

APPROVED

RELEASED

MINUTES  
SELECT BOARD  
HARWICH TOWN HALL  
MONDAY, DECEMBER 11, 2023  
5:00 P.M. EXECUTIVE SESSION  
6:00 P.M. - REGULAR MEETING

RECEIVED  
TOWN CLERK  
HARWICH, MA

2024 JAN -4 A 11: 03

REMOTE PARTICIPATION OPTIONAL FOR REGULAR MEETING ONLY

**SELECTMEN PARTICIPATING:** Julie Kavanagh, Michael MacAskill, Jeffrey Handler & Donald Howell

**ALSO PARTICIPATING:** Town Administrator Joseph F. Powers

**CALL TO ORDER**

**Ms. Kavanagh called the meeting to order at 5:00 p.m.**

*Vote to go into Executive Session was not recorded.*

**EXECUTIVE SESSION**

- A. Pursuant to MGL c. 30A, §21(a)(6) to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the Town; 62 Route 28, West Harwich
- B. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel: Town Administrator

Ms. Kavanagh called the meeting back to order and reported that no decisions were made on either item.

**PUBLIC COMMENTS/ANNOUNCEMENTS**

- A. Last Select Board Meeting of 2023 will be Monday, December 18<sup>th</sup>

Ms. Kavanagh announced that the last Select Board Meeting of 2023 will be held on Monday, December 18<sup>th</sup>.

Harwich Chamber of Commerce Executive Director Cyndi Williams was present and reminded everyone that we have the 6<sup>th</sup> annual festival of trees happening at the Chamber. All proceeds go directly to The Family Pantry of Cape Cod.

DPW Director Lincoln Hooper was present and stated that they have installed 46-4' to pass signs. Mr. Hooper was concerned about having to install the signs over the summer, however they showed up last week and a crew of 2 men installed them in 2 days. Mr. Hooper thanked Officer Mark Holmes for assisting in the sign placement and thanked the Bikeways Committee for putting this matter on the DPW radar.



Ray Gottwald was present and stated that he has taught human resources at a graduate level and has also worked in human resources. Mr. Gottwald thanked Ms. Kavanagh for getting the human resources item back on the agenda and went on to talk about what he feels the function of a human resource department is. Mr. Gottwald talked about the possible introduction of a town newsletter for both employees and the town, thinking of human resources beyond the standard function. He feels that it would be a nice message to send to the citizens of Harwich that the Select Board will vote to put a human resources position on the town meeting warrant.

Elaine Dickinson was present and supported all comments made by Mr. Gottwald and hopes that the Select Board does as well.

Elizabeth Harder was present and noted that 2 drafts of the Harwich Housing Committee charge have been given to the Select Board. She is once again asking that the Select Board appoint the person that was supposedly approved so the committee can get going. Ms. Kavanagh responded that she is working on drafting a charge and it will be on an agenda in the beginning of the new year.

Patrick Otton was present and on behalf of several people, was asked to comment on item b under the recreation and youth discussion, in the hopes that only Harwich based non-profits can use town owned property. Mr. Otton stated that last week there was a reference to kids jumping off of the roof at 204 Sisson Road and asked if there was any further comment. Mr. Powers responded that in years past, the Police have responded to kids playing on and around the buildings, but that there has been nothing recent to his knowledge. Mr. MacAskill added that in the past the Police have caught people jumping on the portables and then getting on to the main roof.

Mr. Otton asked about the effort to withdraw the citizen petition that he filed regarding the special election, noting that he is committed to following through on it and that he has started a petition to withdraw the petition. Mr. Otton asked if he needs to get the signatures of all 242 people that signed the original petition or does he need a percentage. Ms. Kavanagh responded that the Select Board received late this afternoon, updated information from Town Counsel through the Town Clerk and that the Select Board will be looking at next steps. Ms. Kavanagh added that she thinks the Select Board would not be calling any election prior to April 9<sup>th</sup>, if we do move forward with an election. Mr. Otton stated that he is looking for feedback on what next steps are that he can do. Mr. MacAskill commented that it is his understanding that all signers of the original petition will need to sign the new petition. Town Clerk Emily Mitchell was present and added that the long and short is that there is no definitive mechanism to legally withdraw the petition, however, the board might consider not calling one anyways. If the board were considering that action, evidence that signers from the original petition, showing that they feel similar to the lead petitioner, would be something for the board to consider. Ms. Mitchell would not say that there is a cut off number, it would be whatever the board would find persuasive. Mr. Otton said that he will continue collecting signatures as best he can.

