

APPROVED

RELEASED



**MINUTES
BOARD OF SELECTMEN
DONN B. GRIFFIN ROOM, TOWN H ALL
732 MAIN STREET, HARWICH, MA
EXECUTIVE SESSION 5:30 PM
REGULAR MEETING 6:00 PM
TUESDAY, APRIL 18, 2023**

MEMBERS PARTICIPATING: Michael MacAskill, Chairman, Mary Anderson, Vice Chair, Larry Ballantine, Don Howell and Julie Kavanagh

ALSO PARTICIPATING: Meggan Eldredge, Assistant Town Administrator

CALL TO ORDER: Chairman MacAskill called the meeting of the Board of Selectmen to order on April 18, 2023 at 5:30 PM. He noted that they will be going into Executive Session and will return to Open Session no later than 6:00 PM.

EXECUTIVE SESSION:

A. 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 nonunion personnel: Position of Finance Director/Town Accountant and Town Administrator

Mr. Howell moved to vote to approve going into Executive Session as read, seconded by Mr. Ballantine. Vote 5:0 in favor by roll call vote.

Chairman MacAskill called the meeting of the BOS back to order at 6:00 PM reporting that they had started in Executive Session and no decisions were made.

PLEDGE OF ALLEGIANCE

Chairman MacAskill invited attendees to join in the Pledge of Allegiance.

PUBLIC COMMENT/ANNOUNCEMENTS

Ms. Anderson highlighted two committees that have openings; the Affordable Housing Trust and the Housing Committee. She encouraged anyone interested in that subject to apply.

CONSENT AGENDA

- A. Approve Board of Selectmen Meeting Minutes from March 27, 2023 and April 3, 2023
- B. Vote to approve the Assistant town Administrator's recommendation to grant permission to NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the

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purpose tis install 40' +/- 1-3" conduit and two proposed handholes under the road at 43 Sea Street.

Mr. Howell moved to vote to approve the Consent Agenda as presented, seconded by Ms. Anderson. Vote 5:0 in favor.

NEW BUSINESS

A. Interview Kathleen Barrette for consideration for appointment as Finance Director/
Town Accountant

Board members asked Ms. Barrette questions and conducted an interview. Ms. Barrette responded with detailed answers and explanations.

Chairman MacAskill noted the strong recommendations for Ms Barrette from the Town Administrator and Assistant Town Administrator.

Mr. Ballantine moved that the BOS offer the position of Finance Director/Town Accountant to Kathleen Barrette pending contract negotiations, salary negotiations and a background check, seconded by Mr. Howell. Vote 5:0 in favor.

Ms. Barrette expressed her appreciation to the BOS for the interview and for their time and consideration.

(taken out of order)

D. Approve the following new applications for Red River Barbecue, LLC - 787 Route 28

1. 2023 Common Victuallers license

2. 2023 Annual Weekday Entertainment license

11:00 a.m. to 12:00 a.m. inside

Jukebox, radio, television, live/recorded music, amplification, dancing by patrons
& live performers

Mr. Howell moved to approve the new applications for Red River Barbecue as presented, seconded by Ms. Anderson. Vote 5:0 in favor.

Jeremiah Green from the Red River Barbecue, introduced himself to the BOS and expressed his appreciation.

B. Review the Request for Proposal (RFP) for 204 Sisson Road

Chairman MacAskill noted that the draft is in the packet and asked for criticisms or changes.

Mr. Howell acknowledged the hard work to create the RFP and also commented on how complicated it is for artists to do. He suggested a rental schedule that wouldn't have the same complexity. He would prefer a more collaborative process.

Mr. Ballantine agreed with Mr. Howell.

Mr. MacAskill commented that the RFP formalizes what is being done in the building and offers three years stability. He agrees that the language can be daunting but help has been offered and ultimately it is the BOS's decision, this is the mechanism to comply with the laws. He applauded Ms. Eldredge and Ms. Mewhinney for their work.

