

SELECTMEN'S MEETING AGENDA*

Tuesday, April 7, 6:30 P.M.

REMOTE PARTICIPATION ONLY

Public can access meeting at Channel 18 (Broadcasting Live)

OPEN PUBLIC FORUM

For those members of the public wishing to make comment you may do so by a combination of email and phone by;

1. First, send an email to comment@town.harwich.ma.us
(Send emails at any time after the meeting agenda has been officially posted)
 - a. In the subject line enter "request to speak Jane Doe"
 - b. Replace Jane Doe with your name - No need to add any more detail to email
2. Please wait until the Chairman has opened this agenda item for Open Public Forum
3. **Dial: 872-240-3311**
4. **Enter Access Code: 133-075-277**
5. Please be patient and eliminate any background noise
6. Callers will be taken in the order the emails are received
7. When your name is called use *6 to unmute yourself

I. CALL TO ORDER

II. CONSENT AGENDA

A. Minutes for Approval:

1. June 17, 2019
2. June 24, 2019
3. July 15, 2019
4. March 19, 2020
5. March 23, 2020
6. March 26, 2020
7. March 30, 2020
8. April 1, 2020

B. Vote to approve – Class II Used Car Dealer – Goodson's Motorcars, 210 Queen Ann Road, Harwich

**C. Vote to approve – Seasonal, All Alcohol License – Phoenix Park Inc., DBA The Irish Pub,
126 RTE 28 Harwich**

III. NEW BUSINESS

A. Discussion and possible vote to affirm roles of Interim Town Administrator and Public Health Director during entirety of Public Health Crisis related to COVID-19

Presenters: Joe Powers, Interim Town Administrator; Meggan Eldredge, Health Director

IV. OLD BUSINESS

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

V. OPEN PUBLIC FORUM

A. See dial in instructions above

VI. TOWN ADMINISTRATOR'S REPORTS

VII. SELECTMEN'S REPORT

VIII. ADJOURNMENT

**Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

Authorized Posting Officer:

Posted by: _____
Town Clerk

Patricia A. Macura, Admin. Secretary

Date: _____ April 3, 2020 _____

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 17, 2019
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Ford, Howell, MacAskill, McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Joe Powers, Conservation Administrator Amy Usowski, Deputy Fire Chief Dave LeBlanc, Duncan Barry, Jeannie Wheeler, Harwich Chamber Executive Director Cyndi Williams, Sheila House, Ginny Hewitt, Sally Robano, Lincoln Hooper, Charleen Greenhalgh, Griffin Ryder, Chris Nickerson, Charlie Sumner, and others.

WEEKLY BRIEFING

- A. Conservation Administrator Amy Usowski made two announcements:
1. Advisory closure for swimming at Hinkley Pond, due to the start of a low-level blue-green algal bloom.
 2. Piping Plover and tern update:
 - a. One pair at Red River beach still has one chick alive (of four hatched), which is due to fledge (i.e. fly) around June 26. Barricades have been put up at the parking lot to protect the unfledged chick, but will be able to be removed before the July 4th holiday.
 - b. There are eight chicks (from two pairs) between Wychmere Harbor Club and Pilgrim Road area. Chicks are due to fledge before July 4th.
 - c. There is symbolic fencing up in both areas mentioned above to protect the chicks, which is required by state law. The public is advised to stay out of fenced areas. Fenced areas do not restrict the public's access to the water and the town provides other beaches without symbolic fencing. If people and their animals do not respect restrictions and chicks do not survive, there is a chance plover pairs will re-nest, which could extend restrictions further into the summer.
 - d. Common and Least Terns are foraging off of town beaches but are not nesting here, so there are no restrictions currently due to these birds.
- B. Deputy Chief announced that the fire department secured a summer intern from the University of New Haven to assist with pre-fire planning for commercial buildings. These pre-plans require a software for which the department has recently secured a \$2,500 grant from Factory Mutual to pay for the first year of the software and for a tablet with which to collect site data.

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Duncan Barry of West Harwich made two announcements:
1. The Harwich Historical Society opened an exposition yesterday dedicated to the houses of Captain's Row—from the settlement in the 1650s to recent/post-WWII roadside architecture. Makes case for proper zoning of the area. He's happy to provide tours to members of the Board.
 2. Presented to the Board a letter, written in 2017 by the Chairman of the Eastham Board of Selectmen to prevent development of a Dollar General along 6A in Eastham, as an example for the Board to consider for the proposed development along Rte. 28 in West Harwich.
- B. Jeannie Wheeler, Trustee of Brooks Free Library, invited the public the celebration of the completion of the Restoration and Preservation Project Saturday, June 29, 2-4pm.

- C. Cyndi Williams, Executive Director of the Harwich Chamber, announced the annual Harwich Chamber Charitable Foundation’s Run for Harwich Youth, which will affect Rte. 28 to South St. from 9:15-11:30am on Saturday.
- D. Sheila House of Harwich Youth and Family Services announced two retirements from the Harwich Youth Services Committee: Barbara Seigal and Jim Hartley. She recognized Mr. Hartley for his 19 years of service (since the Committee’s inception). Jim Hartley appreciated the Town for being family oriented and geared toward children.
- E. Ginny Hewitt, Brooks Free Library Director, made two announcements:
 - 1. Carol Center for the Blind and Mass Commission for the Blind awarded the Thomas Carol Award for Employment to Assistance Technology Coordinator, Carla Burke, as the blind employee of the year for Massachusetts on June 6, 2019.
 - 2. Reading portion of the Summer Reading Program is underway. They replaced reading prizes with “Maker Kits”. The program portion kicks off on Friday on the field behind the community center at 5pm.
 - 3. Friends of Brooks Free Library is sponsoring all the summer programs, with programs available almost daily for kids—schedule is available at the library and on the library’s website
- F. Sally Robano followed up on Duncan Barry’s announcement regarding the development proposal.

CONSENT AGENDA

- A. Vote to approve 2019 Annual Miscellaneous Re-Appointments
- B. Vote to approve the recommendation of the Assistant Town Administrator to approve the installation of approximately 37’ (feet) conduit and one handhole#506/H6A in town road to customer at 36 Huckleberry Path, Harwich
- C. Vote to approve the recommendation of the Town Administrator for the promotion and appointment of Carlene Jones to the position of Assistant Assessor
- D. Vote to approve the proposed Visiting Nurse Association FY20 contract - \$4,000
- E. Procedure on the release of certain Executive Session Minutes—Second Reading

Mr. Ford moved adoption of the Consent Agenda Items A through D. Mr. MacAskill seconded the motion.

Department of Public Works Director, Lincoln Hooper, recommended that, for Item A, Griffin Ryder be appointed as the alternate to the JTC, instead of Chris Nickerson.

Mr. Ford moved to approve the 2019 Annual Miscellaneous Re-Appointments with one change: Cape Cod Joint Transportation Committee alternate representative no longer being Chris Nickerson—now being Griffin Ryder. Mr. MacAskill seconded, and the motion to change carried by unanimous vote.

Mr. Powers provided an explanation for Item E. Mr. Howell moved that the revised procedure for the release of certain executive Session Minutes be approved. Mr. MacAskill seconded, and the motion carried by unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)*

None presented.

NEW BUSINESS

- A. 5 year Recertification of Participation in the Community Rating (CRS) System Program:

Town Planner, Charleen Greenhalgh, provided an explanation for the CRS. She explained that the town is currently considered a class 8, which allows a 10% discount for those in need of flood insurance. This year, due to much effort by staff, the town will move to a class 7, which would afford a 15% discount. The CRS is a daily consideration—not just every 5 years. Ms. Greenhalgh made the following recommendations for the 5-year Recertification of Participation in the CRS:

1. BOS vote to authorize the Chair to sign a letter regarding wetland and flood plain land under its jurisdiction
2. BOS to vote to authorize the Chair to sign the required Verification Letter for the CRS Recertification
3. BOS vote to authorize the Chair to sign the letter for Protection of Open Space in Flood Zones

Mr. MacAskill made a motion to authorize the Chair to sign a letter regarding wetland and flood plain land under its jurisdiction as presented. Mr. Howell seconded. Ms. Greenhalgh further clarified that the Town is eligible for class 6, but something at the state-level is preventing any communities within Massachusetts from qualifying for class 6. The motion carried by unanimous vote.

Mr. MacAskill made a motion to authorize the Chair to sign the required Verification Letter for the CRS Recertification as presented. Mr. Howell seconded, and the motion carried by unanimous vote.

Mr. MacAskill made a motion to authorize the Chair to sign the letter for Protection of Open Space in Flood Zones. Mr. Howell seconded, and the motion carried by unanimous vote.

B. Road Maintenance revisit due to failed funding—Chapter 90 only

Mr. Clark provided background. He explained that the town now only had \$90,000 to address the maintenance needs. Mr. Hooper explained that our roads are in good condition because of an aggressive maintenance program supported by the community. This is the first time in 16 years that there has not been local money. Because of this aggressive maintenance program, Mr. Hooper explained that one year with less funding will likely not have much impact. However, if this is repeated for several years, at some point the roads will require more reconstruction (as with Lower County Road) than simply maintenance. Mr. Hooper further explained the costs of current proposed drainage project at Depot Road. He urged the Board to approve the new Chapter 90 plan, so that the project could move forward before the current contract expired.

Mr. Howell and others voiced concerns over the language used in the ballot articles. They felt in needed to be better clarified so that local funding is not lacking in the future.

Mr. McManus moved to approve the Chapter 90 submission as presented by the Director of the Department of Public Works. Mr. Clark clarified that this was to approve the proposed road maintenance program in the amount of \$173,500 for drainage work on Depot Rd., South Harwich. Mr. Howell seconded, and the motion carried by a vote of 4-1 with Mr. MacAskill opposed.

Mr. Hooper further discussed the plans for Lower County Road, now that reconstruction has been voted down by the Town. The road requires \$150,000 worth of patching, which will need to get done before winter. If this is bid as a separate project, it may cost less. The DPW is asking for the Board's input on whether to patch and revisit in a year and re-visit or chip seal the road until more major reconstruction is required.

Mr. MacAskill inquired about the \$120,000 in Water Department Responsibility. Mr. Clark and Mr. Hooper explained that, when they thought the project would pass town meeting, that Chapter 90 funds would cover that responsibility. Give that it hasn't, the Water Department is going to contribute \$60,000 toward the Lower County Road Project as a compromise. Regarding the \$1,000,000 originally requested for the project and rejected, Mr.

MacAskill asked why parts of the project (i.e. some drainage) could be completed with the remaining Chapter 90 funds, instead of simply patching. He does not believe it reasonable to expect the project to be accepted next year when it was rejected this year. Mr. Hooper explained the proper order of road repairs and did not believe a piece meal approach to be appropriate or cost effective.

Mr. Ballantine requested that Mr. Hooper return the following week to present a more detailed analysis of Lower County Road. The Board debated the benefits and the costs to the taxpayers of temporary fixes to the road vs. increasing costs of major repairs in the long run.

