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**MINUTES
SELECTMEN'S MEETING
TOWN HALL
MONDAY, FEBRUARY 6, 2023
6:00 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

SELECTMEN PARTICIPATING: Michael MacAskill, Mary Anderson, Donald Howell, Larry Ballantine & Julie Kavanagh

ALSO PARTICIPATING: Joseph F. Powers

CALL TO ORDER

Mr. MacAskill called the meeting to order at 6:00 p.m.

PUBLIC COMMENTS/ANNOUNCEMENTS

Mr. MacAskill commended the Harwich Fire Department, Orleans Fire Department and Orleans Police Department for their work at a house fire in Orleans this past Saturday. The thought of what this tragedy is doing to some people is unimaginable. A great deal of thanks is owed to our public safety across the Board. Prayers were given for the Orleans Fire Department and Orleans Police Departments.

Patrick Otton was present and stated that it is his understanding that the Orleans Select Board have taken up the issue of registering all rental properties. Mr. Otton is wondering what the opinion is of the Harwich Board of Selectmen or if it is an issue that can be taken up in order to get a handle on the extent of rentals in Harwich. Mr. Otton is curious to know if there is interest in the Harwich community to follow the lead of Orleans and register our rental properties.

Water/Wastewater Superintendent Dan Pelletier was present and shared kind words that were shared this week about his department from the Department of Environmental Protection. Every 3 years, MA DEP comes out and does a sanitary survey. In following up from the survey, DEP only had 2 recommendations and found no violations or deficiencies. DEP recommended that protective bollards be installed around 3 of the wells that we have. Their second recommendation was to identify a location outside of the Chatham Road facility to store construction and equipment material. The second is a bit of a larger fix, but the first recommendation was able to be completed right away in house. Mr. Pelletier thanked his dedicated staff.

A. Committee Vacancies

Ms. Anderson read the existing committee vacancy list.

B. Next Board of Selectmen Meeting will be Tuesday, February 21, 2023

FISCAL YEAR 2024 COMPREHENSIVE BUDGET AND MESSAGE

Finance Director Ann Marie Ellis was present.

A. Finance Director to present the Fiscal Year 2024 Sources and Uses table

Ms. Ellis stated that when she was balancing one of the spreadsheets, she found an error in one of her debt exclusion reports. She worked with the Assessor and the error was discovered in our projection for excluded debt. Ms. Ellis reviewed how we come to the amount for the tax levy limit which is by taking the base levy limit for FY24 plus the 2.5% levy plus growth factor. The sub total is \$52,438,527. Then you add in the exclusion debt which is \$2,789,152 followed by adding back in the Monomoy Regional School and Cape Cod Regional debt service. Ms. Ellis noted that she did meet with departments to talk about local receipts and to get the department heads input on their projections. They came up with \$14,806,000 in receipts. Ms. Ellis went on to review the uses of funds and the semi-fixed costs which include Barnstable County Retirement, debt service, health insurance OPEB, property and liability insurance and unemployment. Including the 2 allocations from Monomoy and Cape Cod Regional, the total uses come to \$75,255,321 and the net sources is in a deficit of \$588,939.

Mr. MacAskill asked that staff provide the Board copies of the sheets that Ms. Ellis is working off of so they can be provided to the public. He noted that it is late in the hour to be getting this change, especially showing the negative number. Mr. MacAskill stated that he is not sure how the 4% in the levy limit can be accurate given where sales are at and all of the other factors. He would like to see more work done to verify that this information is correct. Mr. MacAskill noted his frustration on the local receipt numbers and feels that the board may want to do a deeper dive, given where we have been with free cash. He went on to ask that Ms. Ellis provide backup material on how she came to these numbers.

Mr. Howell stated that it would be helpful to see last year's actual numbers going into the forecast because it is hard to pin down where we are coming from in order to know where we are going. Mr. Ballantine agreed.

Ms. Anderson said that her concern was on the local receipts and free cash. She added that she expected to see the forecast for FY24 be higher than what is being presented and asked for additional information. Ms. Kavanagh responded that she is looking for the same information.

Mr. MacAskill asked if the 6% on health insurance is a fixed number. Ms. Ellis responded that it is an estimate. Mr. MacAskill asked when we will see the actual number. Mr. Powers responded that he serves on the insurance group and that they will be meeting next week and are anticipating a number less than 6%.

