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**MINUTES
SELECTMEN'S MEETING
TOWN HALL
MONDAY, MARCH 13, 2023
5:30 P.M.- EXECUTIVE SESSION
6:00 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

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

ALSO PARTICIPATING: Joseph F. Powers

I. CALL TO ORDER

Mr. MacAskill called the meeting to order at 5:30 p.m. beginning with Executive Session.

Mr. Ballantine moved that the Board of Selectmen enter into Executive Session to discussion items as listed below and that the Chair has determined that open session would have a detrimental effect on the town's bargaining position or litigating position of the public body, 2nd by Ms. Anderson. The vote was 4-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Anderson and Ms. Kavanagh all voting aye by roll call.

II. EXECUTIVE SESSION

- A. Pursuant to MGL c.30A section 21 (a)(3) to discuss strategy 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; SEIU
- B. Pursuant to MGL c.30A section 21 (a)(3) to discuss strategy with respect to litigation involving 47 North Road if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

Mr. MacAskill called the meeting back to order. He reported that no decision was made regarding agenda item a and that a decision was made regarding agenda item b, but that no information would be announced tonight.

III. PUBLIC COMMENTS/ANNOUNCEMENTS

Town Clerk Emily Mitchell was present and stated that there is still time for residents to pull papers if they are interested in running for office at the May 2023 election. Annual Town Election will be held on May 16, 2023. 4 offices will appear on the ballot which include Board of Selectmen, Monomoy Regional School District, Water/Wastewater Commission and Brooks Free Library Board of Trustees. Nomination papers are available in the Town Clerk's Office. The deadline to obtain papers is March 24, 2023 until 5:00 p.m. and the deadline to return papers is March 28, 2023. 50 signatures are required with an additional 10 signatures as a suggestion. Ms. Mitchell also stated that the Town Clerk's Office had implemented a grace period for dog license renewals

which is until March 17, 2023. If licenses are not renewed by that date, dog owner's will be subject to a \$25.00 per dog late fee.

A. Committee Vacancies

Ms. Kavanagh read the list of existing committee vacancies.

Mr. Powers stated that he has received word today from the Monomoy Regional School District that kindergarten registration is now open. Registration started on March 6, 2023 and will run through March 20, 2023. Anyone interested in signing up their child that will be age 5 by September 1, 2023 should contact the school either on their website or at 508-430-7216. This is kindergarten registration for the 2023-2024 school year.

IV. **CONSENT AGENDA**

A. Approve Board of Selectmen Meeting Minutes:

1. February 27, 2023
2. March 4, 2023 - Finance Committee and Board of Selectmen Joint Budget Meeting

B. Vote to approve the Assistant Town Administrator's recommendation to grant permission by NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of to install 30' +/- of 1-3" conduit from the proposed handhole 289/HA2 to a customer installed handhole 289/HB2 at 18 Holmes Road

C. Accept the following committee resignations effective immediately:

1. Joanne D. Lepore, Council on Aging

Mr. Howell moved to approve the Board of Selectmen minutes for February 27, 2023 as amended and March 4, 2023 as well as items b and c of the consent agenda, 2nd by Ms. Kavanagh.

Mr. Howell moved to amend his motion to not include the approval of the February 27, 2023 Board of Selectmen minutes, pending amendments, 2nd by Ms. Kavanagh and approved 4-0-0

Mr. MacAskill stated that the February 27, 2023 minutes would be brought back next week for a vote.

V. **NEW BUSINESS**

A. Approve the following committee appointment recommendations from the Board of Selectmen Interview Committee:

1. Harry Munns - Planning Board from Alternate Member to Full Member expiring 6/30/24.

Mr. Ballantine moved to approve the appointment of Harry Munns to the Planning Board from alternate member to full member with a term to expire on June 30, 2024 as

recommended by the Board of Selectmen Interview Committee, 2nd by Ms. Kavanagh and approved 5-0-0.

B. Disposition of Albro House 728 Main Street

Mr. MacAskill stated that this is on the agenda as a placeholder item.

Mr. Powers stated that he does not have anything specific for this topic but that he has been working with Harwich Housing Advocate Brianna Powell on potential discussions with the Board. The other reason that this information is being put out there is because there are people who thought that this property was under the control of the trustees of the Housing Trust Fund Board. The property remains under the care, custody and control of the Board of Selectmen.