CONTRACTS

- A. Award bid for Town of Harwich Fire Station #2 Security System Bid to Galaxy Integrated Technologies, Inc. and sign agreement document

Mr. MacAskill moved to award the bid for Town of Harwich Fire State #2 Security System Bid to Galaxy Integrated Technologies, Inc. and sign agreement document in the amount of \$85,000. Mr. Howell seconded and the motion passed by unanimous consent.

OLD BUSINESS

- A. Phase 2 Sewer and Sewer Pump Station Easements: Execution of Order of Taking; and Acquisition of Sewer and Drainage Easements in Public Ways: Execution of Order of Taking

Mr. Clark clarified some concerns from the Town Clerk regarding the public ways—some documents weren't on file with the town clerk and some older roadways, historically maintained by the town, predated book and page numbers. This caused a delay last week because the town must have possession of all the land on which the system will be constructed.

Mr. McManus moved to approve the Order of Taking with the Board of Selectmen acting as the Sewer Commission for the various easements as detailed in the Order of Taking as presented by the town attorney. Mr. Ford seconded the motion.

Mr. MacAskill and Mr. Howell expressed concern about the communication in the process, the amount of time Mr. Clark gave the process, and in the certification process itself. Mr. Clark explained that he had sought information from Mr. Hooper and other town experts in confirming the town's jurisdiction over the older roadways in question. Mr. Ford clarified that, while this situation was unusual, typical records requests require minimal time, and therefore, Mr. Clark's timing was understandable.

The motion presented by Mr. McManus carried by a vote of 3-2, with Mr. MacAskill and Mr. Howell voting against.

- B. Bid award Robert B. Our contract - \$11,368,663.48

MOTION: Authorize the Town Administrator to execute the Phase 2 Contract 1 CWSRF4424/1 to the Robert B. Our Company in the amount of \$11,368,663.48

Mr. McManus moved to award the bid to Robert B. Our the contract of \$11,368,663.48 and authorize the Town Administrator to execute the Phase 2 Contract 1 CWSRF4424/1 to the Robert B. Our Company in the amount of \$11,368,663.48. Mr. MacAskill seconded the motion.

Representatives from Weston and Sampson discussed the bid costs for sewer/wastewater work and noted that there are fewer bidders available for projects, because there is plenty of available work.

Mr. Ford and Mr. MacAskill voiced concern about the quote being 30% higher than expected. Representatives from CDM Smith attempted to explain this difference—most of the increase is in the cost of the pavement (which is up almost 50% from the time of the estimate).

Mr. McManus remarked that the town needed to vote at the May ATM for the estimated funds for Phase 2 to show town commitment to be eligible for a 0% State Revolving Fund loan. Mr. Clark added this would save the town \$15M

C. Review of Town Meeting Actions—Pass/Fail

Mr. Clark explained that very few people are using the center after 9:00 PM, so the director recommended, as part of the budget hearing, that the center close at that time.

TOWN ADMINISTRATOR'S REPORTS

A. Department Reports:

Mr. Clark explained that very few people are using the center after 9:00 PM, so the director recommended, as part of the budget hearing, that the center close at that time.

SELECTMEN'S REPORTS

A. Department Reports:

Mr. Clark explained that very few people are using the center after 9:00 PM, so the director recommended, as part of the budget hearing, that the center close at that time.

ADJOURNMENT

Mr. McManus moved to adjourn at 7:13pm. Mr. MacAskill seconded, and the motion carried by unanimous vote.

Respectfully submitted,

Shilo K. Felton
Recording Secretary

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JUNE 24, 2019
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Ford, Howell, MacAskill, and McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Fire Chief Norm Clarke, Carolyn Carey, Judith Ford, Mary Oldach, Griffin Ryder, and others.

WEEKLY BRIEFING

Fire Chief Clarke notified the Board that the town received \$125,499 from a MassHealth program to help recover the costs associated with ambulance services.

Ms. Carey reminded the Board that there are still opportunities for vendors at the Seaside Marketplace, which opens July 3rd. She mentioned that the fiscal year begins July 1st—meaning that weight room membership renewals are due. She informed the Board of the community yard sale at Brook's Park on August 3rd—there are 15 people signed up, more are welcome, but spaces are limited. This allows clubs and organizations to pay for rooms at the community center.

PUBLIC COMMENTS/ANNOUNCEMENTS

Judith Ford, President of the Friends of the South Harwich Meetinghouse, recognized the efforts of the group and town for the recently completed historic preservation project.

CONSENT AGENDA

- A. Accept a gift of \$400.00 from the Harwich Cranberry Festival for the purpose of paying for the tuning of the piano recently donated to the Cultural Center
- B. Vote to approve 2019 Annual Committee Re-Appointments
- C. Vote to re-appoint Jim Joyce to the Planning Board—term to expire June 2020
- D. Per the recommendation of the interview nomination sub-committee—vote to appoint Sharon Fleger as a Full Member to the Board of Health
- E. Vote to affirm appointment of Dana DeCosta as a Board Secretary
- F. Vote to Exempt Dana DeCosta from the provisions of MGL, c.268A, §20

Items E and F postponed by Mr. Ballantine for procedural reasons.

Mr. Ford moved to approve Items A-D. Mr. MacAskill seconded the motion.

Mr. Howell provided some revisions for Items B and D.

The motion with revisions was approved by a vote of 3-0-2 with Mr. McManus and Mr. Howell abstaining.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)*

- A. Safe Routes to Schools Update; Mary Oldach, Principal, M.Ed. Harwich Elementary School and Griffin Ryder, Town of Harwich Engineer

Ms. Oldach provided some background on Harwich Elementary School’s involvement with the Safe Routes to Schools program. She informed the Board that the school achieved a gold level status with Mass Department of Transportation because of its involvement with the Safe Routes to Schools program and because 40% of their students are on free/reduced lunch. Their application included repairing the sidewalks used for evacuation routes, as well as connecting to Brooks Free Library and recreational facilities, most of which currently exist but are not ADA compliant.

Mr. Ryder provided an update on the project. He showed the Board a map, outlining the streets affected by the project. The nearly \$600,000 grant award includes design and construction but does not include acquisition. The earliest the project would be carried out would be 2022. He further explained the next steps necessary to progress the process.

Mr. Clark reiterated the benefit of completing the project early—more likely to get more funding for the project, so it’s important that the Board approve a final design earlier rather than later. The biggest challenge will be in convincing DOT that certain streets will not allow for sidewalks on both sides. DOT generally requires that street improvements include sidewalks on both sides of the street (i.e. “complete streets”), so this project would require submitting a project exception.

Mr. Howell asked about potential costs if the town does not get the exception approved. Mr. Clark confirmed that the town would not be responsible for any additional costs in that case.

NEW BUSINESS

- A. Request from the Harwich Cranberry Festival for a partial waiver of the facilities fee for the courtyard rental for Thursday night concerts at the Cultural Center; from \$1050.00 to \$525.00

Mr. McManus recused himself from discussion.

Mr. MacAskill asked about the number of concerts and staff affected. Ms. Carey and Mr. Clark responded that there are seven Thursday night concerts at the Cultural Center and only one staff affected.

Mr. MacAskill moved to approve the request from the Harwich Cranberry Festival for a partial waiver of the facilities fee for the courtyard rental for Thursday night concerts at the Cultural Center; from \$1050.00 to \$525.00. Mr. Ford seconded, and the motion carried by a vote of 4-0-1, with Mr. McManus abstaining.

B. Draft Budget/Warrant timeline—discussion

Mr. McManus explained the need to address the budget/warrant items on the calendar ahead of approval deadlines dictated by the charter.

Mr. Ford voiced support for investigating the processes in a transparent way. He also announced that he has been drafting a new process for the Town Administrator's performance review.

Mr. Howell wanted to make sure that the Board give the Bylaw Committee enough time to review.

The Bylaw Committee Chair agreed that lead time would be helpful in order to vote on articles in advance of charter deadlines.

CONTRACTS

None presented.

OLD BUSINESS

A. Phase 2 Sewer—order of taking sewer drainage easements in private ways

Mr. Clark explained that this item was a technical correction. When the Board voted last week, the action, provided by the town attorney, did not include the book and page numbers. The attorney recommended voting a new document with the book and page numbers for each private way identified. He expressed that this is a clarification vote only.

Mr. Howell and Mr. MacAskill asked that future agenda items be written in a way that more clearly describes the action requested.

Mr. McManus moved to approve the order of taking prepared in the agenda packet for meeting of June 24—order of taking of private ways, specifying the book and page citations for those takings on private ways in the phase 2 area. Mr. Ford seconded, and the motion carried by 3-2, with Mr. MacAskill and Mr. Howell voting against.

TOWN ADMINISTRATOR'S REPORT

Mr. Clark is in the process of gaining his re-certification for his Procurement Officer status. He has completed a 2-day course and passed the exam. He is taking two additional classes in August: 1) Prevailing Wage and 2) Real Estate Transactions.

Mr. Clark announced that the Affordable Housing Trust voted to consider two parcels: 1a) Oak Street and 1b) Sisson Road. The sites are being evaluated for development. Mr. Howell clarified that development on Sisson Road would not include taking the one-room school building rented by

the Junior Theatre. He further reiterated the importance of communicating with stakeholders so as to assure them that developments would not infringe upon their work/interests.

SELECTMEN'S REPORT

None presented.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 7:26pm. Mr. Howell seconded, and the motion carried by unanimous vote.

Respectfully submitted,

Shilo K. Felton
Recording Secretary

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, JULY 15, 2019
5:30 P.M.**

SELECTMEN PRESENT: Ballantine, Ford, Howell, MacAskill, and McManus

OTHERS PRESENT: Town Administrator Christopher Clark, Assistant Town Administrator Joe Powers, Lincoln Hooper, Griffin Ryder, Jack Brown, and others.

Mr. Ballantine reopened the meeting at 6:45pm. He explained he first called the meeting to order at 5:30pm for Executive Session to discuss the current status of numerous litigation issues and the union contract, which will be further evaluated at the next open town meeting.

WEEKLY BRIEFING

Mr. Hooper, DPW Director, explained that the town and the rest of the state is have trouble getting rid of solid waste. The state had put a ban on incinerator capacity 20 years ago, assuming excess could be placed in landfills. Unfortunately, there is not enough landfill space available. Mr. McManus clarified that both recycling and solid waste are becoming a problem for the town—the state requires the town to be responsible for this waste, but regulates which options are available. He further stated that the state needs to step up. Mr. Hooper explained that the town is currently limited to one load of solid waste per day with the current contractor. The Municipal Solid Waste department is doing its best to find solutions.

PUBLIC COMMENTS/ANNOUNCEMENTS

Carol Marie Anderson, Harwich resident, addressed the Board regarding the death of her father under what she believed to be suspicious circumstances. She thanked Mr. Clark for meeting with her in February. However, at that time, she said Mr. Clark had promised that he would speak to the Chief of Police and Elder Services and she was concerned that she had not yet heard back from Mr. Clark. She explained that she was recently removed from her residence and is concerned that her mom will also die from similar circumstances. Mr. Clark responded that he had spoken with the Police Chief and Council on Aging following his meeting with Ms. Anderson, so they were all aware of the situation. Ms. Anderson told the Board that she has been wrongfully evicted and will be following up with Mr. Clark.

