

RELEASED

APPROVED

**MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
Monday, May 18, 2020
6:30 P.M.**

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

ALSO PARTICIPATING: Interim Town Administrator Joseph Powers, Health Director Meggan Eldredge, and Lieutenant Scott Tyldesly

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen. Roll call: Mr. McManus - Here, Mr. MacAskill - Here, Mr. Ford - Here, Mr. Howell - Here, Mr. Ballantine - Here. The Chairman declared a quorum is present.

WEEKLY BRIEFING

A. COVID-19 Updates,

Mr. Powers requested approval from the board that in lieu of the weekly briefing, they move directly to the Old Business agenda item on the topic since they have Senator Julian Cyr and Representative Sarah Peake in attendance.

OLD BUSINESS

A. Discussion of the report of Governor Baker's Reopening Advisory Board to be released on Monday, May 18, including items related:

1. Reopening local economies by supporting restaurants and other businesses:
2. Guidance impacting upon recreational activities including:
 - a. Beaches and other bodies of water and

b. Municipal golf

First, Ms. Meggan Eldredge, Health Director, began with a review of the numbers for Harwich. Massachusetts' numbers have increased, showing numbers for yesterday at 86,010 and 5,797 deaths. In Barnstable County, they are up over 1,150, with 93 deaths. The good news is the numbers have not changed in Harwich, they are still at 107. In the packet is a graph, which shows where the numbers went up, and it was mostly related to the Wingate Long Term Care cluster. There are 67 cases that are connected to that facility, and 7 deaths confirmed. They are still waiting on some other death certificates, it could be up to 12 fatalities related to COVID-19 at that facility. They are still doing daily check-ins with Wingate, and the Department of Public Health has a surveyor that calls in and asks specific questions on their PPE needs and staffing needs. The National Guard has still there providing staff support. The numbers are looking the same as last week. The hospitalization is down to 3%, from 4% last week. That is one of the indicators that will allow for the reopening plan.

Mr. Powers said he was turning it over to the legislative delegation for their updates and then he and Meggan will go through the specifics for the town.

Senator Cyr said it was great to be there, Representative Peake and himself are doing a bit of a road show tonight and Provincetown, Eastham, Chatham all in the same night. They are getting in front of all of the boards on the cape this week and they have been working collaboratively with the business community and municipalities and to make sure they are speaking with one voice as a region. And elevating up issues, concerns and challenges to the Governor and his administration. But also, now that they have a reopening plan and making sure they are disseminating that information in a uniformed fashion and speaking with one voice as a region. Our aim in forming the Cape Cod reopening Task Force and all of our efforts is really two-fold .. to save lives and to save livelihoods. And particularly where they are on the eve of Memorial Day, in a non-pandemic environment they would ramping up for our season and it looks like they may be able to do that in some way, but it is going to look very different. They have been working collaboratively to get out uniformed information and a uniformed public health message here. In the Governor's message today the first thing he talked about is personal responsibility. That to meet all of the, as they move through the various

phases which will be informed by the public health surveillance they are going to need to have personal responsibility. All individuals should be covering their nose and mouth, if they can't be apart from people. They should be washing hands and surfaces frequently, staying vigilant and if they have symptoms staying home. The public does not distinguish between each town, so they need to be sure to have one voice particularly from a public health perspective. The reopening plan really provides a road map for how they get there. They are still digesting this and there is a lot of questions. Phase I basically starts May 25th, and the Governor said that the phases will be at least for a 3-week duration and they could be longer, again, being informed by the Department of Public Health. So again, our aim is speaking with one voice, to be supporting our business community, our employees, to support our municipalities as much as they can. He turned it over to Sarah and happy to answer questions. Though he will need to leave for the Mashpee meeting in a moment but they are in good hands with Representative Peake.

Representative Peake thanked them for the opportunity to be on the agenda and they felt it was important to be able to touch base with the local officials, because the group of them as the elected officials will be the ones fielding a lot of the questions as this moves forward. She and Senator Cyr wanted to be there to reinforce lines of communication that they are available to help answer questions. She had time with the Lieutenant Governor and she was thrilled that they were reaching out to the Boards of Selectmen and conveyed her greetings. But also, to convey as the person who chaired the Governor's working group that it was public health, DPH and the DPH Commissioner that really drove this whole process. They tapped into the brightest and best minds, this reopening is just steeped with public health and science and data in that way. As they move from phase to phase it is really going to be the science in that data that is going to allow us to move forward, stay static or if things go badly to move backwards. They received input from business sectors all across the Commonwealth. Our very own Wendy Northcross from the Cape Cod Chamber along with the gentlemen that runs One Berkshire to really highlight for them some of the unique needs of our seasonal communities. Our time is limited when businesses can open up and operate and be viable down here. And she thinks it is the good work of Wendy Northcross and that presentation. If you look at page 15 of the DEC. that the administration put out today (<https://www.mass.gov/doc/reopening-massachusetts-may-18-2020/download>), there is a little asterisk under phase two under Restaurants and Lodging, that says "Restaurant & Hospitality workgroup convened May 15 to develop procedures for opening".

