

RELEASED

APPROVED

MINUTES  
SELECTMEN'S MEETING  
REMOTE PARTICIPATION/GRIFFIN MEETING ROOM  
Monday, June 8, 2020  
6:30 P.M.

**SELECTMEN PARTICIPATING:** Larry Ballantine, Stephen Ford, Edward McManus. Absent was: Donald Howell, Michael MacAskill.

**ALSO PARTICIPATING:** Interim Town Administrator Joseph Powers and Health Director Meggan Eldredge.

**CALL TO ORDER**

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen.

**WEEKLY BRIEFING**

A. COVID-19 Updates: Presenters: Joe Powers, Interim Town Administrator; Meggan Eldredge, Health Director

Mr. Powers explained that it has been quite a busy weekend. What he would like to do first is to give an overview of the meeting, as it relates to COVID-19. He knows there's a lot of interest, excitement and some confusion and he'll try to clear it up, as best he can. Governor Baker released at 1:16 pm on Saturday that Phase II would go into effect on June 8, 2020; and it in fact has.

One of the immediate items that brings to bear, is the resumption of restaurant service, albeit expanded outdoor service, because we still have not been given approval yet for indoor table service. The agenda as you see it, under New Business, item A, 1 through 15, are the establishments that following the call from Wednesday, June 3, had indicated an interest and the desire to request expansion of outdoor service. They took the steps of putting them on the agenda, despite not knowing what the result in the approval process would look like. What they will do this evening, since they authorized him to work on their behalf and to vet these requests through staff. Mr. Powers said that they will get into much more detail in a little while about restaurant openings.

He wanted to mention that Ms. Eldredge, Chief Guillemette, Chief Clarke, the Building Commissioner, Ms. Danielle Delaney and Ms. Patti Macura, in Administration, have done remarkably well and getting these to the point that they are tonight.

He then turned it over to Ms. Eldredge for her numbers update. He also noted that further on the agenda is another important item that Ms. Eldredge would like to bring up for the boards review and attention, which perhaps could be taken out of order. Mr. Ballentine said there's no problem with moving the item forward to make things run smoother.

Ms. Eldridge began by explaining that they have the same number of cases this week, as they did last Wednesday in Harwich. There were 121 cases total, including 23 deaths related to COVID-19. Out of the 121 cases, 71 are related to Wingate, either staff or residents, and 19 of those related death are related to Wingate. That leaves 50 cases in the community. Since the beginning, 38 of those have recovered and 4 had passed away, leaving 8 active cases. So right now, they have 8 active cases that are being followed through the VNA and the Community Tracing Collaborative. They are being checked in on and making sure that they are following the isolation guidelines. Some may be released from isolation as early as tomorrow.

In Massachusetts, the numbers are slowing down and are at currently 103,626 total cases, with 7,353 deaths related to COVID. Barnstable County is slowing, not spiking, with a total of 1,458 cases in the county, and 123 related deaths. As you can see, the number of new cases is slowing down every day, and also slowing down with the fatalities each week. Our targets are being met, as far as public health data and trends. This is why we have been able to move into Phase II, of the four phase plan. Phase II has also been split up into two steps.

Currently we are in Phase II, step one, which allows for some things, such as; hotels, swimming pools, retail stores, outdoor dining, non-athletic group activities of less than 10, most activities within golf can resume, tennis courts, day camps and childcare, can all resume. They must all adhere to the safety standards, which is she wanted to talk to them all about next.

- B. Discussion and possible vote to adopt the draft Mandatory Workplace Safety Standards Employee Training Manual, developed in response to COVID-19 and required to be in place prior to July 1, 2020 (moved out of order)

Ms. Eldredge explained that she had drafted a *Mandatory Safety Standard Training Manual*. It was not all her idea, her assistant Ms. Katie Tenaglia, did the bulk of the work on this manual, and it follows the standards that are required for all businesses, regardless of what type of business. It will need to be tailored for their own facility, but this workplace standard manual is required for any business that is currently open under Phase I or Phase II. It goes over four key points; 1. social distancing, 2. personal hygiene, 3. staffing and operations, and 4. cleaning and disinfecting. These four points are required for all businesses. They make it pretty easy on the State website and shows what they need to do in order to meet those standards.

