

RELEASED

APPROVED

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

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

ALSO PARTICIPATING: Interim Town Administrator Joseph Powers and Health Director Ms. Eldredge.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. He explained that he first called the meeting to order for executive session to discuss the item; pursuant to MGL c.30A, §21(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; Chief of Police, Incoming Fire Chief and Finance Director. Mr. Powers asked for some general guidance going into negotiations and there will be follow up.

Mr. Ballantine also commented, that they have been granted some relief in regards to wearing the masks. They are maintaining the six feet of social distance and this will help them be heard better.

WEEKLY BRIEFING

A. COVID-19 Updates

Mr. Powers began the update, explaining that they have a lot to go through. They are still waiting on important updates from the Commonwealth, in regards to the restaurants, which has not arrived.

They were on a call with the Department of Public Health, which was about the rioting happening, and also about camps and child care.

Specific to the Town of Harwich, they have two resumption plans. First, he would like to pass it over to Ms. Virginia Hewitt, Library Director, Brooks Free Library, to discuss the curbside pick-up at the library. This will begin on June 8th. Ms. Hewitt and her staff have done a great job to get it started. Then they will hear from the Harbormaster, about his resumption plan.

Ms. Hewitt had difficulties with her microphone, so it moved first to Mr. Rendon.

Mr. John Rendon, Harbormaster, said that they are in a good position to reopen the Harbormaster to the public. They are open every day through the summer season, 8:00 am to 8:00 pm daily, 7 days a week, during the boating season (Memorial Day to Columbus Day).

The type of business, for both the Harbormaster Department and the Natural Resources Departments, include: sale of daily and seasonal ramp permits, payment of short-term dockage, payment of transient dockage, purchase of shell fish licenses, payment of waterway user fees, and they deal a lot with the public for questions regarding ferry, passenger boats and charter boat operations.

They have been outfitted with plexiglass protective panels for the customer front counter. The set up in the office space has a front glass door that leads to a small foyer, and then another glass door that goes to the inside office space. Once inside, they have a front counter that the public come to conduct business. Only one customer at a time will be allowed in the office and they will be required to have face covering. The staff will at all times have a face covering, and of course, the plexiglass as well. They will have signage to reflect that.

They will be able to have only one waiting customer, which will be allowed in the foyer. All other customers waiting, will be required to wait outside. They will mark with tape, 6' distances on the deck, leading to the front office door.

Mr. Rendon explained that Ms. Eldredge is working on some signage, which they will need to have prior to opening. They will have hand sanitizer as well. The public restrooms are currently not open. However, when the Snack Shack is allowed to have outside seating, then they should have public restrooms available.

Ms. Ballantine asked Ms. Eldredge what the trigger is for opening the bathrooms and if it is tied in with opening the restaurants. Ms. Eldredge explained that restaurants require bathrooms for employees only. They are not required for the public. The state plumbing code requires it for the general public, and it may be a violation of that code. If restaurants open with sit down dining service, they will need a bathroom there. She also explained that the operator of the establishment has a key and access to the bathroom, in the meantime.

Mr. Ballantine asked for clarification on other bathrooms which do not have to do with restaurants; such as, the golf course and Harbormaster office. He would like to know what is the trigger is for opening. Ms. Eldredge said that they are able to open bathrooms at the Harbor, the only hold up right now is the need for custodial service. They do not have enough staff for the cleaning and sanitizing required. The golf course is different, they are not allowed to open their club house or restrooms, and are only able to utilize outdoor portable toilets.

Mr. Howell commented, on what Ms. Eldredge said, that it is not our order about the porta potty. However, intellectually, it just doesn't make any sense that the porta potty's are fine in a pandemic, but restrooms that can be cleaned readily are not. He is sure others are going to say it, so he just wanted to say it first.

Mr. Ballantine asked Mr. Rendon if folks are starting to fish. Mr. Rendon said that yes, they have a marina that is filling up really quick. The guidance for boating came out, and charter boats can start to charter. The ferry is still not running, but looking to start July 1st. The large passenger boats are still not running, because of the requirement not allowing more than ten people in a group. Recreation boaters and commercial fleets are operational, and charter boats have started.

Mr. MacAskill commented that Mr. Rendon is extremely busy in that Harbor now, and he thinks that the bathroom is a very important one to get open. He then asked if there is anything in the CARES Act, where the Town could reimburse a portion of the slip fee this year for the ferry and big passenger boats, because of how much business that they are losing. If it possible to give back some money from the CARES Act, not from Town funds.

Mr. Powers said that he will speak to that. Presently, there has been discussion about the use of CARES Act funds to account for loss revenue. It is not in place however, but there is discussion about that, so it could change in the near future. Mr. MacAskill said, that is something which the Board should keep track of, and endorse if they have the opportunity to.

Ms. Hewitt joined the call and is here to talk about the curbside pick-up plan. She explained that e-books and electronic resources have continued to be available over the past couple of months, while they were closed to the public. They are so excited to start this service. One of the main concerns people have when thinking about this service during a pandemic is the safety of borrowing materials. The safety of patrons and staff members during this pandemic, is the top priority. They are following guidelines from the Center for Disease Control (CDC). They will be quarantining all materials for at least 72 hours, when they are returned; as time is considered to be the most effective disinfectant. Once the quarantine period passes, no further disinfection is needed.

