



APPROVED

RELEASED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY**

Executive Session 6:15 P.M.
Regular Meeting 6:30 P.M.
Monday, November 9, 2020

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

ALSO PARTICIPATING: Interim Town Administrator 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 section 21 (a) paragraph 3 to discuss with respect to collective bargaining for Harwich Employees Association (HEA) and the Highways and Maintenance Employees Association (HMEA) if an open session would have a detrimental effect on the town's bargaining position and the Chair so declares

Mr. Ballantine called the meeting back to order at 6:30 p.m. He reported that the Board will be continuing discussions with respect to collective bargaining.

WEEKLY BRIEFING

- A. COVID-19 Updates

Mr. Powers had previously brought to the Board's attention the changes relating to COVID-19 guidance that have been rolled out by Governor Baker's Administration. He is asked for the Board to consider that this be their last in person meeting and that they resume Go To Meeting until further notice. The new guidelines stated that even if you are social distanced to 6', masks are still required. It can be very difficult to engage with masks on for an extended period of time. It is also important for the Selectmen and Administration to demonstrate to the community that as we go into the uptick of cases, that we are taking precautions and leading by example.

Mr. Ballantine would like follow Mr. Power's recommendation to go remote for the time being and to have regular check-ins with updates.

Health Director Meggan Eldredge was present remotely. Since Friday, Harwich has had 4 new active cases which brings our total to 179. We are currently following 6 active cases. The Board was provided with information on where the clusters of cases are happening. Household transmission is the major source of positive cases in the Commonwealth. Harwich is mostly seeing household contacts.

Mr. Ballantine commented that 80% of cases come from household and that cases from social gatherings seem to be fairly small. He asked if Ms. Eldredge thinks that social gatherings include meetings of political people. Ms. Eldredge responded that political gatherings are included under the social umbrella. Thankfully, we did not see positive cases come out of the political rallies or other types of rallies that people gathered for. This is likely because those gatherings were held outdoors.

Mr. Howell asked what the rules are for indoor church services. Ms. Eldredge responded that places of worship have their own sector specific guidance where they can have up to 40% capacity. They have to have enough space for people to sit 6' away from those who do not live in their household. Singing is allowed at church which is different from the performance standards in other sectors.

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Ms. Eldredge stated that once again, the Department of Public Health has changed their mapping metric for incidence rates. The map is now released on Fridays and they have made it better for smaller communities. With the new metric, we have a better idea of when communities change color coding. Harwich is currently in the gray with following 6 active cases. Ms. Eldredge feels that Harwich will stay as a lower risk community.

The Department of Secondary Education has put pressure on the school systems to resume complete in person learning, unless you are a red designated community. She has not had a chance to talk to Dr. Carpenter from Monomoy about how he feels he can meet that. Since we are not seeing transmission in schools, DESE says that children can sit 3' apart. Ms. Eldredge reported that we have had 1 teacher at the Tech school and 2 students at Monomoy test positive and have had a few close contacts.

Ms. Eldredge stated that the Health Department has not had too many calls regarding the order of businesses to close at 9:30 p.m. The Health Department has had quite a few calls about people not paying attention to the mask order. Last week, Ms. Eldredge asked the Police Department to deploy their electronic signs and the Health Department put out sandwich board signs with educational information. The Health Department are working on a promoting and educating thought process rather than quick enforcement. The Police Department are not enforcers of the mask order. They are able to provide assistance if we need it, but their job is not to patrol the town and look for people violating the order.

Ms. Eldredge and her staff have been holding meetings with department heads to do a COVID-19 check-in and make sure that everyone is ok with the current and projected changes. Department heads have been able to ask questions freely and talk through concerns that staff has had over the past few months. She was also able to survey each department about their remote work options. The goal is to have zero close contacts with the town organization.

The Health Department will continue to work on communication with the public about risks of COVID-19 and benefits of following the guidance.

Mr. McManus commented about a "next door" website that was set up to help with communication inside of different neighborhoods. There was a rather robust discussion about mask wearing on the bike trail. People were questioning the science and wanting to know where the data reports are. While he doesn't like to get involved in these discussions, Mr. McManus did state in the forum that it doesn't matter where the science is or what people believe, that at this point it is an emergency order. He asked that for everyone sake, that the rules be followed to keep everyone safe.