The training manual will need to get to all employees; either by a GoToMeeting, department by department, or town-wide. The manual overviews; what is COVID, how it is spread, how to protect yourself, what to do if you are sick, and how to self-monitor. These are things we are already doing, but it is in writing now. It also reviews how to go back to work, if they tested positive for COVID, and cleaning and disinfecting as a daily requirement. That is one thing that is preventing some public buildings from opening, to the public. At this point, there is not have enough custodial or janitorial staff to clean each building that they have, plus beaches and parks are opening now. The personal hygiene section goes into great detail on temperature, cough, a whole section on handwashing, which is the best defense to prevent getting sick, face coverings and the need to wear them, and when you have a medical condition and can't wear a mask, as listed in the training manual.

What she is looking for is from the Board is for them to review the training manual, to see if they have any questions. Then they will roll it out to the departments. This is one checkpoint on the self-certification, that is required to open and they have until July 1<sup>st</sup>, in order to meet all of these deadlines. The major one is the training, which is the start of this training manual, and then everything in this training manual has to come to fruition. Such as signage in all of the buildings, minimum staffing, or maximum staffing levels of 25% in office spaces, hand sanitizer stations, arrows on the floors and six foot markings. Those things are all part of the mandatory safety workplace

standards, and this training manual is just one part of it. They would really like to start opening places up to the public as they can. Ordering and making signs has been the hold up on the workplace training, and making sure they have the staff to clean and disinfect regularly.

Mr. Ballantine asked about the active cases, and if any of them are in the hospital currently. Ms. Eldredge said, not that she is aware of. Most of the active cases started out in households of healthcare workers, and then spread it to family members who eventually became positive. Most are household contacts of positive cases from long-term care facilities or hospitals.

Mr. Ballantine commented that he thinks the training manual was very well put together and very detailed. His comment on that is that he thinks it would be good to roll it out as a GoToMeeting, maybe a couple departments at a time. That way you can get some feedback as to what's easy to understand before it is finalized. Also, it gets the message out right away and then also to be able to learn from the responses. Mr. Ballantine also asked about what the delays are with the signage, if it is an issue with shipping. Ms. Eldredge responded that it is an issue with shipping. The signs were ordered weeks ago, and it is taking weeks to get delivered.

She also explained that they are getting free signs from the Barnstable County Health and Environment for the beaches. They are providing them with permanent aluminum signs for COVID-19 that we can post at every beach we permit, which is about 23 beaches. They should be there by the end of the week. In the meantime, they have made temporary signs, for places like the harbor, but they will not hold up long term, so they have ordered them and just waiting on the shipment.

Mr. Ballantine added that the other thought he had, is the portable signs that Mr. Hooper puts around for voting, and if they would be worthwhile to put some of those around town about safe distances etc. Just as a constant reminder to have around town, of what they should be doing

Ms. Eldredge said that she will talk to Mr. Hooper about the a-frame signs. They also have the portable signs that the police had moved off the exit, due to the rally on Saturday. She is planning to re-word them and will be putting them someplace else. They will look into the other signs too. People need to realize that they are still in a global pandemic state of emergency and that they

are still being cautious. She understands that people want to get back to their normal lives, and they are getting there slowly but they still need to be careful. This is so they don't go backwards, and end up having to stay at home even longer than they need to.

Mr. McManus said that they need to change up the message, so people recognize it again.

Mr. Powers asked Ms. Eldredge if she needed a vote of the Board or if a consensus is enough. Ms. Eldredge confirmed that a consensus is enough and that if they agree and they don't have any major changes she can move forward.

Mr. Ford had no issues with it and thought it was really well put together. Mr. Ballantine said that he also thanks Ms. Tenaglia, because this was a big chore to put together.

C. Update on ongoing efforts by the Town in support of the business community.

Mr. Ballantine said that Ms. Cyndi Williams, Executive Director of Harwich Chamber of Commerce, is on the line and asked her what the feeling is out there.

Miss Williams said that over all, everyone is extremely happy to be open and today was a great day in Harwich. They are all looking forward to the update from Mr. Powers, and from the town, on the restaurants. It was a positive day today for sure.