### **CONSENT AGENDA**

- A. Vote to affirm the Harwich Hall of Fame nominees as recommended by the Interview Committee:
  - 1. Albert Raneo

2. Angelina Raneo Chilaka
3. Allin P. Thompson
4. Milton H. Welt

Mr. Howell said that these are 4 extraordinary individuals, part of the fabric of Harwich and that we are proud to put these names forward.

**Mr. Handler moved to affirm the Harwich Hall of Fame nominees as recommended by the Interview Committee, 2<sup>nd</sup> by Mr. Howell and approved 4-0-0.**

B. Vote to accept the resignation of Steve Bilotta from the Golf Committee

**Mr. Handler moved to accept the resignation of Steve Bilotta from the Golf Committee, 2<sup>nd</sup> by Mr. MacAskill and approved 4-0-0.**

C. Approve Select Board Meeting Minutes for November 27, 2023

**Mr. Handler moved to approve the Select Board Meeting Minutes for November 27, 2023, 2<sup>nd</sup> by Mr. MacAskill and approved 3-0-1 (Howell abstained).**

### **JOINT MEETING WITH SELECT BOARD AND RECREATION AND YOUTH COMMISSION**

Present were Recreation Director Eric Beebe and Recreation and Youth Commission members John Mahan, Leah Mercurio, Dave Nixon, Brian Wentworth and Phyllis Thomason.

Ms. Mercurio called the meeting of the Recreation and Youth Commission to order.

Ms. Kavanagh thanked the commission for joining the Select Board tonight and stated that she has attended a couple of their meetings and that things seem to be moving forward well.

A. Discussion on Recreation planning

Mr. Beebe stated that they have developed quite a few winter programs this year and added that they have had an influx of volunteers. Mr. Beebe reviewed the newly added programs in addition to their normal programming. The hope is that programs keep expanding and moving forward.

Mr. MacAskill said that it is nice to see some new programs.

Ms. Kavanagh thinks that there are a lot of new volunteers and that it sounds like there will be quite the of programming choice for parents. It is nice to hear that younger kids will have an opportunity to learn pickleball as well.

Mr. Handler asked if attendance is tracked for all the programs. Mr. Beebe responded that it is tracked season by season. Mr. Handler thinks that it would be great to compare the last 2 years and going forward. Mr. Beebe said that he could send over that information.



## B. Discussion on use of various town owned properties

Ms. Kavanagh noted that Bob Brackett raised a good point at the last Recreation and Youth Commission meeting that there are a limited number of properties available for use, which can create a problem in trying to develop different programs or in terms of people competing for time. Mr. Beebe responded that from his perspective, it is mostly the indoors that is an issue as there are only 2 gyms in town that are available for use, adding that the more they can use the 204 Sisson Road building, the better.

Mr. Handler asked how much of a chunk adult pickleball takes up at the 204. Mr. Beebe responded that it is from 8:00-12:00, Monday through Friday as well as Tuesday and Friday nights for 2 hours. Then they have indoor soccer, youth field hockey and youth pickleball. Mr. Handler asked if the pickleball is for Harwich residents only. Mr. Beebe responded that indoors is all Harwich residents. During the outdoor season, we do allow grandfathered in Harwich residents. Mr. Handler asked if there is something in place where it is prohibited for other towns to come in and play on our courts. Mr. Beebe responded that it is just how it has worked out for the recreation programs. For the adult winter indoor pickleball program, it is resident only.

On the topic of pickleball, Ms. Kavanagh asked if the committee has also come up with a new policy to have an open court for people, with the introduction of new courts. Mr. Beebe responded that something will be in place and that there will be at least 1-2 courts for open play and will be first come first serve. Ms. Kavanagh said that is great and that it would address a few people's concerns, adding that it is a good policy because not everyone wants to be part of a league.