Duncan Barry, Harwich resident, announced a lecture on the Captains of Captain's Row on the following Sunday at 2pm at the Harwich Historical Society. On Sunday, July 28 he will also be giving a walking tour of Captain's Row, starting at 2pm at the Harwich Baptist Church.

Mr. Howell announced that the Cape Verdian 3rd Annual Festival will be at Brooks Park the following Saturday from 10am-6pm.

Mr. McManus commented about the high attendance for the past weekend activities in town, including the Kiwanis Club Yard Sale, the Cranberry Festival Craft Fair, as well as the little league tournament at Baldwin Centennial Field. He announced that the Monomoy Little League (12-year olds) coaches Jay Krystofolski and Mick Huse have led the team to be more successful than any previous in Monomoy Little League history and put Monomoy Little League on the map.

Mr. Clark made the Board aware of a fraudulent email that was sent to a town resident from a falsified town email address, requesting money for a child in need. He clarified that this did not come from the town.

CONSENT AGENDA

- A. Approve the recommendation of the Assistant Town Administrator regarding a Petition by Eversource Energy to install 10+ feet of cable/conduit under the public road in Bank Street to provide service to customer at 78 Bank Street.
- B. Approve the recommendation of the Assistant Town Administrator regarding a Petition by Eversource Energy to install one (1) new FO mid span Pole labeled 515/1.5 on the side of the public road in Mary Beth Lane, Harwich.
- C. Accept the resignation of Katherine Green as Real Estate and Open Space Committee representation to the Community Preservation Committee—effective 7/1/19.
- D. Accept the resignation of James Hartley from the Harwich youth Counselor Advisory Board—effective 7/1/19.
- E. Approve committee appointments per the request of the Interview Sub-committee as follows:
 1. Noise Containment Committee
 2. Cultural Council
 3. Brooks Academy Museum Committee

Mr. Howell asked to hold Item E. Mr. Ford moved to approve Items A through D. Mr. MacManus seconded the motion.

Mr. MacManus thanked Katherine Green for her eight years of excellent service. He further thanked James Hartley for his 16 years of outstanding service.

Mr. Howell thanked Katherine Green for following proper procedure in her resignation and further explained the proper procedure.

The motion to approve Items A through D passed by unanimous vote.

Mr. Howell requested that the names and expiration dates for committee appointments (as in Item E) be explicitly stated in future Consent Agendas. He moved to make the following full appointments:

1. Janet Cassidy to the Brooks Academy Museum Committee with term to expire 6/30/21

2. Frances Rich to the Harwich Port Noise Containment Commission with term to expire 12/31/20
3. Megan Yaps to the Harwich Port Noise Containment Committee with term to expire 12/31/20
4. Robert Cohn to the Harwich Port Noise Containment Committee with term to expire 12/31/20
5. Dinah Lane to the Harwich Cultural Council with term to expire 6/30/22
6. Walter Mason to the Harwich Port Noise Containment Committee with term to expire 12/31/20

Mr. McManus seconded, and the motion carried by unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)*

None presented.

NEW BUSINESS

A. FY 2020 Reserve Fund Transfer Request—Labor Support for Office - \$10,000.00

Mr. Clark explained that a long-time employee of the town is on leave for a significant time period due to some medical issues. Additionally, Mr. Clark's secretary, Sandy Robinson, will be retiring in August. Patti Macura will be replacing Ms. Robinson, but Mr. Clark thinks that the town should hire a temporary employee to assist with office coverage and meeting minutes. He has already received approval from the Finance Committee.

Mr. MacAskill suggested an additional discussion to determine a more long-term plan, as the employee has been out for nine months.

Mr. Ballantine asked if this potential hire would be helping with the Finance Committee meeting minutes as well. Mr. Clark explained that there is also funding for a 90-day temporary appointment to fill that position. Dana Dacosta had been suggested to fill the position more permanently, but there are some potential complications because he is already employed by the town. Mr. Clark is looking for the Board's direction as to whether Mr. Dacosta's name should be brought forward again. Mr. MacAskill had questions regarding Mr. Dacosta's current position, the hiring process for his current position, and whether the significant number of hours he currently works would allow him time to work additional hours as the Financial Committee Secretary. Mr. Howell wanted clarification that the temporary employee would not be supervising other employees.

Mr. McManus commented that as of August 1, the office would need some additional assistance or it would go under. With that in mind, he moved to approve the \$10,000.00 request to transfer reserve funds for the purpose of a part-time employee. Mr. Howell seconded.

Mr. MacAskill suggested that the office would continue to operate without the funding as it had been for the past several months without an Assistant Town Clerk and with the one employee on

medical leave. Mr. Clark reminded the Board that Ms. Robinson would be retiring on August 1, her replacement has less than one year of experience, and neither Mr. Clark nor Ms. Macura have taken much vacation in order to keep the office running.

The motion carried by a vote of 4-1, with Mr. MacAskill voting against.

B. Review—Draft Performance Review Town Administrator

Mr. Ballantine asked the Board how it might address and improve accountability for some of the areas in the performance review that the Town Administrator has received many negative comments. These have often been ignored in the past. He wants to be sure that the following areas are improved: management activities—including delegation and communication, budget transparency, and the Town Administrator’s support to the Board of Selectmen. He asked that the Board concentrate on small set (approx. six) major goals, a draft of which he presented to the Selectmen.

Mr. Ford suggested creating a shared document on which each of the Selectmen would be able to provide comment.

Mr. Ballantine expressed his concern that there is more arguing in these meetings than is good for the town and he would rather see everyone moving forward together. He believed this could be improved by 1) ensuring that the Board receive all necessary meeting materials well in advance, and 2) reviewing progress toward performance goals quarterly.

Mr. Howell provided a few comments on the draft goals provided: 1) the current document suggests rating the Town Administrator on an issue (namely the Wastewater Management Project) that has not yet been voted on by the town; 2) each Selectman needs to justify his scores with text; 3) goals within the review process need to be weighted based on importance.

Mr. MacAskill did not believe the Selectmen would be able to come to an agreement.

Mr. Ballantine asked the Selectmen to send him the goals they would like to see on the performance review.

C. Potential Ratification Vote of The Harwich Police Federation Massachusetts Coalition of Police Local #446—July 1, 2019 through June 3, 2022

Mr. Ballantine explained that this item was tabled because they are waiting on some necessary information. The Board will hold a special posted public meeting to address this issue.

D. Potential Ratification Vote – Sullivan Dog Appeal—Settlement

Mr. Ballantine explained that this was voted in Executive Session.

E. Potential Ratification Vote – Abate Dog Order—Settlement

Mr. Ballantine explained that this was voted in Executive Session.

CONTRACTS

None presented.

OLD BUSINESS

A. Lower County Road Discussion

Mr. MacAskill recognized that the water commissioners were in the room.

Mr. Ryder presented the results of a discussion to find a secondary solution to buy time at Lower County Road, since the initial project was voted down. He expressed that the best solution from an engineering standpoint would have been the project that the town residents voted down. The group devised a secondary, \$350,000 plan to do some permanent patching, drainage improvements at three locations (Allen Harbor, Wequasset Road, and Brooks Road), and some crack sealing followed by a chip seal surface treatment in the spring. He explained the importance of completing crack sealing prior to the winter in order to prevent major damage from freezing water infiltration during a season when asphalt plants are closed. This secondary plan would buy the town an additional 5-7 years.

Mr. MacAskill asked about the reduced ride quality mentioned in the memo provided. He didn't notice a difference in similarly treated roadways. Mr. Hooper explained that the chip job on Route 39 was done very well, but that road was also in much better quality than Lower County Road currently is.

The water commissioners reported on the history of the Water Department's involvement in the project. The Water Department is offering \$38,750 to contribute toward the Lower County Road Project.

Mr. McManus confirmed that this would mean spending at least as much as in the original project proposal in 5-7 years and that the secondary project proposed does not include ADA improvements to the sidewalk.

Mr. Ballantine asked about exploring TIP funding. Mr. Hooper and Mr. Ryder explained that using TIP funding would require taking easements from private property owners on either side of the road in order to build compliant sidewalks. Therefore, they did not believe it would be received well by the residents.

B. Vote to approve the Budget/Warrant Timeline FY2020

Mr. Howell would like to have a specific date (either February 1 or 8) for the departments to pitch their budgets. Mr. McManus asked if Mr. Howell would like this meeting to be before or after the department heads give their presentations to the Finance Committee.

Mr. Clark expressed concern with the department heads presenting their budgets to the Board before he presents the Town Administrator's budget to the Board because he generally works to reduce each department's budget to in order to balance the budget as a whole before presenting it to the Board.

Mr. MacAskill reiterated his opinion from previous meetings that the timeline should allow for the Board to make changes to the Warrant until it goes to print.

Mr. Ballantine asked Mr. Brown, Chairman of the Finance Committee, if allowing changes after the Finance Committee votes to approve the Warrant would be difficult. Mr. Brown responded that the Finance Committee could meet to vote on the changes, but it would be difficult.

Mr. McManus expressed his opinion that allowing for changes up until the last minute makes the process appear less transparent to the public.

Mr. Howell suggested that it would be impossible to live up to the requirement that no changes be made following the Finance Committee's vote.

Mr. MacAskill moved to approve the budget/warrant timeline, striking the "no new information or changes will be added to the warrant after this date" under the Monday, March 2, 2020 date and adding February 8, which is the department heads' presentations to the Board of Selectmen joint meeting. Mr. Howell seconded the motion.

Mr. McManus clarified that the motion presented would move the Selectmen and Finance Committee Budget Presentations from February 15 to February 8.

The motion was approved by unanimous vote.

TOWN ADMINISTRATOR'S REPORT

A. Public Health Advisory

1. Mill Pond, Harwich & Brewster—Fish Contaminated with Mercury
2. White Pond, Dennis & Harwich—Fish Contaminated with Mercury

Mr. Clark explained that, while these ponds are not easily accessible to the general public, the Department of Public Health suggested only catch and release fishing from these ponds for children and pregnant women and suggested all other persons limit large mouth bass consumption to two meals per month.

B. Department Reports

Mr. Clark announced that the advisory has been lifted at Hinkley's Pond.

C. Draft Non-Resident Taxpayers Public Meeting Notice

Mr. Clark informed the Board of the draft he included in the packet. The meeting will be on August 12th at the Board of Selectmen Meeting at 6:30pm, discussing the following items:

1. Fire Station #2—update on construction
2. Report of the Harbormaster regarding Saquatucket Harbor
3. Report by the Recreation Director in regard to beaches
4. Report of the DPW Director regarding beach trash and roadway
5. Council on Aging—Emily Mitchell, Council on Aging Director
6. Channel 18—overview of how to view these meetings
7. Wasterwater issues—Charlie Sumner
8. Financial Position of the Town—Carol Coppola

Mr. Ballantine encouraged town residents to attend the August 12th meeting as well.