## **NEW BUSINESS**

A. Discuss and possible vote to approve requests for expansion of outdoor table service and/or approve requests for a change in the description of licensed premises for the purpose of permitting outdoor alcohol service at the following establishments:

1. 400 East, 1421 Route 39, East Harwich
2. A & W Family Restaurant, 297 Route 28, Harwich
3. Allen Harbor Yacht Club, 371 Lower County Road, Harwich Port
4. Cape Sea Grille, 31 Sea Street, Harwich Port

5. Ember, 600 Route 28, Harwich Port
6. Harwichport Seafarer/Mooncussers, 86 Sisson Road, Harwich Port
7. Hot Stove at Cranberry Valley, 183 Oak Street, Harwich
8. Hot Stove Saloon, 551 Route 28, Harwich Port
9. Jake Rooney's, 119 Brooks Road, Harwich Port
- 10.L'Alouette, 787 Route 28, Harwich Port
- 11.Lanyard Bar and Grill, 429 Route 28, Harwich Port
- 12.Mad Minnow, 554 Route 28, Harwich Port
- 13.Seal Pub, 703 Main Street, Harwich Port
- 14.Ten Yen/Three Monkeys Street Bar, 554 Route 28, Suite B, Harwich Port
- 15.The Port Restaurant and Bar, 541 Route 28, Harwich Port

Mr. Powers overviewed a spreadsheet titled the *Town of Harwich - Expansion of Outdoor Services*, which was provided to the board. He would like to take a moment to review this and compare it to where they would have been if the Board had not taken the proactive approach that they did on Friday.

What is on the spreadsheet are the restaurants that participated on the call that Ms. Eldredge had led, along with Mr. Powers and Ms. Ballantine, ahead of Phase II being announced. So, the Town of Harwich was aware of these establishments looking to seek expansion of outdoor services, namely seating or alcohol services. So, rather than having the board see this list for the first time now, he was able to get through the 15 that are there. The ones that are highlighted, are the ones that he can absolutely confirm he was able to authorize for them to begin immediately with the expansion of outdoor seating and or service. They had met all the criteria in the checklist, and staff had vetted everything to the point they felt comfortable getting them started.

He does want to advise the board, that the method for approval has been an email from him congratulating them and letting them know that they have met all the requirements. He wanted to put it out there for the board, and the general public, when they are going through the approval process, that they remind establishments, that when Governor Baker announces that Phase II is in effect, they are eligible to begin expanded service immediately. Also, he noted, that they should bear in mind that the Town of Harwich reserves the right to inspect their operations for health safety and building compliance if necessary. This authorization for expanded service may be revoked or rescinded, either by direction of the Governor of Public Health or if the Town so determines is in the best interest of the general public. He also indicated,

on behalf of the Harwich Board of Selectmen that they wish them every success in resuming operation in this expanded manner. What he wants everyone to take away from that statement, is that they thought it was in the best interest to expedite the approval process, but then they are going to rely upon their inspection services, to then go out and examine firsthand what they are doing. They felt it was easier to let the establishments get up and running, then to see how they are operating to be able to make recommendations. At this point they are expected to be merely offer guidance about how something may need to be tweaked.

The establishments in yellow, were all confirmed today, and could have all been in operation by 4:00 pm this afternoon.

The way the spreadsheet reads is if there is a checkmark that means that the establishment provided a response to that checklist item. The number one item that people were having trouble with was the to-scale drawing. Though as staff, they feel it is necessary, so that they have a true sense of what they're looking to do and have them identify that, say for example, that there is ample spacing between tables.

It is a tribute to staff that they have been able to get this done from the Friday approval process, to actually have businesses' expanded and outdoor seating and alcohol service in the very same day, as allowed, in effect. He's entirely optimistic that they can have many more, if not all, in operation as soon as tomorrow. He will answer any questions that they have.

Mr. Ballantine said that they all agree and applaud the efforts that they put into this, it is a lot of work.