Ms. Kavanagh said that there was discussion at a previous recreation meeting about maybe shifting times for pickleball at the 204. Mr. Beebe said that he will be meeting with the pickleball point person next week to go over a few things, including a potential time shift. Ms. Mercurio added that they had discussed a that pickleball might be moved from 7:00-9:00 which would free up the space from 3:00-7:00 where they could run anywhere from 1-2 different programs during the after-school hours. She believes that there was some agreement from the pickleball group on that.

Mr. MacAskill knows that the topic of renting to non-profits has been discussed lately and thinks that it was specific to Brooks Park and the school and waiving of fees. He asked if the Select Board could have a list of properties that are under the care, custody, and control of the town.

Mr. Howell said that especially with Brooks Park, it was gifted to the town. Several properties that have been gifted have some with restrictions from the gifter. Mr. Howell would be interested in knowing this information as well.

Mr. Mahan knows that the big topic here is Brooks Park and added that he has been looking at different field cards. Properties that they have had, the Recreation Director has overseen scheduling for parks, beaches, fields, and squares. He thinks that Brooks Park might be an easy solution and suggests putting a section on the rental application that the area cannot be leased to anyone that is a for profit. As long as he has been here, scheduling has always been done through recreation and it has never been an issue.

Mr. MacAskill said that the same organization being discussed also rented the gym at the school. He is not sure where the letter should come from, but the counterparts at our school should adopt the same policy that the town has.

C. Discussion on fees related to all recreation programs; Votes may be taken

Ms. Kavanagh said that this goes back to a different discussion on who is responsible for setting fees.

Mr. Nixon stated that the 204 is a municipal property and he thinks that it would be advisable for the Select Board to set the fees for the 204 and then recreation can pass that fee along to the people who will rent the space, which might solve a lot of confusion. Mr. Nixon said that this suggestion was made from someone on the outside and offered this as a solution. Ms. Kavanagh responded that it seems to be a logical solution and that she knows that there has been confusion on who is doing and controlling what at the 204.

Ms. Mercurio understands the need to streamline the process and thinks that the Recreation Department has an expectation of setting fees to the standards of what Harwich parents can afford. Putting the fee structure outside of the Recreation Department could create issues and leave some families out. Harwich has about a 30% of a low-income family population in the elementary school. Ms. Kavanagh noted that these are good points and that if the Select Board were to take over the fee piece, they would look at what the Recreation Department is charging so that the Select Board doesn't set something unrealistic.

Mr. Howell gave an overview and read Chapter 40, section 22F, which was provided in the packet. Recreation has the right to establish the fees, but the Select Board has the right to review and approve them. Ms. Mercurio asked if Mr. Howell is suggesting that every time a recreation program is created, that the fees be brought to the Select Board. Mr. Howell responded that he was simply quoting Massachusetts General Law.

Mr. Mahan said that his understanding is that the revolving fund fees were set by the director/commission and that general fund fees, beaches, were always approved by the Select Board.

Mr. Powers noted that in the statute, there is no distinction of fees, that it simply reads fees.

Mr. MacAskill said that he has no interest in getting involved in every program that they do and where this fell apart for him was pickleball. A year ago, the Select board expressed its displeasure in what we were charging for time that we were giving for pickleball and asked Mr. Beebe to come back with a more reasonable fee for the amount of time spent. 204 Sisson Road is a building that town meeting barely supported, and the Finance Committee was unsure of it. The Select Board should have the right to look at when fees are set and the cost of the fees. The fee being charged does not come close to covering the cost associated with that building. Mr. MacAskill would also like to look at fee waivers, noting that he is not in support of waivers. There is a cost to doing business and it is his understanding that the Select Board is the only body that can waive fees.



Ms. Mercurio said that part of the reason why the parents were showing up was because of the lack of programming. She thinks that having to wait to do programs and then having to wait to have the fees approved seems counterintuitive. If there is a solution to get fees to the Select Board quickly, she would be open to it. Mr. MacAskill agreed that we would not want to hold recreation back.

Mr. Nixon commented to Mr. MacAskill that he doesn't understand not granting fees for organizations like the Special Olympics when Harwich is a 78-million-dollar operation. While he isn't a waiver person either, there are certain things that should get one. Mr. MacAskill responded that the fee state law was quoted. Mr. Nixon commented that the Select Board has an opportunity to put an article before town meeting for possible change.