So, Wendy is part of that group and the Berkshires. She would encourage if there are citizens or citizen business owners, that want to give input that they reach out to Wendy and give her input. They are specifically looking at reopening plans for the seasonal and tourist destination type of economy and that to will be driven by public health, but also with an eye towards the urgency of time and the limited time that they have down here.

The other thing she wanted to highlight in terms of enforcement and inspections for the reopening, the process will be for example for restaurant to reopen or retail to be allowed for curb side pick-up, which is part of phase I, what will be required is that they go to the appropriate business segment portal of the <https://www.mass.gov/info-details/reopening-massachusetts> and look at what the public safety and public health protocols are and then they have to affirm that they have a plan in place to adhere to those protocols .. they sign a pledge that says they can and will adhere to those protocols and then they get a certificate that hey print out and put it the window of that establishment.

Now where the local Board of Health , health agent, or health inspectors come in to play is if there is a complaint by an employee or by a customer that the guidelines are not being followed, then they are the boots on the ground that go and inspect to if the complaint has merits or not. She and Senator Cyr talked with Sean O'Brien with the County today and he wanted to make sure they let everyone know, that the County is staffing up in their health Department, he has already hired 3 new health inspectors and is reaching out to some retirees who are professionals in this area to bring them back on so they want to make sure no single town's resources are stretched too thin. So, the County is there to step in and help with that. They are still digesting this and there is beyond this 29-page DEC., on the State website under the various categories with a wealth of information; such as protocols for Beach openings. She would encourage everyone to take some time and go through the materials that can be found there.

Mr. Ballantine commented that in his observation, they can't take any risk with health protection, whether Federal, State or locally. However, on the other side, they need to get businesses open. Either side, no matter they do, there is some risk. He is hoping that this group looked very hard at reaching the right balance.

Representative Peake said she thinks this group has looked really hard at reaching the right balance. And that is why the public health people were at the table to find the metrics that were looked at and this will be updated at least on a weekly basis if not more often as to where they are with the COVID-19 positive test rate. For today our positive test, for everyone that was tested, was less than 10%. Just a week or so ago, they were at 14-18%, so that shows a decline in infections. The number of individuals that died from COVID-19, a very important one is still a work in progress, shown with a yellow dot. Also, Number of patients with COVID-19 in hospitals, they will look at that. Healthcare system readiness, it is yellow here. But if you look at Cape Cod Hospital's readiness they have a declining population of COVID-19 patients and an increasing level of capacity. Mike Lowe from Cape Cod Healthcare has done a great job. Testing capacity has a green dot and Contact tracing capabilities is the other vector that they look at.

There are these two voices, she hears it also; shut it down, let's hibernate through the summer and hope it all goes away by next year and then they need to get open right away because people are dying because they don't have a livelihood and business may not be open next year.

She gives the administration and the Governor a lot of credit this is a gigantic task and the consequences of getting it wrong or so significant. It is like Goldilocks, trying to get it just right. It is not static it is being continually looked at. If they see things going in the direction that is not in accord with the markers and guidelines that are set up, they can go from phase 2 back to phase I or stay in a particular phase for longer than 3 weeks. Public health and public safety are at the forefront but at some point in time the economy does need to start to reopen and looking at these public health data, that is what is driving the decisions.

Mr. Powers asked Representative Peake to update the board on where the legislation on Town Meetings stand at this point? Which was built off of senate 2680 or 2860?

Representative Peake responded that it has a new Senate number now and it is sitting still in the House Ways and Means. They are engaging in ever more bold steps in what they take on in formal sessions. Right when this COVID-19 crisis hit there were a lot of things they did in our informal sessions .. just on a voice vote, one member could object but if no member objected it would

be enacted and on the governor desk. When you get into things like these more complex municipal bills and write in voting and no excuse absentee voting .. and how you are going to manage town meetings, whether people can call in whether you will have on a town wide ballot. These are things that not everyone is going to agree to. So, they have to be able to meet file amendments, debate those amendments and come up with a final bill. So, this Wednesday will be my 3rd Wednesday going up to Boston, she is one of the division monitors, which means that she sits with ear buds in and has 19 colleagues on conference call through to her to make an objection or appoint of order .. she facilitates it. The first two things they did were bills that had little or no debate. This week they are taking up the IT bill. There were 136 amendments filed, so maybe it will be Friday morning. They are taking baby steps to see how the technology can work to meet remotely because it is not until phase 4, that 160 people can be in a room together. There are 160 members in the Massachusetts House. So, they are working on that and she is confident that more legislation will start to roll out as they get some of the kinks ironed out.

