skills among students and they have it become a location for future classes. They are trying to secure a letter of intent from those two. He feels that may go a long way to allay their fears about the viability and possible economic utility and revenue capacity for that property for the town. In response to Ms. Anderson's comment that the crisis is with housing not history, he said that the historical fabric of this part of town offers a great opportunity, it's a combination of every major residential style of American architecture between 1740 and 1940. The idea is that the civil element in this part of town has an economic value that we can leverage.

Town Administrator Powers said that he will assemble staff and to through go through the 6 evaluation criteria in the proposal. He does need to respond to be sure everyone is on the same page as far as information. This processes dictated. Once this Board or a predecessor Board declared this to be surplus property, we then become bound by MGL 30B. That is the disposition of surplus property. Chapter 30B has guided this process every step of the way and it's important to note that the reason he had to issue a Request for Proposals is because the town had to determine the value of the property and the Assessor's property cards. A year ago it was \$1,000.00 more in value than it is today. The property card identifies that the land is valued \$140,600.00 and the building is valued at \$3,400.00 for a total evaluation of \$144,000.00. Once they saw that the value was over \$35,000.00, they were bound by state law to do this request for proposal. Under the section that talks about the evaluation process, in the second paragraph last sentence, we (the town) did write that the town reserves the explicit right to select a proposal that does not necessarily contain the highest price and/or economic benefit to the town. After they do the evaluation they'll know how many of the criteria were highly advantageous and how many were less advantageous. The Board determines if there is a greater factor other than the criteria such as a a price that's not the highest or if the benefit outweighs the price. Under notifications it says that the Board of Selectmen reserves the right to reject any and all proposals or to cancel the RFP. The prudent and appropriate step is for him to now assemble staff members to help him do that evaluation of the proposal, report back to the Board first and then if the Board deems it appropriate, reach out to any of the advocates who were the proposers or any other action the Board takes. Regarding the comment that the RFP is not friendly to a group, he and staff did their jobs. They can't be friendly, they have to adhere to Chapter 30B.

Mr. MacAskill noted that this will be brought back and with the agreement of the Board they will not address the next agenda item on the same issue.

D. Discussion and possible vote to hold a Public Hearing for alleged Noise Violations - Wychmere Harbor Function Lp d/b/a Wychmere Harbor Beach and Tennis Club

Ms. Anderson moved to vote to hold a Public Hearing as presented, 2nd Mr. Howell.
Vote: 4-0 in favor. Motion carried unanimously.

E. Discussion and possible vote to authorize the Town Administrator to be the Hearing Officer for the Public Hearing for alleged noise violations - Wychmere Harbor Functions Lp d/b/a Wychmere Harbor Beach and Tennis Club

Ms. Anderson moved to authorize the Town Administrator as presented. 2nd by Mr. Howell. Vote 45:0 in favor. Motion carried unanimously.

F. Discussion and possible vote to approve a Hawkers and Peddlers license for Pilgrim Lodge A.F. and A.M. For the sale of Christmas Trees at 9 Sisson Road - *Pending Building Department Approval*

Ms. Anderson moved to approve the Hawkers and Peddlers license as presented, 2nd by Mr. Howell. The vote 4:0 in favor. Motion carried unanimously.

G. Discussion and possible vote to waive the license fee of \$60.00 for a Hawkers and Peddlers license for Pilgrim Lodge A.F. and A.M.

Ms. Anderson moved to waive the fee as presented, 2nd by Mr. Howell.

Mr. MacAskill stated that he is against waiving fees. Vote: 3:1. Motion carried.

H. Discussion and possible vote to approve a 2021 Weekly Entertainment License for 554 Street Bar d/b/a Three Monkeys - 554 Route 28 - Weekdays 8:00PM to 11:00 PM inside - Recorded and/or live music with amplification - *Pending Building Department Approval*

Ms. Anderson moved to approve the 2021 Weekly Entertainment License as presented, 2nd by Mr. Ballantine for discussion. He would like more clarification of that.

Mr. Ballantine was confused to whether it's inside or outside.

Mr. MacAskill replied, inside only. It is inconsistent because it is earlier than most of the other ones close.

Ms. Anderson's concern is that they have a beautiful big window and she wants it clear that if they grant this, they can't have that whole big front window open or it will be outside entertainment after the deadline for outside.

Town Administrator Powers noted that the applicant was going to be present this evening. Staff had a conversation with them and it is his understanding that they insisted that they wanted to proceed as applied for. They did raise those concerns.

Tony Gullotti asked if the Board was requesting that they shut the windows at 10:00PM even though the band is inside.

Ms. Anderson responded, she can't believe they can have those windows open and not violate the 150 feet.

Mr. Gullotti stated that during normal hours they have their windows open when they use their regular music system and he doesn't think this would be any louder than when they have their

music on inside. They're not looking to have a 4 or 5 piece band. They just want someone to play guitar, maybe 2 people, more of a background music than anything like a concert. It would start towards the end of their dinner hours and go to 11:00PM. If it was an issue, they could certainly look at shutting the windows and the doors but the beauty of that place is that the doors can be open. They would control the noise level, it'd be folk music or maybe jazz, that sort of music.