Mr. Handler asked when we are talking about reviewing fees for the recreation, if we are talking about all recreation fees of just the 204 building, adding that he doesn't feel that the Select Board should be looking at every fee but that he would support fee review for the 204. Mr. MacAskill responded that he is not saying that he wants to review all of the fees, but that he thought that recreation used to come before the Select Board once a year with their fees and any fee increase. That certainly wouldn't include revolving funds or special program.

Mr. MacAskill said that it would be a separate conversation with respect to recreation programming at the 204 as that building is not controlled by the recreation. He has questions about the use of the building and when it is used. It was never anticipated that only recreation would use it. Mr. Handler agreed that the Select Board needs a better handle on the 204.

Mr. Mahan read a portion of the Recreation and Youth Commission section from the Select Board handbook and added that he would be interested to see if there were groups that would want to use the gym at the 204 during the morning time block.

Ms. Thomason pointed out the difference between adult and youth programs. The youth programs are signed up for a certain number of children where the adult programs are drop it. Just because someone pays a fee for an adult program, doesn't mean that they are there the entire time. There are well over 100 people that sign up for pickleball, but they are not there for each minute of the program.

Mr. Howell noted that the revolving funds weren't used until the early 2000's. His concern is that we are riding with over 1.5 million dollars in revolving funds for various programs, not just in recreation and youth. There should be a mechanism to use these funds and they should all have the same kind of oversight. He suggested that maybe have a reserve of 15-20% and the rest of the funds be planted in direct accounts as appropriated.

Mr. MacAskill said that there are plenty of other groups that want to use the gym space at the 204. What he is asking to see is the cost of the space and the fee for the 204. The 204 was salvaged with telling the voters that we were going to do the best we could for a cost recovery on the space.

Mr. Wentworth asked if the 204 is under the jurisdiction of the Select Board, would there be a way to figure out what a flat fee could be per hour, and then go from there. Mr. MacAskill responded

that the suggestion seems reasonable and would look to Mr. Beebe to put together the cost to recover fees, working with Administration and then present a fee recommendation to the Select Board. Ms. Kavanagh suggested a 2-tier fee structure.

Ms. Mercurio commented that space is extremely limited for youth during the winter. The easier everyone can make access to the gym at the 204, the better.

Mr. MacAskill said that the 204 is a large space and there is a lot more to the building than just the gym.

Mr. Handler said that he strongly feels that it is the responsibility of the town to provide the valuable added services for all. We cannot look at our fee structure the way a private business would. The 204 is a building that will make everyone happy. If there are recreation programs, he could see having a 2-tiered fee schedule. The fee structure needs to be doable for everyone in the Town of Harwich.

Ms. Thomason noted that there are only 2 gyms in the town for use and neither one is actually run by the Recreation department. The only indoor space that recreation has is their office space at the Community Center. Mr. Thomason presented and reviewed a fee schedule that was found on the Town of Harwich website. Ms. Kavanagh said that the fee schedule would need to be reviewed.

Ms. Thomason suggested the possible creation of a 204 facilities committee. Ms. Kavanagh responded that would be a discussion point. There is staff that oversee the building. Ms. Mercurio asked that if a facilities committee is formed, that a member of the Recreation and Youth Commission be a part of it.

Mr. Mahan said that it has come to the commission's attention that the reason we are so short on gyms is because the school district has put on large fees to use their gyms. He finds it to be ironic because they use all of our fields and courts.

Mr. Handler asked Mr. Beebe for an update on the status of online payments and online registration for programs. Mr. Beebe responded that they have signed on with the "myrec" system. Staff have been meeting and training every week and there is a set opening of the website scheduled for January 8, 2024, for all registration, rosters, calendars and planning. The only thing that is a hitch is the online payments, noting that they are working with the Accounting Department. Mr. Handler asked if it would make sense to roll it all out at once. Mr. Beebe responded that they did look into that option, but that they are getting a lot of pressure to get the program up and running.

Mr. Howell asked where we are in developing a larger pool of volunteer resources. Mr. Beebe said that there are several volunteers for each program and that he interviewed, and CORI checked upwards of 25 people since the first commission meeting. All volunteer applications are online and will be more accessible once the "myrec" system comes in.