Mr. Ballantine commented that the drop-dead date to decide to go forward with Town Meeting is June 8th. He asked Representative Peake what her best guess is. Representative Peake said that she will make an inquiry, though she thinks it would be hard pressed to think they could do it by June 8th.

Mr. MacAskill thanked them for being on tonight and for all the information. As they are aware of the dynamics on Cape Cod, small businesses rely on the shoulder season to succeed. He would like to know what plans are being made on the State level for businesses. Restaurants are not likely to be up to any capacity, besides take-out until early July. Home owners with second homes and towns will have significant losses and probably won't survive this.

Representative Peake responded that this is part of an ongoing conversation. They are talking about a development bill, to be able to offer businesses relief. She has heard from business owners all across her district, even if they are able to get to a higher capacity, there will be fewer people here, less seating in their restaurants or just outside. Revenue will be diminished. She has heard over and over again that if there is not some kind of relief, many people will not be around by next April to open.

Both Senator Cyr and herself are keenly aware of the concerns. Also, the Chair of the Economic Development and Emerging Technologies Committee, who happens to hail from Gloucester, is keenly aware as well. They know they have to do something. They haven't taken up a budget yet for local aid, in some part because of figuring out how they are going to meet. The last time she talked to Aaron Michlewitz, Chairperson of the House Committee on Ways and Means, he was hoping to have a budget out of the House Ways and Means the first of July and now it is looking like mid-July to end of July.

Every time they turn around, the revenue forecast keeps get adjusted downward. They have gone from \$3 to \$5 billion, now they are talking about a \$5 to \$8 billion deficit in revenue, versus the current fiscal year. If they have \$7 billion less in revenue, then they have in FY20, they have a \$42 billion budget. That is a significant percentage of the State budget, that they are realizing this revenue loss in.

The House has always had local aid and chapter 70 funding as its priority, and it has always done well by the towns. They will try their best this year, but as the Town is doing their budget, they should not count on the same level of state aid as they have seen. The revenue is not there. They will need to see what the degree of relief will be from the Federal Government.

Mr. MacAskill would like to stress, that small businesses and second home owners, that rent their homes to pay their mortgages, need as much relief. They need to look at this on a day to day basis, not week to week. He has heard a lot from small businesses, that don't even think they will make it to July, because they count on the shoulder season to make up for getting out of a bad winter. And there is no relief in sight.

Representative Peake hopes that with the Restaurant and Hospitality Working Group, they can find a way to get some of those business open in more of a phase 1.5 instead of a phase 2. This can happen if all the public health indicators are pointing in the right direction; with a continued decrease in hospital admissions and decrease of positive test results etc.

Mr. MacAskill had one last question, and asked about the beaches. Mr. Powers said they will dive into that more after Representative Peake finishes. But Mr. MacAskill asked to please explain if it is a guidance, or an order.

Representative Peake replied that everything that the Governor has passed down has been a guidance, not an order. The stay-at-home was a guidance. He is a firm believer of people's personal responsibilities. They are guidance's that are based in science. The consequence of not following them is that the virus does not discriminate, it is passed from person to person to person. So, they have to behave in a way to limit this. If they don't, it will have dire consequences for us as individuals, who might suffer a severe illness, but also, it will have dire consequences for the entire ecosystem of the economy.

Mr. Ballantine thanked Representative Peake for her participation and passed it back over to Mr. Powers.

Mr. Powers said to try and expedite the conversation, he is sharing some documents for review. The first being the DEC document that Representative Peake shared earlier. This is the official overview report of the Reopening Advisory Board. He wanted to start on page 14, which lays out graphically what is intended for the reopening plan. Phase I started today and you can see what it is about. High risk should work from home, if possible, with consideration for workplace accommodation, they are still having gatherings of less than 10, safer at home, all travelers to MA urged to self-quarantine for 14 days, Lodging restricted to essential workers only.

Then they will move on to Phase II, as being Cautious. On page 15, it starts to break it down to certain categories. Under worship, it identifies it began today, and it will show how it breaks down throughout the phases. Under businesses for today, it remains for essential businesses, manufacturing and construction. And then it shows what is anticipated for next week and then the phase 2 updated guidance for retail, restaurants, lodging etc. Moving to page 16, is the breakdown for recreation and outdoor. They will be having a call with the Department of Public Health tomorrow, and the state is looking at outdoor activities resuming as early as May 25th, with guidelines.

The next document is the Guidance to Municipalities on enforcing COVID-19 orders. This was a discussion that they had today with the Department of Public Health, about where the municipalities come in on the enforcement on all of this.