Patrons will place all items being returned into the exterior book drop. They will not be allowed to hand them to staff members. Once the bin is full, it will be wheeled to a quarantine room, and will sit for 72 hours. After the quarantine period, staff members can bring the bin to a workstation where the items are then checked-in. Patrons may notice that a book will remain on their record after they return something for a couple of days. Clams Library has agreed to waive fines during the pandemic, so no fees will be incurred because of the quarantine.

They have designed the curbside pick-up to be no contact, patrons will be scheduled for an appointment with a period of a half hour. They hope it will ease any congestion. People will park their vehicles and walk over to pick-up the bag that is marked with their name. They will have staff members available for questions, but they think it will be quick. To place requests; people will do that online using the Clams catalogue, or they can call the library for help, Monday through Friday, 10:00 am to 4:00 pm at 508-430-7562.

Another thing to note, is that the statewide delivery service that brings items from one library to another, is still not operational and probably won't be back to normal until June. So, until then, items are only limited to items in the

library. They will have to do some work arounds, and until this is operational, they are limiting the number of items that can be reserved. They have had to re-work how they are doing everything. They are doing a test run of how this will work with patrons that had things on hold prior to the pandemic, and working on holds from the past two months. As they get the backlog cleared, people won't have to wait as long for pick up.

The Friends of Brooks Free Library are starting up the Books on Wheels Homebound Service, and this can also be used by patrons that may have physical limitations or those in vulnerable immune system. They can call the library. Also, they are not able to accept any donations, so they ask people not to leave any boxes outside and not to return any books that are not library books.

Ms. Hewitt concluded that the curbside pick-up plan is on the website, and it is part of the larger resumption of services plan. She thanked Mr. Powers and Ms. Eldredge for their help and they are excited to get started.

Mr. Powers provided an update on the planning for the Monomoy Regional High School Graduation Ceremony. They will be having another planning session on June 4th. They do not know what it will look like, but they do know they will have one, which is a wonderful statement for the community. The graduation is tentatively scheduled for June 23rd. Mr. Powers told the Board that as there is more information, he will let them know.

They will be getting an update from the Golf Director. Golf had some functions that were related to Phase II, as early as June 8th, with expanded hours and the use of the driving range.

Mr. Powers and Ms. Eldredge will be bringing to the Board a plan that ties into essential businesses, non-essential businesses and office space which is one of the guidance documents in the packet. When Governor Baker announced on May 18th, that they were working towards this, there was a statement about occupancy/capacity. So, they are working on that. As a government operation and essential business, they have an obligation to meet those requirements. However, they have a grandfather clause, that they do not need to have a plan in place until July 1st. So, they have been working very actively with other staff on how that will impact office space throughout town buildings and the impact on remote work capabilities and several others.

The point on that is that as they get more guidance and are able to reopen, they will use this mechanism to report to the board.

The MMA announced on Thursday, that they got word from the Executive Office of Public Safety that testing for COVID-19 for essential workers and government workers has been expanded to Municipal government workers. Mr. Powers and Ms. Eldredge availed themselves of that. They tried two different locations. The test came back negative. They will be updating the staff going forward to roll out some guidance on discretionary, not mandatory, testing for employees if they choose to.

Mr. Powers turned it over to Ms. Eldredge for her report.

Ms. Eldredge said that the dashboard on the Mass.gov website has changed a little bit. They are now reporting confirmed cases, as well as, probable cases. Probable cases are people who have had the antibody test and it has come back positive, or someone who has displayed symptoms of COVID-19 and they are a close contact of someone, who was confirmed positive by a laboratory test. Those numbers were added to the dashboard today, so the numbers look really huge, but they are not that huge.

It is 3,500 probable cases, from the very beginning when they started doing serology testing back in April, to today. So, if you look at total numbers, the dashboard is showing 3,840 new cases, and that is confirmed and probable. Only 326 of those are laboratory confirmed; which is the data that has been used all along. With the new dashboard, they will be including those numbers going forward. There is a total of 100,805 confirmed and probably cases in Massachusetts, and 7,035 confirmed deaths, from COVID-19. In Barnstable, the number of cases are creeping up. Currently, they are at 1,424 positive cases, including probable and confirmed cases. Barnstable county has 118 deaths related to COVID-19. For Harwich, there are 121 total cases, which are just the confirmed numbers, and 71 of those are associated with Wingate residence or staff. This leaves 50 others. They did have a few new cases over the past 48 hours, and they are connected with previously confirmed cases. So, that includes household members and contacts that they already knew about. It shows how easy it is to contract the virus while living in close quarters. They have a total of 22 deaths, and 18 of those are associated with Wingate.

The dashboard on the Mass.gov website, which circles back to the reopening plans and shows the six indicators for reopening. They have yellow, green and red to show the stages, for things to look at, to be able to go forward with reopening.

