

APPROVED

RELEASED

MINUTES
SELECT BOARD
DONN B. GRIFFIN ROOM TOWN HALL
732 MAIN STREET, HARWICH, MA
EXECUTIVE SESSION 5:00PM
REGULAR MEETING 6:00PM
MONDAY, JUNE 26, 2023

RECEIVED
TOWN CLERK
HARWICH, MA

2023 JUL 11 A 10:14

MEMBERS PARTICIPATING: Mary Anderson, Chair Julie Kavanagh, Vice Chair, Jeff Handler, Clerk, Michael MacAskill and Don Howell

ALSO PARTICIPATING: Joseph Powers, Town Administrator

CALL TO ORDER:

Ms. Anderson called the meeting of the Harwich Select Board back to order on June 26, 2023 at 6:00PM after meeting in Executive Session.

EXECUTIVE SESSION:

- A. Pursuant to G.L. c. 30A, sec. 21(a)(1) to discuss a complaint brought against employees
- B. Pursuant to MGL c. 30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position: Harwich Employees Association (HEA)
- C. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiation with non-union personnel and to conduct contract negotiations with non-union personnel: Fire Chief and Town Administrator

Ms. Anderson noted that in Executive Session they discussed the three items noted. An employment contract was signed with the Fire Chief, no action take on the other items.

PLEDGE OF ALLEGIANCE:

Ms. Anderson invited all attendees to join in the Pledge of Allegiance.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Town of Harwich has been awarded three Silver Awards from Cape Life Publications for Red River Beach, Harwich Port Stroll and Cranberry Arts and Music Festival

Anita Doucette, President of the Harwich Historical Society informed the Board and the community that they were contacted by Channel 5 The Chronicle, and noted interviews that were conducted. She is unsure when it will be aired. She also noted walking tours and that the information will be on their website.

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Jill Mason of Harwich Port shared safety concerns of Route 28 in Harwich Port and sign violations.

Ms. Anderson noted that those concerns have been referred to the Traffic Safety Committee.

Mr. MacAskill noted that the Town Administrator is also aware of her concerns.

Cindy Williams, Executive Director of the Chamber of Commerce noted the Chronicle show and also noted other places they had visited. She also noted that the music will start in Harwich Port next week.

Carolyn Carey, Community Center Director noted July Events and shared details.

Mr. Powers commented on and gave details of the three awards received by the Town of Harwich.

CONSENT AGENDA:

- A. Affirm the appointment of Police Officer Richard Pellegrino to the Harwich Police Department as recommended by Chief Guillemette
- B. Accept the resignation of Officer Christopher Arrigo, Harwich Police Department
- C. Accept the resignation of David Spitz, Brooks Academy Museum Commission, effective June 30, 2023
- D. Accept the resignation off Carol Thayer, Harwich By-0Law Charter Review effective immediately
- E. Affirm the appointment of Allan Peterson for the following:
 - 1. From alternate member to full member of the Planning Board, effective June 26, 2023 through June 30, 2023
 - 2. Affirm the appointment of Allan Peterson as full member of the Planning Board effective July 1, 2023 through June 30, 2026
- F. Affirm the appointment of Marcy Vigneau as the Harwich Housing Authority representative to Community Preservation Committee, term to expire June 30, 2026
- G. Approve the Select Board Meeting Minutes:
 - 1. June 5, 2023
 - 2. June 20, 2023

Chief David Guillemette introduced Officer Richard Pellegrino and gave a history of his experience and education.

Mr. Handler moved to accept the appointment of Officer Pellegrino, seconded by Ms. Kavanagh.

Vote 5:0 in favor.

Mr. Handler moved to accept the resignation of Officer Arrigo, seconded by Mr. Howell.

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Vote 5:0 in favor.

Mr. Handler moved to approve items C-G on the Consent Agenda with one correction that the minutes to be approved are June 5, 2023 and June 12, 2023, seconded by Mr. Howell.

Mr. Powers noted that the minutes are for June 12, 2023 and June 20, 2023.

Vote 5:0 in favor.

Mr. MacAskill asked Chief Guillemette to thank Officer Arrigo for his years of service. He also thanked David Spitz and Carol Thayer for their service on the committees.

NEW BUSINESS:

A. Debrief on the June 20 Select Board Working Group Session

Ms. Anderson noted subjects discussed at the first Working Group Session. She created three documents that will be in next week's packet, priorities, agenda items and follow up topics.

Mr. MacAskill found the meeting to be very productive and he thanked Ms. Anderson for putting it together.

B. Vote to approve the acquisition through eminent domain the land containing
21.07 acres, more or less, located off Seth Whitefield Road and known as the
Judah Eldredge property for conservation and open space purposes.

Mr. Handler moved to vote to approve the acquisition through eminent domain as presented, seconded by Mr. Howell.

Mr. MacAskill commented that this will take \$700,000 off the owed taxes list and they will now have another 20 acres.

Mr. Howell noted that it is an extremely important parcel of property, its's good to see it finally resolved.

Vote 5:0 in favor.

C. Approve and authorize the Chair to sign Budget Transfers as recommended by the
Finance Director/Town Accountant.

Mr. Handler moved to vote to approve and to authorize the Chair to sign as presented, seconded by Ms. Kavanagh.

Kathleen Barrette, Finance Director/Town Accountant explained the transfers and the reasons for the transfers that have been recommended by the Finance Committee.

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Mr. MacAskill began the discussion with budget transfers for C & D expenses noting that amount and the amount coming out of group health insurance. He questioned if they are overestimating the health insurance and then moving the money. He also asked that, if Mr. Powers doesn't have that information, that he get it for further discussion.