SELECTMEN'S REPORT

A. Committee Vacancy List Review

Mr. MacAskill listed the committee vacancies available:

1. Agricultural Commission: 3 full, 1 alternate (currently does not have quorum)
2. Bikeways Committee: 2 full
3. Board of Appeals: 1 alternate
4. Building Code Board of Appeals: 5 full (intentionally inactive)
5. Cemetery Commission: 1 full
6. Community Preservation Committee: 1 Selectmen Appointee
7. Cultural Council: 4 full
8. Force Committee: 2 full
9. Harwich Accessibility Rights Committee: 1 full
10. Harwich Center Initiative Committee: 2 full, 2 alternates
11. Harwich Energy Committee: 2 full
12. Historic District Historic Commission: 2 alternates
13. Ad Hoc Noise Containment Committee: 2 full (determined earlier in this meeting)
14. Planning Board: 1 full, 2 alternates
15. Traffic Safety: 1 full
16. Treasure Chest Committee: 1 full
17. Voter Information Committee: 1 full
18. Wastewater Support Committee: 3 full
19. Youth Services: 2 full
20. Parking Committee: 1 full (business)

Committee applications are available online or at the Town Administrator's office.

Mr. McManus clarified when the Building Code Board of Appeals is necessary. The last time one was actively used in the country was when folks were building geodesic domes. He also asked about the previous Recycling Committee and recommended re-forming the committee. Mr. Howell explained that the Recycling Committee was originally formed to encourage recycling, which is no longer the problem.

B. Mr. Ford

Mr. Ford shared some rave reviews of the music at the Cultural Center from visitors who had attended.

C. Mr. Ford

Mr. MacAskill asked if the town had hired an employee for the Treasure Chest. He would like that to be discussed by the Board before hiring. He also asked for clarification regarding the town's regulations regarding yard sale signs.

D. Mr. McManus

Mr. McManus raved about the musical artists at the Cultural Center. He also requested a report from Mr. Clark regarding the DCPC nomination process.

E. Mr. Howell

Mr. Howell passed along a follow-up message from a member of the public regarding a complaint she made about a seasonal employee. He further asked about the policy for issuing beach stickers.

F. Mr. Ballantine

Mr. Ballantine requested to add to the next agenda a discussion about training new committee members.

ADJOURNMENT

Mr. MacAskill moved to adjourn at 8:25pm. Mr. Howell seconded, and the motion carried.

Respectfully submitted,

Shilo K. Felton
Recording Secretary

MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
THURSDAY, March 19, 2020
6:30 P.M.

SELECTMEN PARTICIPATING: Ballantine, Ford, Howell, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers.

Mr. Ballantine opened the meeting at 6:30 P.M. He waived the repetition of the Pledge of Allegiance. Mr. Powers reviewed the details of the remote participation meeting, the first time that the Selectmen have conducted such a meeting, This meeting does comply with the Open Meeting requirements. He said the public has access to the proceedings, as the meeting is being virtually streamed over Channel 18. Mr. Powers said six virtual department head meetings have been held this week.

WEEKLY BRIEFING

- A. Coronavirus – COVID-19 Update - Mr. Powers noted that the date of this meeting is the same date as the announcement of the “presumptive first case” of a Harwich resident, which is the required language of the CDC. He said this was announced to the general public in an effort to try to reduce rumors. He said it was introduced by himself and by Meggan Eldredge, Public Health Director, in an attempt to create a communication channel to give the most up-do-date and accurate information as possible. Mr. Powers announced a Community Leadership Forum scheduled for Friday, March 20th from 12Noon to 1PM. He added there are plans for several broad teleconferences which will go a long way to establish a new routine during the COVID-19 crisis and will instill confidence and calm. Mr. Powers said the municipal government of the Town of Harwich is still moving forward as much as possible.

Mr. MacAskill asked about Town employees, that is, who is still working and who is not working. Mr. Powers said municipal buildings are closed to the General Public so as to eliminate foot traffic. The employees who are able to report are

reporting Check-in meetings with department heads are being made daily. Daily check-out meetings are made in the afternoon to see how the day has gone. He said work-flow procedures are being worked on, for example, renewing a dog license, obtaining a vital record copy, paying a bill or fine. Mr. Powers said there are plans to establish drop box mechanisms, actually located in front of the municipal buildings which are closed, where the general public can present their work to be done by the Town. Department Heads are working on messaging, signs announcing building closures and advising people how they can make contact. Messaging will expand, including using signboards, adding sign messaging to web site and other communication methods. Succession planning in departments is ongoing, so that employees who are personally impacted by effects of the virus or are caring for someone, will be identified. If we see a reduction in available staff, we are reacting. Mr. Powers said we are utilizing technological availability, like this meeting. He said all work groups are striving to establish those protocols so we have continuity of operation in our municipal government. He said we are concerned for our fellow workers and their family responsibilities and obligations. Meggan Eldredge, Public Health Director, is the primary point of contact. Representatives from the Police and Fire Departments have been mobilized as well.

B. Sewerage Work Improvement Phase 2 – Contract #1 – Construction Schedule – Weekly Update. Mr. Powers reported that the work is continuing. Mr. Ballantine asked, how are we doing on the traffic flow? Mr. Powers reported that he has had conversations with the Town Engineer and Water Superintendent. He said it is hard for him to weigh in because the vast majority of his efforts have been responding to the Coronavirus crisis.

Mr. Ballantine asked the Board if night work should be brought up again. Mr. MacAskill said since there is a lack of traffic because of circumstances and businesses, restaurants, and schools are closed, this would be a good time to get construction past those businesses as quickly as we can. He is In favor of making some decision by Monday. Mr. MacAskill said Robert B. Our is buttoning up their business and is geared to do some extra work so there is no better time than now.

Mr. Ballantine agreed, adding it would be good to take advantage of this down time.

Mr. MacAskill said he didn't know what needs to be changed for Monday to allow for a broader discussion as well as a vote. He said RPM Carpets and the Foxes should be given an opportunity to weigh in on this.

Mr. Powers asked board members to notify him individually of anyone they want to participate in Monday's meeting. Up to 251 participants can be accommodated; however, the meeting cannot be opened up to broad phone conversations. Mr. Powers will work with identified parties to give them an opportunity to participate.

CONSENT AGENDA

A. Mr. Ford moved to approve the resignation of Thomas P. Johnson from the Golf Commission effective immediately. Mr. Howell seconded. Mr. Ballantine said Mr. Johnson has been very active on the committee and expressed appreciation for all his work. On a roll call vote: Mr. Howell – Yes, Mr. McManus – Yes, Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

NEW BUSINESS

A. Mr. MacAskill moved to approve Caleb Chase Fund request in the amount of \$800. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

B. Mr. MacAskill moved to approve the appointment of John Larivee to the Recreation & Youth Commission as a full member – term to expire 6/30/2021. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

C. Mr. MacAskill moved to approve the appointment of Jacqueline Pentz-Green to the Harwich Energy Committee as a full member – term to expire 6/30/2021. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

D. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Wychmere Harbor Functions LP DBA Wychmere Harbor Beach and Tennis – 23 Snow Inn Road, Harwich, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

E. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Hot Stove Inc. DBA Hot Stove at Cranberry Valley 181 Oak Street, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

F. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – The Belmont Condominium Beach DBA The Beach, 1 Belmont Road, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

G. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Ember Pizza Inc. DBA Ember – 600 Route 28, Harwich, with any previous conditions already approved. Mr. Howell seconded.

Mr. Powers said hearings were held previously with penalties assessed. He asked if it is the Board’s contention that this approval be considered “all previous conditions approved.” There is an on-going pending decision to be made concerning further hearings that were held which has been impacted by the coronavirus crisis. Mr. Powers said that the Board will receive any recommendation from him as Hearing Officer. He said the Board may have to revisit the license and restrictions in the future. Mr. Powers had been scheduled to meet with counsel this week; because of the closure of the Town Office building that did not happen. As soon as it is practical, he said, another meeting will be scheduled. We don’t know what is happening on a day to day basis.

Mr. Ballantine asked, is it your recommendation to table? Mr. Powers suggested to “continue the process” with “any previous conditions already approved” included. Mr. Powers said punishments would be different from conditions.

Mr. Ballantine said even though the license is approved, punishment can still be imposed.

Mr. Powers said since the licensee has previous conditions, he wants the Board to make the determination that the recent affirmation by the Board of punishments, recommended by previous Hearing Officer, will be added. I ask the Board to deliberate on this at this time.

Mr. Howell asked, have those penalties been assessed already? Mr. Powers said the penalties were presented to the licensing authority, you as a Board, and would apply to the 2020 license. He said they were not in existence for the last license but are intended to be in effect going forward. Mr. Howell said they are not a condition of the license. Mr. Powers said this needs clarification; what does the Board mean, hours of operation, entertainment, and other things?

Mr. MacAskill said we are not changing the conditions of their license. We have taken some nights away from them. They will close at 12, not playing outside, that's what is meant by conditions. By approving previous conditions, we cover ourselves.

Mr. Howell said he agrees with Mr. MacAskill. The suspension of a license is not a condition of the license.

Mr. McManus said he sees them as two separate issues. We go forward with our penalty procedure, which is separate from granting the license, based on recommendation of the Hearing Officer. It still needs to be paid, as you will, during the coming season.

Mr. Ford said he agrees. It is separate from what we are approving tonight. I think this vote is relative to the license and any conditions thereon.

Mr. Ballantine thanked Mr. Powers for raising this issue.

On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

H. Mr. MacAskill moved to approve Seasonal, all-alcohol license – Capeside Kitchen, Inc. DBA Capeside Kitchen – 537 Route 28, Harwich Port, with any previous conditions already approved. Mr. McManus seconded.

Mr. Howell said it is inappropriate to issue this license because of the proximity to the Pilgrim Congregational Church.

On a roll call vote: Mr. Ford – Yes, Mr. McManus – Yes, Mr. Howell – No, Mr. MacAskill – Yes, Mr. Ballantine – Yes. The motion carried by a vote of 4-0.

I. Approve seasonal, Wine and Malt License for Dockside Seafood Shack LLC DBA Dockside Seafood Shack – 715A Route 28, Harwich

Mr. Powers said this item should not have been presented this evening, as there are outstanding questions concerning the site plan and the seating that staff is working on, more work to be done to close out what the Board was looking for last year. Does the Board object to holding this item to be put back on a later agenda?

Mr. Ford asked if the item will be back on the March 23d meeting agenda. Mr. Powers said there will be a longer delay than next meeting. He added that he will introduce the concept of more than just weekly meetings and meetings of shorter duration. Mr. Ford said the Board should address Item I. as soon as we can.

J. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Go Industries Inc. DBA Perks – 545 Route 28, Harwich, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

K. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Port Restaurant and Bar Inc. – 541 Route 28, Harwich, with any previous conditions already approved.. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

L.. Mr. MacAskill moved to approve Seasonal, Wine and Malt license – Ajj Corp DBA The Weatherdeck Restaurant – 168 Route 28, Harwich, with any previous conditions already approved.. Mr. Howell seconded. On a roll call vote:

Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

M. Mr. MacAskill moved to approve Seasonal, all-alcohol liquor license – Pleasant Bay Group Inc. DBA Wequassett Inn – 173 Route 28, Harwich, with any previous conditions already approved. Mr. Howell seconded. On a roll call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. The motion carried by unanimous vote.