Mr. MacAskill said that for the public, we are talking about this with our Youth Services Director who has announced her retirement. The 204 Sisson Road building has been talked about as a potential location for that position. More information will be provided in the near future.

C. Discussion on FY24 Department Operating Budgets

All discussion was had under the agenda item of draft articles presentation.

D. FY23 Personnel Bylaw FY23 Salary Tables

Mr. Ballantine moved that the Board of Selectmen accept the recommendation of the Town Administrator regarding the FY23 Personnel Bylaw FY23 Salary Tables as presented, 2nd by Mr. Howell and approved 5-0-0.

E. Draft Articles Presentation

The effort of this is to frame the warrant articles as best possible and Mr. Powers asked the Board to hold off on any endorsements. We expect to come back next week to hear from proponents and others and then have the Board move to the position of taking actual endorsements.

Mr. Howell moved to place the Town Officers and Committees on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Reports of Town Officers and Committees on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Elected Officials Salaries on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

With respect to the town operating budget, Mr. MacAskill commented that the overlay surplus of \$200,000 is something that has not been discussed. Mr. Powers responded that the table is meant

to get to the various different sources that we use to fund Article 4 operating budget. The overlay surplus has been in the appendix before, just not broken out in the table.

Mr. Howell moved to place the Town Operating Budget on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Monomoy Regional school District Budget on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Cape Cod Regional Technical School District Budget on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Me. Howell moved to place the Water Department Budget on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Wastewater Department Budget on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Funding Cape Cod Community Media Center on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Items Funded from the Cable Fund on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Ms. Kavanagh stated that regarding the childcare stipend support program, she does not think that we want to include early intervention support and would be looking for a better title. We are really trying to defray the cost of early childhood education from age 3 on up, not intervention.

Mr. Ballantine said that he would like more clarification on this item.

Mr. Howell noted that it is not merely to fund administrative and program management costs but that it would be money that would be portable to defray the costs when a parent decides to bring their child someplace.

Ms. Kavanagh stated that the \$250,000 amount attached to the article came from when we were trying to work with the early childhood educational specialists in town to try.

Ms. Anderson asked if this article should say tuition reimbursement.

Mr. Howell moved to place the Childcare Stipend Support Program on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Fund Technology Enhancements for Brooks Free Library on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Ballantine asked if the cemetery regulations come from the Selectmen or Cemetery Commission. Mr. Powers responded that he thinks they have come from the Cemetery Commission but would double check.

Mr. Howell moved to place the Amend Cemetery Regulations on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Powers provided background information on 2000 Special Town Meeting Article 11 when Town Meeting voted to acquire the bog at 374 Main Street and then dispose of it. This was the original action that led to the bog at the property. Mr. Powers added that he was directed to have an article for place holder purposes for the Board's discussion.

Mr. MacAskill feels that this discussion should be held off on tonight because there is zero explanation provided. We wouldn't just be rescinding Article 11. We are trying to take off the handcuffs that were put on by this article. He would like to see it brought back with more information. Mr. MacAskill added that he is not sure why we need to have an article or a petition article and why we cannot enter into an agreement with the Cape Cod Regional Technical School for an agricultural education center at the site since we all agree on that and agriculture has been done there for 22 years. Adding a word behind it seems to have gotten lawyers in a frenzy and it has been completed over complicated.

Mr. Powers offered the article regarding MGL Chapter 41, Section 110A after conversations with the Town Clerk. With all of the various elections that the state tends to call, if a town has not accepted this statute, it would require Town Clerk staff to be present on a Saturday. Most municipalities in the Commonwealth have adopted this. Town Clerk Emily Mitchell was present and stated that this provision would not apply to state and federal elections and would only apply to the voter registration deadlines for local elections. We typically don't see a lot of people coming in on a Saturday voter registration deadline. There would still be the option for people to register to vote online, which is how we see 95% of voter registrations come in. It would be saving the towns resources to not have to staff the office on a Saturday.