The six indicators are: the number of positive test rate, the number of individuals that have died from COVID-19, the number of patients in hospitals, the healthcare system readiness, the testing capacity and the contact tracing capabilities. Right now, Harwich has two greens and 4 yellows. The greens are positive trends, and that is in the COVID-19 positive test rate and testing capacity. So, in order to move to Phase II, they need to move into positive trends for the number of individuals that have died, that needs to trend downward, the number of patients in hospitals, also needs to trend down, and the healthcare system readiness needs to trend upward, as well as contact tracing capabilities. From the conversations with Department of Public Health, which they are now having calls nearly every day, those four yellows, are close to turning green. They have increasing testing capacity, and healthcare system readiness is looking good. They have only seven patients in Cape Cod Hospital, and two in the ICU, which is a downward trend from even a week ago. Governor Baker is going to make an announcement on Friday, June 6th, as to whether or not, he will give the green light to go to Phase II. So, we are looking at potentially being able to move into Phase II on Monday June 8th.

They have new guidance for restaurants, lodging and retail spaces, which just came out. On Friday, their phone call with the DPH, had restaurant and lodging guidelines and mandatory workplace safety standards. Then, today they learned about camps and retail spaces. Those documents are up on the Massachusetts Department of Public Health's reopening page. That page has a lot of information for industries that they need to do in order to open. It has guidelines on best practices on how to make it happen. So, there are standards and mandatory things, like the 6' apart and bars are not being allowed to open. Then they get into the best practices, like; disposable menus, no salad bars, reservations so there are no lines, and hygiene protocols that need to be followed.

Ms. Eldredge has been working with her department and Mr. Powers on getting the guidance out to the restaurants. They have set up a GoToMeeting seminar for all restaurant owners or managers to attend on Wednesday

afternoon. This will provide a time for them to hear the guidance and the town's interpretation of it. She has also requested that they email in specific questions ahead of time, so she can be prepared to answer all questions. She is doing the same thing for lodging the next day and anticipates doing more for camps, pools and retail spaces. They are very busy working with industries and what this all means and how to regulate it. They have received some information on some grants for reopening, and alternatives for outdoor spaces and how the local government can assist businesses in making a smooth transition. Restaurants are going to be looking to spill out of their doors to sidewalks and parking lots, and they should know the town is open to all suggestions and possibilities. It just needs to go through the proper channels and make sure everything is legal. They are trying to streamline the process and not make it so cumbersome and they need to get this done as soon as possible.

Mr. Powers explained that Ms. Eldredge's report above crept into the item 'B' topic below. During her report, he received an email from Senator Cyr, that Governor Baker has released his Phase II order, which has information regarding what they are discussing this evening. In his Phase II order, it says that preparation and accommodation for outdoor restaurant dining service with two items. The first, in the opening paragraph, says that restaurants will be authorized to provide outdoor tables service at the commencement of Phase II, of the Commonwealth's phased re-opening of workplaces. If the public health data reflects continued positive progression; restaurants will be authorized at a later date, and by a subsequent Phase II order, to commence indoor table service.

In each case, restaurants will be required to comply with sector-specific COVID-19 workplace safety rules for restaurants. This is in the packet this evening. There is a definition of what "outdoor table service" means, which he can read. However, first there is a closing paragraph that says; "In order to provide improved opportunities for outdoor table service, for any type of license that permits the sale of alcoholic beverages for on-premises consumption, a local licensing authority ("LLA"), may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service, as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, without further review or approval by the Alcoholic Beverages Control Commission ("ABCC") prior to issuance. Upon approval of an amended license, the LLA

shall provide notice of the amended license to the ABCC. In the memorandum, Mr. Powers provided to the Board tonight, they talked about the DPH call they were hoping to get guidance on tonight, but they did not. Though, he thinks the discussion tonight can begin talking about when they can get in front of the Board, as the licensing authority, to amend licenses for the outdoor service of alcohol. This is just coming out, and the kind of information they have been hoping for. He will now move it forward to item B.

Mr. Ballantine asked Ms. Eldredge about the three yellow's turning green and the trend. If they do not make it, and the trend looks more positive, what is the process going to be. Ms. Eldredge said, it would be looked at on a weekly basis. To see the trend, it will not be based on one or two days' worth of data. A trend is a minimum of three weeks. If we need a fourth or fifth week, that will continue week to week.

Mr. MacAskill asked if the individuals at Cape Cod Hospital are Harwich residents, or from across the Cape? Ms. Eldredge said that it is Cape wide and only from Cape Cod Hospital. She did not look at Falmouth. The numbers can be found daily on the dashboard. Mr. MacAskill also asked if the numbers from Wingate are skewing the trendline? Ms. Eldredge responded, that it is a state trendline, they are not a town by town trend, it is a statewide. However, long term care is a huge chunk of all cases and most deaths. Getting that under control is vital to moving forward.

Mr. MacAskill then asked if out of the 50 cases, how many are still active. Ms. Eldredge knows of at least 15, that is a ballpark, a couple of those are workers at long term care facilities. The bulk of those are households; some households of 3 or 4 members each. It is frightening, because it could quickly spread again.