Mr. MacAskill stated that the board is about a week early with this information and that it needs to be delivered to the Finance Committee by February 21st. There will be other edits to this document and it is not a final version of the budget.

B. Town Administrator to present the Fiscal Year 2024 Comprehensive Budget, Budget Message and financial forecast

Mr. Powers noted that it is his requirement to be responsible in developing a comprehensive budget for FY24 with an accompanying budget message, as he has provided in the packet. The Town Administrators budget total for the departments for FY24 is \$30,773,764 which is part of the overall \$75,255,321 budget. Mr. Powers reviewed the sources and uses for FY24 and has presented a balanced budget that will be transmitted to the Finance Committee. Mr. Powers wanted the board to see the difference between the operating budget as it compares to fixed costs as well as the 2 school districts.

Mr. Powers said that the budget is a statement of priorities and what is prioritized in this budget are operating enhancement of services for administration, fire, building and community center. There was also a proposed enhancement for recreation, but given personnel cost changes that occurred, those enhancements were able to be assumed by the present budget that the recreation director has. Mr. Powers reviewed in detail each of the service enhancements as presented in his memo dated February 6, 2023.

Mr. Howell questioned the fire department positions noting that the numbers provided with salaries and benefits does not work. Mr. Powers reviewed the numbers as provided by the Fire Chief. Mr. Howell responded that he can't see how we can hire anyone at \$40,000 with benefits. Mr. MacAskill suggested that it would be \$54,000 per position plus benefits and that the \$70,000 would be for turnout gear and training. Ms. Anderson said that maybe it is a timing issue and only funding for the partial year.

Mr. MacAskill brought up the Community Center positions and asked to see further detail on the numbers provided. In trying to get back to pre-pandemic services, he asked if we lost a person from the position or did the cost of doing business go up. Mr. Powers responded that we lost a position and it was not filled. We also had both custodial services, which we don't presently have, as well as a staff member. Mr. MacAskill asked for further clarification.

Mr. Powers reviewed the proposals that did not make it into his budget, noting that not being included does not mean that they are not worthy requests.

Mr. Ballantine commented that there will be a meeting in March with the department heads and that he would like to leave the conversation open with respect to the Conservation Department staffing request. Mr. Powers responded that the information being provided is him trying to start a conversation and that we should end up with a budget that we all agree has the best priorities for the town. He has encouraged department heads to be present at the March meeting in order to have a deeper discussion.

Mr. Howell agreed that the Conservation Department's request is an important one as the town is growing more and more in sensitive areas.

Ms. Anderson suggested including a human resource director position somewhere in the budget, noting that the town is large and the human resources piece takes away from what the Town Administrator and Assistant Town Administrator need to be doing. Ms. Kavanagh agreed and added that her other addition would be regarding the early childhood stipend.

Mr. Powers said that in the Assistant Town Administrator job description, it says that if there is no human resources director, it falls on the ATA, which leads him to believe that this has been around before. Mr. MacAskill requested to add the human resources director position into the budget.

Mr. Powers took time to remind everyone of the strong financial position that Harwich currently enjoys. Not only did we retain our AAA bond rating coming out of the pandemic, but we have strong reserves. Effective July 1, 2023, we will bring online special purpose stabilization funds dedicated solely to wastewater and housing, which further enhances our strong financial position. We are showing solid receipts with strong growth.

Mr. Ballantine commented that the budget numbers are showing a 5.6% increase, which is greater than what has been done in the past, but added that we are living in inflationary times. Mr. Ballantine is hoping to receive more detail in the future of what is causing the increases. Mr. Powers responded that his goal is to have rock solid numbers before the board's meeting on the 21st. Mr. Ballantine added that if we are going to get through Town Meeting, we need to be able to better justify the increases.

Mr. Ballantine said that he doesn't see a category for the 204 Sisson Road building. Mr. Powers responded that we do not rely upon revolving funds for our sources and uses. The operating expenses are built into what is presented for building maintenance under DPW. If Mr. Ballantine is looking for a specific report, it would be the revolving fund report. Mr. Powers responded that he will provide Mr. Ballantine with the information that he is seeking.

Mr. Ballantine asked for clarification on the Community Development zoning administrator position. Mr. Powers responded that it is meant to be a higher level resource for the Building Commission in support of the Zoning Board of Appeals and the Town Planner in support of the Planning Board.