The next document is the one that Mr. MacAskill had mentioned, which is a version of what was released last week. This is a directive for municipalities

and other beaches. The trick is, as you can see, the Governor is referring all of these as guidelines, but what is being driven home, is that they are also expectations for stemming further cases of COVID-19. So, to Mr. MacAskill question, talking about the distances, the distance of 12-feet is related to beach blanket groups. This means that groups of no more than 10 can combine together on the beach and trying to create a distance of 12 feet between those blanket groups. Beach visitors are required to maintain social distance of at least 6-feet. This is a document that was just created and it was based on discussions with staff and relying upon the guidance document that was shown today.

Eric Beebe, Carol Coppola and Amy Bullock are the call. They had joined Ms. Eldredge on the review of this and they now have a form called Beach Season Resumption Planning, which is specific to the Town of Harwich. Government remains an essential business, but in the reopening 29-page DEC, it says that essential businesses must come in to compliance with the various directives starting on May 25th. So, there are two things that they talked about today; steps the town needs to do to be in compliance with the Energy and Environmental Affairs directive as an essential business and then steps they will need to take to resume our traditional beach season. .. All of this is on the understanding that our beaches were never closed, they just need to take certain steps. They are talking about resident sticker sales and hoping most people will take advantage of online or mail-in sticker purchases beginning in early June. They are working on non-resident sticker sales, if they will happen in person, they are looking for a suitable location for social distancing, and a quick flow and all safety measures. Daily beach sticker passes at certain beaches. And certain beaches because some beaches would be negatively impacted. They will not be renting any equipment due to the sanitizing requirements. They will need to expand restroom cleaning efforts. There is also a need for compliance personnel to monitor both parking lot and beaches for compliance and if they demonstrate it in that matter it is potentially a CARES ACT reimbursable expense. This is all based on the guidance released today from the Energy and Environmental Affairs Secretary.

They also received guidance from the ABCC, which is more of a tip of the plan that may be coming down the road. The restaurants that are open, are allowed to sell alcoholic beverages to go, because they are not allowed to be consumed on premises. The ABCC has directed all licensees that are impacted by this, not to expect a change until at least June 8th. Mr. Powers found this to be significant. The Restaurant Hospitality Group started work

on May 15th. They are not in a position yet to get into their guidance documents, but they are working with restaurants to come up with a plan to use outdoor space near their facilities. This will give them a fighting chance to get customers that may not want to go inside of their establishment, but willing to sit outside and eat.

They have touched on the beaches and restaurants, but there is so much more to cover. The golf course is operating under the guidelines. They will continue with resumption plans to operate under the guidelines.

Mr. Howell had a question for Representative Peake about the state roads being used for dining options. This is out of their jurisdiction, but he would like to have that answered. Mr. Powers said that they have it front and center in their decision making. They are hoping for direction from the ABCC, and guidance for state roads.

Mr. Howell also asked about blanket distancing and how that will be governed. Mr. Powers responded that people can assemble in groups of 10. This may change by the time they get to the full beach resumption plan, as it may lighten. The guidance from the Governor is that you cannot be in groups larger than 10, and anyone on the beach should be wearing a mask.

Mr. Howell also asked for clarification on the beer and wine to go. He was under the impression that restaurants were not allowed to do cocktails, just beer and wine. Mr. Powers said that according to the ABCC guidance document, from April 3rd, licensees are allowed to sell wine and malt beverages only. That would mean that cocktails, would not be allowed.

Mr. Ballantine asked Mr. Powers how they plan to notify people, if they will be putting signs at the beach. Mr. Powers said that they are planning to do inserts with the online ticket sales. They are also partnering with rental companies.

Mr. Beebe said that informing the public is going to be very important. They are looking at signage for all beaches and doing inserts with mailings. The gate attendants will inform all of the public of the guidelines. They will also utilize their Twitter and Facebook accounts, as well as Channel 18, to get as much word out as they can.

Ms. Eldredge said that they have to be mindful of what is a guidance versus what they are mandated to do, or even what they should do. The reopening plan says that beaches can have patrons on them, with guidelines. The guidelines they have provided are fairly loose. They are able to open the beaches, as they normally have. They will have people out there and the guidelines they have are workable.

They will be restricting day passes for a number of reasons, such as, travelers should be self-quarantined and they may not want to sell day passes to them. Having monitors on the beach is the only way to monitor the social distancing. The greatest public health need, the beaches will be crowded and they need to do their best to maintain social distancing. They will need to spend some money and get the help.

Mr. MacAskill asked for clarification on the day passes. Was it an affirmative or not, or undecided? Ms. Eldredge said that they have decided to go forward with day passes, because they are able to do it without too much person to person.

Mr. MacAskill said that the documents, it shows that the amount available for the CARES ACT for the town of Harwich, is a little over \$1 million dollars. He would like to know if this is related to the much lower number they filed for or is this additional?