Mr. MacAskill's only concern is that they'd be subjecting themselves to a violation of the 150 foot rule. If they do, we'll take that up. It's the time of year when windows are open but they do not require any of the other licenses to shut their windows. To date, this business has demonstrated being extremely responsible. If they leave the music loud and they get complaints, they'll be before the Board.

Mr. Howell commented that he'd be willing to go for it if the motion included the stipulation it was indoor only and subject to the noise bylaw of the town.

Mr. Ballantine asked where the musicians are located.

Mr. Gullotti replied with a description

Chief Dave Guillemette clarified that in the license, it is clearly stated that noise is not to exceed the premises. The 150 foot rule is for outside entertainment. So if it's heard on the sidewalk outside of the premises during the hours of inside entertainment, that's a violation.

Ed McManus commented that he believes the Claddah is required to have their doors and windows closed as part of their license as was the Irish Pub.

Ms. Anderson moved to add "subject to the noise bylaw". 2nd by Mr. Ballantine. Vote: 4:0 in favor. Motion carried unanimously.

Town Administrator Powers reminded everyone that these discussion points are relative to the Town Meeting that is going to occur in 221 days, not the Town Meeting that is going to occur in 28 days.

I. Discussion Potential 2022 Annual Town Meeting Conservation Warrant Articles

Ernie Crabtree Chair of the Harwich Conservation Commission was accompanied by Brad Chase the past Chair of the Conservation Commission. There are 2 articles they will be presenting at Town Meeting. One is to amend the Wetland Protection bylaw and the second is to amend the Water Dependence Structures bylaw. The changes to both were included in the material. They offered a presentation and to answer questions.

All Board members agreed that they wanted to see the presentation.

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Mr. Crabtree began with the Wetland Protection proposed changes. The first is a change to the size of a regulated wetland. They are proposing the current 3,000 square feet be reduced to 1,000 square feet. It allows them to protect smaller areas such as vernal pools.

Mr. MacAskill noted that they were given a map of the Firehouse property and the first comment made was that it's not 3,000 square feet so it doesn't change anything. He asked how the town property changes in this scenario if it is changed to 1,000?

Ms. Usowski responded that if a proposal comes in after Town Meeting, July 1, and this goes through at Town Meeting, it would make that wetland jurisdictional. It would have to have the corresponding buffer zones. There are only a few wetlands that would become jurisdictional.

Mr. MacAskill commented that he finds it continually burdensome on home owners and he described a scenario that would affect fencing. His concern is that homeowners may have wetlands just because water sits in a certain place for a while.

Mr. Ballantine asked if vernal pools are protected no matter what their size or do they fall into this category.

Ms. Usowski replied that they are protected if they are certified.

Ms. Anderson asked if there are not many, why would we do this?

Ms. Usowski replied that vernal pools are small isolated wetlands and that's what these are. They're not bordering wetlands because if they were they'd be protected. They have the most critical need for protection, they're valuable for groundwater protection, public water protection, wildlife habitat, storm damage protection, flood control and prevention of pollution. They capture all the reasons wetlands are protected except for protection of fisheries.

Mr. Howell notes that even if it passes Town Meeting it has to go to the Attorney General's Office to get approved.

Mr. Crabtree continued that a lot of the changes are clarification changes. The impact is benign because they're already covered under present regulations. There is not currently a definition for buffer zone in the bylaws but their jurisdictional breadth is 100 feet. Another change helps them define more than just isolated impacts on proposals. They are now adding in-lieu fee. On mitigation and on mitigation restrained sites they're seeing a lot of requests for development on pristine properties. This allows them to have the applicant provide an in-lieu fee based on a calculation. That money would go into a revolving fund which can be used to provide mitigation on other areas. The 60 foot no new structure zone is a change they made because they are concerned the 50 foot buffer is considered a no disturb zone. Builders have requested putting the house on the edge of the 50 which forces the activity around that house to go into the no disturb zone. Additional definitions are added where needed and he described each one individually. The last 2 pertain to additional expenses that they often have, drawing in consultants. This allows them to charge consultant fees that will be borne by the applicant. Presentation concluded.

Mr. Howell commented that this should be the beginning of a discussion that'll last and the sooner they decide it'll be on the Warrant, the sooner they can have that discussion.

Mr. MacAskill asked the Board if they would like to vote to put this on the Warrant now or wait for another time. All agreed to vote now.

Ms. Anderson moved to put the proposed changes to the Harwich Wetlands Protection Bylaw on the 2022 Annual Town Meeting, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

Mr. Chase presented the proposed changes to Chapter 304, Water Department Structures. The Commission began having hearings in 2019 on this topic and so they came up with regulation and bylaw changes and voted to move these forward. These structures have some level of impact and the major impacts fall into categories, Shading of the structures on salt marsh and scouring impacts from pilings, posts and structures on shellfish habitat. Coastal Bank Operations is putting a structure in a pristine coastal bank. Cumulative impacts, more boats, more activity, more structures, more impacts in the waterways.