With respect to the Community Center position, Mr. Ballantine hopes that it would be broadly defined so that they can help with the Council on Aging and library since many of the programs cross over.

Mr. Howell feels that it is hard to make an assessment where we are going without seeing the actual receipts as well. He added that he is unsure that the numbers being presented are correct.

Ms. Anderson agreed that she looks forward to receiving more detail on the numbers.

Ms. Kavanagh asked if the numbers in salary and wages for the Town Engineer are based off of us using the outside consultant. Mr. Powers responded that the line item is meant to be reflective of the present grade and step of the engineer in the SEIU contract plus 2% as well as the \$65,000 for the surveyor that was voted at Town Meeting plus 2%.

Mr. MacAskill said that he will be setting aside a fair amount of time on the 21st for board discussion. He asked that any information for the board be provided ahead of time. He is looking for actual revenue where we are at today with a snapshot on how the past year has looked as well as information on departmental turn backs for the last couple of years to help the board understand what parts of budgets are not being used. Mr. MacAskill also asked for information on the Albion House and old recreation building expenses.

Mr. Ballantine asked if the number provided for insurance liability is an increase in fees or an increase in what we are insuring. Mr. Powers responded that the 4.9% increase is a solid number that was received by MIIA and we know it will carry us through the fiscal year.

Mr. Powers reminded everyone about the round table budget meeting scheduled for March 4, 2023 at 9:00 a.m.

CONSENT AGENDA

A. Approve Board of Selectmen Meeting Minutes:

1. January 17, 2023
2. January 23, 2023

B. Approve the following committee appointment for the Harwich Accessibility Rights Committee (HARC):

1. Donna Richardson – Term to expire 2/28/2026

Mr. Howell commented that Donna Richardson expiration date should be June 30, 2023 as she is filling the balance of a term for that position.

Mr. MacAskill stated that another appointment for HARC was received and will be on next week's agenda.

Mr. Howell moved to approve the consent agenda, noting the correct expiration date of June 30, 2023, 2nd by Ms. Anderson and approved 5-0-0.

NEW BUSINESS

A. Discussion – Education on fertilizer

Present were Conservation Administrator Amy Usowski, Health Director Katie O'Neill and Water/Wastewater Superintendent Dan Pelletier. Ms. O'Neill reviewed the memo dated February 1, 2023 that was provided in the packet.

Mr. Ballantine feels that what is being presented is an excellent approach. This will take some time to get going and will have to be done multiple times to take effect.

Mr. Howell stated that he would like to see something constant. He would like to make sure that people are reached and suggested some kind of welcome packet that includes information on fertilizer use. Mr. Pelletier responded that they might be able to include information when they sign up new water customers.

Ms. Anderson thanked the team for their work and for the list of comprehensive things that they are working on.

Ms. Kavanagh also noted that this is a great memo provided and that this is the best way to go about it. She suggested also incorporating high school students to try and educate them at that level as well as they might be more environmentally aware than some adults.

Mr. Pelletier stated that a suggestion was made about using the new water tank on Lothrop Avenue as an example of how a Cape Cod lawn should look.

Mr. Ballantine added that it wouldn't hurt to have something in the information distributed about irrigation use.

Ms. O'Neill reviewed the 4 bullet points as provided in the memo.

Patrick Otton was present and stated that he is happy that this is being presented and asked what the objective is on education. He asked if we are reiterating current practices or focusing on the sensitivity of Cape Cod. Ms. Usowski responded that this is more focused on the sensitivity of Cape Cod adding that practices and projects have changed a lot in the last few years. Because we recognize that our past and current practices are impacting our water bodies is why we are here. We don't have a fertilizer ban, so if people want to do things, we can show them what an environmentally better way is than just spreading fertilizer. Mr. Otton feels that this impacts everyone in Harwich including residents, businesses and visitors. If we lose our water, why are we living on Cape Cod. Mr. Otton wants us to look at the future and solve the problem today.

Mr. MacAskill asked who members of the public could reach out to if they wanted to help. Ms. Usowski responded that they could contact any one of the departments. Ms. O'Neill added that she would be hesitant to have individual business involved where we don't know their qualifications, but would be happy to have them involved as interested parties. She would like to make sure that we stick to science and evidence based numbers.