Mr. Powers said that there are two things going on there. They received confirmation today, that the town should receive the money from the tornado in two business days. The dollar amount of the \$1,069,000 is related to Harwich's reimbursable amount under the CARES ACT. They have gone through the paperwork and it is a fund that the town enables the town to get reimbursed for certain expenditures.

Mr. Ford assumed they may see some problems with private beaches, with people going into the private beach areas. Ms. Eldredge said yes, they will likely have problems with this and that is another good reason to have beach monitors. They will also be partnering with the police for this.

Mr. Powers said that they have covered everything and this week more guidance will come out, and more information will be coming out tomorrow from DPH.

Mr. MacAskill requested that they bring this back towards the end of the meeting, so that they can keep the agenda going now.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye , Mr. Ford - Aye, Mr. McManus - Aye. Mr. Ballantine - Aye. Motion carried by unanimous vote.

NEW BUSINESS

- A. Discussion and vote to appoint Deputy Fire Chief David J. LeBlanc as Fire Chief effective upon the retirement of current Fire Chief Norman Clarke

Mr. Ballantine asked Deputy Fire Chief David J. LeBlanc to provide an overview of this background. Deputy Fire Chief LeBlanc said he was thankful to be there and explained how he began his career as a dispatcher and became a firefighter in 2000. He had been able to move up through the ranks. He had good mentorships through the years and benefitted from learning from above him. He has been fortunate from the beginning and being involved in a lot of projects, including writing grants for the town.

Mr. Ballantine asked if anyone had any questions and commented on how proud they are to have a department that sets a standard for training, mentoring, and providing a career path for promotion. This has been shown by all the accolades the department has gotten over the years. He will entertain a motion.

Mr. Howell made a motion to appoint Deputy Fire Chief David J. LeBlanc as Fire Chief effective upon the retirement of current Fire Chief Norman Clarke contingent upon the successful negotiations for contract. Mr. MacAskill seconded.

Chief Clarke commented that after a long career, he has also learned from the best of the best. He assured them that with this appointment, they will leave the Harwich Fire Department, and the Town of Harwich, in very very good hands. He is very proud of Deputy Fire Chief LeBlanc. He is a great man, a great friend and a true professional.

Mr. Howell said that he wanted to comment about the initial rumblings in the public, on nepotism, and he wanted to just take that head on. This department

has a culture of accountability. Whenever they have any fiscal problems, the fire department is among the best departments and the most cooperative to save the town money. They do things the right way. Mr. Howell said that if they don't wind up rewarding people in the town, they will wind up with a morale problem. This reflects the merit that Deputy Fire Chief LeBlanc has shown as the next man up, not just because he is the next man up.

Mr. MacAskill said he wanted to congratulate Deputy Fire Chief LeBlanc. He has worked for it and has looked forward to this goal. He also explained that the board got a letter about six months ago, from a resident. It was about the automatic reappointments, and that it is a practice that the town should not be involved in. He does not believe that the board ever took that up. Though he does believe that Chief Clarke has done a great job, as well as the previous Chiefs before him, in mentoring and bringing these employees up. Deputy Fire Chief LeBlanc has earned this spot. He does a lot for the town outside of the Fire Department, and that is recognized.

Mr. Ford thanked Deputy Fire Chief LeBlanc for the letter that he sent to the board, highlighting his reasons for being so committed and wanting this position. He also, thanked Chief Clarke for his recommendation of Deputy Fire Chief LeBlanc. His own experience has been superb with Deputy Fire Chief LeBlanc and he is happy to support him. They are in a difficult time for the Town and the Fire Department, which is even more reason to choose someone who has such deep knowledge of the department.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ford - Aye, Mr. McManus - Aye, Mr. Ballantine - Aye. Motion carried by unanimous vote.

- B. Discussion and possible vote to approve and authorize the Chair to sign Commonwealth of MA Dredging Program Grant award to the Town of Harwich for \$36,000.00

Mr. MacAskill moved to approve and authorize the Chair to sign Commonwealth of MA Dredging Program Grant award to the Town of Harwich for \$36,000.00. Seconded by Mr. Howell.

Roll Call Vote: Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ford - Aye, Mr. Ballantine - Aye. Mr. McManus was not able to respond. Motion carried 4-1-0

C. Presentation on Cold Brook Natural Nitrogen Attenuation Project Update

Mr. Powers turned this over to Griffin Ryder, Town Engineer.

Mr. Ryder explained that he was there to give an update on the Cold Brook Natural Nitrogen Attenuation Project, which is also known as the Cold Brook Eco-Restoration Project. It has some different names, because it has been born into different things. It is really more of an Eco-Restoration project with the number of partners the town has been working with.

The project was voted on and funded via Article 12, at the 2017 annual Town Meeting. Here is a look at the project team, it is a large team with a lot of expertise.