Mr. Howell said that amongst the camps, there are also the preschools that had sessions. He is the Vice President of the Board of the Harwich Ecumenical Council for Housing (HECH), who run the Children's Center. He wanted to mention that there is a difference between what the Governor is allowing people to do, and what is actually feasible to do. So, unlike restaurants and other places, HECH basically laid everyone off because the rules that allow it to come back, are completely implausible. It can't be

sustained by income. There is no way to see any preschools opening this summer and possibly permanently. He just wanted everyone to hear that.

B. Update on ongoing efforts by the Town in support of the Business Community during the COVID-19 Pandemic

Mr. Powers said that he would like to recognize and turn it over to Ms. Cyndi Williams, Executive Director, Harwich Chamber of Commerce.

Ms. Williams said that they are working closely together on the easiest and safest ways to get businesses open and running. Big things coming up this week, will be the two virtual seminars with the restaurants and the lodging. Ms. Eldredge sent the email out, and she has followed up with its members and they are all eagerly waiting on the guidance. They can't wait to get everyone open and they are getting creative and recreating themselves in a way. It is time, and so they will work together closely and think outside the box.

Mr. MacAskill said that related to the outdoor seating and liquor license, this Board owes it to the community, to meet as often as they can. He hopes the Board will entertain meeting as often as they can, as the applications are ready. They need to be ready to hit send, to move it forward. He would encourage the businesses to do this, so they can be permitted to operate right away. He hopes they are doing everything they can internally to move it along and not wait for the guidance to come out.

Mr. Ford said that he would absolutely be there to help out any local business.

Mr. Ballantine said that the Board of Selectmen should be proactive and provide more of a checklist item. Mr. Powers said that given the Governor's order, "Notwithstanding the provisions of chapter 40A of the general laws, or any special permit, variance or other approval thereunder, or any other general or special law to the contrary, a city or town may approve requests for expansion of outdoor table service, including in the description of licensed premises as described below. Prior to such approval, the mayor, select board, or chief executive as established by charter or special act, shall establish the process for approving such requests. Such process need not comply with the notice and publication provisions of section 11 of chapter 40A." So that is a significant change that allows them to get to where they are talking about.

They should look at the June 8th meeting, to identify the process and initiate the process at the same time. So, if Phase II begins June 8th, they can meet, discuss and initiate the process at the same time, to get people where they need to be sooner than later.

Mr. Ballantine suggested that Mr. Powers and Ms. Eldredge should meet to determine what the guidance should be and to streamline it to not make it cumbersome.

Mr. MacAskill asked Ms. Williams, as she reaches out to these businesses, she should get them to have their plans ready. Some restaurants already do, some have obvious space to operate, some do not and will need more planning. They have just pledged to do what they can to help get them operating as quick as possible, but they have to do what they can, as well, if they want to operate outside. Ms. Williams said, absolutely. They have been waiting to hear on the guidance and now they will know that the Board will push it forward. She has been working with them on the creative things they can do with their properties. This is all good news.

Mr. McManus said that there is some indication that they should approve a process first, and then approve the license. He asked if it is possible to meet Thursday night, to approve the process, so then people can bring applications in on the 8th, for the Board to begin approving. It would seem that they need to approve the process in advance, so, people can put applications together.

Mr. Ballantine said he would need to turn it back to Mr. Powers and Ms. Eldredge for what the resources are. Mr. Powers said he does not think that is necessary or practical. He has a meeting tomorrow, to talk more with the Lieutenant Governor, and in reading this document, it talks about waiving all of the public hearing requirements, that would have related to all of the regulatory bodies in town and it says that approval of the plan by this Board, may be exercised immediately, upon filing with the Town Clerk. Knowing what they can communicate to the restaurants on Wednesday, and lodging on Thursday, puts a lot of pressure on them to be ready for Thursday night.

They have really created a situation where they can be in place on June 8th, if that will be the beginning of Phase II, if dictated by the Governor. Mr. Powers said that they can do Thursday, though not sure it is practical. He feels that

doing the calls which Ms. Eldredge has set up and being ready for Monday to be able to accomplish as much as possible.

Mr. McManus asked if he indicated that it is on the filing with the Town Clerk. Mr. Powers said no, it is the approval of the Board. Mr. Powers said that if the Governor approves Phase II for June 8th, they can have a packed schedule, have restaurants ready with applications and be able to issue approvals to go into effect for June 9th.

Mr. Ballantine would like to spend more time up front, to make sure it is streamlined and goes quickly.

Mr. Howell said, he would just like to throw a wild card out there. This is really supersonic speed for the Government to pull this off so quickly. For small businesses, no one is going to school and they can do virtual school work anywhere, so we should allow for the possibilities of having more activities. It would be good to get the most out of the season.

Mr. MacAskill added that COVID-19 has created a case of an emergency and there is no reason that they can't call an emergency meeting. Mr. Ballantine agreed that they will call any meeting as necessary.

Ms. Williams said that the next big thing will be the calls on Wednesday and Thursday. The businesses will then know and be able to start putting this together. This is the next step for everyone.

Mr. McManus said he would much rather have a chance for the Board of Selectmen to weigh in this week, as to what is going to be proposed on Monday, to make sure nothing will come up to throw everything off. Mr. MacAskill and Mr. Ford noted that they are available.