#### D. Discussion on MassDOT Right of Entry request at 647 Route 28 (Wychmere Overlook)



Mr. Powers said that the town's assessing database identifies 3 properties under the control of some version of recreation, one of which is the overlook at Wychmere.

**Mr. Mahan moved to approve the MassDOT Right of Entry request at 647 Route 28 (Wychmere Overlook), 2<sup>nd</sup> by Mr. Wentworth and approved 5-0-0.**

**Mr. Mahan moved to adjourn the meeting of the Recreation and Youth Commission, 2<sup>nd</sup> by Mr. Wentworth and approved 5-0-0.**

### **NEW BUSINESS**

- A. Approve the easement request from MassDOT for an easement and right of entry for the Route 28 sidewalk project

**Mr. MacAskill moved to approve the easement request from MassDOT for an easement and right of entry for the Route 28 sidewalk project, 2<sup>nd</sup> by Mr. Howell and approved 4-0-0.**

DPW Director Lincoln Hooper was present and stated that this project was initiated by the Select Board in 2015. Mr. Hooper was not able to get anywhere with DOT until January 2021. The project is now slated to be advertised this coming August with construction to start in the fall of 2024.

Mr. MacAskill thanked resident Paul Manning who put forward \$250,000 of his own money towards this project. He asked Mr. Hooper when there will be a drawing available to the public of the land takings. Mr. Hooper responded that DOT had their 25% design public hearing on January 18<sup>th</sup>. Since this is a state road, there have been several inquiries from residents. Mr. Hooper is not able to discuss the matter with residents, but noted that if anyone has specific questions, he can get them in touch with the DOT project manager.

Mr. MacAskill said that he knows the state was in Harwich last week and met with one of the larger property owners in that area. A couple of property owners have said that they will not sign anything or give any right to go onto their property. Mr. Hooper responded that the only permanent easement that he is aware of for the project was aerial in nature. The road is not moving, and they are simply building a 5' sidewalk. Temporary construction easements will likely be required for most of the properties.

- B. Discussion regarding a Human Resources position to be added by vote at Annual Town Meeting May 2024

Ms. Kavanagh noted that this was talked about last year and feels that it is important to start having conversations again about what we plan on bringing to the May Town Meeting.

Mr. Powers said that it is his understanding that the Select Board wanted to discuss the position and information as provided in the packet. As he understands it, this is a policy discussion of the board.

Ms. Kavanagh feels that this is a position that is important for town employees and administration in the sense of being able to separate and have someone that can work with employees. She added



that this person might report under the Assistant Town Administrator, who also reports to the Town Administrator. Mr. MacAskill asked why the position would report to the Assistant Town Administrator. Ms. Kavanagh responded that comment was just her starting point and that it would depend on what the Select Board sees as the structure overall for the position, adding that she doesn't think we would want to put this person above the Assistant Town Administrator, but maybe equal to.

Mr. Handler sees this as all positive and that it is vital to the success of our town at this point and desperately needed. He also feels that it will provide a level of accountability that our town is looking for in our government. Mr. Handler added that he is not hung up on who the person reports to and wants to see this move forward. He would like to see a cleaner and well-thought-out job description.

Mr. MacAskill said that when this first came before the Select Board, the idea was that the position would report to the Select Board. He has spoken to other towns and members of staff and one of the biggest questions that always came up is that no one will feel comfortable going to human resources to complain about administration, if human resources report to administration. Mr. MacAskill also commented that the Select Board will want to review the job description for the Assistant Town Administrator and remove a lot of the human resource functions that are a part of it, which also goes back to the organizational chart that he has been asking for. He added that it would take a charter change to make the Select Board part of the human resources position.

Ms. Kavanagh said that both her and former Select Board member Mary Anderson were looking for a different structure last year and that the feedback was that the structure couldn't exist under the current situation. She feels that this is important enough to move forward so that employees will have somewhere to go, understanding that there will always be an issue if someone chooses to reach out to human resources or not. The idea that we are at least willing to create the position and streamline is important. It would also lessen the workload of the Assistant Town Administrator allow them to concentrate on other aspects of their job.