The team consists of:

- Town of Harwich, Griffin Ryder, Town Engineer and Dan Pelletier, Water and Waste Water Superintendent.
- Harwich Conservation Trust, Michael Lach
- CDM Smith, David Young
- TMDL Solutions, Ed Eichner
- UMass Dartmouth School of Marine Science and Technology (SMAST) - Brian Howes
- Massachusetts Department of Fish and Game, Division of Ecological Restoration (DER) with Inter-Fluve. - Eric Ford
- And U. S. Fish & Wildlife Service

The town's focus, which was part of the 2017 annual town meeting vote, was to implement this project as a means of natural nitrogen attenuation without having to put pipes in the ground. This is a natural project using the ecology in this area to attenuate the water. By attenuating the water and enhancing the water quality, they can increase the nitrogen removal before it gets out to Saquatucket Harbor.

One of the reasons they are required to implement the Comprehensive Waste Water Master Plan, is because of the issues they have with nitrogen in

Saquatucket, Wychmere, Pleasant Bay and a number of other places. It is an interesting project that allows us to look at alternative technologies to receive and get nitrogen treatments, without pipes in the ground, and without major infrastructure improvements. From the initial MEP report, it showed that this project might be able to remove 35% of nitrogen. However, the way looking at it now, and moving into deeper design, it is looking at more like a 50% reduction.

Mr. Ryder passed it over to Mr. Howes, he has one of the longest tenured individuals with this project and can explain where this project has been and where it is going.

Mr. Howes would like to underscore what Mr. Ryder said, that the town voted on this really to use an innovative approach of removing nitrogen from Saquatucket Harbor. This is demanded under the Clean Water Act and is codified in the TMDL's "Total Maximum Daily Load" from the Mass DEP and for that Harbor, through the town as a steward. The town has taken on a really innovative way to do things. The concept was to take this cranberry bog and to restore it into a natural ecological system. It will be a resource and an attraction for the town. To get that system functioning again, as it should be, is getting the nitrogen levels flowing through to 50%.

Mr. Howes continued to overview the design aspect, with the concept of a string of ponds, a salt marsh, and around those ponds it was decided to put in an area of wetlands. They look for systems that would fit in with the natural landscape to the town of Harwich and the Cape Cod, but also improve the nitrogen attenuation. The salt marsh will be improved as the tide rises with some manipulations to the surface, and letting it naturally transition. The nice thing about salt marshes is that they are natural nitrogen scrubbers.

The string of ponds are not very big and about three to six feet in depth. They will be wet and resources for fish and wildlife. Ponds are fantastic at removing nitrogen. On Cape Cod, about 15% of nitrogen that goes through a pond is removed by the pond's ecosystem. Then around the pond is the deep emergent marsh. This means that it will be the pond in the middle, and then this wetter area around the outside, which will only have one to three feet of water at most in it. It should always have some water in it, which will allow the nitrogen to flow through. This will then go through to a slightly shallower

wet area, that could periodically go dry, which will benefit the wildlife and add diversity to the system.

All of these diverse systems, are great for natural resources and things that people like to see in nature. It will also save the tax payers of Harwich funds on not having to dig up their roads to put in sewers and pumps and pipes. It should be a win-win for everyone, and he appreciates the Town Meeting passing the money to date and they are really on track.

The DER is working on the design, and it should be 50% complete by June 30th, 2020. Final design and permitting will be complete by Summer of 2021. Then it will go out to bid by the Fall of 2021, to have construction complete before the start of the next summer. The Town of Harwich's efforts will be to update the baseline monitoring and then continue the post-construction monitoring.

Mr. Ballantine said it was a good presentation and it raised his comfort level. He had been concerned in the original plans, that it would not be removing enough nitrogen. Mr. Howes responded that every one of the mill ponds they have studied removes nitrogen. With the pond and the salt marsh you will get a little more bang for the buck. There is already regulation that shows it works, and the DEP will only want to see how much it is removing. That is why there is a monitoring plan on the back end.

Mr. Ryder added, that is where the monitoring plan is going to come in to play. The more we can monitor and prove how much we are removing, the better credit we are going to be able to take for it. This will be followed-up in front of the Board soon.

D. Update on DPW Spring Projects

Mr. Lincoln Hooper, Director of Highways and Maintenance, was present to provide an update on the DPW's Spring projects. The major project that is now underway is Lower County Road. Robert Our is the drainage contractor and they are scheduled to begin on May 26th. Dirt Worx is going to begin patching on June 1st, and should take approximately five days. Seal Coating Inc., is the crack sealer, and they are expected to begin June 10th and last three days. All State Asphalt is the chip seal contract and they are scheduled for June 20th, and will take one day. We will then have Markings Inc. in

afterwards to stripe the project. All of those contracts, except for Robert B. Our, is under the country road bids.