Ms. Eldredge asked to clarify, that the meeting on Wednesday is to review the State guidelines that they put out with the 6' separation of tables. It does not include how many feet from the sidewalk tables would need to be or about outdoor lighting, if that would be allowed for safety reasons. So, Wednesday will be sharing the guidelines. She does not have the answers that the board is looking for, or what applicants are looking for. They have told them that they need to have a site plan. Though they have not told them what that site plan needs to include, such as, parameters for traffic flow, how many people,

how many feet between barricades, roadways, parking lots and sidewalks, traffic and parking. These are decisions that need to be made by the Board of Selectmen. She thinks that having a meeting beforehand, is a good idea, if they want businesses to be able to provide them with a plan for what they want and what can be approved.

Mr. Ballantine said that they are all good with that. They will just need some sort of format going into it, so that it is a good discussion. He asked Mr. Powers if Friday would be too late for the meeting? Mr. Powers said that Friday is good, anything that is before Monday.

Mr. MacAskill said that he would be looking for what guidelines may be available from the other towns that are doing this.

Mr. Howell said that Friday would be fine. The call on Wednesday may not have been set up for that purpose, but questions should be gathered.

Mr. McManus said that it is his assumption that they create the process and answer questions on barricades, etc. Then when restaurants bring in their plan, they will be able to approve the amended liquor license and not require them to go in front of other departments. Mr. Powers confirmed that is the assumption.

Mr. Howell said that he was more basing his comment on what they already know, but what people might actually need.

Mr. Ballantine said that they will meet on Friday. This will be a two-way discussion on what works, and what may not work. Ms. Eldredge explained that it will be difficult for some restaurants to operate outside of their walls, and will need to look at parking lots and sidewalks. They need to know who will make that decision, and they should consider having a representative from Zoning or ADA present. The all agreed.

Mr. Powers reiterated, from the document, that restaurants will be authorized to provide outside table service at the commencement of Phase II. The next statement is that the request for expansion of outdoor table service can be approved by the Board of Selectmen. So, the request has to come in from the establishment, specifically for outdoor table service and it can be approved by the Board of Selectmen. Prior to the approval of that request, the Board of

Selectmen shall establish a process for that approval. So, what he thinks he is hearing, is that the meeting on Friday should be a discussion of the Board of Selectmen as to an approval process. Understanding that starting on June 8th and soon after, there will be applications for the expansion of outdoor table service.

Mr. Howell said that they need to meet at the earliest possible time, so that they can hit the ground running. They should post meetings for each day, if they can, because then they can cancel the meeting. This would give the time needed to post.

Mr. Powers asked what time on Friday they would like to meet. Mr. McManus said that noonish would be good, to give more time, to be able to give the staff direction on putting the process together for Monday.

It was agreed to meet on Friday at 1:00 pm. Lastly, Mr. Powers said that they are aware of grant opportunities for the use of road closures and restrictions. If the Board has any immediate thoughts. He did ask Public Safety to analyze the thought of closing portions of Route 28, or one-ways, to allow for greater outdoor space. If the Board wants to authorize him to look into options.

PUBLIC HEARINGS/PRESENTATIONS

- A. Discussion and Possible Vote – To approve Proposed Disposal Area fee increase to Residential Sticker fees, Non-Resident Sticker fees and Recycle only fees

Mr. Ballantine moved to open the Public Hearing to discuss the proposed Disposal Area fee increase to Residential Sticker fees, Non-Resident Sticker fees and Recycle only fees. Seconded by Mr. Howell.

Mr. MacAskill said that perhaps Mr. Hooper does not need to go through the whole report again.

Mr. Lincoln Hooper said he would just like to have the floor, to get through the whole thing to review two pieces of information. The first being, that the total of all of these requests, if approved, is approximately \$120,000 in total of new revenue. In regards to the total operation, of approximately \$3.2 million, that is roughly a little less than 4%. So, it is not the end of the world

if the Board does not take his recommendation this evening. He has done what he could to minimize this request. The math works out with the \$30 per ton increase and if you figure an average household does about 1.25 tons per year, that math works out to be \$37.50 of an increase. Thanks to the very robust commercial business they have at the disposal area, he has been able to minimize the request to the \$20 that is before them. And finally, Mr. Hooper realizes they are in a global crisis, and an economic crisis, and now is not the time to be bringing this forward. However, he feels he would be neglectful in his duties, if he did not bring them the data.

Mr. Ballantine thanked Mr. Hooper for the work he has put into this. Also, he commented that Mr. Hooper is caught in the middle, since he was asked to make sure that fees cover expenses, but this is a tough time. He asked what the negative impact would be, if they postponed this discussion till the Fall, or once they knew what the economic situation will be.

Mr. Hooper said that they signed two new contracts for MSW last January, so residents have had six months at the old rate. Postponing it, means that they are going to be looking at something like \$30 to \$40 range the following year, which is a significant increase. Is it the end of the world, will the books be out of balance, no. It will be tighter, but doable.

Mr. MacAskill moved to close the Public Hearing. Seconded by Mr. Howell.