Ms. Eldredge stated that if someone has a complaint about the mask order and would like to alert the Health Department, that they send an email to health@town.harwich.ma.us. The Health Department is keeping a log of areas that we see more complaints. We can then look at better locations for signs and do a more targeted campaign.

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

Harwich Chamber of Commerce Executive Director Cyndi Williams was present. She stated that there are no new updates from the business perspective. Everyone is doing their best to follow the new orders.

PUBLIC COMMENTS/ANNOUNCEMENTS

Mr. Powers stated that he heard from the DPW Director this morning that there is a slight detour in the construction and debris area at the Transfer Station. Traffic is being redirected within the facility.

CONSENT AGENDA

- A. Vote to approve the Caleb Chase request in the amount of \$888.32
- B. Vote to accept the appointment of Katherine Green to the Community Preservation Committee – term ending 6/30/21

Mr. Ford moved to approve the consent agenda as listed, 2nd by Mr. Howell. The vote was 4-0-0 with Mr. Ballantine, Mr. Ford, Mr. McManus & Mr. Howell voting aye by roll call.

Mr. Howell mentioned that Ms. Green's appointment is ex-officio.

NEW BUSINESS

- A. Discussion and possible Vote – Reduction of payment on Agreement of lease – Hot Stove at Cranberry Valley

Mr. Powers reported that the Hot Stove at Cranberry Valley is asking for a reduction of payment on their agreement of lease. The request is due to the pandemic. Generally speaking, Mr. Powers would ask the Board to hold the line on revenue, but in this case, we are referring to money that has no impact on the general fund. Mr. Ballantine added that in addition to the golf course being closed, that money was lost on revenue for events that could not be held.

Mr. Howell moved to approve the reduction of payment on agreement of lease for Hot Stove at Cranberry Valley, 2nd by Mr. McManus. The vote was 4-0-0 with Mr. Ballantine, Mr. Ford, Mr. McManus & Mr. Howell voting aye by roll call.

- B. Discussion and possible vote -- Board of Selectmen meeting minutes
1. December 16, 2019
 2. December 23, 2019
 3. February 18, 2020

Mr. Ford moved to approve the Board of Selectmen meeting minutes as noted above, 2nd by Mr. McManus. The vote was 4-0-0 with Mr. Ballantine, Mr. Ford, Mr. McManus & Mr. Howell voting aye by roll call.

- C. Discussion and possible vote – Employment Contract for the Interim Town Planner – Charleen Greenhalgh

Ms. Greenhalgh has been well on her path to retiring at the end of the month. Anytime there is a vacancy, Mr. Powers will take the opportunity to look at reorganization possibilities. He will be presenting a rather significant reorganization for Community Development and Administration. Ms. Greenhalgh has offered to remain in the role of interim Town Planner for a 90 day period. She will be able to continue to help staff Planning Board Meetings and keep certain projects moving forward. A search is underway for someone to offer planning services to the town.

Mr. Ballantine asked what the timeline is for hiring the new position. Mr. Powers stated that he and Mr. Lawton are scheduled to meet on Tuesday to go over the framework of the reorganization. Mr. Powers hopes to present information to the Board at their November 23 meeting and then soon after initiate the search for the position.

Mr. Howell asked if there would be enough time for Ms. Greenhalgh to get the contract underway for the comprehensive plan rewrite. Mr. Powers responded that it would be a tall ask given the terms of her contract. He did reassure the Board that the contract would still be moving forward.

Mr. Howell moved to ratify the employment contract for the Interim Town Planner, Charleen Greenhalgh, 2nd by Mr. Ford. The vote was 4-0-0 with Mr. Ballantine, Mr. Ford, Mr. McManus & Mr. Howell voting aye by roll call.

OLD BUSINESS

- A. Discussion and possible vote – hardship exemption on annual liquor license fees due

This is for the Board to have a bigger discussion on if they want to have an exemption process or just rely the fee waiver or any other ask from establishments.

Mr. Ballantine commented that he has some reservations on an overall hardship exemption for businesses.