After Robert Our finishes Lower County, they will be moving onto the miscellaneous locations, which are done annually. They have just scheduled the long line painting and are getting on the schedule for parking lines, stop lines, crosswalks, etc. with Parking Lines Inc.

We are behind due to COVID-19. This week is all hands on deck in the cemeteries and memorial squares, which is usually about a seven day process. They are not in a position to have mulch spread yet, they will begin after Memorial Day when it is in. The surf rake that cleans the beaches is currently down. They have ordered parts and hoping to have it operational later this week. They have redeployed the town's 80 plus trash cans to the beaches, parks, cemetery and bike trail, with normal trash pick-up. They started street sweeping last week, usually it is concluded by August but this year it will run into September. They have a 142 miles of public roads, which consists of 482 roads.

Some other ongoing repairs, which they will do as staffing permits, is Catch Basin cleaning and repairs. They don't have enough staff to do it all the time, but will do it when they can.

Mr. MacAskill asked if there has been any conversation with the Town Administrator, on delaying any of this work that is subcontracted out; based on what could be a very serious financial state for the Town of Harwich. Mr. Hooper responded, that all of the work he stated is out of contracts that have already been approved, and we will get full reimbursement for.

- E. Vote to approve the Interim Town Administrator's recommendation to grant permission request of NSTAR/Eversource for the purpose of the installing approximately 40' +/- of conduit and cable and one handhole# 65/H3A in town road to provide electrical service to customer at 22 Central Avenue.

Mr. MacAskill moved to approve the Interim Town Administrator's recommendation to grant permission request of NSTAR/Eversource for the purpose of the installing approximately 40' +/- of conduit and cable and one handhole# 65/H3A in town road to provide electrical service to customer at 22 Central Avenue. Mr. Ford seconded.

Mr. McManus asked if they held the undergrounding hearing on this. Mr. Powers said that they did a teleconference dial-in meeting, and the minutes are in the packet.

Roll Call Vote: Mr. McManus - Aye, Mr. Ford - Aye, Mr. Howell - Aye, Mr. MacAskill - Aye, Mr. Ballantine - Aye. Motion carried unanimously.

OLD BUSINESS, CONTINUED

Mr. Ballantine said they are back to old business, and asked Mr. MacAskill if he had the additional questions he wanted to bring back at this time.

Mr. MacAskill asked if anyone had spoken to Cyndi Williams, Executive Director at the Harwich Chamber of Commerce, in regards to beach sticker sales, and if the Chamber has made provisions. They were the only ones last year that sold stickers seven days a week.

Mr. Powers explained that they were waiting for the update on the guidelines today and that this is still to be determined. He will be following up with Mr. Beebe, and he will be doing that tomorrow or Wednesday. Ms. Bullock also said that they sold stickers seven days a week when the Community Center was open, from the 2nd Monday of June to about the third week of July. The Chamber then was the only option for the seven days a week. Ms. Bullock will be reaching out to Ms. Williams tomorrow to see what their feelings were.

Mr. MacAskill said that his next questions was about the materials in the packet from the MMA. The guidelines on special events, thinking about the Cranberry Festival and Wednesday in the Ports. Will they be taking that up tonight?

Mr. Powers said that he included that because the MMA presented late last week to the Governor Advisory Board, and they are still working through that presentation. They have a call with the Lieutenant Governor to follow up on that. He does not think they need to get into, but they will see elements incorporated into the remaining guidance documents.

Mr. MacAskill said he had one final comment about the guidance versus orders. He thinks there is a lot of pent up anxiety and there is no right decision to make at this point. However, people want to come here and use the beaches and the businesses need this. He hopes the board will use this guidance and takes into account the businesses. We talked about restaurants and outdoor dining and in other areas boards are making concessions to allow for one day licenses for outdoor space. We need to discuss how to give some relief.

Mr. Ballantine agrees and hopes that the guidance coming down gives enough flexibility to take on some creative ideas. He said that they will keep this as a standard going forward.

Mr. Howell said that he had spoken with a number of restaurant owners and there is an urgency to this. They need to safely do some things or they will lose restaurants. They need someone speaking for them.

Mr. McManus said that they do need some guidance on the special events. In regards to the Cranberry Festival, they have had a lot of crafts people reaching out and they are getting concerned about what plans to make. If they could push some guidance on those sorts of events, that would be helpful.

Mr. Powers said that he would first respond to the topic on the restaurants. They had a call on Thursday with the Cape & Islands Managers and they heard that the ABCC is partnering with the Massachusetts Restaurant Association, which is encouraging news. The fact that they are partnering to come up with solutions for restaurants, is very encouraging.

For outdoor activities, they have regular calls with the Department of Health, which is now combined with the DPH, the Boards of Health and the Administrators. On the call tomorrow they plan to cover all outdoor recreation activities. He would imagine that they will be having discussions through each phase.