Mr. Ford asked if someone has an existing outdoor seating area, but have not fulfilled all of the boxes for an expanded outdoor area, are they able to use their existing space. Mr. Powers said yes, but to caution that if they are doing outdoor alcohol service and had not already done so, they would still need to do the alteration of premises, for the outdoor service. However, if that has already been the case, they are fine. He said that the reason the list is so small is because they have heard from places that either do not have the staff to expand, or do not see the need to expand beyond their existing outdoor service. They are fine and operational, as far as Phase II.

Mr. Ford asked about the insurance certificate. He said that there was a question if an email from the insurance company, was satisfactory. He has seen that a lot of people included a certificate, but was that true with the Seal Pub situation?

Mr. Powers said that they had received a confirmation from their agent, that they would be covered. He said that he would explain two things, in most instances they accepted a scanned or emailed copy. It does not need to be an original copy to get them up and running. Then the other part is, that the checklist was sent out to everyone and he would look for guidance from the board. He did not want staff to be in a position of being accused of not handling establishments the same. The establishments which were approved, had met all of the criteria without questions. It has been the standard practice today, that the certificate of insurance itself, shows the level of insurance coverage and listing the Town as additionally insured, a reference to the Town is necessary. In that instance that email did not capture that information.

Mr. Powers sent out an email blast to about 65 establishments, working off the list that Ms. Eldredge had used for the seminar. He gave all of the information to all of the establishments at once. When he came in on Saturday, one of the establishments had already complied with everything. The first out of the gate was Cape Sea Grille. Any concerns he had initially were put aside, by the responsive of everybody. That establishment with the certificate of insurance, also wanted to appeal to the Board and he can share the email, but his response was basically that an appeal to the board should be used when an establishment is denied the opportunity, and getting a complete packet together is not a denial. Throughout the day today, the majority of those establishments that were approved were done through multiple communications back and forth with staff. That is how we see it going, if something is missing, staff follows up to get it corrected and moved out the door. They should be able to get the certificate of insurances to have on file, unless the board wants to take any other action.

Mr. Ballantine asked, to speed things up, if it can be said they can be approved contingent on sending in that last item, such as the certificate of insurance? Mr. Powers said yes, that is essentially how they are doing it today and it has been going well enough, that they should not need the board's intervention. Any of those establishments with a majority of check marks, if the board decided to take an action, it may be unnecessary, because most establishments

are almost there. Depending on how long the meeting goes, he plans to get right back into it and continue to issue authorizations.

Mr. McManus commented from Friday, that the check list items listed A through G, none of which required a certificate of insurance. Also, one of the things which has not been done, is to transfer the authority to approve modifications to license premises to anyone other than the Local Licensing Authority. He thought that was happening tonight.

Mr. Powers replied that the first thing that had to happen was the Board of Selectmen had to approve the approval process, for both expanded outdoor table service and alteration of premises. The process he reviewed on Friday, covered all of that. He confirmed with counsel, that they could delegate all of that to staff; based on the Governor's order number 35, as it relates to Phase II. As for the certificate of insurance, that came from the discussion with the Board, which he believed was Selectmen MacAskill that asked the question. After he reviewed the legal and insurance requirements and both MIAA and KP Law indicated that they should request a certificate of insurance, indicating that they are covered, and listing the Town as additionally insured. That is why the checklist was amended.

Mr. Ballantine asked Mr. Powers if he could recall if they had delegated the authority to him, by motion or by consensus. Mr. McManus does not recall any specific delegation of authority over their actions, relative to being the Local Licensing Authority. When they assign a situation to Mr. Powers as a hearing officer, they do that specifically. He does not remember anybody suggesting transferring responsibility as the Local Licensing Authority, to the Administrative Office.

Mr. Powers said that all of the examples they recited are immaterial as it relates to order number 35, from Governor Baker. When Governor Baker issued order number 35, regarding Phase II, it was for the Board of Selectmen to approve a plan.

The plan that was presented on Friday, covered both expansion of outdoor seating and expansion of outdoor services, which was related to the alteration of premises. The policy talked about two steps; the things that have to be provided for after service, and then the seven guidelines that the ABCC

mandates while waving hearings, waving applications, and waving fees. These would be approved.

That was part and parcel of what was done on Friday. If the board wants to go in a different direction, his concern would be that he was operating in good faith and there are now establishments operating in good faith, based on the process that he presented on Friday, that the Board did affirm.