Mr. Howell had provided comment that he would like to see more information on what the financial implications would be.

Mr. Powers stated that his recommendation at this point would be to not limit general fund revenue. In previous conversation Mr. MacAskill, he agreed with this recommendation. While other towns may allow for a reduction of license fees, Harwich has been helping businesses from the beginning of COVID.

Mr. Ballantine asked what the fee schedule for renewals is. Mr. Powers responded that the fee schedule can vary, adding that there are annual and seasonal renewals that have either an all alcohol license versus a wine & malt beverage only license. Fees can range from about \$1400 to \$1900. This is a one-time fee that the license holder pays when applying for a new license or renewing an existing.

Mr. Howell requested to have an agenda item to discuss the sale of packaged alcohol goods, referring to nip bottles. He would like to have legal counsel weigh in on this as well. Mr. Howell was referring to restricting the sale of nip bottles from the liquor license. Mr. McManus added that if this is done on the Cape, that it needs to be a more coordinated effort rather than town by town.

Cyndi Williams was present remotely and asked for time to think about the topic rather than providing comment now. This certainly has been the industry that has been hit the hardest. She is proud of how the town has supported businesses with outdoor seating.

Mr. Powers commented that this is time sensitive because the license renewals had to be mailed out with the fee amount. If the licenses are renewed and paid and then town decides to grant hardship exemptions, rebates or reimbursements could be made.

Ms. Williams would also like the 9:30 p.m. curfew to be taken into consideration and the loss of revenue that has caused. We have no idea what the winter will be like for these businesses with the weather and uptick in cases.

Mr. Powers reported that revenue from licenses renewals last year was about \$76,000.

Mr. Ballantine asked Mr. Powers and Ms. Williams to come up with a recommendation for the Board to consider.

CONTRACTS

- A. Discussion and possible vote to authorize the Interim Town Administrator to execute the Estoppel Certificate between CVEC and the Town of Harwich -- Clean Focus/Greenskies Clean Energy

Mr. Powers stated that this was a matter that was first talked about before the pandemic and then throughout the summer. Town Counsel has been working with CVEC counsel and other parties impacted. Mr. Powers recommends approval of this request.

Mr. Howell asked where the array would be located. Mr. Powers responded that it would be one of the sides of the community center.

Mr. Ballantine noted that one of the abutters concerns was that the solar array would take up too much of the parking area and that it was too tall. He feels that questions were resolved with the better sketches that were provided.

Mr. Howell stated that he has higher expectations of a project when the town is the sponsor.

Mr. Ballantine requested clearer information on what is being proposed.

Mr. Howell directed staff to follow up on this project and negotiate, 2nd by Mr. McManus. The vote was 4-0-0 with Mr. Ballantine, Mr. Ford, Mr. McManus & Mr. Howell voting aye by roll call.

Mr. Powers added that the vendor jumped the gun on this project. They will be coming back to provide clearer information and follow the correct process.

TOWN ADMINISTRATOR'S REPORT

Mr. Ballantine asked Mr. Powers to bring the Board up to speed on the Veteran's Affairs position. Mr. Powers reported that the position has been working remotely and there is a person who will be replacing the current position. Carolyn Carey and her staff have all of the appropriate contact information on how to move forward. Once it can be safely done, the person will be moved back into the Community Center to work in person.

SELECTMEN'S REPORT

Mr. Howell commented that he assumes that there will be no formal gathering on Veterans Day. Mr. Ballantine confirmed that there will not be.

Mr. McManus asked everyone to remember our fallen Veterans. He also thanked everyone who served at the polls and made sure that everyone had their opportunity to get out and vote.

Mr. Ballantine stated that under normal circumstances, Ms. Greenhalgh would have been present for the Board to give her a formal thank you. He spoke for the Board and thanked her years of hard work.

ADJOURNMENT

Mr. Ford moved to adjourn the meeting of the Board of Selectmen at 7:30 p.m., 2nd by Mr. Howell. The vote was 4-0-0 with Mr. Ballantine, Mr. Ford, Mr. McManus & Mr. Howell voting aye by roll call.

Respectfully submitted,

Jennifer Clarke
Recording Secretary