Mr. Howell moved to place the Accept MGL., C. 41, Section 110A on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Amendment to the Agreement between the Towns of Chatham and Harwich with respect to the formation of a Regional School District, with Mr. Powers to confirm with Chatham that they will have identical language, on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Promote the Town of Harwich on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Supplemental Annual Allocation of Mass Cultural Council for Local Cultural Council Grants on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Defray the expenses of the Chase Library and Harwich Port Library on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Ballantine stated that the Board has discussed the revolving funds authorization before. It has gotten to be real money that is going into the revolving funds. Mr. Ballantine noted that his concern about putting monies into the revolving fund because that turns into a significant operation in town. As a Board, we don't see that as a budget item going forward for discussion. When we look at the revolving fund, it was not to supplant hiring people, it was a mechanism to pay for fees for specific programs. After all this information, Mr. Ballantine does not think the 204 Sisson Road should be in the revolving fund.

Mr. Howell said that the revolving funds should be for unforeseen circumstances and should not be for funding and growing programs if there is a known figure that they can fund in the general budget.

Ms. Anderson understands Mr. Ballantine's concerns about Sisson Road. She remembered a big review of revolving funds a year or so ago and that they were okay. Mr. MacAskill responded that there have been a lot of review of the revolving funds and that last year, they were on the agenda 3 times with no comments or decision from the Board other than they thought the number was high. No recommendations were made to lower them at the time of discussion.

To Mr. Ballantine's comment about 204 Sisson Road, Mr. MacAskill responded that we don't bring in enough money right now to matter. We put in \$300,000 as a limit. It seems to him that we would let the building operate for a year and if a relapse comes along, then it can be pulled out. The great part is that this review gets to happen every year.

Mr. Howell said that he has been talking with Dana DeCosta and that they have not coming to any substantive recommendations and feels that it would behoove us to move on to next year.

Mr. Ballantine agreed that the Board has always looked at the revolving funds and that there was a great review last week on a proposed budget going forward. He feels that this should be part of our overall departmental discussions.

Ms. Kavanagh stated that she does not have a problem with the revolving funds.

Mr. Powers noted that this is a standard article that is presented every year and is required to comply with chapter 8 of the bylaw of the Town of Harwich.

Mr. Ballantine moved to place Annual Departmental Revolving Funds Authorization on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 4-1-0 (Howell opposed)

Mr. Howell moved to place Herring Fisheries on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Powers noted that there are other articles that will possibly be presented which include 3 zoning bylaw amendments, personnel list of positions article, Judah Eldredge supplemental funding article and prior years unpaid bills (if any).

Mr. MacAskill stated that the citizen petition articles will be on the warrant regardless. Mr. Powers responded that the Board has traditionally voted to place them on the warrant.

Mr. Powers reported that there was an inadvertent omission and that there will be an additional article coming forward for the various war memorials.

Mr. Howell moved to place the Community Preservation Act Article-Land Bank Debt Service on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Land Bank Debt Service on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Appropriations & Housekeeping Expenses on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Herring River Land Preservation Project on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. MacAskill stated that on next weeks agenda will be an ask of the Board to support asking the Community Preservation Committee to reconsider their vote to give the \$500,000 that they have given the Affordable Housing Trust for the past 2 years. The motion to bring \$250,000 to the table is a bit punitive to him because of some of the dysfunction that was happening with the trust that has started to be addressed. To talk about housing and then to take the knees out from the housing people to do something and the housing trust to do what it is supposed to do seems off to him.

Mr. Howell feels that the trust needs to be able to bank and hold money for unanticipated projects. The way that the trust is written is a one-way trip. The money goes in and only the trust can disperse it.

Elizabeth Harder was present to speak as a resident. She believes that one of the concerns is that there is no plan for the money. The Affordable Housing Trust is a very important part of housing in Harwich and it is not the only party involved with housing in Harwich. We need to be able to make sure that next year if someone comes to Harwich with a project, that the money is available.

Mr. MacAskill responded that there are 43 houses coming off the SHI list this year. We could use that money to buy our way back into the 43 houses so that we are not going backwards on our 10% affordable housing from the state. We are trying to move forward and, in his opinion, his ask of CPC is to reconsider not funding the request. Mr. MacAskill asked Ms. Harder to go back and look at the documents to see that there is a plan to move forward.

