

RELEASED

APPROVED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
WEDNESDAY, April 1, 2020
6:30 P.M.**

SELECTMEN PARTICIPATING: Ballantine, Ford, Howell, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers; Meggan Eldredge, Health Director; Anita Doucette, Town Clerk; Michael Ford, Esq., Town Moderator; John Giorgio, Esq. KP-Law; and Dana DeCosta, FinCom.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30PM and called to order the Board of Selectmen. Roll-call: Mr. MacAskill – Here, Mr. Ford – Here, Mr. Ballantine – Here, Mr. Howell – Here, Mr. McManus – Here.

OLD BUSINESS

A. Coronavirus – COVID-19 Update

Ms. Eldredge reported there is an increase in State-wide positive cases. She confirmed that Harwich has one death associated with the COVID-19. She encouraged all to stick to the guidelines and continue social distancing, washing their hands frequently, and limiting person-to-person contact. Ms. Eldredge reported that a supply of personal equipment was received from FEMA; Harwich has plenty of PPE. She said we have received notification from Barnstable County that money that has come through from the State has been distributed. Harwich will need to submit invoices to the County; our first \$6,000 allotment has been received. Ms. Eldredge said they are keeping costs down as much as possible by reducing the number of visits per week and by the VNA being allowed to turn over tracing to volunteers.

B. Discussion regarding rescheduling of 2020 Annual Town Meeting (ATM) and 2020 Annual Town Election

Mr. Powers asked Mrs. Doucette to review her letter to the Board dated March 30th. She said in considering rescheduling the date of ATM from May 4, 2020, the following items need to be considered:

- Town Moderator's availability
- Re-opening the Community Center to the general public
- Availability of sound system company that works with Channel 18/Community Center
- Availability of Cart reporter for real-time transcription service
- Availability of Highway Department to set-up gymnasium for a multiple-night ATM

Mr. Michael Ford said he is available for the month of June with the exception of June 15th, and possibly June 16th, since that is when he is committed to the Orleans ATM.

Mr. Giorgio said under normal circumstances a Town needs an ATM by June 30th to expend from the next fiscal year's budget by July 1st; however, the legislature is working through a municipal relief bill which will allow spending after July 1st, spending on a 1/12th basis from the previous fiscal year's budget. Mr. Giorgio said since Harwich has not posted the Warrant, the Board has the authority to postpone ATM and can use any date for ATM.

Mr. Stephen Ford asked Mr. Giorgio if there is a provision in the pending legislation relating to ATM quorum. Mr. Giorgio said there is a provision being considered that allows the Board of Selectmen to adjust the quorum; however, he said we will have to wait and see what will come out of the General Court.

Mr. Howell noted there will probably be no override requirement in the Warrant.

Mr. Giorgio said the General Court has passed legislation that does not include any provision for extending the Town Election beyond June 30th. He said the Board of Selectmen is free to set the date of the election by voting a date at least 20 days into the future. Mr. Giorgio reminded the Board that the public would need to be advised of the calendar date change and the need to register to vote for 10 days

prior to the election. He said any incumbent will continue to serve until a new election. Official ballots can be used even with the wrong date.

Mrs. Doucette said the Ballot has not been printed yet. She stressed the importance of notifications to the public of an election postponement and a new date and polling place times.

Mr. Powers asked that the Board keep the discussion to ATM at present and then take up discussion of the Town Election following Board action.

Mr. MacAskill moved to postpone the May 4, 2020, Annual Town Meeting until June 22, 2020. Mr. Howell seconded.

Mr. Giorgio said a nice tool that the Massachusetts General Laws provide is once the ATM Warrant is posted for the date of June 22d, the Town Moderator and the Board of Selectmen can convene on that date but then recess and continue ATM at a later date not more than 30 days hence, using public health as justification. He said such an action could occur any number of times in succession; it could be delayed 30 days and then another 30 days – continuing into FY22 using 1/12th of the FY20 budget each month.

Mr. Powers said the motion should state the time to begin ATM on June 22.