Mr. Ford said that he had given this some thought and had spoken with Mr. Hooper. He does think it is right for the presentation to be made to them, as to where they stand and where the action they take might affect the residents of the town. He thinks they have two options here. As the Board, they are concerned about raising fees at this time, and they are going to a 1/12 budget. They are all waiting to see where they are at, going into the Fall. He would be as comfortable postponing, with a caveat to the residents that there will be an increase at some point, and it could be \$30 or \$40, as Mr. Hooper pointed out.

Mr. Ford said that it is Mr. Hooper's job to point out to us what they need as revenue in order to run the transfer station and dump as he has been running it all along. He has had calls from people with concern about raising fees. But he thinks at some point, it will need to happen to keep the economic cart moving in the right direction.

Mr. McManus said that he agrees with what Mr. Ford said. He has advocated for reviewing and raising fees each year to avoid having to make such a big jump. As Mr. Hooper has indicated, if they don't increase this year, it will be a bigger increase next year. But with the uncertainty of the municipal budget and citizen's personal budget, it probably makes this the year that we try and tough it out. That goes against the position he has held since he was elected, but they are in a position, where all bets are off. With that he would make a motion to not increase the fee structure this year. Seconded by Mr. MacAskill, with discussion.

Mr. Howell recognized that he is going to get comment from people, from off Cape, with this comment. Though by definition, the non-residents showing up here have a second home. They are coming here not being a resident. He would have approved the non-resident part of this, but he could not see raising fees for anyone who lives here, especially since we have such a large population on fixed incomes over 65. They need to rethink what the spread is. The difference is less than \$2 per month, and he does not understand that at all.

Mr. MacAskill commented, if this does not get voted, someone could make another fee schedule, if so inclined. He thanked Mr. Hooper for the answers to his questions and at some point those answers should get into the packet. He still does not agree with him, but appreciates what he brought forward. Mr. MacAskill does agree with Mr. Howell, on the non-resident fees and also would consider recycling fees going up. As a Board they need to dive into taking care of the Town of Harwich, and only the Town of Harwich. They have some tough decisions coming up, on staff and the size of their operation. He would not support raising fees for residents, but would consider non-resident fees.

Mr. McManus said, to clarify, that the non-resident stickers are not for those with second homes. They are for other town residents, that look to use the transfer station in Harwich. Mr. Hooper confirmed that was correct. The non-resident sticker, which they sell 145 annually, is for people coming from other towns. Particularly those coming from towns that have adopted the pay as you throw regulations. He is one of them, and would not be opposed to raising whatever the Board thought on that, as well as, the recycle only sticker. They

do not sell a lot of them, only 325 annually. Serious consideration, that should go up, because recycling has been in the tubes for the last couple of years.

Mr. Howell would like to know why those with second homes are grouped together with full-time residents. Mr. Ballantine said that it would require a further, down the road answer, but they can take two actions tonight. They can take an action, and look to raise the recycling and non-resident rates.

Mr. McManus said that he assumed, the reason why people who have second homes here are grouped with those that live here year round, is because they pay the same taxes here. As opposed to people who live in another town and may have some contact to Harwich, or a matter of convenience. He would not support raising fees. Though he would offer an amendment to his motion, to increase fees for the non-resident and recycling.

Mr. Ballantine said they should vote on the original motion; to leave the sticker fees the same.

All in favor, motion carried by unanimous vote.

Mr. Ballantine will now entertain a motion to raise fees for non-resident and recycling fees.

Mr. Howell made a motion approve the non-resident sticker sales from \$180.00 to \$200.00 and the increase for the recycle only from \$20.00 to \$50.00. Seconded by Mr. MacAskill.

Mr. MacAskill asked about Mr. Hooper looking into any increase in the Commercial MSW rate, to help with the shortfall. Mr. Hooper said that he had reviewed that back in December, when the Board voted to increase the rate to \$120/ton, which is \$10 per ton over what they charge in the Town of Yarmouth. This seemed to have made sense.

All in favor, motion carried by unanimous vote.

NEW BUSINESS

A. Vote to award the Bond Anticipation Notes

Ms. Carol Coppola, Finance Director, explained that they had some great results in the market on May 19th, 2020, when the bond anticipation notes sold. Right now, the town has \$2,161,617 outstanding in existing bond anticipation notes. Those become due and payable on June 18, 2020. Last year the BANs sold in a competitive market at a net interest cost of 1.6822%.

So, it is time to renew those BANs. The Town pays off some short term debt with these BANs. They paid off some short term road maintenance and the design and engineering for Fire Station 2, as well as Wychmere Pier. There was a total of \$445,817, which was paid down this year. They are adding \$50,000 to the BAN and are subtracting out what was already paid down on those. This year, the BANs that went to the market for a competitive sale totaled \$1,765,800. Of that, over \$1.5 million is for road maintenance and \$153,000 remains for the design and engineering of Fire Station 2. Then there is money for Cold Brook of \$20,000 and Phase II construction easements, that are not covered under the State Revolving Loan Fund (SRF) note.