Ms. Harder stated that as a member of the public and having looked at the CPC proposals there is no plan for the \$500,000. She thinks that buying back property sounds like a great idea and that this is the first she is hearing of it.

Mr. Ballantine feels that there needs to be further education on the trust initiative.

Mr. Howell moved to place the Community Preservation Act Article-Fund Harwich Affordable Housing Trust Fund on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Lower Cape Housing Institute on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Brooks Academy Renovations on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Preservation of 203 Bank Street Old Fire Station on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Oak Street Bike Path Crossing Lights on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Senior Softball Fields Restrooms on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Resurface Courts at Brooks Park on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Additional Funding: Sand Pond Restoration Restroom Project on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-Skinequit Pond Remediation Project on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Community Preservation Act Article-War Memorials Project on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Powers reviewed the draft list of capital articles to be inserted into the 2023 warrant, adding that there is any number of ways that the articles can be presented. This is a policy discussion that Mr. Powers is looking for direction from the Board on. He noted that he can certainly do stand alone articles, but if done that way, it would double the warrant. Mr. MacAskill commented that

the articles are being presented in the packet as an attempt to reduce the number of articles on Town Meeting floor. Mr. Powers said that if they are separated out, we would see greater than 75 articles on the warrant.

Jon Chorey was present and thanked the Board for bringing this up. He would like to see these articles placed individually on the warrant that way residents can discuss them. He also talked about the Town Moderator reading down the list of articles and asking if anyone has any objections to them. Mr. Chorey feels that it will be difficult if they are all lumped together.

Mr. Ballantine said that he would be reluctant to make Town Meeting any longer than it is. He is in support of Mr. Powers suggestion.

Mr. Howell stated that he feels it could take longer to do it this way than to separate them out. He would be all in and advocating for these articles to be separate on Town Meeting floor. Lumping them as one article can lead to confusion if/when amendments are made.

Ms. Anderson said that she is leaning towards Mr. Chorey and Mr. Howell's suggestions and agreed that she can see confusion happening.

Ms. Kavanagh said that she doesn't have a problem with the process that Mr. Howell and Mr. Chorey talked about. She also wondered why we don't ask our Town Moderator as to what the best way to proceed is.

Mr. MacAskill noted that the capital plan is voted before the articles for funding. Town Meeting will have the first shot at voting the capital plan for the amount showing all these items in year 1. All we are asking voters to do is vote the list of capital items for the funding source. Mr. Howell added that we have not had the discussion about the 2/3 vote requirement to move things in different years.

Mr. MacAskill sees no reason to not group the items. We talk about why people don't participate at Town Meeting and a lot of comments have been the hour the meeting goes to and the number of articles.

Ms. Anderson suggesting grouping them by department which would reduce the list to 7. Mr. Powers added that it would be those plus water and wastewater.

Ms. Kavanagh said that she would not have an issue with grouping them by departments. She would also not have a problem grouping them or leaving them as presented and asking the Town Moderator for his opinion.

Mr. Howell said that he would be willing to compromise and go down to 7 articles. In terms of free cash, Mr. Howell said that we are not going to go over. If someone does not want to fund one of these, the free cash does not go away, it just doesn't get appropriated. Mr. Howell would rather have clarity for people to make decisions. His object isn't to facilitate the fastest Town Meeting ever, he just wants everyone to be able to say what they want to.

In the end, Mr. Powers is looking for direction from the Board. He has heard loud and clear over the budget process that people are concerned about the amount of free cash that we have. Right away he wanted to demonstrate how we are utilizing much of the free cash. More importantly, he said that free cash does disappear and would flow into next years free cash. Mr. Powers does not want to be accused of not telling everyone where the free cash came from, where it is and what it is used for.

Ms. Kavanagh asked that the Town Moderator be shown the format so that he and Mr. Powers can have the discussion. Mr. Powers would also like to include Town Counsel on these discussions.

Mr. Howell moved to place the Capital Outlay Plan Items Funded from Free Cash on the 2023 Town Meeting Warrant as discussed, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Capital Outlay Plan Items Funded from Water Retained Earnings on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the Capital Outlay Plan Items Funded from Chapter 90 Funds on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell asked what the period of the note is for the West Harwich Route 28 sewer main installation. Mr. Powers responded that this information is part of the discussion that is on going and that he is not equipped to discuss it tonight.