B. Update on Opioid funding

Health Director Katie O'Neill, Police Chief David Guillemette, Youth and Family Services Director Sheila House and Town Nurse Susan Jusell were present. Ms. O'Neill stated that they have created a working staff task group and have met with several large stakeholders on the cape. Ms. O'Neill reviewed the memo that was provided in the packet dated February 1, 2023. One change to the memo is that the school has found a great prevention program that they would like

to have 3 of their staff members trained in. The cost for this would be around \$700.00. The proposal would remain the same with that one addition.

Mr. Ballantine knows that this is desperately needed, noting that he is involved with Outer Cape Health Services and this is one of their major priorities. He asked how we can engage the community to make sure that everyone is aware of the resources. Mr. Ballantine thanked the team for stepping up.

Mr. Howell asked when this information would be introduced to children. Ms. House responded 7-12 grade. Mr. Howell responded that he is concerned that the bus has already left the station by 7th grade. He would not want to see children finding out through experience the harm of opioids. Ms. House added that they will be having people with lived experience coming in to speak directly to the children about how they got on the ramp to addiction.

Ms. Anderson stated that she was a liaison to this group and that there was an impressive crowd around the table. She asked if there is a deadline to use the funds. Ms. O'Neill responded that they have to be used by the end of the fiscal year and that there has been no extension granted yet. Ms. Anderson asked if we will be able to implement what is being presented and Ms. O'Neill responded that we would.

Ms. Kavanagh noted this information as great and comprehensive and asked in terms of working with the navigator program, where would this be done. Ms. O'Neill responded that their thought was the 204 Sisson Road building, but can have further discussion if necessary.

Mr. MacAskill asked if this has been vetted through the finance department and that if not, that should be done. He asked if the team would have any issue if a vote was made on the 21st. No objection was heard.

Sharon Pflieger was present and stated that 4th and 5th grade is not too early to introduce this education. Ms. House responded that the training program for staff includes k-12th grade.

C. Vote to appoint a member of the Board of Selectmen to the Harwich Affordable Housing Trust Fund Board of Trustees

Ms. Anderson recommended Mr. Ballantine as the appointed member. She feels that his short term membership might get things calmed down enough to move forward.

Mr. Ballantine agreed that he would accept that nomination. He will only be on the Board of Selectmen for a short time.

Ms. Anderson moved to appoint Larry Ballantine to the Affordable Housing Trust Fund Board of Trustees, 2nd by Mr. Howell and approved 5-0-0.

- D. Conduct the Second Reading, per Board of Selectmen Policy on Policy Development, to amend the Board of Selectmen policy on remote participation; Votes may be taken

Mr. Howell reviewed the changes as outlined in the packet.

Mr. Howell moved to accept the changes as outlined to the Board of Selectmen policy on remote participation, 2nd by Ms. Anderson and approved 5-0-0.

- E. Herring River Route 28 Landing – Stormwater Remediation Project Design; Votes may be taken

Harbor Master John Rendon was present and reviewed the memo as provided in the packet. He is recommended that the Board of Selectmen approve the request to move forward with the Association to Preserve Cape Cod to have the engineering design work completed, and then look for opportunities to implement the plan. There is no cost to the town for any of the design/engineering work and the town will be under no obligation to follow through with the work that is recommended.

The Board gave their consensus to proceed.

- F. Discussion on Keno Application submitted to Massachusetts State Lottery Commission pursuant to M.G.L. Chapter 10, Section 27A; Votes may be taken

Mr. Powers reviewed the letter received from the Massachusetts State Lottery Commission dated January 27, 2023 regarding 711 Food Mart, located at 711 Main Street.

The Board agreed that they have no issues with their application moving forward.

TOWN ADMINISTRATOR'S REPORT

No report was given.

SELECTMEN'S REPORT

Ms. Kavanagh attended the school committee meeting last Thursday. They have a comprehensive budget and there is a lot of discussion to be had. Mr. Howell asked if there would be any way for the school committee to provide the board with information well in advance of their joint meeting. Mr. Powers responded that he would pass along that request. Ms. Anderson asked if they would be able to provide a 1-2 page report with a couple of year's actual information. Ms. Anderson also like to look again at the formula for the middle and high school.

Mr. MacAskill stated that the next Board of Selectmen's meeting is on February 21, 2023.

CORRESPONDENCE

No correspondence was discussed.

ADJOURNMENT

Mr. Howell moved to adjourn the meeting of the Board of Selectmen, 2nd by Ms. Anderson and approved 5-0-0.

Respectfully submitted,
Jennifer Clarke
Recording Secretary

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