On May 19th, they went to market and had four competitive bidders. The total interest cost, was a 2% coupon rate and the net interest cost on the BANs is 1.004%; which is a great rate. The town was not required to have a rating call, which was also good news. If the Board has any questions she is happy to answer or if they would like to take up the vote of the Board of Selectmen to authorize those BANs that would be great as well.

Mr. McManus moved that the Board of Selectmen adopt the statement provided by the Clerk, to the Board of Selectmen, regarding the award of revenue of BANs and dated June 1, 2020. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

B. Discussion and Possible Vote – Designate the Interim Town Administrator as Hearing Officer for a Hearing to be held relative to the alleged violations regarding On-Premises Consumption of alcohol at Port Restaurant and Bar, 541 Route 28, Harwich and Ember, 600 Route 28, Harwich during COVID-19 Restrictions

Mr. Powers explained that there is a memorandum in their packet from Kevin Considine, Deputy Chief of Police, from last week detailing allegations regarding on premise alcohol, when it is banded during COVID-19. The purpose of this is for the Board to determine if there is sufficient reason to send this to the Interim Town Administrator as the Hearing Officer.

Mr. McManus moved to refer the allegations and report to the Hearing Officer to conduct a hearing and determine what actions should be taken. Seconded by Mr. Howell.

Mr. Ford said, not in relation to these two allegations specifically, but if they do uncover allegations like this it should affect whether they are willing to adjust someone's license in the future. They should hope they are all on the same team here. All of the Board of Selectmen members are in support of getting businesses up and running, but if they are not going to work with us, he thinks that is a real issue.

Mr. Ballantine said he had the same comments and was disappointed by these allegations.

All in favor, motion carried by unanimous vote.

Mr. MacAskill asked about an update from the hearings that had occurred previously, which had to do with one of these establishments and another one.

Mr. Powers said that one of the hearings was concluded right before the onset of COVID-19. The other one was scheduled for the week when the Governor shut everything down, and is being rescheduled for the middle or end of this month. He is hoping to have a decision in front of the Board for the first one this month, and the second they are resuming the hearing process and then the new ones.

Mr. MacAskill said several residents were not pleased with the actions that they took and/or felt the punishment was not fair. He said he heard they were looking for swifter action.

OLD BUSINESS

A. Town Administrator Search Update – Norman Clarke – Town Administrator Search Committee

Mr. Norman Clarke said that they received 46 applications for the Town Administrator's position. One they received was two days late, and was rejected. The process was to place an ad in three media outlets, and was overseen by Mr. Robert Lawton, Interim Assistant Town Administrator. The applications were all received through a secure email to the Town Clerk, Anita Doucette. This was for security reasons.

The Town Clerk had called him and said she would put together five packets of hard copies, of all the information. He then went to town hall and picked up the all the packets. He kept one copy, and brought the remaining to the Public Safety building, and more specifically, in the dispatch center, which is a secured facility. The other members were instructed to pick up their copy there. This was to make sure they had no interaction with each other, upon the delivery of all of that information.

They have started the process of the review of the applications. They agreed at the last meeting on a scoring plan, based on a 1 - 5 rating. An electronic form of this was developed by Linda Cebula, Clerk, Town Administrators Search Committee, and they were sent individually their own rating forms. It is incumbent upon them to fill out the forms, as best they can, and get it back to Ms. Cebula.

The group has not interacted with each other on who scored what to whom. The minutes of the next meeting, for June 10th, will also include a blank copy of the scoring sheet, and also the questions they plan to ask the candidates they deem to interview. They have been guided very well by KP Law. They provided a nine page document called, Search Committee Protocol, and they are following that quite closely. They are within the guidelines of the open meeting law and are following processes and procedures. They will probably for the first time, go into executive session, to discuss names, resumes and the applications. This will be kept private. Once the final group is ready to recommend to the Board, then the Board can consider making those names public.

Mr. Ballantine asked Mr. Clarke, if he could speculate on when the Board may be able to see it. Mr. Clarke said likely they will be ready in mid to later July, to bring names forward to the Board.

Mr. MacAskill discussed the need for transparency and to share the questions with the public. He also wanted to know when the Board of Selectmen will get to review all of the applications. They had discussed the Board getting to see all of the applications.

Mr. Clarke said that they had not voted on the questions yet, that will be a topic at the next meeting. They had instructed that the questions were to be submitted to the Clerk, Linda Cebula, to compile the list from the other members. When that is brought forth to the committee it will discuss openly and it will be a part of the minutes. The scoring sheet will be as well. This is a public meeting. Mr. Clarke also said that there was a vote of the Board, to not see all the applications. They had asked the committee to review the applications and only bring forward the 4 or more applications.

Mr. MacAskill said that both Mr. Howell, and himself, very strongly wanted to see all of the applications. Mr. Ballantine disagreed. Mr. Howell said that they were both right, but Mr. MacAskill was more right. They did explicitly vote, but they did want to see the applications.

Mr. MacAskill said that he is publicly stating as a Board Member, that he would like to see all of the applications. He also said to Mr. Clarke, that the questions that have come up, is what the interview process looks like, and the discussion involving the interview process and the scoring system. It would be good to know how many steps are in the process, and receive an overview of what the process is going to be, so that they can show some transparency.