Ms. Kavanagh wanted to point out that we should make sure that the residents along this stretch of Route 28 are aware that there will be a 5-year moratorium on digging up the road after it has been closed and paved. Mr. Howell agreed and wanted to add that the moratorium is not a local level decision.

Mr. Howell moved to place the West Harwich Route 28 Sewer Main Installation on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. MacAskill stated that late this afternoon he received a message from Water/Wastewater Superintendent Dan Pelletier saying that he was trying to submit a community project funding application to Keating's office to try and offset some of the costs for the Route 28 water main replacement project. Mr. Pelletier just received the application today and it is due back on Friday. One of the required items is a letter of support from the elected community leaders.

Mr. Howell moved to allow the Town Administrator and Water/Wastewater Superintendent to form a letter of support for signature by the Board of Selectmen Chairman, 2nd by Ms. Kavanagh and approved 5-0-0.

Mr. Howell moved to place the West Harwich Route 28 Water Main Replacement on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell commented that the East Harwich wastewater collection system expansion is something that needs further discussion as there hasn't been much talk with a number attached to it. Mr. Powers responded that it is part of the capital plan. Mr. Howell argued that the public does not understand that.

Ms. Anderson feels that everyone should know that the wastewater numbers were coming and that they were going to be huge. Mr. Howell responded that it is important for the public to know that these numbers are based on more solid information that we have been given from our new engineering firm.

Mr. Howell moved to place the East Harwich Wastewater Collection System Expansion on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the citizens petition regarding the sale, distribution and use of any type of balloon inflated with any type of lighter than air gas within the Town of Harwich on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 4-1-0 (MacAskill opposed).

Mr. MacAskill said that it is state law for these to be put on the warrant and asked why the Board needs to bother with the formality to vote them on the warrant. Mr. Powers strongly recommended that the Board vote to place the articles.

Mr. Ballantine would still like to have Town Counsel look at the citizen petitions to make sure that we are not wasting everyone's time.

Mr. Howell moved to place the citizens petition regarding plastic reduction on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 4-1-0 (MacAskill opposed).

Mr. Howell moved to place the citizens petition regarding fertilizer on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 4-1-0 (MacAskill opposed).

Mr. Howell moved to place the citizens petition regarding the layout as a town way of Shelley Path on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Powers stated that regarding the Shelley Path article, the petitioners are seeking to have the Selectmen actively lay out a public road as a public way. This article can be placed on the warrant but cannot go forward because it is not legal.

Ms. Anderson asked if the school's choice petition article came before Town Meeting last year and was denied. Mr. Howell responded that it did and that the public has a right to ask every year. Mr. Powers added that it is an ask of the Board and therefore not binding.

Mr. Howell moved to place the citizens petition regarding school choice funds on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 4-1-0 (Anderson opposed).

Mr. Howell moved to place the citizens petition regarding the established educational facility at 374 Main Street on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Howell moved to place the citizens petition to amend action of the Towns Annual Meeting of 2000, Article 11, on the 2023 Town Meeting Warrant, 2nd by Ms. Anderson and approved 5-0-0.

Mr. Powers asked the Board to go back to the original 12 page draft warrant document. He reviewed the additional articles to be added which include 3 zoning bylaw amendments, personnel list of positions article, Judah Eldredge supplemental funding article and prior years unpaid bills. Mr. Powers is not aware of any other articles and asked the Board if there are aware of any. He will also put it out to department heads and the general public.

Regarding the zoning articles, Ms. Kavanagh asked if legal counsel is already reviewing these. Mr. Powers believes that they are but will confirm.

Cyndi Williams was present and stated that the Planning Board continued their public hearings until March 28, 2023.

Mr. Powers reviewed the upcoming deadlines for article submittal and asked that the Board do nothing later than April 3, 2023.

Mr. Howell asked that some kind of language be drafted regarding the personnel list of positions article. Mr. Powers responded that he can create anything that the Board asks for, but noted that this is not a Selectmen article, that it came from the Finance Committee and that he is not sure what they are looking to accomplish with this article. He would not want to write the Finance Committee article only to get it wrong from what they are looking for.