Mr. MacAskill commented that he's assuming cumulative impacts the definition of those and where they are is in the packet where there are approximately 7. He asked where they got the information for what they think.

Mr. Chase replied that he developed the presentation based on his observations as someone who has fished and shell fished in this town for a very long time. He's been a career fisheries biologist for over 35 years and it is a combination of professional and personal observations.

Ms. Anderson asked for a definition of scouring.

Mr. Chase replied with a definition, gave examples and showed pictures.

Mr. MacAskill asked how long regulations have been in place.

Ms. Usowski replied that they have been in place a few years and they have had some success enforcing them. They are proposing changes to the bylaw hoping for more success.

(Video inaudible, scripting now from closed captioning when available. Closed caption was in and out and does not designate who is speaking. With participant wearing masks, the visual did not help with identification)

Mr Chase continued his presentation showing maps of scouring and a list of proposed changes to Dock and Pier Bylaws.

Mr. Ballantine things they've talked about.

Mr. Chase had results from studies and recommendations for dockage, height and width. They're hoping to have dockage be higher and more space between planks.

(Audio restored)

Mr. Chase continued regarding dredging. The Waterways Committee was interested in dredging and so they have tried to find ways to make the bylaws more allowable for dredging but they didn't vote to advance any changes. Maintenance dredging is common but improvement dredging is not. He spoke to not being able to put structures in shellfishing areas and why they want to improve the language and conduct surveys. He shared slides with bullets on individual items, summing up what he had discussed.

Mr. Howell commented that there's difference between voting to include it on the Warrant and voting to support it. He's ready to support putting it on a Warrant, not sure of whether he'll support some parts.

Ms. Anderson agrees that it belongs on the Warrant. She asked if the hearings they had mentioned were well attended.

Mr. Chase replied no, 3 or 4 of the hearings were agenda items under discussion. They came after normal business towards the end of a meeting. They got a lot of information from consultants but there was no much public participation. Mr. Ballantine's concern is the shellfish survey, it's not perfect but they've made good strides in bringing it forward and he appreciates that.

Mr. Crabtree noted that it's not just putting the dock in and having the applicant put in shellfish seed somewhere else. It's the loss of the habitat which is the bigger issue.

Mr. MacAskill asked to have minutes of meetings and anything else Mr. Crabtree can send to the Board. In a previous article they had agreed to hire experts and the homeowners would pay for it. We will rely on consultants and experts for them and make them pay for it. It would be important to him that with a bylaw change this significant that they demonstrate that they didn't just come up with the cumulative impacts themselves and that they did their due diligence and relied on consultants. He read from a letter. "The town needs to seek to balance the legitimate interest in protecting our waterways and wetlands with individual private property rights." He feels private property rights are very important. He asked, if he has a dock on Herring River and the pilings, some decking and some framework goes bad, what do I have to do? He asked if this affects existing pilings at all. If he had to replace pilings, would he go through the normal process and not be denied?

Mr. Crabtree replied that this has no effect on existing pilings and docks at all.

Mr. MacAskill stated that the wording should be changed to include that it does not apply to existing licensed waterways structures and also for the existing provision regarding Round Cove.

Mr. MacAskill continued with emailed questions. He read: The 6 month maximum period to use a dock seems arbitrary and not really solving any significant problem. He asked for that to be addressed.

Mr. Crabtree responded that it's May 15th to October 15th.

Ms. Usowski replied that the float and the ramp are typically 6 months, those are the things that typically make their way onto the salt marsh for the off season and destroy it. What we have is somewhat antiquated. 90% of the dock structure, with the exception of the ramp and float are now allowed to stay in. It's just the end pieces that are in the waterway need to come out.

Mr. MacAskill asked if that is a current regulation and not a bylaw and if it is, who came up with that and why can't he use his dock 8 months out of the year if he is a resident and a taxpayer in this town? Scientifically what is the difference?

Mr. Chase replied, for tidal areas there is no consequence to going from 6 to 8 months.

Mr. MacAskill asked if that is a change the Board would consider.

Mr. Chase replied yes, they could. For fresh water locations you get involved with species that spawn in the shoals so installing a dock in the middle of a spawning period is probably not a great idea.

Mr. MacAskill commented that a lot of people that have docks in front of their houses, have boats and like to fish.

Mr. Chase noted that had not come up for discussion but if they're making changes, it makes sense to make as many changes as necessary.

Mr. MacAskill asked, regarding the flat prohibition on new structures, he heard it said that if they count the shellfish and they show no environmental impact, then a structure may be available to them. Is that not the case?

Mr. Chase replied that the regulations basically say that no new structures can be placed in a shellfish area as defined by town regulations or the town Shellfish Warden. In some cases they've granted variances. They want to improve the efficiency of the process to make it clearer as to what's allowed and how it's done. A moratorium came to be for Herring River because of the concern for that very sensitive area where.