Mr. Ford said, they did take a vote. It was the “Adoption of approval process to be utilized by the Board of Selectmen in response to requests for expansion of outdoor table service as allowed under COVID-19 Order No. 35 promulgated by Governor Baker on June 1, 2020”. He was under the impression that they were extending to Mr. Powers, the ability to review whether everyone has met the required guidelines, and to prove whether they can move forward with the expansion. He also did say that on the agenda, it appeared that they needed to vote for these expanded licenses, but they have already been approved. Mr. Powers said that the first requirement which needed to take place, was an approval process for the plan, and that was the discussion on Friday. This agenda had to be posted before 4:00 pm on Thursday. Not knowing which direction the Board was going to go for approving the approval process, if they had not authorized for staff to review, then they will be in a position of doing that this evening. But, at this point it is superfluous on the agenda.

Mr. Ballantine asked Mr. McManus if he was comfortable with this. Mr. McManus said that his memory of the process which they approved, was that staff would go through and assemble all of the material they were requiring and give to them as a recommendation. He does not see where they specifically transferred the approval and he would feel much more comfortable making a motion tonight, for those restaurants that have met those guidelines to approve their alteration license premise.

Mr. Ford said that was would be fine and that they could reconfirm. Also Mr. McManas liked the idea for those restaurants that have not met all of the criteria to approve the alteration of license premises. Mr. Ballantine said that he thinks that they are on the same page and that it is contingent upon getting the documentation.

Mr. McManus moved that they approve the alteration of license premises for the nine restaurants referenced on the *Town of Harwich - Expansion of Outdoor Services* document, who have currently met all of the required information items. As well as conditionally approve those other restaurants, as listed on the document that should be approved as soon as they fulfill completion of the outstanding items. Seconded by Mr. Ford.

Mr. Powers said that they only had eight and Mr. Ford said he would read them off. 1. The Port Restaurant and Bar, 2. Ten Yen/Three Monkeys Street Bar, 3. Mad Minnow 4. Lanyard Bar and Grill, 5. L'Alouette, 6. Jake Rooney's, 7. Ember, 8. Cape Side Kitchen, and 9. Cape Sea Grille.

Mr. McManus said he does this because the issue of having a designated license premise becomes important if something goes horribly wrong. If insurance companies all of a sudden realized that the expansion of the license premise wasn't done properly, they could lose their coverage. They do not want any of the restaurants to be in the world of unknowing or having a fight that battle.

All in favor, motion carried by unanimous vote.

Ms. Williams added, that while they have been talking, they have received emails and text messages from restaurants which included the documents which they required, so they can be ready to be approved.

B. Minutes for Approval:

1. September 23, 2019
2. September 30, 2019
3. April 3, 2020
4. April 9, 2020
5. April 7, 2020
6. April 16, 2020
7. April 24, 2020
8. April 30, 2020
9. May 4, 2020
10. May 5, 2020

Mr. Ford moved to approve the minutes for the dates listed above. Seconded by Mr. McManus. All in favor, motion carried by unanimous vote.

- C. Vote to approve a one day Entertainment License for the Farm Open House Pot Luck, Cape Farm Supply, 1595 Factory Road – Date, June 27, 2020 – 3:00 PM – 11:00 PM; Alternate Dates; July 25, 2020 or August 15, 2020

Mr. Powers said that in reviewing the application, he would ask that this be brought back next week. What the applicant is requesting is relief from the by-law. So, they have to expressly state that it is a request to be relieved from XYZ bylaw. So, they will work on the correct language, and the notice, and have this ready for next week.

Mr. Ballantine said it is for Mr. Leo Cakounes, and his annual get together. There is still some time, so it is fine to bring it back next week.

## **OLD BUSINESS**

- A. Discussion – Update on procurement status for Community Preservation Committee Projects

Mr. Powers asked Mr. Griffin Ryder, Town Engineer, who is part of the procurement team, to give an update on where they are at with the CPC procurements.

Mr. Ryder said that for the Brooks Academy Museum, the first part of that is the engineering study for the structural integrity of foundation. He has reached out to an engineering firm, whom has done some historic work at UMass Amherst and has worked with previously. He is looking to get a scope of work from them, so that is in action.