Mr. MacAskill stated that an email was received today from the Finance Committee Chair with the subject of position request cost estimate summary information. The Finance Committee recommends a personnel article to be considered in the warrant prior to the budget article, otherwise they will make a positive motion on the budget article, which will not include these positions. Ultimately, the Finance Committee had a vote to make a motion on Town Meeting floor with a lesser amount of the operating budget, taking all of the positions out. Mr. MacAskill feels that this is so far out of the realm of what they should be doing. This is a policy decision, not a Finance Committee decision.

Mr. Ballantine said that he is fine with the Finance Committee disagreeing with the Selectmen but he would still like to try and create what would be a personnel article.

Mr. Howell feels that this should be a personnel article. This is a permanent addition to the size of the town government which will be permanently assessed to everyone's tax bill. He would support the Finance Committee but does not want to be involved in an argument.

Mr. Ballantine said that he is in support of having separate articles on new positions but that they should come from the Selectmen, not the Finance Committee.

Mr. MacAskill noted that we have done this process this way for the last 10 years which is why he says it should be a policy change.

Ms. Anderson said that last year she was adamant that we do not do them separately because there were only 2 positions. She feels a little differently this year due to the number of additions that are being proposed. Ms. Anderson would only present a fulltime or parttime new addition and would not include a position that Mr. Powers has chosen to not fill.

Ms. Kavanagh feels that we are talking about a certain level of service for our taxpayers and is not sure that it is worth divvying up the positions.

Mr. MacAskill noted that the Human Resources position is not going to move forward unless Ms. Anderson would like it to, adding that this would also include changing the job description of the Assistant Town Administrator. Ms. Anderson responded that she would be fine with waiting on the HR position.

Mr. Powers asked that the Board would like to see come back next week.

Mr. Howell responded that he would like to see a draft of something that the Board might actually support.

Ms. Anderson would like to see proposed language of what Mr. Powers thinks might make sense.

Ms. Kavanagh agreed that she is not sure where the Finance Committee is with this, but that she would be happy to look at anything.

Mr. Ballantine would like Mr. Powers to come forward with something in a limited fashion.

Mr. Powers responded that what would make sense to him would be to include a table that lists the positions in the explanation section of Article 4. If we are going to be looking at a multi night Town Meeting, he would want to put it out there on the first night.

Mr. Howell would still like to have the discussion next week and see what the appendix and personnel article would look like. If we are not going to do this, he is not sure that he will support the budget.

Mr. Ballantine moved to add the table for personnel enhancements to Article 4 as outlined by the Town Administrator, 2nd by Ms. Anderson and approved 4-1-0 (Howell opposed).

VII. TOWN ADMINISTRATOR'S REPORT

Mr. Powers gave his thanks to Bob Lawton for the most recent support that he provided the town in the Treasurer/Collectors office.

Mr. Powers reported that the Great Sand Lakes ARPA application has been approved by the reviewers. The next step will be for the application to go before the Barnstable County Commission. He will keep the Board updated as new information is received. Mr. Powers thanked Mr. Pelletier and Mr. Kleekamp for their work on this application.

Mr. Powers wished everyone a Happy St. Patrick's Day.

VIII. SELECTMEN'S REPORT

Ms. Kavanagh suggested that the public watch the Monomoy Regional School Committee meeting that was held on March 9, 2023. She felt that some inappropriate comments were made by the committee regarding Harwich. It is important for people to watch the meeting to help understand why the Harwich Selectmen are questioning some things in the proposed budget. Harwich is not just concerned with the assessment as stated by the school committee. We care about our students and teachers and are listening to them. When we hear our teachers, who are in the classroom asking for other types of assistance, we are going to listen all day long. The Board has a responsibility to the students, teachers and administrators. We are listening to the people in our town that are concerned with the way the budget is moving forward.

Mr. Howell added that this was not an event, it is a process. The event was when we changed the agreement to pull the elementary schools out. That was never designed to be the end result of anything. It had been brought up previously that we were headed towards a disparity. It needs to be stated again that the school needs to have the buildings open with heat and electricity and that is independent of how many children from each town go to the school.

Mr. Ballantine stated that Harwich very much has and will continue to support the schools.

IX. CORRESPONDENCE

A. Budgets – Information from Saturday, March 4 meeting

X. 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