Mr. Powers replied with an explanation of how they had arrived at the estimates for health care. He also noted what is being done to not have overages and shortages next year.

Board members questioned specific amounts and asked for clarification on each. Also discussed was how they could better plan for retirements. Mr. Powers suggested what they could do going forward.

Mr. Powers thanked Ms. Barrette, Megan Green and the Accounting Department for all their efforts.

Vote 5:0 in favor.

D. Approve a new 2023 Annual Common victualers license - CDVT Corporation d/b/a/ Heart of the Sea - 1421 Orleans Harwich Road - *Pending Fire Department approval.*

Mr. Handler moved to approve a new Annual Victuallers license as presented, seconded by Mr. MacAskill.

Vote 5:0 in favor.

E. Discussion on letter dated June 13, 2023 from the ByLaw Charter Review Committee to the Select Board

Ms. Anderson moved this item to the July 10, 2023 agenda to give the Committee an opportunity to have a joint meeting. There was an article in the Chronicle that implied that the Select Board wasn't taking action. She clarified that they received the letter on June 15th, they are trying to work on it as quickly as they can and she didn't appreciate the shot over the bow.

F. Approve and authorize the Chair to sign a letter of support for the Town of Harwich and Harwich Conservation Trust Eco-Restoration project as request by Michael Lach, Executive Director, Harwich Conservation Trust.

Mr. Handler moved to approve and authorize the Chair to sign as presented, seconded by Mr. Howell.

Vote 5:0 in favor.

G. Discussion and possible vote to approve a fee waiver for 204 Sisson Road room rental fees for the Harwich Cranberry Festival Concerts in the amount of \$450.

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Mr. Handler moved to vote to approve the fee waiver as presented, seconded by Ms. Kavanagh.

Mr. MacAskill expressed being against fee waivers and gave his reasons. Other members expressed why they are or are not in favor of this fee waiver.

Vote 4:1 against.

OLD BUSINESS:

Confirm the Select Board Committee Liaison List

Ms. Anderson noted that the list is included and is in the packet. This is a confirmation of the completion of that list.

CONTRACTS:

A. Community Preservation Act Grant Agreements:

1. Harwich Conservation Trust Herring River Land Preservation
2. Community Development Partnership Lower Cape Housing Institute
3. Harwich Fire Association 203 Bank Street Old Fire Station Preservation

Mr. Handler moved to accept and approve the Grant Agreements as presented, seconded by Mr. MacAskill.

Mr. Howell expressed concern about the Housing Institute things, in the long run and explained why he is concerned.

Vote 5:0 in favor.

B. Approve a contract with New England Recycling Company, Inc. for the removal of construction and demolition (C&D) waste. Contract based on a per-ton service fee with an annual estimated cost of \$1,214,000.00

Mr. Handler moved to approve the contract with New England Recycling Co. as presented, seconded by Mr. MacAskill.

Mr. MacAskill questioned the charge per-ton and discussion followed including a possible rate change.

Mr. Powers replied with options of what next steps would be if this contract is approved or not approved.

Mr. MacAskill requested that there be a line item on the next agenda for a fee increase for C&D based in this contract.

Mr. Handler noted that he does not like taking care of the fans and not taking care of the team. He feels they are not taking care of the Harwich residents by allowing other towns to come in.

Mr. Powers noted that the audit is almost completed and he explained his directive to the audit. It is a significant audit being conducted by strong financial background auditors that are familiar with Municipal operations in general and transfer and Municipal Waste Operations in particular. He suggested they target the July 24th meeting for that discussion.

Mr. MacAskill suggested that they deal with this as soon as possible and not wait for the audit.

Vote 5:0 in favor.

C. Approve a contract with Tighe & Bond in the amount of \$100,000.00 for the development of a stormwater asset management program for Town-owned culverts.

Mr. Handler moved to approve a contract with Tighe & Bond as presented, seconded by Mr. Howell.

Bote 5:0 in favor.

- D. Approve the following License Agreements for the Cultural Affairs Programming located at 204 Sisson Road:
- * Holly Delaney - Studio 208A
 - * Stephanie Rouault - Studio 210
 - * Jon Latulipe - Studio A06

Mr. Handler moved to approve the License Agreements as presented, seconded by Mr. MacAskill.

Vote 5:0 in favor.

TOWN ADMINISTRATOR'S REPORT:

Mr. Powers announced that he has an accepted offer for the position of Executive Assistant to the Town Accountant. Crystal Norgeot will begin on July 3rd. Also, the Director of Cultural Affairs, has managed the Annual Human Services Grant Program, grants have been made for FY24. He thanked Kara Mewhinney for taking over the program. The requests for this cycle were in excess of \$120,000. He would like to have a conversation with the Board as they develop the budget for FY24 to see if they can provide more to the community. He named the grant recipients and the amounts requested and granted.

SELECT BOARD'S MEMBER REPORT:

Mr. MacAskill gave kudos to the employees at the dump, Linc Hooper does a great job running the dump, the fees that were discussed are outside of his control.

Ms. Anderson noted that one of their teachers, Sherry Anne Armstrong, its a rising star in the Cape and Islands' Workforce Board. She also noted that they will be going back into Executive

Session to finish the topics that they started earlier and they will not be reopening Open Session. They will be adjourning the entire meeting at the closing of Executive Session.

The next meeting is scheduled for Monday, July 10, 2023 in the Griffin Room.

CORRESPONDENCE:

No correspondence.

ADJOURNMENT:

Adjournment at the conclusion of Executive Session.

Respectfully submitted,

Judi Moldstad
Board Secretary

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