At Hinckley Pond, they have done the alum treatment and testing. The next stage is to revitalize the bike area which is right off the bike trail and to put in an overlook and stairs down to access the pond. With some bike parking and maybe a picnic table or two. He is working with Amy Usowski on that, and they will be meeting this week to get that going.

Some of these have been delayed slightly because of the situation with COVID, and some of the procurement for COVID, which was important to get done.

For the Brooks Park expansion lighting project, they have engaged an engineering consulting firm to do a preliminary electrical study and that contract was signed at the end of last week and was finalized this morning.

Mr. Ford injected with a question on the Brooks Park project. He wanted to know what the timing has been and how long it has been in he works. It seems they have been trying to get this done for an incredibly long period of time.

Mr. Powers responded that it is coming up on two years, or it would have been two years, if they had Town Meeting at the regular scheduled time. There was an eight month delay even getting the project to Administration. This item here, has been a part of delay. So the accomplishment in getting a Lighting Engineer, is huge. That has held everything up, and now they will be able to advise the Town what is necessary for the project, and make recommendations for the specs, which will be used to go out to bid to get it done.

Mr. Ford asked if there's a sense the timing on that. Mr. Ryder said that the study should not take that long. He reached out to Engineer today, looking to schedule the site survey, which will be the kickoff for them. The study will dictate how it proceeds.

Mr. Ballantine also commented that Hinckley's is an important one because the CPC approved funds for alum treatment to clean it up. Part of the criteria on that was the public access to spend the Town money and to get that done would be a great step forward.

Mr. Ryder next reported on the Depot Street Bicycle Crossing System he's working on with Paul Gazaille, member, Bikeways Committee. He has two vendors they can get quotes on and they do not need a whole advertising because the price is less than \$50,000. That can be streamlined from the way it has been done in the past. The one thing on that is to determine if it is essential spending, so he will be working with Mr. Gazaille and present that to Mr. Powers. The other item he has is the Brooks Park Restroom, which is not open yet. They are continuing to move forward with the variance process with the State. The application was filed earlier this year and they have just requested some additional information and he is hoping to get that to the Board in short order.

Mr. Ballantine asked why a variance is needed for the restroom at Brooks Park. Mr. Ryder said that some of the dimensions, as it was built, do not meet accessible standards. There are a few dimensions that are a few inches short, so therefore it is not necessarily an accessible bathroom, so it needs a variance to open up. This is from working with the Building Department, and Mr. Raymond Chesley, Building Commissioner. Mr. Chesley is looking to see the variance from the State.

Mr. Ballantine asked if the size is based on the size of the building, and if they are restricted with the size to make it ADA compliant? Mr. Ryder said that some of the interior dimensions of that restroom do not quite meet some of the radius that is needed to be able to turn a wheelchair around.

Mr. McManus asked if the project on the restroom was a renovation of the existing structure. Mr. Ryder said that this is for the new restrooms that were built adjacent to the bike trail, near the picnic pavilion, that was also built recently. Mr. McManus questioned if those are the ones with the radius problems. Mr. Ryder confirmed.

Mr. McManus also had a question on the crossing lights on Depot Street. He said that he gets a lot of questions from people in town, that whatever lighting system they seem to use on most of the crossings, that when it starts raining they seem to flash all the time, and no one is around. Whereas, some of our neighboring communities, the lighting that they have adopted tend to respond more accurately or more consistently. Mr. Ryder responded that he would like to know which ones because he has worked with Dennis and Yarmouth and they have had similar issues, where rain or spider webs have caused them to go off. Sometimes they do have issues due to weather and they are not perfect.

Mr. Ford asked where they stand on the Elementary School Playground. Mr. Powers responded that it is a FY21 CPC project, which will have to be approved through Annual Town Meeting in September.

Mr. Powers had one question for Mr. Ryder. He explained that in the packet is the contract for the Harwich Elementary School & Harwich Cultural Center, Groundwater Discharge Permit Renewal Application, which he signed because it is under \$1,700. He asked Mr. Ryder to remind him what the second part to that is, which will require the boards approval.