Mr. MacAskill modified his motion. He moved to postpone the May 4, 2020, Annual Town Meeting until June 22, 2020, with a starting time of 7PM. Mr. Howell seconded the modified motion. Roll-call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine - Yes. The motion carried by unanimous vote.

Mr. Powers said he recommends scheduling the Town Election on Tuesday, June 30th. Mrs. Doucette said the Board of Selectmen can vote to minimize the voting hours, as long as the changed hours start before 12N and end a minimum of four hours after that. She noted that early voting by mail and absentee voting by mail will reduce the numbers of persons at the polling place. Mrs. Doucette recommended the polls open at 10AM and close at 2PM.

Mr. Stephen Ford said if we shorten the hours, there will be more people in that time frame in the building. Mrs. Doucette said she hopes people will take

advantage of the flexibility to be able to vote by mail; however, she said she can accommodate whatever voting times the Board of Selectmen adopt.

Mr. Powers stressed the need to get the word out and advertise the change of date and modified election hours. Mr. MacAskill said if the hours are shortened, they should be for at least six hours.

Mr. MacAskill moved to change the date of Town Election from May 19, 2020, to Tuesday, June 30, 2020, with the polls open from 10AM to 4PM. Mr. Howell seconded.

Mr. Powers said we don't want to disenfranchise our working people by ending the polling hours too early. Mr. McManus recommended 11AM to 6PM or 11AM to 7PM. Mr. Howell said he would agree to 11AM to 6PM, which means the polls would close one hour after a normal work day.

Mr. MacAskill modified his motion. He moved to change the date of Town Election from May 19, 2020, to Tuesday, June 30, 2020, with the polls open from 11AM to 6PM. Mr. Howell seconded the modified motion. Roll-call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine - Yes. The motion carried by unanimous vote.

Mr. Ballantine thanked Mrs. Doucette for her detailed letter of March 30 and for her leadership. He thanked Attorney Ford and Attorney Giorgio for their participation.

Mr. Michael Ford said the latest version of the pending legislation does not include a provision for reducing the quorum; however, it might be included in the final version.

OPEN PUBLIC FORUM

The Chairman opened the Open Public Forum. The public was invited to call in and participate in the meeting to offer comments and/or questions. Scott Tyldesley reviewed the procedure for remote participation. The appropriate phone number was displayed. However, following a two-minute waiting period, no one emailed or dialed in.

TOWN ADMINSTRATOR'S REPORTS

Mr. Powers said he had nothing further to report. He reiterated that most of his time is taken up with responding to daily actions concerning COVID-19.

SELECTMEN'S REPORT

Mr. Stephen Ford thanked the Town of Harwich team and especially Mrs. Doucette for her excellent letter.

Mr. MacAskill agreed with Mr. Ford. He said there are items that he wants the Board to discuss. He said one is overtime at the Transfer Station. Another, he said, is administration costs. He said he is concerned about raising a part-time employee to full-time. Mr. MacAskill asked why we would pay someone to create minutes of the Selectmen's meetings and not utilize staff already in place. Mr. Powers said he looks to the Board to give instructions as to specific topics to be placed on the agenda. He said Mr. MacAskill's concerns can be addressed at the Tuesday, April 7th meeting. Mr. Ballantine said we don't drop issues we need to tend to, adding that perhaps some people are catching up on back items.

Mr. McManus thanked the Town staff. He said he knows that some of the Public Works staff has been furloughed; however, with many persons using the beaches for exercise, he asked for extra collection from the overflowing trash cans. Mr. McManus said he agrees with Mr. MacAskill's concerns and agrees there should be discussion at the April 7th meeting.

Mr. Powers said the Department of Public Works is already responding to the need for additional trash pickup at the beaches. He added that Governor Baker's Order #21 declares that recycling centers are considered essential services, so that service has resumed at the Transfer Station.

Mr. Ballantine thanked the staff and Scott Tyldesley.

ADJOURNMENT

Mr. McManus moved to adjourn at 7:34 PM. Mr. Howell seconded. Roll-call vote: Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by unanimous vote.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Tem