N. Mr. MacAskill moved to approve Sunday Entertainment License – Port Restaurant and Bar Inc – 541 Route 28, Harwich – Sunday’s 10AM – 12AM live entertainment inside and 10AM – 10PM live entertainment outside, with any previous conditions included.

Mr. Powers explained this item was added since the staff identified the prior-year license is not consistent with what has been applied for. I recommend this be reviewed by staff before the Board takes action.

Mr. Howell asked that action on this item be held off because of the proximity to the Pilgrim Congregational Church. He said he is sure the Church would be interested.

Mr. MacAskill withdrew his motion pending information from staff.

TOWN ADMINSTRATOR’S REPORTS

Mr. Powers said we are all aware of the state of things in our region and nationally and globally. He alerted the Board to the Teleconference Community Leadership Forum on Friday, March 20, from 12N to 1 PM. Mr. Powers said he has reached out to representatives that support the Town of Harwich, health and business organizations, education leaders, merchants, community groups, like The Family Pantry, non-profits, and representatives of the media. The purpose of the Teleconference is to give participants who are representatives of the broader community an opportunity to ask questions and to answer questions concerning the coronavirus and to gain up-to-date information. They will then be in a position to go back and distribute information to their communities.

The Teleconference will be taped by Channel 18 and rebroadcast. Mr. Powers plans this on a weekly basis as a significant step to re-establish community conversations that were taken for granted a week ago. He said to prevent us from losing our freedom, our right to assemble, we need to approach it in a different way. Mr. Powers said he hopes this event will give greater and confidence and calm to the community of Harwich. We will get in a new normal routine until we can go back to what we've always known as normal.

Mr. Powers said he wants the Board to be aware that every department head and employee is doing their level best to insure continuity of government operations despite concerns and family obligations. He reminded the Board that all efforts this week have been working toward continuance of government while employees take care of all their family needs. He said it is comforting to be able to conduct the remote participation meeting, adding that we will get better at it. Mr. Powers said things may need to be done differently as we go forward. Events are changing on an hourly basis.

Mr. Ballantine thanked Mr. Powers.

Mr. Ford thanked Mr. Powers, the staff, and department heads for all the hard work. He said he has heard from a number of staff what a good a job Mr. Powers has done. Leadership now is so important. He said more frequent Board meetings are a good idea.

Mr. Howell agreed with Mr. Ford. He said these are unprecedented times, not anticipated by anyone, and the public needs to understand there is nothing more important than the safety of the citizens of the Town of Harwich. Mr. Howell said he particularly thanks Meggan Eldredge, and the Police and Fire Departments.

Mr. MacAskill said he echoes both of those comments. He thanked Mr. Powers and the department heads. He said he looks forward to more meetings and to keeping the public as informed as we can.

Mr. McManus said he echoes Mr. Ford and Mr. Howell. He said he wanted to raise one issue to be considered over the next week or so. Blood donor programs, Red Cross and Cape Cod Hospital, have taken a significant hit, since blood donor drives have been curtailed. He asked if the Board could investigate and attempt to re-start these programs so as to head off a potential additional crisis of lack of blood supplies.

Mr. Ballantine said he agrees with the previous comments. He thanked Scott Tyldesley for helping with remote call-in. We will improve. He said he participated in the Conservation Commission remote call-in meeting last night, and applicants were appreciative that we as a Town have taken the efforts to keep the business of the Town going.

ADJOURNMENT

Mr. McManus moved to adjourn. Mr. Howell seconded. Motion passed unanimously.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Tem

MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
MONDAY, March 23, 2020
6:30 P.M.

SELECTMEN PARTICIPATING: Ballantine, Ford, Howell, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers; Carol Coppola, Finance Director; Scott Carpenter, Superintendent of Schools; Kathleen Isernio, School Business Manager; Terry Russell, Tina Games, Sharon Stout, Meredith Henderson, Jon Chorey, Tom Sherry, Brian Weiner, Daniel Tworek, Dale Kennedy, Dana DeCosta, and Angelo LaMantia

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 P.M. and called to order the Board of Selectmen. Roll-call: Mr. McManus – Here, Mr. Howell – Here, Mr. MacAskill – Here, Mr. Ford – Here, Mr. Ballantine – Here. Mr. DeCosta called to order the Finance Committee. Mr. Chorey – Here, Mr. Sherry – Here, Mr. Weiner – Here, Mr. Tworek – Here, Mr. Kennedy – Here. We do have a quorum. Dr. Carpenter called to order the School Committee. Mrs. Games – Here, Ms. Henderson – Here, Mr. Russell – Here, Dr. Carpenter – Here.

Mr. Powers said the Board of Selectmen has full membership present. The Finance Committee has a majority of members present. The Regional School Committee does not yet have a quorum.

WEEKLY BRIEFING

- A. Coronavirus – COVID-19 Update - Mr. Powers reported on specific updates. First, he said the Town web site, thanks to the work of Jamie Goodwin, now has a Coronavirus-COVID-19 Resource page, which will be helpful to the community. Secondly, he referred to Governor Baker's order today for mandated closings in the Commonwealth until April 7th and gatherings limited to no more than 10 people.

Dr. Carpenter said breakfast and lunches for children in the school district are being supplied from two distribution points. Given the rapidly changing financial situations there are some children who would not have qualified for free or reduced meals last week but do today. Any child, or parent, can come to the Regional High School in Harwich and pick up a breakfast or lunch each day. The same is true at the Middle School in Chatham. We are also working collaboratively with the YMCA Cape Cod and today opened an emergency day care center at Harwich Elementary School for first responders and other critical personnel who need day care. That site is open from 6AM to 11PM.

B. Construction of Route 137 – Mr. Powers will speak to that under OLD BUSINESS – Item B

Mr. Ballantine said they hope to have a meeting on Thursday which will be open to the public, near the end of the meeting.

PUBLIC HEARINGS/PRESENTATIONS

Joint Meeting with the Monomoy Regional School District and the Board of Selectmen – regarding FY21 budget.

Dr. Carpenter discussed the corrected document sent to the Department of Education. He said that although we need it back in time for Town Meeting, because of the COVID19, we don't know when we will get the feedback for you and the Chatham Board of Selectmen.

Mr. MacAskill asked why the savings from the reduced percentage increase in health insurance wasn't used to reduce the budget request? Why was it allocated back to curriculum? Dr. Carpenter said a 5 percent increase in health insurance premiums was budgeted but those costs will remain level. He said the savings will allow the district to institute an English language arts curriculum for K-4 that had been planned for several years. The program is expected to cost \$475,000; \$251,191 will come out of the health insurance savings and another \$189,809 will come from the District's Excess and Deficiency fund (E&D). Another \$40,000 had already been included in the budget.

Mr. MacAskill said this is the year the Board voted that we want a 2% increase, or less, in the budget. He said a lot of Town departments felt some pain with reductions, and the Board came in with a very responsible budget for the Town. Dr. Carpenter said they need the curriculum; it was a question of whether we would need it in one year or over the course of several years. He said they made the decision at the administration level in consultation with the School Committee. Mr. MacAskill said he understood the explanation; however, he's feels there is a gap he's not willing to vote on.

Mr. MacAskill asked about the Excess and Deficiency (E&D) fund, which contained \$2,095,281 at the end of FY19. He asked what is left after the \$550,000 from E&D is used? Dr. Carpenter replied, \$1.4 million in the Reserve Fund.

Mr. MacAskill asked, over the last six years when during a school year, if ever, have you used E&D monies? Dr. Carpenter said we can't use that money during a school year; we can only build that into the budget. In order to use those funds, we would need affirmative votes from both Town Boards of Selectmen in order to use it. He said slowly the balance has gone up.

Mr. Ballantine said his concern is that we need to trim our budgets this year, even if it does cost more in years 2 and 3. We need more discussion going forward.

Mr. Ford asked Dr. Carpenter to again describe the E&D Account and advise what has been done with that amount. Dr. Carpenter said it is used to offset the cost of the assessments on the two Towns. The School Committee also needs to determine how much they should maintain in the account. The one budget factor that none of us was thinking about is COVID19 and closures. They have potential to impact our budget.

Mr. MacAskill asked what percent went to credit Harwich and what percent went to credit Chatham? Dr. Carpenter replied Harwich is $\frac{3}{4}$ of enroll; Chatham $\frac{1}{4}$. Mr. MacAskill said the implication was that it was split 50/50, but if it's worked as those percentages, that's fine.

Mr. Ford said we're going to have to rethink how we are going to approach every budget in Harwich, because revenues will take a major hit if we don't get the revenues in the summer that we normally get. I'm not opposed to the school budget; I'm saying that we're all going to have a big awakening as we move into

this year concerning the revenues to this Town. Mr. Ford said the School administration is going to have to think about that. Dr. Carpenter said the Chatham Town Manager is raising similar concerns because of possible long-term impact of closures.

Mr. Howell said he is curious the E&D, and said, based on last discussion, you don't end the year and give the money back. You are allocating it into the budget. He asked, has there ever been a year when you ended up putting it back into E&D? Dr. Carpenter said they have put money back ever since FY14. Mr. Howell said, you alluded to Free Cash. It's not like Free Cash. Mr. Howell said it sounds like you're robbing Peter to pay Paul if you're giving money back. You're not actually refunding anything; you're basically netting out.

Ms. Isernio said when they set up the assessment, we put up the total budget, then we do the offsets, Chapter 70, etc. and the E&D that we are going to use to support the budget. Just like the Town, when the district goes to borrow, it's important that we have a stabilization of the district for bonding purposes. Mr. Howell asked what was the amount at the end of the fiscal year? Ms. Isernio replied over \$400,000. Mr. Howell said you are using last year's money for this year's budget. Ms. Isernio referred to the E&A slide in the presentation.

Mr. DeCosta said he sees the E&D account growing, according to the slide. It seems to be building faster than the School District is using it. He said he'd like to see some more use of that account. He asked for an update on Union Contracts this year. Dr. Carpenter said they go into negotiations starting the beginning of next year. They are not on the FY21 budget; they will hit FY22. Mr. DeCosta asked if there is a settled percentage for FY21. Dr. Carpenter replied - 2%.

Mr. DeCosta said last year the two Finance Committees (FinComs) met and he was surprised that the Article on the Agreement allows the school committee to buy land. He said he has a problem with that and he feels it should be addressed again before Town Meetings. Mr. DeCosta encouraged the Boards of Selectmen and the two FinComs to look at this issue. He said he is not in favor of the schools buying land in the Towns.

Mr. Sherry, FinCom, said he would like to see the numbers in the Regional High School of administration vs. school population as compared to other high schools throughout the Cape.

Ms. Isernio said she will filter that answer through to Mr. Powers.

Mr. Powers said we don't have a full quorum of the School Committee.