Mr. Ryder said yes, the second part of that is about a \$50,000 contract, for the operation and maintenance of the actual septic system. That cost is shared with the school, because it is a shared system with the Cultural Center and the Elementary School. So, historically that cost has been split. It would be about \$25,000 that the Town would be responsible for. Mr. Powers thanked him and told Mr. Ballantine that this would come back at a future meeting.

## **OPEN PUBLIC FORUM**

### **A. See dial in instructions above**

Mr. Ballantine opened the Public Forum. The public was invited to call in and participate in the meeting to offer comments and/or questions. Mr. Ballantine asked Lieutenant Scott Tyldesly if anyone had called in. Lieutenant Tyldesly responded that the owner of the Seal Pub, Mr. Bob Young, is on the line to speak.

Mr. Bob Young, owner of the Seal Pub, said that he feels they are at such a disadvantage. He wanted to be able to speak at the time his business was being considered. Last week he submitted a plan before it was asked for, and he supplied the email from his insurance agent, which he thinks triggered the staff to begin asking for insurance from everybody.

He submitted the insurance certificate this afternoon, and he has to say he is disappointed in the staff because they don't check emails and they don't respond to voicemails. They set these arbitrary deadlines whether it's Friday or today, it's beside the point, because they missed what has been given to them. Here is the celebratory day, where they finally get to serve some business, and they are completely ignored and told to come back. That is not business friendly.

They need to bring them in to the discussion. At the Zoom meeting they had with Ms. Eldredge and Mr. Powers, they were told they could chat questions, but they were not allowed to participate as a discussion. It has been ongoing lectures on what we can't do, what we have to do, and then subject to an agenda item, that he can't speak about. Then evidently they're denied, or something, and it's not fair. He has a lot of people trying to come back to work.

He would just urge them. They were told it would not just be staff, that it would be the Selectmen, that would take this over and see to it that it was streamlined, that did not happen. There are other hoops to jump through, and that is not what was told to them. It was not streamlined. He appreciates them going the extra mile to get them up and running, but things have been left out there and his staff wants to come back to work. So, he hopes they will allow his Pub and Café to open as he put down on this application.

He also said that Ms. Eldredge seems to have a problem with seating and he understands how strict they are on that. He will comply with that, but please let them open tonight, please don't make them come back.

Mr. Ballantine thanked him for the comments, though he was not sure if Mr. Young was listening to the earlier parts of the meeting. They did approve the Seal Pub, contingent upon the Insurance Certificate. Mr. Young said to tell Mr. Powers for him, that it is in his inbox, and it has been since 4:00 pm this afternoon. Mr. Ballantine requested to finish, and explained that what the requirement was that they asked for an email, as an insurance form. Mr. Young said that he sent a certificate, which he had his insurance company scrambling to get a copy of the certificate, and it was there before this meeting. He asked that they please pay attention to businesses and give us the extra mile, before the meeting, and to check their inbox. That is all he asks; because it was there.

Mr. Ballantine said that the end result is that they approved it and Mr. Powers now has the information to sign off on it. They can open as soon as tomorrow. Mr. Young thanked them very much and he appreciates it and said that they have done a great job at the Selectmen level. Mr. Ballantine commented further that he knows they are all anxious to get going, but the staff has worked very hard to get through these documents. Mr. Young interrupted that he appreciates the staff, he just asked that before they go into a meeting to check their emails, that's it. Mr. Ballantine said that he is sure they will all take that to heart.

Mr. Tyldesley confirmed that there were no other callers.

## **TOWN ADMINISTRATOR'S REPORTS**

Mr. Powers stated that he had four quick items, and he would like to report on the weekend.

A. Brooks Park and Whitehouse Field Engineering Study

First in the packet is what they already heard about from Mr. Ryder, is the Brooks Park and Whitehouse Field engineering study. Those are in the packet because, as he has said in previous meetings, he will always advise the board when he has signed contracts of values of \$25,000 or less.

So, they were able to cover that through procurement. He made reference to the Harwich Elementary School and the Harwich Cultural Center, the first contract was the one for \$1,700 and is the discharge permit renewal process. Then as they discussed, and the Engineer confirmed, there is a second item that will be worked through staff, which is actually the operations and maintenance of that same system. So, he wanted to bring them up to speed on those items.