Ms. Anderson asked who could help the artists with the RFP.

Ms. Eldredge replied that no one from the town can help fill out the RFP. There is a site visit date that people can attend and ask questions. Answers to those questions will be available to anyone who has downloaded the RFP. She explained the requirements and information needed to complete the RFP.

Ms. Kavanagh clarified that if someone is using a room, they can include that specific room number in their request. She also suggested asking for tax ID or a social security number instead of a business name.

Mr. Howell asked where it says that it is not an assignable contract, which he explained.

Ms. Eldredge replied that the language for that will be in the License Agreement which is not yet included in the packet. The language on the 30 day notice will also be included.

Mr. MacAskill confirmed that it is the will of the Board for the 30 day language to remain the same. He also noted that he does not see this as a bidding situation and would like to see the price part not be "highly advantageous". He explained that the partnership can be a listing of names and does not have to be a formal partnership. He also suggested that the licensing agreement has language that speaks to what happens if someone chooses to break that partnership.

Discussion followed regarding what community involvement means and keeping the rates as they were presented.

Kara Mewhinney appeared remotely and explained her view of community involvement and what she has explained to the artists. She also expressed some of their concerns.

Anne Flash, Artist and Professor at 4Cs, commented that she was impressed with the support that the artists have from the BOS and she expressed her appreciation. She also expressed her concerns about the wording about offering more and the possibility of a bidding war. She shared some ideas for the future and how much having a space to create means to her and other artists.

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Further discussion followed regarding partnerships, different scenarios, possibilities and solutions.

C. Approve a 2023 Common Victuallers license renewal for Saquatucket Snack Shack d/b/a Dockside Cafe - 715 A Route 28

Mr. Howell moved to vote to approve the 2023 Common Victuallers license renewal as presented, seconded by Ms. Anderson. Vote 5:0 in favor.

OLD BUSINESS

A. Discussion on 2023 Annual Town Meeting Warrant Articles

Ms. Kavanagh noted that the Town Administrator was waiting on information from legal to answer her questions regarding the child care stipend.

Mr. MacAskill asked about the Warrant Article related to the Land Bank payment and if it was going to be indefinitely postponed.

Ms. Eldredge replied Article 4 has funding sources and it is being identified in Article 4. It does not have to be voted in a separate article so there is a recommendation to indefinitely postpone that Article.

Mr. MacAskill noted the recommendation of the Finance Committee to pull approximately \$500,000 out of the BOS's request for the Cultural Center (204 Sisson Road). The Finance Committee will not be making a positive motion on that Article. He commented that the most frequently asked thing from people who have rented the auditorium in the past is if it will be fixed so they can use it more. He encouraged those involved to vote a positive vote on Article 15.

B. Review and approve the 2023 Annual Town Meeting Motions Book

Mr. Howell reminded all that this is only absent of a positive motion from the Finance Committee and the BOS is on record as supporting either unanimously or with just one person opposed, every single Article.

Mr. Howell moved to accept the Book of Anticipated Positive Motions as written, seconded by Ms Anderson. Vote 5:0 in favor.

CONTRACTS

A. Vote to approve a contract extension with Atlantic Construction and Management, Inc. for Owner's Project Management services for Brooks Academy Museum renovations not to exceed \$40,000

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Mr. Howell moved to vote to approve a contract extension as presented, seconded by Ms. Anderson. Vote 5:0 in favor.

TOWN ADMINISTRATOR'S REPORT

Assistant Town Administrator Eldredge announced that the position of Assistant Conservation Agent was offered to Alicia McKenna and gave a brief overview of her experience. Ms. McKenna accepted the position.

SELECTMEN'S REPORT

No reports

CORRESPONDENCE

No correspondence

ADJOURNMENT

Mr. Howell moved to adjourn, seconded by Ms. Anderson. Vote 5:0 in favor.

Respectfully submitted,

Judith Moldstad
Board Secretary