Mr. Howell would love to see this become a more mature discussion with the job description. He would like it to be clear that the human resources position would not diminish the role of duties of the Assistant Town Administrator. Mr. MacAskill added that the amount of work that our existing Assistant Town Administrator does is amazing. If you take away the human resources component, it will give her a fair shot of getting everything else done. He also agreed that it might be time to do a compensation study for the Assistant Town Administrator position.

The Board had a brief discussion on what the possible organizational structure would look like and agreed that they would like to see an organizational chart. They also agreed that there needs to be a more robust conversation about the position.

The consensus of the Select Board was to move forward with the human resources position at the May Town Meeting.

- C. Approve a Class II Used Car Dealer and Class IV Auto Repair Annual license renewal for Sam's Auto Repair & Sales, Inc. d/b/a Sam's Automotive Center, 413 Route 28

**Mr. Handler moved to approve a Class II Used Car Dealer and Class IV Auto Repair Annual license renewal for Sam's Auto Repair & Sales, Inc. d/b/a Sam's Automotive Center, 413 Route 28, 2<sup>nd</sup> by Mr. Howell and approved 4-0-0.**

- D. Approve the following 2024 Annual Entertainment license renewals:
1. Cape Roots Market & Café, LLC d/b/a Cape Roots Market & Café, 557 Route 28  
Weekday – 4:00 p.m. to 8:00 p.m. inside  
Live/recorded music, amplification, dancing by live performers
  2. Hot Stove, Inc. d/b/a Hot Stove, 551 Route 28  
Weekday – 9:00 p.m. to 12:00 a.m. inside  
Jukebox, radio, television, live/recorded music, amplification, dancing by live performers

**Mr. Handler moved to approve the 2024 annual entertainment license renewal as listed above, 2<sup>nd</sup> by Mr. Howell and approved 4-0-0.**

- E. Approve the following 2024 Annual Common Victuallers license renewals:
1. Cape Roots Market & Café, LLC d/b/a Cape Roots Market & Café, 557 Route 28
  2. Hot Stove, Inc. d/b/a Hot Stove Saloon, 554 Route 28
  3. Subfleet, Inc. d/b/a Subway, 1 Austin Road
  4. Morin-Froughton, Inc. d/b/a Lighthouse Café, 216 Route 28

**Mr. Handler moved to approve the 2024 common victualler license renewals as listed above, 2<sup>nd</sup> by Mr. MacAskill and approved 4-0-0.**

### **OLD BUSINESS**

- A. Discussion and possible vote to call a Special Town Election to fill the current Select Board vacancy, term to expire May 21, 2024

Ms. Kavanagh thanked Town Clerk Emily Mitchell for the recently received information, noting that the Select Board will need to assess it.

Town Clerk Emily Mitchell was present and provided a brief summary of how we got here. After the last Select Board meeting, Ms. Mitchell did additional research, spoke with Town Counsel, spoke with the lead petitioner, and contacted the vendor who services our voting equipment. Ms. Mitchell shared with the Select Board information that was received late this afternoon from Town Counsel along with an updated summary of scheduling options that are available to the Select Board now, assuming that they are not looking to schedule an election earlier than April 9<sup>th</sup>. Ms. Mitchell went on to say that April 9<sup>th</sup> would be the best option for the Select Board would be looking to hold a full-scale special election. That is the earliest date that does not conflict with any logistics of the presidential primary election. The Select Board would have options, even with the April 9<sup>th</sup> date, which would include opting out of vote by mail. Last week, the Select Board discussed a May 20<sup>th</sup> date, which would be the day before the local town election. If the board proceeded with that date, it was in light of the comments made by the lead petitioner expressing their desire to withdraw the petition and minimize the impact. One of the benefits to the May 20<sup>th</sup> date would be only one set up and one breakdown of the polling location, for both elections. If the



Select Board chooses the May 20<sup>th</sup> date, Ms. Mitchell would request that they consider reducing the voting hours to the fullest extent possible, which would be 4 hours under state law, as well as opt out vote by mail.

Ms. Mitchell spoke with our voting tabulator vendor, and they did confirm that they would be able to rent us memory cards, if the May 20<sup>th</sup> election scenario happened. There would be a cost to rent the memory cards, but there would still be a net cost reduction as a whole.