Mr. MacAskill asked if they can agree based on some of what he's mentioned and their willingness to change the language, that they should bring this back before they vote to put it on Annual Town Meeting or subject to change?

Ms. Anderson suggested they clarify on the Herring River, if a dock needed replacement and had to build new, she assumes that we would then require you build according to new changes. They're not grandfathered into building, the one to one ratio, they'd have to go to one to five.

Mr. Chase replied, yes, it's not explicit, they didn't know, he would like to think they'd try to reduce impacts if you build structures but many cases are grandfathered as it sounds, you're allowed to replace with structure in kind.

Mr. Howell commented that if you're doing this and addressing what Mr. MacAskill was saying, bare in mind that is why he was explicitly pushing this towards an Annual town Meeting as opposed to a Special Town Meeting. There is a time limit, you have to start addressing this now because by January we need final language for the Warrant Article.

Mr. MacAskill commented that if the Board wanted to vote to put this on the Warrant subject to those changes then we could dispose of this tonight and then look at it afterwards.

Mr. Ballantine moved to add the Conservation Warrant Article in the Town Warrant for May of 2022 with the revisions that are being considered, 2nd by Ms. Anderson.

Mr. Howell said he cannot support that because he doesn't know what he is supporting.

Vote: 3:1 Motion Carried

J. Discussion - Potential 2022 Annual Town Meeting Historic/Historical Warrant Article

Mary Maslowski Chair of the Historic District and Historical Commission discussed the changes to the Demolition Delay Bylaw. This year the HDHC looked at what existed, took into consideration some issues around town and Notice of Intent applications. Their major changes to this bylaw are, one where there is a situation where you have demolition by neglect. This trier to make it more clear that the town can order a property owner to board up the building and if they don't, the town can take other action including court orders. Second, they have added a provision where if someone demolishes a significant structure without a permit or approval there will be kept from getting a building permit for 2 years. The third change, currently the HDHC has the ability to impose a 12 month delay and the new proposal is 18 months. They have found a 12 month delay doesn't give an applicant any incentive to work with them which they have tried to do in the last few years, hoping to keep the character of the building that is being demolished. They are hoping the 18 month delay will be incentive to the applicants to work with them. They have worked hard on this, had it ready for the last Town Meeting but they ere kicked out due to COVID. They have a new Town Planner and are willing to let him or the Board review and make suggestions for changes.

Larry Ballantine commented that when this was at Town Meeting before, going beyond the one year was hotly debated. He asked if this had been presented in a public forum to see what the feedback would be.

Ms. Maslowski replied that it has been on the agenda every time they have talked about it they haven't had any large scale public hearings for it but they are willing to do that if and when they get revisions. She also noted that demolitions have been done without permit in the past and she feels if they know they'll have to wait 2 years for a building permit, people will be more apt to pay attention.

Mr. MacAskill's concern is the 18 months but the right thing to do is vote to put it on the Warrant and let the voters decide. He feels 18 months is a lot to ask somebody that buys a house that is in rough shape that just met the 100 year with no significant person living there, that they have to wait 18 months to build their dream home.

Ms. Anderson moved to put the Historic/Historical Warrant Article on the 2022 Town Warrant, 2nd by Mr. Howell

Vote 4:0 in favor. Motion carried unanimously.

K. Vote to approve the 2021 Special Town Meeting Warrant

1. Accept Finance Committee Recommendations

Town Administrator Powers distributed a memorandum to the Board with some adjustments that the Board may want to consider before closing the Warrant. There are 7 signature pages, all for original signatures so they can begin advertising and posting. The Finance Committee met their Charter obligations last Thursday, September 17th and went through all 14 articles. In every instance the Finance Committee voted 7:0 to recommend adoption. What is presented is a Warrant that reflects all those votes and actions. In the memorandum there are 5 bullet points that impact either some scribbler's errors or just actions that the Board may want to contemplate. On Draft Warrant page 11, the discussion on Article 8, the language was broad enough to cover all non-union personnel which was evidenced by personnel bylaw employees or personal services contracts. The original number that the Board voted was \$39,843.00 which did not include the 4 personal services contract employees. The number that was presented to the Finance Committee Thursday evening was \$53,401.00 which was updated to reflect all non-union personnel be they personnel bylaws and/or personal services.

Mr. MacAskill stated that he has a problem with this, it is something the Board never took up and they did not anticipate or plan this Town Meeting based on giving raises, it was based on contracts they had negotiated that they had to get funding for. Being that the Board never had this conversation yet it was presented to the Finance Committee, the system's broken. The Board should have had the opportunity to have this conversation and before he calls on the other Board members he continues, this should have come with employee evaluations that they do before the raises. This whole thing was taken out of sequence and never should have gotten to the Finance Committee on this level before the Board of Selectmen had a conversation or voted it.

Town Administrator Powers commented that he would not dispute or disagree with what the Chairman said, his recommendation is that the Board vote to reflect the original number \$39,843.00 which covers everybody else in the personnel bylaws. The Finance Committee chair is now aware of it and he can work with that committee to see if they take further action. If their vote changes, it'll be reflected in the Motions Book that is distributed at Town Meeting as they would with any motions or language changes that need to take place after the Warrant is closed.

Ms. Anderson commented that normally they don't have a meeting in October and asked how this happened normally.

Town Administrator Powers replied that how they handle cost of living adjustments within the fiscal year is that they would have a Special within an Annual. In the Annual Town Meeting there can be a separate but concurrent Warrant whereby the Board, the Finance Committee and Town Meeting make appropriations that were not already voted that impact upon the current fiscal year before they then finalize the next fiscal year.

Ms. Anderson is good with backing it out to the \$39,843.00

Mr. Howell agrees with Ms. Anderson to the extent that the last thing they voted was the lower number. No actions means that the number they had is the number they go with.

Mr. Ballantine also agrees to stick to the number they voted on and go back to regular order.

Mr. Howell moved to vote to reaffirm the original dollar amount of Article 8 as being \$39,843.00 is the amount being sought, 2nd by Ms. Anderson.

John Chorey Chairman of the Finance Committee asked how this would affect their vote and if he has to do anything immediately to concur with the Selectmen. If his Committee votes to keep the number and the Selectmen vote to keep the \$39,843.00, what happens then?

Town Administrator Powers replied that there would be a change in the language in the Warrant and reflected in the Motions Book in the intervening times. Meaning there is a deadline to get the Warrant done, if there are reconsiderations or if there are changes of any sort, at a future meeting the Finance Committee either reaffirms their vote for the higher number, affirm the number voted by the Board tonight or any other action, Town Meeting will be informed of those as part of the motion.

Mr. Chorey asked for clarification, in a Special Town meeting the Finance Committee and the Selectmen have to agree equally before that Article can be put in the Warrant, according to Town Charter.

Town Administrator Powers replied no, his understanding of the Town Charter is that both Boards have to meet separately to make their recommendations which has been done.

Vote 4:0 in favor. Motion carried unanimously.

Town Administrator Powers referred to Article 10 pages 12, the original language made reference to Free Cash. It would have to be retained earnings from Water Enterprise, under the line that says Funding Source that has been updated to reflect that it is Water Enterprise Retained Earnings. That is a funding source and doesn't change anything to the language itself or the quantum of the article that was presented but he will defer to any actions the Board wants to take.

Mr. Howell moved to accept the updated version of the language specifying returned earnings as the basis for the money, 2nd by Ms. Anderson. Vote: 4:0 in favor. Motion carried unanimously.

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Town Administrator referred to Article 11 Transfer of Surplus Bond Proceeds, the dollar amount has been reduced by \$2,000.00 so the Warrant Article has a lower dollar number which is the dollar number presented to the Finance Committee. He does not know the explanation as to why the dollar amount went down but the number changed.

Mr. Howell states that as a matter of policy the motion is going to dictate whatever the approval amount is and they don't have to do anything.

Mr. Ballantine agrees, the motion always lists the number.

Town Administrator Powers referred to Article 13 page 14, there are 2 language changes, both deletions. Within the original Article it talked about the words "or lease, that is not being contemplated so the words "or lease" were deleted. It originally erroneously stated that it required a 2/3's vote, it does not. He defers to the Board if there needs to be action to reflect those.

Mr. Howell stated that the motion would clarify that and they don't need to take action on the body of the Warrant language.

Mr. Ballantine feels the "or lease" should be taken out. He moved to state to Warrant Article 13 as stated in the Draft Warrant excepting they delete the phrase our lease and 2/3s and accept and adopt with those changes, 2nd by Ms. Anderson. Vote 4:0 in favor. Motion carried unanimously.

Town Administrator Powers refers to Article 14 page 14, Fund Prior Year's Unpaid Bills has changed two fold. The overall total for the Article now reads as \$10,405.33 and the reason for that increase is that the last 3 items are added to that total, all related to bills related to structures north, CPC Article from 2019 under Article 4 which relates to the Brooke's Museum work that is being done.

Mr. Ballantine moved to accept the Article 14 as described by the Town Administrator and the overall total has been increased to \$10,405.33, 2nd by Ms. Anderson.

Mr. Howell asked if these are unpaid bills, if they exceeded the CPC allocations in some way.

Carol Coppola Finance Director replied that these are invoices for prior fiscal year that the town did not receive until just last week.

Vote 4:0 in favor. Motion carried unanimously.

2. Vote to close the 2021 Special Town meeting Warrant

Town Administrator Powers asked that the Board to vote close the Warrant so they can sign it, publish and post.

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Mr. Howell moved to close the Warrant, 2nd by Ms. Anderson. Vote 4:0 in favor. Motion carries unanimously.

Town Administrator distributed multiple signature pages, there are 7 versions looking forward. Please and thank you.

JOINT MEETING WITH THE BOARD OF SELECTMEN AND HARWICH HOUSING COMMITTEE

A. Discussion - Harwich Housing Committee Charge

Mary Maslowski and Joseph McParland, Jr. were present as a members of the Housing Committee.

Mr. MacAskill commented that there has been conversation about the current Housing Committee Charge and the thought of changing the charge. Each Board member received an email with the charge and asking them if they thought it was an adequate charge or if they should change it and if it is in concert with the new Housing Trust. There is a detailed note in the packet from Ms. Anderson who did a deep dive. With that and the thoughts of changing the Housing Committee Charge, the conversation was turned to Ms. Anderson.

Ms. Anderson started with, it is never her goal to create hate and discontent which some of this has done. She was trying to get a conversation going and perhaps the next best step would be a joint meeting with the Trust and with the Committee to then to meld who is doing what. She thinks there's tons of work around housing and we need all hands rowing in the same direction. There's been somewhat of a schism or silos but the only way to move forward is trying to get together and talk. That was her goal in that meeting, it was in no way intended to be a dictatorship, it was to get a conversation going as well as get a sense of who that group thought was appropriate for the meeting. She asked the 2 present where they think they should go.

Ms. Maslowski noted that she has been on the Housing Committee for upwards of 4 years at least with not much to do since they've been there. They were generally looking at projects that were coming before them and then act as an Advisory Board to the Board of Selectmen, her opinion is that it is whatever the Board wants them to do. She came on at the beginning of the Affordable Housing Trust and there was not much for them to review. She is happy to take whatever charge the Selectmen see fit, it would be nice to have something to do. It's a frustration when you go to a meeting and there's nothing really for you to do at any point in time. They want to support the other Boards and Commissions as opposed to stepping on anyone's feet.

Mr. McParland agrees. He has done research on his own with the surrounding towns and spoke to the Housing Coordinators. It seems bigger and smaller as Yarmouth and Brewster both have very strong Housing Coordinators who work with all 3 Boards in a very tight manner. They are writing briefs for Boards on what they've done, on a weekly basis. That is the part time job they were talking about. They have multiple projects going and have done many in housing because of the way they're set up. All 3 entities are speaking to each other and they all have clear roles and responsibilities. He has been on the Housing Committee for 2 years but they've never really

had a mission statement, there wasn't any force for them to do. In one town for example, anything that comes to the Housing Committee for housing issues goes to the Housing Committee first, they vet it, do the check off and it goes forward to other entries that are responsible. The Housing Trust is very important in finding the property, that's their role. He feels the strong role they should have is to be the voice having quarterly or biyearly meetings. He asked what the people in town want to see. He's heard many things from many people in this room and outside and everybody has an opinion. There is so much to do but it starts and ends with the town people and what they want to see to create a real good plan going forward.

Mary Maslowski pointed out that they have to be careful that whatever they review and when they're reviewing it, they are doing it at the right time. They were in a situation with Mr. Wise's development that came before them with a stack of plans that weren't fully developed to get their ideas. They were of the understanding that they were supposed to be reviewing it. When one of the staff called for a vote she questioned if they were prepared to have a vote because there was nothing that was finalized, no application. They were asked to take a vote in principal on what they had seen and it came before the Board of Selectmen. There wasn't an application and they were in the position of reversing it all out. That just highlights the conundrum that they are in as a Board they need to take direction and action at the right time.

Mr. MacAskill saw it differently and he appreciated her deep dive into this and a new set of eyes and a new person that's interested in housing shouldn't offend anybody. He is familiar with Open Meeting Law, nothing was done illegally here and you presented exactly as asked, for the entire Board to make a decision in concert with the committee. He said thank you and noted that she didn't do a thing wrong.

Ms. Anderson commented that the 2 things they looked at are the role of the Housing Committee and they had setting goals and priorities outreach perhaps quarterly meetings to where all town members are invited to come and review and discuss housing options, creating the RFP housing plans for the town and perhaps that should be with the trust and updating the Housing Production Plan. She thinks that's a great one to start with. In terms of who should be on the Housing Committee, the suggestion for the members, not by name, a member of the Housing Authority, a member of the Affordable Housing Trust and nothing personal against the Board of Selectmen or the Town Administrator but it was this group's belief that it should be somebody at large not somebody already in a position of authority, a member of the CPC, a member of the Planning Board, the Town Planning Director and then 2 citizens interested in housing. The last thing they talked about is that it appeared, the towns that seem to be most effective had Housing Coordinators that worked for the Town's Administrative staff so they worked with everybody. We'd have that person report either to the Town Administrator or his designee.

Ms. Maslowski commented that, as far as the Housing Production Plan is concerned, she feels that requires staff input, this Board and all of the Housing Boards should play a role in that but that's something that's typically updated on a 5 year basis. It was done in 2016 and the Town Planner was fully involved doing that and working with a consultant as well.

Ms. Anderson clarified that she didn't mean just updating that Plan but the page with all the action, there were a ton of goals and just getting that updated.

Ms. Maslowski replied that the body of it feeds those action items and she doesn't know that they've made a lot of progress on those action items that were on in 2016. There was the prospective hotel/motel conversions, they did the ADU Bylaw and made changes to that on the Planning Board and that was adopted at Town Meeting. They are required to get to 22 to get to their numbers for 40B and she doubts they've come close to 22 units a year from 2016 forward.

Mr. MacAskill commented that there's no reason they can't make suggestions on the update of the Housing Production Plan.

Mr. Howell commented that we're conflating 2 different things here, the structure, the interrelationships and the charge are different thoughts. In terms of 3 and 4 for then Housing Committee role, he's feel more comfortable in assisting in RFPs because if you don't issue them, the Trust doesn't issue them. It's a staff function in procurement. And assist in a Housing Production Plan because both the Trust and the Housing Committee are charged with working together to create a production plan but it would have to be staff because it's a really complex outreach endeavor for the public. But getting together and creating workshops to develop an apparent need that the public can see for why we would want and need affordable housing. Regarding the Wise thing, it was vexing, it was a period of transition, it was backwards and it blew up which is what should have happened. In terms of the membership, we finally got 5 people that have been appointed to the Housing Committee so he would hate to make somebody walk the plank but the Town Planning Director would be better to advise the committee rather than be on the committee.

Mr. McParland noted that the reason that came up on the list of those particular people is because they thought those people coming from those different Boards have a lot to give.

Mr. Howell said this was the employee, the actual Planning Director. You get the planner to be your technically proficient staff support, they're not voting members of either of those committees and it was never specified who helps you. It's an advisory committee and they can add more people.

Ms. Anderson asked to clarify if he is suggesting the Planning Director should not be a member of the committee but be an advisor.

Mr. Howell replied yes.

Town Administrator Powers noted that the staff resource allocation is his job and requirement and so however the Board sees fit to establish that, Administration will always provide the appropriate staff resources to make sure those groups are successful.

Mr. Ballantine is pleased that they're having this discussion. He doesn't want to oversimplify this but your fundamental purpose is to be the voice of the public on getting ideas and what the needs are, not only for capital 40B but small 40B. We created the Housing Trust 2 years ago and that purpose was to implement those ideas and make it happen. They should all be working together hand in glove so just having your meetings and discussion is essential and he

appreciates the details they're talking about. Somehow it got complicated and he suggested they simplify it.

Mr. McParland commented that one of the biggest things he found talking to the other towns, Brewster particularly, if he heard communication once he heard it a thousand times between all 3 Boards but also communicating to the public all the time. They've been very successful, they have their own FaceBook, and they have their own social media stuff just for the housing.

Mr. MacAskill agreed with Mr. Howell regarding the Town Planner. A member of the Affordable Housing Trust makes great sense, both Ms. Anderson and Ms. Maslowski are on CPC and a member of the Housing Authority.

Ms. Anderson talked to Tracy Cannon Executive Director of the Housing Authority just before the meeting. She would be very interested in being more involved with both groups.

Unidentified speaker said that Ms Cannon is a resident of the Chatham so she could not be a voting member. She could serve in an advisory, educational capacity because she is very good at that.

Mr. MacAskill noted that 5 and that would include both Ms. Anderson and Ms. Maslowski in their dual roles, the member of the Affordable Housing Trust and the member of the Housing Authority puts us at 7. He asked if the Board is OK with that makeup.

All answered yes they are.

Ms. Maslowski clarified that Mr. McParland is the CPC Rep and she's be the Planning Board Rep.

Mr. MacAskill notes, looking at the charge, Ms. Anderson has some highlights here, some they agree on. Assist on 3 and 4 makes more sense. He asked if they want to ask Ms. Anderson to take a stab at it through a working group and then bring it back to the Board.

Mr. Howell wants to make clear, if they have 5 members, she can sit with 2 of them. That's not a violation of the Open Meeting Law. If you two and Ms. Anderson worked on draft of what the language looks like incorporating what was just said, those are the 2 big areas.

Mr. MacAskill stated we can look for something in the next 2 weeks so this can keep moving forward.

JOINT MEETING WITH THE BOARD OF SELECTMEN AND THE HARWICH AFFORDABLE HOUSING TRUST

A. Discussion - Request for Proposal for the Housing Coordinator position

Town Administrator Powers, as Chair of the Affordable Housing Trust identified by roll call the members, President Larry Brophy, Judith Underwood, Selectman Howell and himself as

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members. Member Brendan Lowney was unable to attend. He asked for a motion to call the /trust to order.

Mr. Brophy moved to call the Harwich Affordable Housing Trust to order at 9:06PM on Monday the 20th of September, 2nd by Ms. Underwood. Vote 4:0 in favor. Motion carried unanimously.

Mr. MacAskill noted that the purpose of this meeting is to discuss the request for proposal for a Housing Coordinator and to work collaboratively to get the right Housing Coordinator.

Town Administrator Powers stated that the results of staff's research is in the packet. The original 2018 Annual; Town Meeting to establish the Harwich Affordable Housing Trust under see under 140-2 duties and responsibilities, item B says in addition the Affordable Housing Trust shall work with the Harwich Housing Committee to develop an Affordable Housing Plan which shall be updated each year and a copy presented to the Board of Selectmen. He also noted the explanation on that page "a key part in establishing the trust and one of the most effective ways our community can jumpstart the housing effort is to fund the hiring of a part-time Housing Coordinator. Funding for this has been requested through a CPA request." He also noted Article 58 which mentions funding a Housing Coordinator. Also in the packet from the Assistant Town Administrator Meggan Eldredge is information pertaining to other town's Housing Coordinators. The previous Town Administrator sought requests for proposals for a firm to provide a Housing Coordinator. The question is what is the best way to proceed? He feels it's a straightforward transaction, it's a part-time position so they'll need to update the personnel bylaws to reflect that position. A classification and compensation plan can be established and develop a job description. The next step would be to advertise and bring that person on board.

Mr. Howell noted that previously there was significant push back from the Trust itself that they did not like the arrangement with the contract employee. He had lobbied to get someone in house so they could control it.

Ms. Anderson agrees, she's in favor of bringing on an employee that would do work who would report to the Town Manager and the Planning Director as done in Brewster. She feels 19 hours is a great place to start and not could be increased next year.

Larry Ballantine confirmed that the Brewster employee is part-time which she is and funded by CPC. He fully supports hiring someone.

Town Administrator Powers noted that if you're part-time and work more than 19 hours you're entitled to benefits. He's contemplating a 19 hour non-benefitted employee to start. CPC Funds pay the salary but the benefits have to come from the town. At present the town does not have a funding mechanism for fringe benefits.

Mr. Brophy commented that there were many conversations with the consultant that was hired to do part-time housing work. They did not provide a great deal of housing expertise. He recommends hiring somebody for 19 hours and he adds that if they're reporting to everybody they themselves have no direction. They should report to one or two people but not the Town Administrator.

Ms. Underwood commented that this is what they talked about at the last few meetings and the advocacy this part-time employee would provide really is important.

Mr. Howell commented that one thing they voted on as a Trust was to be able to retain special counsel purposes so it would be directly involved with the Trust. They were going to kick the Trust finding in the Registry of Deeds to the lawyer to see what he would recommend as language. The prior Administrator had done some things that none of them knew about.

Mr. MacAskill commented that the packet has a detailed job description. Whether it's 19 or 25 hours a week with or without benefits, you get what you pay for. The initiative, work and talk they've done on housing and how far they've progressed with the purchase of property, he feels they should make an investment in this and they should be looking forward to the Annual Town meeting to get the funding necessary to expand the position. Towns with a strong Trust working with a Housing Committee are making progress on housing.

Mr. Howell note that the funding request at Town Meeting for a Housing Coordinator was through the CPC from the Trust was for 50,000.00.

Mr. MacAskill asked Town Administrator Powers when they can expect to come back with a job description and advertisement.

Town Administrator Powers replied, the first meeting in October. The biggest thing to take place will be amending the bylaw to include the position. He will recommend to add this to one of the classification tables and make reference to an up-to amount and separately for the Board to endorse the position description and then direct him to advertise and hire.

Mr. Brophy moved that the Affordable Housing Trust adjourn at 9:20PM on September 20, 2021, 2nd by Ms. Underwood. Vote 4:0 in favor. Motion carried unanimously.

OLD BUSINESS

A. updated report on tax collection

Mr. MacAskill noted that the update is in the packet with a memo.

Town Administrator Powers reads the memo out loud including bullet points of the update.

Mr. MacAskill commented that the message is, the Board is doing everything they can to expedite tax collection. They are still waiting on counsel for going after owners unknown and cleaning up that mess.

TOWN ADMINISTRATOR'S REPORT

Town Administrator Powers reported an invitation to a Fund Raiser. 100% of the proceeds benefit the Harwich First Responders and Boston's Children's Hospital on Saturday, September 25, 2021 with a rain date of Sunday, September 26, 2021, \$20.00 per person per round at Bud's

Mini Golf starting at 9:30AM. He shared a letter from the Cape Cod Senior Softball league to our DPW Director about the phenomenal work provided by the DPW as it relates to their tournament. It's a great story about 2 dedicated employees doing great work on behalf of a community organization. Report concluded.

SELECTMEN'S REPORT

Mr. Howell reminded everyone to vote and the hours to vote.

Ms. Anderson thanked Mr. MacAskill for letting her attend a meeting with Cindy Williams. Mike Kennealy Secretary of Housing and Economic Development was on a listening tour with Julian Cyr and Sarah Peake and Cindy was wise to have it be in East Harwich and the attendees were to be East Harwich businesses which highlighted those. All businesses present talked about housing, not being able to have employees and it all related back to housing. Chairman Kennealy talked about it being a problem across the state.

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