Mr. MacAskill asked if they can have the Police Chief, or a representative, on the call about the beach. He is concerned that monitors alone, may not be effective.

TOWN ADMINISTRATOR'S REPORTS

A. Barnstable County HOME Consortium renewal

Renie Hamman, HOME Program Manager, sent him the documents that are in the packet. If the Board wishes to continue in the Barnstable County HOME Consortium, they do not need to do anything. However, if they want to consider getting out of the consortium, then they will need to add it to the agenda for further conversation and actions. It is in there for the Boards consideration.

Mr. Howell said that he signed this in 2005, when he was Chairman of the Board. Now, as the Chair of the Housing Trust, he would urge them to let it self-renew. Mr. Ballantine asked if there was an idea of what money is being contributed through some time period. Mr. Howell said that they rehab through rentals.

Mr. McManus said they have received several small grants for housing programs in Harwich. The program funded for building houses on single lots around town, that people qualified for, and they provided some of the initial planning and site investigation. It is a useful program.

Mr. Ballantine said that unless there is an objection they will let this stand. No objection, it will renew.

B. Execution of HUB Tech contract for Information Technology service support

Mr. Powers advised the board of a contract that he executed. This was from a conversation with Foster Branford, Lieutenant Scott Tyldesly and Detective Mark Harris and their need for additional IT support.

The independent contractor they were relying on, abruptly quit and they had no recourse. So, it was suggested to look at opportunities that had already been vetted. HUB Tech was on the state contract list and the procurement process went smoothly. HUB Tech is providing additional IT services in the short-term that were needed by the quitting of the independent contractor.

C. MVP Grant Extension

He will be updating the board next week on the MVP Grant extension for \$20,000. Ms. Charleen Greenhaigh, Town Planner, has been working on the project and has a need to extend the process for the grant. They have filed the paperwork for the extension and it was granted for another year. He will have more details on the MVP grant that he executed, as well.

D. CARES ACT

The CARES ACT money was released through the House Ways and Means Chairman. This is the allocation for the CARES ACT money that is available, and the Town of Harwich stands to gain \$1,069,000 of reimbursements. It requires paperwork from the Chairman, therefore he will be following up with Mr. Ballantine later this week. He feels this was a very positive development.

E. Dockside Seaside Shack inspection

Mr. Powers received an update from the Building Commissioner that he was able to do the required annual state inspection. There were some minor deficiency and the payment of the inspection fees. The Building Commissioner feels that the regulatory compliance section of the Common Victuallers License has been satisfied, and this has been signed off on by building, health and public safety, and appears to be concluded.

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 were no calls.

SELECTMEN'S REPORT

Mr. MacAskill asked if Mr. Powers could provide a brief update on how the employees are doing going back to work in the buildings full time.

Mr. Powers said, generally speaking people are doing well with it and they are doing well with the guidelines of social distancing, cleanliness, hygiene masks etc. There will be some anxiety around when they are able to receive the public. He was encouraged by the guidelines from the Governor, that when they receive the public it will be in a safe and orderly fashion. They are still several days, if not a week or two away from as many employees back as can be done, because of family care and childcare issues. But they are trending very well. A testimate to everyone that worked on the changes for retrofitting and they will be mindful of the concerns.

Mr. MacAskill added another comment, given the email from the DPW Director, about the overtime at the dump. He would like to know what is happening about reallocation of staff so that they can prevent paying overtime and hopes that it is being worked on. He expressed his thanks to all of the staff.

Mr. Howell said that he would like to echo what Mr. MacAskill said about thanking the employees. He then reported, as the Chair of the Town's Affordable Housing Trust, that they had pulled back over the past couple of months to come up with a plan of action. They had a contractor that was going to be out soliciting for stakeholder workshops. They are holding a meeting this week about where they are at and moving forward. Mr. Howell also noted about an email they received from the Dockside about putting a canopy over the deck. This is a public document and it should be in the packet, at some point.

Mr. Ford had nothing to report, just reiterated the thanks for the staff.

Mr. McManus commented that the Cranberry Harvest Committee is assisting the library with the lending of orange stanchions to assist with them with their curbside pick-up. He also apologized for having to step off the call and missing some items, but thanked the board for approving the Fire Chief appointment.

Mr. Ballantine noted that the meeting next week will be held on Thursday, due to the Memorial Day holiday. Also, the Executive Meeting will be on Wednesday, at 1:00 pm.

ADJOURNMENT

Mr. Howell moved that they adjourn at 8:53 pm. Seconded by Mr. MacAskill.

Roll Call Vote: Mr. MacAskill - Aye, Mr. Howell - Aye, Mr. Ford - Aye, Mr. McManus - Aye. Mr. Ballantine - Aye. Motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab
Administrative Assistant