Mr. Clarke said that they serve at the pleasure of the Board of Selectmen. What he knows is from the Ms. Cebula, when she said that in early March, the Board voted to not have them review all the applications. However, if they vote to have all the applications left for them, he will do what they want. The open meeting, same as the Board of Selectmen, allows people to call in and comment. Also, he is available and people can contact him on his town email or by phone. He is looking to make sure they are transparent and make sure they are doing things right. He is sensitive on gotchya moments, and they are doing the best they can. They rely heavily on KP Law and the

members on the committee are well versed and there is good guidance. They will make sure the minutes of next week's meeting outline the questions, and thoughts going forward. He appreciated the guidance.

Mr. Ballantine said that they carefully chose the committee, and they have a very strong committee. They are very proud of that.

Mr. McManus said that if they review all of the applications, then they have to be made public. Which for many applicants, is not the expectation. They should inform them that is what they are doing, and offer an opportunity to withdraw their applications. Mr. Ballantine said they will hold off on that until they review the previous minutes.

Mr. MacAskill said that the Board reads confidential items all the time, and they do not necessarily need to disclose the applicants. Mr. Ballantine and Mr. MacAskill disagreed on what transpired, and it will be reviewed.

CONTRACTS

A. Discussion and Possible Vote - Weights and Measures Services Inter-Municipal Agreement between Town of Harwich and Town of Barnstable – Vote

Mr. Powers explained that they have Richard Scali, Director, Licensing Division, Town of Barnstable, on the call. What is in the packet, is the result of discussions between Richard Scali and himself and staff. The original proposal had language that was not appropriate for the town to sign. However, it is his understanding that the document that is in front of them now, is the Intermunicipal Agreement, that the town of Barnstable has used with all other Municipalities on Cape Cod, for whom they are doing service. He will turn it over to Mr. Scali and if the Board so decides, he has the Intermunicipal Agreement here and the Board of Selectmen would be signing first, as the beneficiary. Mr. Scali was not available.

Mr. Howell moved to accept the Intermunicipal Agreement as contained in the packet and sign it, between the Town of Barnstable and the Town of Harwich. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

B. Vote – Authorize the extension of the Golf Cart Contract at Cranberry Valley Golf Course – 16.75% of Gross Golf Cart Revenue

Mr. Powers explained that this has been reviewed by Mr. Lawton, staff and counsel and approved for funding. Mr. Roman Greer, Golf Director, discussed this last week and staff recommends approval of the contract.

Mr. MacAskill asked if they needed to take action, since this is a lease, not a contract. Mr. Powers said that it does need approval and signature by the board.

Mr. MacAskill moved to authorize the extension of the Golf Cart Contract at Cranberry Valley Golf Course with 16.75% of Gross Golf Cart Revenue. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

OPEN PUBLIC FORUM

A. See dial in instructions above

Mr. Ballantine opened the Public Forum. The public was invited to call in and participate in the meeting to offer comments and/or questions. Mr. Ballantine asked Lieutenant Scott Tyldesly if anyone had called in. Lieutenant Tyldesly responded that there was one person that expressed interest in speaking.

Mr. Ray Tomlinson had requested to speak, regarding an earlier topic. Mr. Tyldesly provided a moment for Mr. Tomlinson to come on the line, he was not there. Mr. Powers said that he had told Mr. Tomlinson that he was welcome to speak during open forum, but not during the earlier topic in which the Board had remanded the case to him. That was the topic that he wanted to weigh in on.

TOWN ADMINISTRATOR'S REPORTS

At the meeting on March 26th, the Town elected to direct staff to not have voluntary water main shut downs, during the pandemic. They have been informed through the Wastewater Superintendent, that Robert B. Our Company will be installing the Parshall flumes and hydrants near the Animal

Hospital by Old Queen Anne Road, the week of June 8th. The majority of the work is expected to happen the week of June 8th and the overall cost, which will come later to the board, is just under \$2,700.

SELECTMEN'S REPORT

Mr. Ford said he has nothing really to report. He just wanted to thank the Department Heads for joining the discussion the other day. He also wanted to reemphasize again that they should bring any thoughts to the Town Administrator or any of the members of the Board of Selectmen.

Mr. MacAskill had nothing to report.

Mr. McManus said that he wanted to make note to the Board, that several weeks ago, a local resident and his wife passed away, within days of each other. Mr. Terry Cronin, who lived in town and spent a lot of time volunteering and driving for the Family Pantry and the Council on Aging. He could always be counted on to take an extra shift and was appreciated and liked by all the customers. He wanted to make note of his passing.

Mr. Howell said that he is going back to a recurring theme on the wastewater. He has begged to have better signage. The bottom of Route 137, at Route 39, is bereft of any signs. It would be helpful to have signage. They need to be careful of the burden that is being put on them. The detour, with the major traffic that they are taking off of the State highway and onto Pleasant Road is making an immense burden to the residents that live there. They may need to coordinate with the police. Mr. Ballantine suggested that Mr. Powers and Mr. Ryder look into it.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 8:45 pm. Seconded by Mr. Howell.

Respectfully submitted,

Lisa Schwab
Administrative Assistant