Mr. Ballantine said we are aware of tough decisions that we are going to have to make since revenue projections will likely fall short of what we build our budgets on. This will be an on-going discussion during the next few weeks. We will ask Mr. Powers to work on scheduling so we can get back together as we get more information as to what we have to do. It's not going to be pleasant.

Mr. MacAskill asked, what are we waiting to get back to? He said he understands the school committee has already voted this budget. He asked, is it Dr. Carpenter's intention to go back to the school committee and see if there is any intention to give back some more money, or, and he asked the Board, do you want to vote this? Dr. Carpenter asked what do Mr. Powers and Ms. Coppola project to be the trickledown effect from COVID19 on the economics of Harwich? We may need to radically re-think the budget, as the one presented was formulated using a non-COVID19 scenario. If there is some guidance coming, we can take that back to our school committee as a whole. The vote the committee took is what sets our budget is for next year. Dr. Carpenter said, however, there is the ability to have that budget decrease.

Mr. Ballantine said let's wait at least a couple of weeks. He said we should look at reconsideration of the budget as we go forward.

Mr. MacAskill said this is not about COVID19 for him. This is about the budget that was given to us to respond to. COVID19 will add to that. Mr. MacAskill said the Board has to vote so the school committee knows where the Board stands. He said they can come back with changes based on COVID19 but the Board needs to make it clear which direction they are leaning so the school committee knows.

Mrs. Games, School Committee, asked for a clarification concerning the School Committee quorum. She said all four Harwich members are participating since Sharon Stout just joined. Mr. Powers said the quorum would be based on the full membership of the School Committee, or at least five. Even if all four members from Harwich agreed, there would have to be one member from Chatham to agree as well. Dr. Carpenter agreed.

Mr. Ballantine said we understand that anything we agree on would have to go back to the Monomoy School Committee.

Mr. MacAskill said he wasn't referring to a specific vote that the School Committee needs to make. He said he is talking about a vote the Harwich Board of Selectmen would make. Mr. MacAskill said he would move to reject the School Committee's budget because of the reallocation of \$245,000 that they want to go to Curriculum. He said he would also ask that they consider using some more of the E&D. Mr. MacAskill said there is a process if there is an emergency towards the end of the school year; Town meetings can be called for. He said he understands borrowing and bonding but in a year like this, the Board is looking to get that budget down and go back to Town Meeting with a responsible budget. Mr. MacAskill said a \$983,000 increase is too much.

**Mr. MacAskill moved to reject the school committee budget as presented.
Mr. Howell seconded.**

Mr. Ford said it is not appropriate to take a vote at this time. He said Dr. Carpenter made it clear that they recognize the dire situation we're going to find ourselves in. Mr. Ford said Dr. Carpenter could go back to the School Committee based on tonight's discussion and after discussion with Mr. Powers and Mrs. Coppola and give them time. Mr. Ford said it is important for us to look at E&D.

Dr. Carpenter said he is a realist as far as what the trickle-down effect of the COVID19 will be and we know that FY21 for the District and the Town will be impacted in some way. He said we need to do a little step backwards and think about what could happen.

Mr. Ford asked, is there a necessity for the Board to take a vote this evening? Dr. Carpenter replied that is the call of the Selectmen. He said the School Committee needs clarity from both Towns and they are going to need to go back and re-think.

Mr. Howell said the problem is that the school committee has voted this. He said he wouldn't be voting on the budget based on COVID19, but rather based on the methodology. Mr. Howell said the School Committee still has 1 ½ million dollars left in that E&D, which is for ongoing problems in the coming year. This isn't the budget request we asked for.

Mr. Ford said they have indicated they have the ability to decrease the budget, not increase the budget. Dr. Carpenter has expressed a willingness to look at the situation after this discussion; therefore, he said even though they have voted on it, this could change. Mr. Ford suggested the Board come to some conclusions here with the School Committee as to where we think the budget should be. He said he has some sympathy with Mr. MacAskill's motion, as we have a very tight budget and one that the townspeople have shown great concern about.

Mr. MacAskill said he doesn't want Dr. Carpenter and the school committee to leave this meeting thinking this has anything to do with the CoronaVirus-19. He said he agrees with Mr. Howell; the budget he is rejecting is the budget that was brought forward pre-Coronavirus-19. He said he doesn't want to use this as a tool for them to go back and re-assess the budget based on Coronavirus-19. He said he wants them to go back and re-assess the budget based on the Board of Selectmen's guidelines. He said the Harwich Council On Aging said that their \$7,000 cut was going to end a lot of services. Mr. MacAskill said the message he's asking the Board to send is that we are rejecting the budget as they presented it.

Mr. Ballantine said we have a motion and it has been seconded. He called for a roll-call vote. Mr. Ford – No, Mr. Howell, Yes, Mr. MacAskill – Yes, Mr. Ballantine – Yes, Mr. McManus – No. The motion carried by a vote of 3-2.

OLD BUSINESS

Mr. Powers asked for a roll-call vote to take up Item A out of order. Roll-call vote: Mr. McManus – Yes, Mr. Ford – Yes, Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. Ballantine – Yes. Action agreed to by unanimous vote.

- A. Joint meeting between the Board of Selectmen & the Finance Committee meeting regarding proposed budgets and proposed articles.

Mr. Powers said he recommends postponing recommendations on any proposed budget or article. He said he will make an effort to have another meeting on Thursday, March 29, at 6:30PM. He advised that an order has been made that any Town that has an election scheduled before May 30 can move that election until after May 30. He said our annual town meeting and annual town election will not take place as originally scheduled.

Mrs. Coppola said it would be wise to postpone any discussion of the budget. She said there are significant changes that will happen to the budget for this year and the proposed budget for FY21. She said discussions at this time would be irrelevant.

Mr. DeCosta asked, because the FinCom is behind in deliberations of the Warrant, if they could have a meeting by remote participation to go over the Warrant and get some of the traditional, non-financial articles, and Community Preservation Committee (CPC) articles voted and some of the reasons written up. Mr. Powers said he is looking at pushing the entire schedule forward about a month to a month and a half. He said we might be in a situation where we would have to start some of the processes over again. He said it is entirely possible that the State will have to enact a 1/12 budget mechanism and possibly extend the boundaries of the fiscal year. He asked Mr. DeCosta if he can hold off on the FinCom request for a meeting. Mr. DeCosta asked Mr. Powers to keep the request in mind.

Mr. Powers noted that FinCom adjourned at 7:48PM.

NEW BUSINESS

A. Discussion and possible vote to waive the hiring freeze for the Conservation to hire a part-time seasonal shorebird monitor

Mr. Powers suggested there are two separate topics involved. He said one is to waive the hiring freeze. He asked the Board to maintain the hiring freeze, as it was enacted to help us get a handle on the FY21 budget. Given the uncertainty of the times, it is appropriate to keep it in place. All employees have an opportunity to work-from-home and a chance to work one-on-one. He said the potential hidden benefit is that we have a number of individuals, Conservation staff themselves, to do this particular function at this time. Mr. Ballantine said the Board will not move on the new business item.

B. Traffic Control Plan.

Mr. Powers reported that Governor Baker's Order #13 includes the definition of essential services, and Appendix A allows that the act of construction is covered. He said there is nothing that would prohibit other than having certain

considerations of staffing. He said he will have a recommendation for the Board at the Thursday meeting. He said the contractor is looking to do work that would impact on private residences, and staff is trying to work around that.

Mr. Ballantine asked, if we take no action tonight does that mean that work will continue until we meet again on Thursday? Mr. Powers said no action keeps them going until Thursday.

Mr. Howell voiced concern about businesses at Harwich Decorating Plaza, some of which are considered essential services, and asked at what point we put construction without a travel lane in front of the Harwich Plaza. Mr. Powers agreed, adding there are medical providers there also, and said he will follow-up with staff tomorrow morning.

Mr. MacAskill asked why wouldn't we take an action tonight to allow for night work so that they can work at night? There was never going to be access denied to that Plaza, just detour. He said there is no reason not to vote it; Thursday we could unvote it.

Mr. Powers said there is a 30% markup cost estimate on night work beyond what Town expects for night work. He said he could not recommend it. Mr. MacAskill said it could wait until Thursday.

TOWN ADMINSTRATOR'S REPORTS

A. Budget/Warrant Timeline FY21

Mr. Powers said he has nothing else to report this evening. He said he plans the Thursday meeting with audience participation during 10-15 minutes at end of the meeting when persons can call in. Mr. Powers said the staff of Channel 18 has done fantastic work.

Mr. DeCosta asked to be put on the invite list for the Thursday meeting and subsequent meetings dealing with the Warrant and budget.

Mr. McManus suggested that public comment, which could alter a vote and require reconsideration, be conducted at the beginning of the meeting. Mr. Ballantine said that will depend on how we manage the call-ins.

B. Departmental Reports

Mr. Powers said he has nothing more to add.

Mr. McManus expressed appreciation for efforts of Town staff. Mr. Ford thanked the staff at Town Hall. He said these are difficult times, and we are thankful for what is being done. Mr. MacAskill said he echoes the two previous comments.

ADJOURNMENT

Mr. McManus moved to adjourn. Mr. Howell seconded. Roll-call vote: Mr. Howell – Yes, Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by unanimous vote.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Tem

MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
THURSDAY, March 26, 2020
6:30 P.M.

SELECTMEN PARTICIPATING: Ballantine, Ford, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers; Meggan Eldredge, Health Director; Dana DeCosta, FinCom; Paul Fox, Harwich Paint and Decorating Center.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30PM and called to order the Board of Selectmen. Roll-call: Mr. MacAskill – Here, Mr. Ford – Here, Mr. Ballantine – Here. Mr. McManus joined the meeting at NEW BUSINESS, Item D.

WEEKLY BRIEFING

A. Coronavirus – COVID-19 Update

Mr. Powers discussed Guidance Document #9 was released jointly by Meggan Eldredge, Health Director, and him, which advises seasonal visitors and residents of Connecticut, New Jersey, and New York, to self-isolate for fourteen (14) days, as directed by the White House Taskforce. Signage to this effect will be placed on Route 6 at exits 10 and 11.

Mr. Powers updated the Board on the progress of the department head Working Groups. 1) As of March 27th there will be a drop box/lock box on the outside of the Town Office Building to facilitate work flow. The box will be accessible from Main Street and it will be handicapped accessible. 2) Employees are being retained at minimum staffing levels and are rotating between working remotely or in their physical location.

Mr. Ford asked about a family from New Jersey who self-isolated for two weeks. They plan to come to their HarwichPort home this weekend; do they have to self-

isolate again? Ms. Eldredge replied if they are coming from another area, they would still have to start the isolation period of 14 days all over again in their Harwich house.

Ms. Eldredge reviewed the current numbers of COVID19 cases, adding that there are six confirmed cases in five households in Harwich.