B. Proposed Holiday Schedule for FY 2021

Also, in their packet is a draft memo for the holiday schedule, for fiscal year 2021. They are trying to put some normal items back in there. Not sure if this needs to be a vote of the Board or if they just need to be made aware of the holiday schedule. Mr. Ballantine confirmed it needs to be a vote of the Board, so it should be brought back on the 15<sup>th</sup>.

C. Conservation work at 11 Shore Rd.

Mr. Powers reported that he had heard today from Amy Usowski, Conservation Agent, and the projects that she has been working on.

He asked her for some materials, so that he could then bring it in front of the Board. This is regarding conservation work at 11 Shore Road. Ms. Usowski has indicated that the owners would like to put some sand on their beach. They will do so with the town wide nourishment permit, that exists with the Conservation Commission.

They would like to use a front end loader to get the sand from Pleasant Road Beach then bring it to their property, which is immediately adjacent to the Town beach on the East. It would be a one-day operation.

Mr. Bob Perry who is representing the property owners, has spoken with the Conservation Administrator, the DPW Director and the Recreation Director. There are no plovers in the area, so they are just looking for approval. Ms. Usowski indicated that the lot is the Selectmen's property. So, he is asking the Board, if they want it to be an agenda item for June 15<sup>th</sup> or if it is just a matter to be relegated to staff. Mr. Ballentine said to bring it back as an agenda item on the 15<sup>th</sup>.

#### D. Weekend Report

Mr. Powers also wanted mention that when he was in the office on Saturday, he was interested to see the protest, which they had talked about on Friday. The only word that he keeps coming back to him is "remarkable". In so far as the outpouring of expression, grief, consternation and anger, but at no time was it anything but peaceful, respectful, and impactful.

Mr. Powers just wanted take a moment to thank anyone and everyone who had a hand in that. Obviously the Public Safety has been in a difficult spot these days with reflection to what is happening nationally. However, for him Saturday was an awe inspiring turnout of expression in the community and done so in a manner that he will never forget. He wanted offer his appreciation to all.

Also, to add a quick story as he was leaving on Saturday, he came across two young women who were walking on Old County Road with trash bags, picking up trash. He stopped and asked why they were doing it. They said that they were friends with the organizers, and were intent on making sure that the Town of Harwich was in better shape after the event then it was before it. He said that he was quite moved by that sentiment and wanted to thank those folks that did it for all the right reasons. It really speaks to the heart and soul of this community.

### **SELECTMEN'S REPORT**

Mr. McManus said that most people will read about this in the Chronicle, but the Harwich Cranberry Festival Committee, after holding on as long as they could, has finally concluded that they had to cancel activities this Summer and Fall. The music concerts at the Cultural Center, the craft fair at Brooks Park and the Cranberry Festival and Beach day have all been cancelled.

As a committee they strive to do three things; one, to provide some activities for seasonal visitors to support their economy, to provide a venue for local craftsmen and artisans to make a living, and to raise funds to support youth.

Luckily last year they did well making money, so they made their normal round of donations to local youth charities and also awarded scholarships, which will be announced shortly. Also, thanks to the financial policies of the Committee, to retain a sufficient reserve of funds to cover startups and any possible hiccups, they will be able to also cover donations and scholarships next year. Hopefully they will have a successful run next year, and the Committee will get back into normal operations.

Mr. Ballantine said this is expected, but it will certainly be missed.

Mr. Ford said he wanted to go back to what Mr. Powers just talked about. There were thousands and thousands of those stories across the country in the last few days, and will continue over the next few weeks. The genesis of what went on here in Harwich, was the youth, the kids from the high school, and he just wanted to say again how proud he was of them. He was not able to attend himself, but he thinks they did right by Harwich and it was a very good event. He also wanted to thank Mr. McManus for stepping in to help with the organizing work, as he has always done in situations like this. Mr. McManus said that compared to the youth, he did very little.

## **ADJOURNMENT**

Mr. Ford moved that they adjourn at 7:47 pm. Seconded by Mr. McManus.

Respectfully submitted,

Lisa Schwab  
Administrative Assistant