It was stated that based on what the Town Clerk provided today, it does include comment that there are relevant legal factors where the Board might consider not calling a special election, despite the fact that the petition was properly filed and certified.

After Ms. Mitchell spoke with Town Counsel, she met with the lead petitioner and he confirmed that he is still interested in following through with the petition to withdraw. Ms. Mitchell feels that it would be very valuable if the Select Board were to make space to hear feedback from those other registered voters who have signed the petition, 242 signers in total.

Ms. Kavanagh asked what the reduced hours would be. Ms. Mitchell only recommended reduced hours if the Select Board chose to go with the April 9<sup>th</sup> or May 20<sup>th</sup> date and had no candidates, or 1 candidate only. If it was a contested race, she would not recommend reduced hours. She would recommend narrowing the hours to the full extent possible and having them be hours that would not involve staff overtime.

Ms. Kavanagh, Mr. Handler, and Mr. MacAskill agreed that they are not considering a meeting anytime before April 9<sup>th</sup>. Mr. Howell stated no opinion.

Ms. Kavanagh said that there would be more discussion after the Select Board has a chance to read through the recently received information.

Mr. Handler asked Mr. Otton that if he was able to get all of the signatures, that they would be turned over to the Town Clerk's Office. Mr. Otton responded that they would be turned over to the Clerk's Office. He has also asked petition signers to email Ms. Kavanagh if they are not supporting having the special election. Mr. Otton has also asked the Cape Cod Chronicle to publish a letter saying that his idea is to withdraw the request for the special election.

Mr. Handler asked Ms. Mitchell what would happen if the lead petitioner were only able to get 100 signatures and if that should weigh in on the Select Board decision. Ms. Mitchell stated that she is not able to give a definitive cut off number where the Select Board would choose to act one way or another.

#### B. Discussion on potential municipal tax bill inserts per M.G.L. c. 60, §3 A(d)

Mr. Powers read the section of M.G.L. being discussed. This vote needs to be taken by the Select Board, would need to be included in the property tax bill and the flier cannot cause the weight of the mailing to increase.

Bikeways Committee member Paul Gazaille was present and stated that this will get the word out to people regarding the new law.

Finance Director Kathleen Barrett was present and advised that the insert would not be able to be sent with the upcoming tax bill as all information has already been sent to the printer. There will be costs associated with the insert, which are still being researched. Ms. Barrett recommended that the mailer could be sent with the excise tax bills in February.

Ms. Barrett reviewed the number of different tax bill mailings that are done each year.

The Select Board discussed sending the mailer with the upcoming excise tax bills. Ms. Barrett noted that all information would need to be ready in January and that she is not sure of the exact turn around time.

### **TOWN ADMINISTRATOR'S REPORT**

Mr. Powers announced that a grant in the amount of \$5,910.00 has been received for the benefit of the Council on Aging Department from the Mass COA Executive Directors Council. These funds will be used for more tablets, a better projector and being able to brand items. Mr. Powers thanked Ms. Witas for her work on this.

Mr. Powers announced that the town has received a clean waters trust grant in the amount of \$75,000.00. The grant will go towards mapping culverts and will also go a long way in pursuing other grants.

Mr. Powers announced that Heather Cavatorta has been hired as the new Administrative Assistant in the Assessor's Office. She will start on the first business day of the new year.

### **SELECTMEN'S REPORT**

Mr. Howell said that on behalf of the entire Select Board, gave a profound thanks to all the men and women who were part of the Homeless for the Holidays event. They are a remarkable group and what they do is greatly appreciated. Mr. MacAskill echoed Mr. Howell's comments and also thanked the members of the public who showed up to donate.

Mr. MacAskill asked to agenda the replacement person to the Housing Trust. He also would like to address the committees that are lacking a liaison and hand out some assignments.

Mr. Kavanagh commented that the Cold Brook site visit was excellent.

### **CORRESPONDENCE**

No correspondence was discussed.

### **ADJOURNMENT**



Mr. MacAskill moved to adjourn the meeting of the Select Board, 2<sup>nd</sup> by Mr. Howell and approved 4-0-0.

Respectfully submitted,  
Jennifer Clarke  
Recording Secretary