- B. Sewerage Work Improvement Phase 2 – Contract #1 and #2 – Construction Schedule – Weekly Update – To be discussed under OLD BUSINESS

NEW BUSINESS

- A. Mr. MacAskill moved to approve a one-day Wine and Malt License for the Harwich Cranberry Festival Summer night in the Courtyard Series event to be held at the Cultural Center Courtyard, in the Auditorium if it rains, on the following dates: July 9, July 16, July 23, July 30, August 6, August 13, and August 20, all in 2020, contingent on the understanding that the Cranberry Harvest Festival Committee will be responsible for setup, cleanup, and any costs to the Town. Mr. Ford seconded. Roll-Call vote: Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by a vote of 3-0.
- B. Mr. MacAskill moved to approve a one-day Wine and Malt License for the Harwich Cranberry Festival event to be held at the Harwich Community Center September 19, 2020, contingent on the understanding that the Cranberry Harvest Festival Committee will be responsible for setup, cleanup, and any costs to the Town. Mr. Ford seconded. Roll-Call vote: Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by a vote of 3-0.
- C. Mr. MacAskill moved to approve a one-day Wine and Malt License for the Harwich Cranberry Festival event to be held at the Harwich Community Center September 20, 2020, contingent on the understanding that the Cranberry Harvest Festival Committee will be responsible for setup, cleanup, and any costs to the Town. Mr. Ford seconded. Roll-Call vote: Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by a vote of 3-0.

Mr. MacAskill asked if the Festival Committee could present a financial statement to the Board at a future meeting, to include an explanation of the use of the money realized from their many fund-raisers. Mr. McManus said yes.

D. Based on the recommendation of the Interim Town Administrator and the Interim Assistant Town Administrator, Mr. MacAskill moved to accept the recommendation of the CPC Chairman, Dave Nixon to increase the CPC's board secretary's hourly rate \$2.04 – Hourly rate will now be \$22.05, with the understanding that funds would come from CPC accounts. Mr. Ford seconded. Roll-Call vote: Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. McManus – Yes, Mr. Ballantine – Yes. Motion carried by a vote of 4-0.

OLD BUSINESS

A. Discussion and possible vote regarding ongoing Sewer Construction work for Phase 2, Contracts 1 and 2 including but not limited to work in and around the Route 137 corridor.

Mr. Powers said work under Contract 1 is proceeding north to Pleasant Bay Road. The staff, the contractors, and the Town Engineer do not see a need to institute night work, which would be 9PM to 6AM. Standard contract language is 7AM to 4PM with travel lanes open wherever possible. He noted that many businesses are closed and the Lighthouse Charter School is closed at least until May 4th, resulting in a drop off in traffic.

Mr. Ballantine said he would have no objection if they extended the end of their working day from 4PM to 5PM. He added that he would like to see Robert B. Our Company devote their resources to the Route 137 corridor. Mr. Powers agreed.

Mr. Ford asked how this will affect the businesses there that have deemed essential, like the hardware store. Mr. Ballantine said there is always one lane open. Mr. Powers said the majority of the businesses have modified their hours. The present travel lane is working well and is manageable in daylight hours. He said an update from the contractor on the timeline is mandated.

Mr. MacAskill said he visited the area and walked around and talked with the businesses and the contractors. He was told the workers are interested in working 7AM to 7PM, at a cost of \$3,000 a day, with a timeline reduced by one week.

Mr. Fox joined the meeting. He said his business has gone to curbside pickup in response to the ever-changing fluid times. Mr. Fox said his plan is to do what works for the Harwich community and he is going a day at a time. His hours of operation are presently 7:30AM to 4PM, and he said he is getting a good response. He said he would have no problem if the contractors extended their working day to 7PM. Mr. MacAskill thanked Mr. Fox for his patience with this project.

Mr. Powers said this is a short period of decision making, since by April 7th, the Governor may have eased up and essential vs. non-essential will be reassessed. He said his recommendation to the Board tonight is to approve the regular hours of operation of 7AM to 4PM with the understanding that there is no objection to going to 7PM, providing there is always a travel lane open.

Mr. MacAskill moved to approve work going forward under Contract #1 with a time extension of the 7AM to 4PM work day to 7AM to 7PM effective March 27, 2020, with the understanding that there will always be a travel lane open and that the contractor will provide the information required by the Interim Town Administrator regarding the development of a new plan and updated time line. Mr. Ford seconded. Roll-call vote: Mr. McManus – Yes, Mr. MacAskill – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried 4-0.

Mr. Powers advised the Board that a request was made from the Contract #2 contractors that would impact the water mains near Church Street. The action would knock out water service and have an adverse effect on residents who are sheltering-in-place. Mr. Powers said he rejected the request and told the contractor not to do any work that would impact the water mains at this time. Mr. MacAskill said that was a smart decision. Mr. Ballantine told Mr. Powers he has the Board's support.

TOWN ADMINISTRATOR'S REPORTS

A. Selectmen's Proposed Meeting Schedule

Mr. Powers asked for the Board's consent to the following proposed Selectmen's meeting dates with remote participation: Monday, March 30, at 6:30PM; Wednesday, April 1, at 6:30PM; Friday, April 3, at 6:30PM; and Tuesday, April 7, at 6:30PM. The purpose is to have more frequent and shorter meetings with the flexibility to handle COVID19 specific items as they come up. Mr. Powers said if she is available, Anita Doucette, Town Clerk, will participate in the March 30th meeting to discuss potential dates for the Annual Town Meeting and the Annual Town Election for 2020.

Mr. Ballantine polled the Board and said there is consensus of the Board to adopt the schedule of meetings.

B. Departmental Reports

Mr. Powers advised the Board that Town Departments, with the exception of the Library, the Water Department, and the Public Works Department, will experience an outage in their Email system beginning Friday, March 27, at 12Noon. The system will be back on line as soon as possible.

PUBLIC COMMENTS/ANNOUNCEMENTS

The public was invited to call in and participate in the meeting to offer comments. No calls were received during a two-minute wait period.

SELECTMEN'S REPORT

Mr. MacAskill said he received a question concerning the barricade at Red River Beach. He will ask Amy Urgonski, Conservation, to respond.

ADJOURNMENT

Mr. McManus moved to adjourn. Mr. Howell seconded. Roll-call vote: Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by unanimous vote.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Temp

MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
THURSDAY, March 30, 2020
6:30 P.M.

SELECTMEN PARTICIPATING: Ballantine, Ford, Howell, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers; Meggan Eldredge, Health Director; Carol Coppola, Finance Director; and Dana DeCosta, FinCom.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30PM and called to order the Board of Selectmen. Roll-call: Mr. MacAskill – Here, Mr. Ford – Here, Mr. Ballantine – Here, Mr. Howell – Here, Mr. McManus – Here.

OLD BUSINESS

A. Coronavirus – COVID-19 Update

Mr. Powers asked Ms. Eldredge to provide updates. Ms. Eldredge reported that there is an increase in the number of cases in Barnstable County. She urged everyone to maintain social distances, wash their hands frequently, and cover coughs. She said everyone is responsible for their own actions. Ms. Eldredge reiterated Governor Baker's advisory to leave home only for essential needs.

Mr. Ballantine asked if there is an adequate number of beds in Cape Cod Hospital. Ms. Eldredge said they are doing well; they triage and do the testing outside of the hospital.

Mr. Howell asked about summer visitors renting earlier this year. Ms. Eldredge said the real estate business is designated an essential business; therefore, locally we can discourage early visitors but we cannot prohibit them.

Mr. Ford asked about the availability of testing. Ms. Eldredge said tests are widely available with a doctor's order.

B. Discussion and possible vote regarding non-discretionary spending

Mr. Powers asked Mrs. Coppola to address the Board. Mrs. Coppola reviewed her March 30 memo to the Board concerning the FY20 Budget and made the following points:

- Revenues, which had been estimated optimistically, will be lower than projected
- Municipalities have the option to waive late-payment penalties for the 4th quarter tax bill currently due May 1, 2020; the due date can be extended to June 1
- Revenues are not recognized until received
- Tornado reimbursement monies have not been received
- Cost of managing the COVID-19 virus is unknown
- A spending freeze for all non-essential spending would be a prudent initial measure

Mr. Powers suggested the Board discuss the proposed spending freeze, adding that he recommends the action. Mr. Ballantine asked if the freeze would impact seasonal workers. Mr. Powers said yes.

Mr. Ford asked that a non-essential expense be defined. Mrs. Coppola gave the example of a department wanting to replace a printer but their printer was still working. That proposed purchase would be considered non-essential.

Mr. Ford asked what kind of savings would result. Mr. DeCosta said he had reviewed the numbers and had an amount that he felt would be potential savings.

Mr. Howell asked if the freeze would be across all funds or tax-derived funds, noting that there is \$1 million in Revolving Funds. Mr. Ballantine asked if Revolving Funds are protected. Mrs. Coppola said they are. She said she will put together the information requested by the Board.

Mr. McManus was asked about the reimbursement for tornado costs, and he said no special action has been laid out.

Mr. DeCosta said departments may need to appeal a blanket spending freeze order because of summer activities. Mr. MacAskill agreed with Mr. DeCosta. Mr. Ballantine said the first answer would be No; the appeal process would follow.

Mr. Powers said there is already an appeal mechanism in place. He said he recommends that the Board set the standard in this crisis right now by adopting Mrs. Coppola's suggestion. More frequent Board meetings will allow the Board to react quickly to changing circumstances.

Mr. Howell moved to institute a budget freeze effective March 31, 2020, for all non-essential spending, excluding payroll costs and costs associated with the areas of public health and safety. Mr. MacAskill seconded.

Mr. MacAskill asked if the hiring freeze applies to the Police Dispatcher and Patrolman, which positions were budgeted for and being paid for when these employees left their positions before the freeze was voted. Mr. Ford asked if this item could be placed on the next Board agenda. Mr. McManus said we should continue Police and other essential personnel for the safety of the Town even if there is a hiring freeze. Mr. Powers said the item will be on the April 3d meeting agenda.

Mr. McManus asked how health and safety are being considered – by department or by activity. Mrs. Coppola said by activity.

Mr. Ballantine said we have a motion and a second. Roll-call vote: Mr. Ford – Yes, Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Howell – Yes, Mr. Ballantine – Yes. Motion passed by unanimous vote.

C. Discussion regarding rescheduling of 2020 Annual Town Meeting and 2020 Annual Town Election

Mr. Powers said this item will be on the agenda for April 1st meeting. Mr. Ford said since the Board will make the decisions about ATM and the Election dates, the Town Moderator is not relevant to the discussion. Mr. Howell said changing the dates of ATM and the Election has to be done in conjunction with the Moderator and the Town Clerk since their availability has to be known. Mr. Powers said the Board will have a copy of the special law in advance of the discussion.

D. Modified Meeting Board of Selectmen meeting schedule:

- a. Wednesday, April 1, 2020 at 6:30PM
- b. Friday, April 3, 2020 at 6:30PM
- c. Tuesday, April 7, 2020 at 6:30PM

TOWN ADMINSTRATOR'S REPORTS

A. Phase 2 – Weekly Sewer Update

Mr. Powers said there are no updates on this item.

OPEN PUBLIC FORUM

The Chairman opened the Open Public Forum. The public was invited to call in and participate in the meeting to offer comments. Scott Tyldesley said he received one email. The appropriate phone number was displayed; however, following a two-minute waiting period, that person did not dial in.

