

RECEIVED
TOWN CLERK
HARWICH, MA

2022 JUN 14 P 2:35

**MINUTES
SELECTMEN'S MEETING
TOWN HALL**

**MONDAY, OCTOBER 19, 2020
6:15 P.M. - EXECUTIVE SESSION
6:30 P.M. - REGULAR MEETING
REMOTE PARTICIPATION ONLY**

APPROVED

RELEASED

SELECTMEN PARTICIPATING: Larry Ballantine, Michael MacAskill, Stephen Ford, Ed McManus & Donald Howell.

ALSO PARTICIPATING: Interim Town Administration Joseph Powers

CALL TO ORDER

Mr. Ballantine called the meeting to order at 6:15 p.m. to begin with Executive Session.

EXECUTIVE SESSION

A. Pursuant to M.G.L. c. 30A, § 21(a)(6), to consider purchase, exchange, lease or value of real estate if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body

Mr. Ballantine called the meeting back to order. Mr. Powers and the Board had a discussion and will be calling the person of interest to next Monday's meeting for further discussion.

Mr. Ballantine noted the passing of Ann Steidel and Peter Luddy. Ms. Steidel was the Administrative Assistant in the Administration/Selectmen's office. Mr. Luddy was a former Selectmen and played a very active role in many aspects of the Town.

The Board passed along their kind words, thoughts and prayers to both families.

WEEKLY BRIEFING

A. COVID-19 Updates

Health Director Meggan Eldredge was present. She stated that we have one new positive COVID-19 case from over the weekend which brings our total up to 165 in Harwich. All previous cases have recovered and we are currently tracking 1 active case. There are no active cases in the school that she is aware of. The good news is that our positivity rate has decreased to 1.46%.

The public flu clinic scheduled for tomorrow is full. A second date of October 29 has been added. This clinic will be held as a drive-thru at the Harwich Community Center from 2-4 p.m. Pre-registration is required by emailing the Health Department at health@town.harwich.ma.us or calling 508-430-7509.

Mr. Ballantine asked for clarification on positivity rate versus incident rate. Ms. Eldredge stated that the average daily incident rate is the number of new cases per 100,000 people over the last 2 weeks. The positivity rate is the number of people that test positive out of the total number of tests administered.

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

Harwich Chamber of Commerce Executive Director Cyndi Williams was present. An email has been sent out to Chamber members to announce that the Festival of Trees fundraiser will take place this year from December 1 through December 20. The trees will be at the actual location of the sponsor or donor. This year brings a greater need for the Family Pantry. This Wednesday is support your local Chamber. Ms. Williams thanked everyone for their support and partnership.

PUBLIC COMMENTS/ANNOUNCEMENTS

Mr. McManus announced that the Lower Cape Kiwanis Club will be holding a sock drive this week. Sock drop off locations will be at Murphy's General Store, The Seal Pub, Harwich Paint and Decorating and the East Harwich Fire Station. People are being asked to drop off new or nearly new socks. Socks of all sizes will be accepted.

CONSENT AGENDA

- A. Vote to approve the Presidential Election Warrant – November 3, 2020
- B. Vote to confirm the recommendation of Police Chief David Guillemette to appoint Jennifer Harrington as a Special Police Officer effective immediately

Mr. MacAskill moved to approve items a & b on the consent agenda, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

- C. Vote to approve the recommendation of the Harwich Human Services Grant Review Team to award FY 21 Human Services Grants

Mr. Howell recused himself.

Mr. MacAskill moved to approve item c on the consent agenda, 2nd by Mr. Ford. The vote was 4-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford & Mr. McManus all voting aye by roll call.

Mr. Howell returned.

NEW BUSINESS

- A. Discussion and possible vote - Automatic extension of outdoor table service with on premise consumption of alcohol to all establishments that have been previously approved by the Interim Town Administrator and Local Licensing Authority

Mr. MacAskill stated that the Board is doing everything that they can to support the business community. With that, it needs to be made clear that the establishments understand that noise is an ongoing issue and that swift action will be taken if complaints are received. Mr. Ford agreed with Mr. MacAskill's comments and added that the Board will be monitoring this situation closely.

Mr. Powers reported that he and his staff met with Ms. Williams last week to vet this process. Administration staff has reached out to every establishment that has already been authorized and invited them to this meeting. They will be sending out letters to each establishment regarding this update.

Mr. MacAskill moved to approve the automatic extension of outdoor table service with on premise consumption of alcohol to all establishments that have been previously approved by the Interim Town Administrator and Local Licensing Authority, 2nd by Mr.

Howell. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

Mr. McManus commented that we know that is being done under emergency regulations which we assume will be going away at some point. He knows that a lot of the public and a number of establishments have enjoyed using outside areas in this way. Mr. McManus asked that we take a look at our planning, zoning and/or site development rules so we can have a report prepared to make possible recommendations for next year's town meeting.

OLD BUSINESS

A. Affirm the contract for the Finance Director/Town Accountant

Mr. MacAskill moved to affirm the contract for the Finance Director/Town Accountant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

B. Affirm the contract for the Chief of Police

Mr. MacAskill moved to affirm the contract for the Chief of Police, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

C. Discussion and possible vote – FY 2021 Board of Selectmen Goals

Regarding goal # 4, Mr. Howell hopes that objective c can be read that it would not be for just any housing project. The housing projects need to align with the goals of the town and be done in partnership with the citizens. Mr. MacAskill agreed and hopes that we can proceed with some housing initiatives this year. Mr. Howell responded that there is a housing project on the burner for the location where the Harwich Junior Theater is operating out of.

Mr. McManus commented that one of the other projects that the Board had discussed was re-doing our comprehensive plan and part of that included housing. He suggested that the Board look at the zoning requirements and restrictions to see if there are areas that need to be changed in order to make affordable housing more possible that it is now.

Mr. MacAskill moved to approve the FY2021 Board of Selectmen goals as presented in the packet, 2nd by Mr. Ford. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

D. Discussion and possible vote – Board of Selectmen Budget Message Charter Section 9-2-2

Mr. MacAskill moved to approve the Board of Selectmen Budget Message Charter Section 9-2-2 as presented in the packet, 2nd by Mr. Ford. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

E. Discussion and possible vote – CARES Act Application through September 30, 2020

Mr. Powers stated that the Board had authorized Mr. Ballantine as the Chair to do a submittal of round 1 funds which was to cover items up to June 30. The State has advised us that they are now expanding to round 2 of submittals.

Finance Director Carol Coppola was present and reviewed the difference between FEMA and CARES Act funding.

Mr. MacAskill moved to approve the CARES Act application through September 30, 2020 as presented in the packet, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

Mr. McManus asked about the zero dollar amount under the short term rental tax line item. Ms. Coppola responded that he received a report from the state at the end of last week. The totals are significantly higher than what we anticipated. She will forward the information to the Board tomorrow morning. Ms. Coppola added that we will be receiving funds from the state, just not in the timeframe that we typically see.

F. Update and discussion – Cape Cod and Islands Water Protection Fund (CCIWPF) Regulations

Mr. Howell requested to postpone this discussion for a week. There will be another meeting of the Cape Cod and Islands Water Protection Fund Board and they will be making a major revision that has to do with the funding formula.

TOWN ADMINISTRATORS REPORT

Mr. Powers reported that 3 contracts were executed last week via DocuSign. One was a contract for the Fire Department radios, one was relating to the work at the Brooks Academy Museum which ties back to a Community Preservation article and the final contract was for the pump trailer at the Department of Public Works.

Mr. Powers informed the Board that he has received a report from the Harbor regarding Dockside Seafood Shack, LLC. Their total sales were \$15,000 less than the year before. The year before they were briefly impacted by the tornado and this year they were impacted by COVID-19. Mr. Powers stated that they have met their financial obligations to the town.

Mr. Powers included a memo to the Board regarding early voting both in Harwich and across the Commonwealth. Arrangements are being made for early voters to enter Town Hall and still be in compliance with any COVID-19 restrictions/guidance. The work of the Department Heads and staff throughout this process has been greatly appreciated.

The Department of Revenue has released their preliminary cherry sheet numbers last week. Mr. Ballantine said that he is disappointed to see the 11% increase from the county assessment. The Board discussed sending a letter capturing their disappointment with the increase, since we are all in a time that we need to closely watch our budgets. Mr. Howell pointed out that there have been an explosion of real estate taxes and he expects that there were more revenues on a net basis.

With respect to contracts, Mr. Howell said that he would like to see that the checklist be provided in the Board's packet. Mr. Powers responded that he would be rolling out the new procurement process to Department Heads next week and then presenting to the Board on November 2. Mr. MacAskill added that he would like to have the Town Administrators cover letter included along with the checklist.

SELECTMENS REPORT

Mr. MacAskill requested a future agenda item to receive an update on any pending hearings for noise or liquor violations. He continues to receive a fair amount of complaints. He also requested that the Board have a discussion on the proposed 100-unit housing development. Mr. Ballantine responded that it has been proposed to put the housing project on the agenda for next Monday to be able to provide a forum for residents to express their view of the project.

Mr. MacAskill commented that the Board still needs to bring back the compensation plan. Mr. Powers responded that he is still working on finalizing the plan.

ADJOURN

Mr. MacAskill moved to adjourn the meeting of the Board of Selectmen, 2nd by Mr. McManus. The vote was 5-0-0 with Mr. Ballantine, Mr. MacAskill, Mr. Ford, Mr. McManus & Mr. Howell all voting aye by roll call.

Respectfully submitted,
Jennifer Clarke
Recording Secretary