SELECTMEN'S REPORT

Mr. Ford said there is pending legislation that would allow the Selectmen to lower the quorum at ATM if necessary.

Mr. MacAskill thanked Scott Tyldesley for coordinating the remote participation of the Board meetings and for implementing and coordinating the opportunity for public participation. He also thanked Ms. Eldredge for her input and Mr. Powers for keeping everything together. Mr. Ballantine said the entire Board agrees.

ADJOURNMENT

Mr. McManus moved to adjourn. Mr. Howell seconded. Roll-call vote: Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by unanimous vote.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Tem

MINUTES
SELECTMEN'S MEETING
REMOTE PARTICIPATION ONLY
WEDNESDAY, April 1, 2020
6:30 P.M.

SELECTMEN PARTICIPATING: Ballantine, Ford, Howell, MacAskill, McManus.

ALSO PARTICIPATING: Interim Town Administrator, Joseph Powers; Meggan Eldredge, Health Director; Anita Doucette, Town Clerk; Michael Ford, Esq., Town Moderator; John Giorgio, Esq. KP-Law; and Dana DeCosta, FinCom.

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30PM and called to order the Board of Selectmen. Roll-call: Mr. MacAskill – Here, Mr. Ford – Here, Mr. Ballantine – Here, Mr. Howell – Here, Mr. McManus – Here.

OLD BUSINESS

A. Coronavirus – COVID-19 Update

Ms. Eldredge reported there is an increase in State-wide positive cases. She confirmed that Harwich has one death associated with the COVID-19. She encouraged all to stick to the guidelines and continue social distancing, washing their hands frequently, and limiting person-to-person contact. Ms. Eldredge reported that a supply of personal equipment was received from FEMA; Harwich has plenty of PPE. She said we have received notification from Barnstable County that money that has come through from the State has been distributed. Harwich will need to submit invoices to the County; our first \$6,000 allotment has been received. Ms. Eldredge said they are keeping costs down as much as possible by reducing the number of visits per week and by the VNA being allowed to turn over tracing to volunteers.

B. Discussion regarding rescheduling of 2020 Annual Town Meeting (ATM) and 2020 Annual Town Election

Mr. Powers asked Mrs. Doucette to review her letter to the Board dated March 30th. She said in considering rescheduling the date of ATM from May 4, 2020, the following items need to be considered:

- Town Moderator's availability
- Re-opening the Community Center to the general public
- Availability of sound system company that works with Channel 18/Community Center
- Availability of Cart reporter for real-time transcription service
- Availability of Highway Department to set-up gymnasium for a multiple-night ATM

Mr. Michael Ford said he is available for the month of June with the exception of June 15th, and possibly June 16th, since that is when he is committed to the Orleans ATM.

Mr. Giorgio said under normal circumstances a Town needs an ATM by June 30th to expend from the next fiscal year's budget by July 1st; however, the legislature is working through a municipal relief bill which will allow spending after July 1st, spending on a 1/12th basis from the previous fiscal year's budget. Mr. Giorgio said since Harwich has not posted the Warrant, the Board has the authority to postpone ATM and can use any date for ATM.

Mr. Stephen Ford asked Mr. Giorgio if there is a provision in the pending legislation relating to ATM quorum. Mr. Giorgio said there is a provision being considered that allows the Board of Selectmen to adjust the quorum; however, he said we will have to wait and see what will come out of the General Court.

Mr. Howell noted there will probably be no override requirement in the Warrant.

Mr. Giorgio said the General Court has passed legislation that does not include any provision for extending the Town Election beyond June 30th. He said the Board of Selectmen is free to set the date of the election by voting a date at least 20 days into the future. Mr. Giorgio reminded the Board that the public would need to be advised of the calendar date change and the need to register to vote for 10 days

prior to the election. He said any incumbent will continue to serve until a new election. Official ballots can be used even with the wrong date.

Mrs. Doucette said the Ballot has not been printed yet. She stressed the importance of notifications to the public of an election postponement and a new date and polling place times.

Mr. Powers asked that the Board keep the discussion to ATM at present and then take up discussion of the Town Election following Board action.

Mr. MacAskill moved to postpone the May 4, 2020, Annual Town Meeting until June 22, 2020. Mr. Howell seconded.

Mr. Giorgio said a nice tool that the Massachusetts General Laws provide is once the ATM Warrant is posted for the date of June 22d, the Town Moderator and the Board of Selectmen can convene on that date but then recess and continue ATM at a later date not more than 30 days hence, using public health as justification. He said such an action could occur any number of times in succession; it could be delayed 30 days and then another 30 days – continuing into FY22 using 1/12th of the FY20 budget each month.

Mr. Powers said the motion should state the time to begin ATM on June 22.

Mr. MacAskill modified his motion. He moved to postpone the May 4, 2020, Annual Town Meeting until June 22, 2020, with a starting time of 7PM. Mr. Howell seconded the modified motion. Roll-call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine - Yes. The motion carried by unanimous vote.

Mr. Powers said he recommends scheduling the Town Election on Tuesday, June 30th. Mrs. Doucette said the Board of Selectmen can vote to minimize the voting hours, as long as the changed hours start before 12N and end a minimum of four hours after that. She noted that early voting by mail and absentee voting by mail will reduce the numbers of persons at the polling place. Mrs. Doucette recommended the polls open at 10AM and close at 2PM.

Mr. Stephen Ford said if we shorten the hours, there will be more people in that time frame in the building. Mrs. Doucette said she hopes people will take

advantage of the flexibility to be able to vote by mail; however, she said she can accommodate whatever voting times the Board of Selectmen adopt.

Mr. Powers stressed the need to get the word out and advertise the change of date and modified election hours. Mr. MacAskill said if the hours are shortened, they should be for at least six hours.

Mr. MacAskill moved to change the date of Town Election from May 19, 2020, to Tuesday, June 30, 2020, with the polls open from 10AM to 4PM. Mr. Howell seconded.

Mr. Powers said we don't want to disenfranchise our working people by ending the polling hours too early. Mr. McManus recommended 11AM to 6PM or 11AM to 7PM. Mr. Howell said he would agree to 11AM to 6PM, which means the polls would close one hour after a normal work day.

Mr. MacAskill modified his motion. He moved to change the date of Town Election from May 19, 2020, to Tuesday, June 30, 2020, with the polls open from 11AM to 6PM. Mr. Howell seconded the modified motion. Roll-call vote: Mr. MacAskill – Yes, Mr. Howell – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine - Yes. The motion carried by unanimous vote.

Mr. Ballantine thanked Mrs. Doucette for her detailed letter of March 30 and for her leadership. He thanked Attorney Ford and Attorney Giorgio for their participation.

Mr. Michael Ford said the latest version of the pending legislation does not include a provision for reducing the quorum; however, it might be included in the final version.

OPEN PUBLIC FORUM

The Chairman opened the Open Public Forum. The public was invited to call in and participate in the meeting to offer comments and/or questions. Scott Tyldesley reviewed the procedure for remote participation. The appropriate phone number was displayed. However, following a two-minute waiting period, no one emailed or dialed in.

TOWN ADMINSTRATOR'S REPORTS

Mr. Powers said he had nothing further to report. He reiterated that most of his time is taken up with responding to daily actions concerning COVID-19.

SELECTMEN'S REPORT

Mr. Stephen Ford thanked the Town of Harwich team and especially Mrs. Doucette for her excellent letter.

Mr. MacAskill agreed with Mr. Ford. He said there are items that he wants the Board to discuss. He said one is overtime at the Transfer Station. Another, he said, is administration costs. He said he is concerned about raising a part-time employee to full-time. Mr. MacAskill asked why we would pay someone to create minutes of the Selectmen's meetings and not utilize staff already in place. Mr. Powers said he looks to the Board to give instructions as to specific topics to be placed on the agenda. He said Mr. MacAskill's concerns can be addressed at the Tuesday, April 7th meeting. Mr. Ballantine said we don't drop issues we need to tend to, adding that perhaps some people are catching up on back items.

Mr. McManus thanked the Town staff. He said he knows that some of the Public Works staff has been furloughed; however, with many persons using the beaches for exercise, he asked for extra collection from the overflowing trash cans. Mr. McManus said he agrees with Mr. MacAskill's concerns and agrees there should be discussion at the April 7th meeting.

Mr. Powers said the Department of Public Works is already responding to the need for additional trash pickup at the beaches. He added that Governor Baker's Order #21 declares that recycling centers are considered essential services, so that service has resumed at the Transfer Station.

Mr. Ballantine thanked the staff and Scott Tyldesley.

ADJOURNMENT

Mr. McManus moved to adjourn at 7:34 PM. Mr. Howell seconded. Roll-call vote: Mr. MacAskill – Yes, Mr. McManus – Yes, Mr. Ford – Yes, Mr. Ballantine – Yes. Motion carried by unanimous vote.

Respectfully submitted,

Dorothy G. Hemmings
Recording Secretary
Pro Tem



OFFICE OF THE SELECTMEN
732 MAIN ST., HARWICH, MA 02646
www.harwich-ma.gov
(508) 430-7513

LICENSE FOR: CLASS I - AGENTS OR SELLERS
 CLASS II - USED CAR DEALERS
 CLASS III - JUNK CAR DEALERS
 CLASS IV - AUTO REPAIRMAN

NEW APPLICATION RENEWAL FEE: \$100 each

BUSINESS NAME Goodson's Motorcars

D/B/A _____ PHONE 508-737-3882

BUSINESS ADDRESS 210 Queen Ann Rd. (Unit 12) Harwich

MAILING ADDRESS _____

NAME OF OWNER Paul A. Bonfiglio

EMAIL ADDRESS _____

IF CORPORATION OR PARTNERSHIP, LIST OFFICER INFORMATION BELOW.

Name	Title	Address

Signature of applicant & title _____ Federal I.D. # _____

Pursuant to MGL Ch. 62c, Sec. 49A, I certify under the penalties of perjury that to the best of my knowledge and belief I have filed all state tax returns and paid all state taxes required by law.

Paul A. Bonfiglio By _____
Signature of individual or corporate name Corporate officer (if applicable)

REGULATORY COMPLIANCE FORM

The premises to be licensed as described herein have been inspected & found to be in compliance with applicable local codes & regulations including zoning ordinances, health regulations, building & fire codes.

[Signature] Building Commissioner Matthew A. Tenaglia Board of Health [Signature] Fire Department

Required signatures to be obtained by the applicant prior to submission of new applications.



Jean M. Lorizio, Esq.
Commission Chairman

**Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358**

**2020
Retail License Renewal**

License Number: 00005-HT-0506	Municipality: HARWICH
License Name : Phoenix Park Inc	License Class: Seasonal
DBA : The Irish Pub	License Type: Hotel/Innkeeper
Premise Address: 126 Route 28 Harwich, MA 02671	License Category: All Alcoholic Beverages
Manager: Brandan Oreilly	

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Brandan Oreilly
Signature

2/24/20
Date

Additional Information: