

SELECTMEN'S MEETING AGENDA*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Executive Session 5:30 P.M.

Regular Meeting 6:30 P.M.

Monday, May 16, 2022

Remote Participation Optional:

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/548808445>

You can also dial in using your phone.

United States: [+1 \(669\) 224-3412](tel:+16692243412)

Access Code: 548-808-445

**As required by Open Meeting Law, you are hereby informed that the Town will be video and audio taping as well as live broadcasting this public meeting. In addition, anyone in the audience who plans to video or audio tape this meeting must notify the Chairman prior to the start of the meeting.*

I. CALL TO ORDER

II. EXECUTIVE SESSION

- A. Executive session pursuant to G.L. c. 30A, s. 21(a)(2)- former Town Administrator Christopher Clark
- B. Pursuant to MGL c.30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position;
- C. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel;
- D. Pursuant to MGL c.30A, §21(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS/ANNOUNCEMENTS

V. PUBLIC HEARING

- A. Discussion and possible vote to approve the transfer of a Seasonal, On Premise, All Alcohol Liquor License from Pleasant Bay Group Inc. d/b/a Wequassett Inn to Round Cove Resort Beverage LLC d/b/a Wequassett Inn – 2173 Route 28

VI. CONSENT AGENDA

- A. Vote to approve four Caleb Chase requests each in the amount of \$1,000
- B. Vote to approve the following Board of Selectmen Meeting Minutes:
 1. December 20, 2021
 2. March 28, 2022

VII. NEW BUSINESS

- A. Discussion – Cape and Vineyard Electric Co-Operative (CVEC) Representative Appointment
- B. Discussion and possible vote to approve the Recreation Commission's recommendation to adjust Beach and Beach Parking lot closing times – Proposed Times: 6:00 a.m. to 10:00 p.m.
- C. Discussion and possible vote to approve a Transient Vendor license for Andale on Wheels – Business Address: 137 Azalea Drive, Harwich – Mobile Food truck will travel for events & park on private property
- D. Discussion and possible vote to approve an event permit for Port Summer Nights hosted by the Harwich Chamber of Commerce – Wednesday nights in July and August from 5:00 p.m. to 8:00 p.m. – to include live and/or recorded music with amplification located at various businesses in Harwich Port
- E. Discussion and possible vote to approve a road race and one day entertainment permit application for the Harwich Road Race hosted by the Harwich Chamber of Commerce – June 25, 2022 - Music to be held outside at Harwich Chamber and Mad Minnow Bar & Kitchen – 12:00 p.m. to 2:00 p.m. – Recorded or live music with amplification – Road Race starts and ends at 1 Schoolhouse Road
- F. Discussion and possible vote to approve a new 2022 Seasonal Common Victuallers license – Saquatucket Snack Shack LLC d/b/a Dockside – 715A Route 28 – *Pending Building Department Approval*
- G. Discussion and possible vote to approve a new 2022 Seasonal Common Victuallers license – Ashwood Food Service Inc. d/b/a Jake's at Cranberry Valley – 183 Oak Street – *Pending receipt of a Certificate of Insurance and a completed Workers comp affidavit*
- H. Update by the Town Administrator on the Barnstable County Proposed Budget for Fiscal Year 2023

VIII. OLD BUSINESS

A. Update from the Town Administrator on Barnstable County American Rescue Plan Act (ARPA) Funds

IX. **TOWN ADMINISTRATOR'S REPORT**

X. **SELECTMEN'S REPORT**

XI. **CORRESPONDENCE**

XII. **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:

Ellen Powell, Executive Assistant

Posted by: _____
Town Clerk

Date: _____
May 12, 2022

PUBLIC HEARING

NOTICE OF PUBLIC HEARING
TOWN OF HARWICH
BOARD OF SELECTMEN
APPLICATION FOR TRANSFER OF LIQUOR LICENSE

Notice is hereby given under Chapter 138 of the General Laws as amended that application has been made to this Board for a transfer of the Seasonal, On Premise, All Alcoholic Beverages License now held by Pleasant Bay Group Inc. d/b/a Wequassett Inn, 2173 Route 28, Harwich, MA, 02645, Mark J. Novota – Manager, to Round Cove Resort Beverage LLC d/b/a Wequassett Inn, 2173 Route 28, Harwich, MA, Alton Keen Loong Chun– Manager, on the following described premises located at 2173 Route 28, Harwich, MA: Resort is comprised of 27 buildings on 27 acres consisting of 120 guest rooms. Main inn is two story building with a restaurant and bar in the first floor along with adjacent outdoor terraces and second floor with office space and cellar. Outer Bar & Grille area houses a restaurant and bar which serves and supports an outdoor bar, boardwalk, patio and adjacent pool.

The Board of Selectmen will hold a hearing on the application on Monday, May 16, 2022, no earlier than 6:30 P.M., both in the Griffin Room at Harwich Town Hall, 732 Main Street, Harwich MA 02645

Board of Selectmen
Local Licensing Authority

Cape Cod Times
May 2, 2022



HARWICHPolice

DEPARTMENT

183 Sisson Road, Harwich, MA 02645

Tel 508-430-7541 Fax 508-432-2530



DAVID J. GUILLEMETTE
Chief of Police

KEVIN M. CONSIDINE
Deputy Chief

Memorandum

TO: Board of Selectmen

Joe Powers
Town Administrator

FROM: David J. Guillemette
Chief of Police

A handwritten signature in black ink, appearing to read 'D. Guillemette', is written over the printed name of the Chief of Police.

DATE: April 27, 2022

SUBJECT: Application for a transfer of license for Round Cove Resort Beverage LLC, DBA Wequasset Inn 2173 Route 28 Harwich MA 02645

The Police Department has no objection to the application for a liquor license transfer for Round Cove Resort Beverage LLC. A background investigation of the proposed individual(s) indicates no liquor code violations or disqualifying history.

If you have any questions or need further clarification, please feel free to contact me at your earliest convenience.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION FOR A TRANSFER OF LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
 TRANSMITTAL FORM ALONG WITH
 COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input checked="" type="radio"/> On-Premises-1	<input checked="" type="radio"/> \$12 Hotel	<input checked="" type="radio"/> All Alcoholic Beverages	<input checked="" type="radio"/> Seasonal

3. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number FEIN

Entity Name

DBA Manager of Record

Street Address

Phone Email

Add'l Phone Website

4. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

The resort is comprised of 27 buildings on 27 acres (including 2173 Orleans Road, 2 Swan Drive, 5 Cove Landing Road, and 4 Cove Landing Cove) together consisting of 120 guest rooms with room service, meeting space, recreation and food and beverage offered in two distinct areas of the resort. The Main Inn is a two-story building with a restaurant (28 Atlantic) and bar (Thoreau's) in the first story along with adjacent outdoor terraces and a second floor with office space and cellar. The second area of the F&B operation is the Outer Bar & Grille which houses a restaurant and bar also serving and supporting an outdoor bar (Libaytion), boardwalk and patio space (Pleasant Bay Terrace) near the adjacent pool.

Total Sq. Footage	<input type="text" value="10,568"/>	Seating Capacity	<input type="text" value="* See below"/>	Occupancy Number	<input type="text" value="TBD"/>
Number of Entrances	<input type="text" value="2"/>	Number of Exits	<input type="text" value="3"/>	Number of Floors	<input type="text" value="2"/>

* Number of Seats - Indoors: Thoreau's (35); 28 Atlantic (140); Outer Bar & Grill (39)
 Outdoors: Thoreau's (12); 28 Atlantic (34); Outer Bar & Grill (92); Libaytion (93)

APPLICATION FOR A TRANSFER OF LICENSE

5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

Transferor Entity Name <input <="" style="width: 90%;" td="" type="text" value="Pleasant Bay Group Inc."/> <td style="width: 50%; padding: 5px;"> By what means is the license being transferred? <input <="" style="width: 90%;" td="" type="text" value="Purchase"/> </td>	By what means is the license being transferred? <input <="" style="width: 90%;" td="" type="text" value="Purchase"/>
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List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
<input style="width: 95%;" type="text" value="Pleasant Bay Group Inc."/>	<input style="width: 95%;" type="text" value="Licensee"/>	<input style="width: 95%;" type="text"/>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLC Members, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
 - On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;
 - Off Premises (Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text" value="Jonathan Wang"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<input style="width: 95%;" type="text" value="LLC Manager/Member"/>	<input style="width: 95%;" type="text"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

12. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition
N/A			

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
6/2018	Present	General Manager	Wequassett Resort & Golf Club (2173 Route 28, Yarmouth, MA)	
4/2014	6/2018	Hotel Manager	Park Hyatt New York, 153 W 57th Street, New York, NY)	
4/2011	4/2014	Hotel Manager & Dir. Operations	Trump International Hotel & Tower (1 Central Park West, New York, NY)	

D. PRIOR DISCIPLINARY ACTION

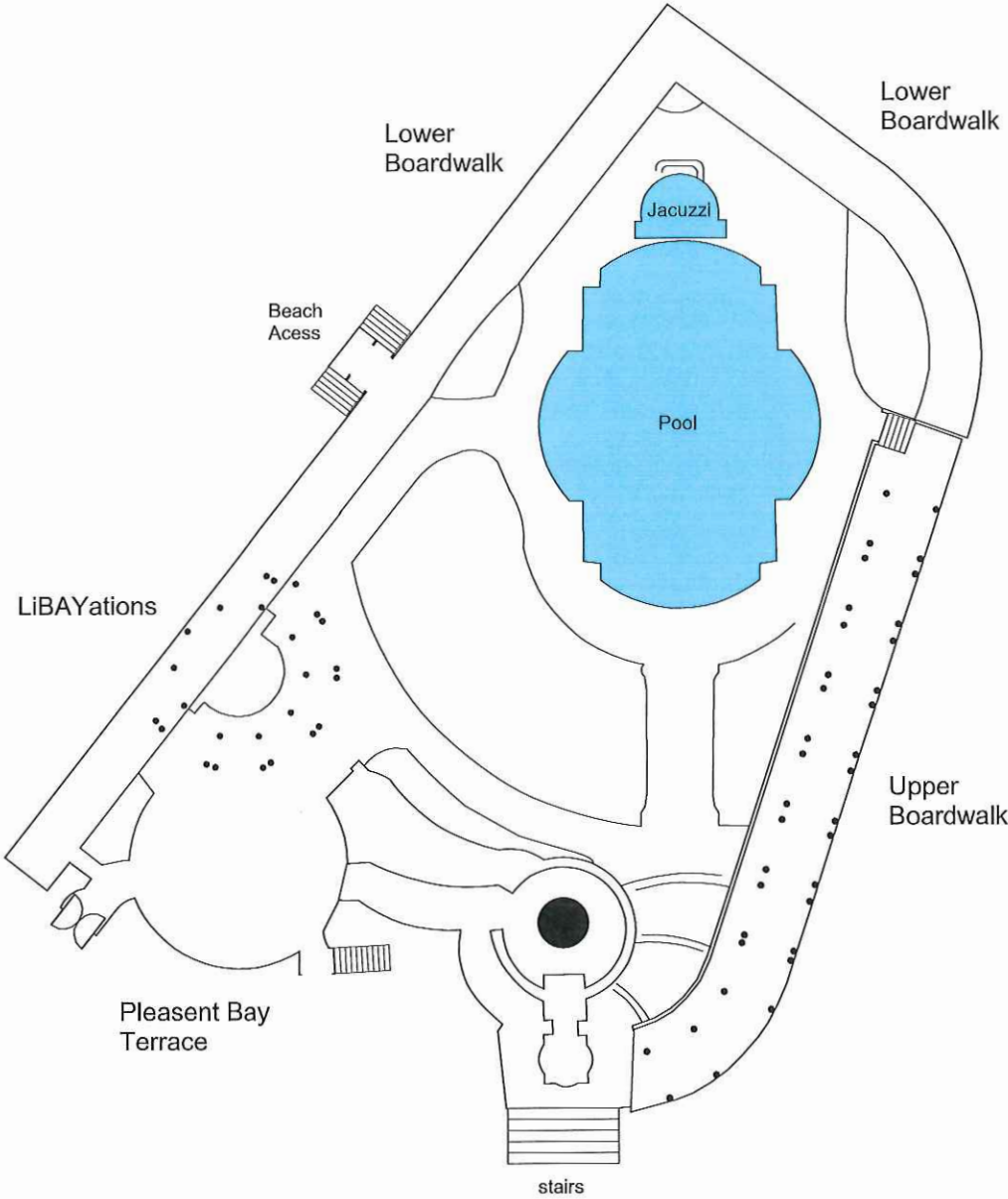
Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

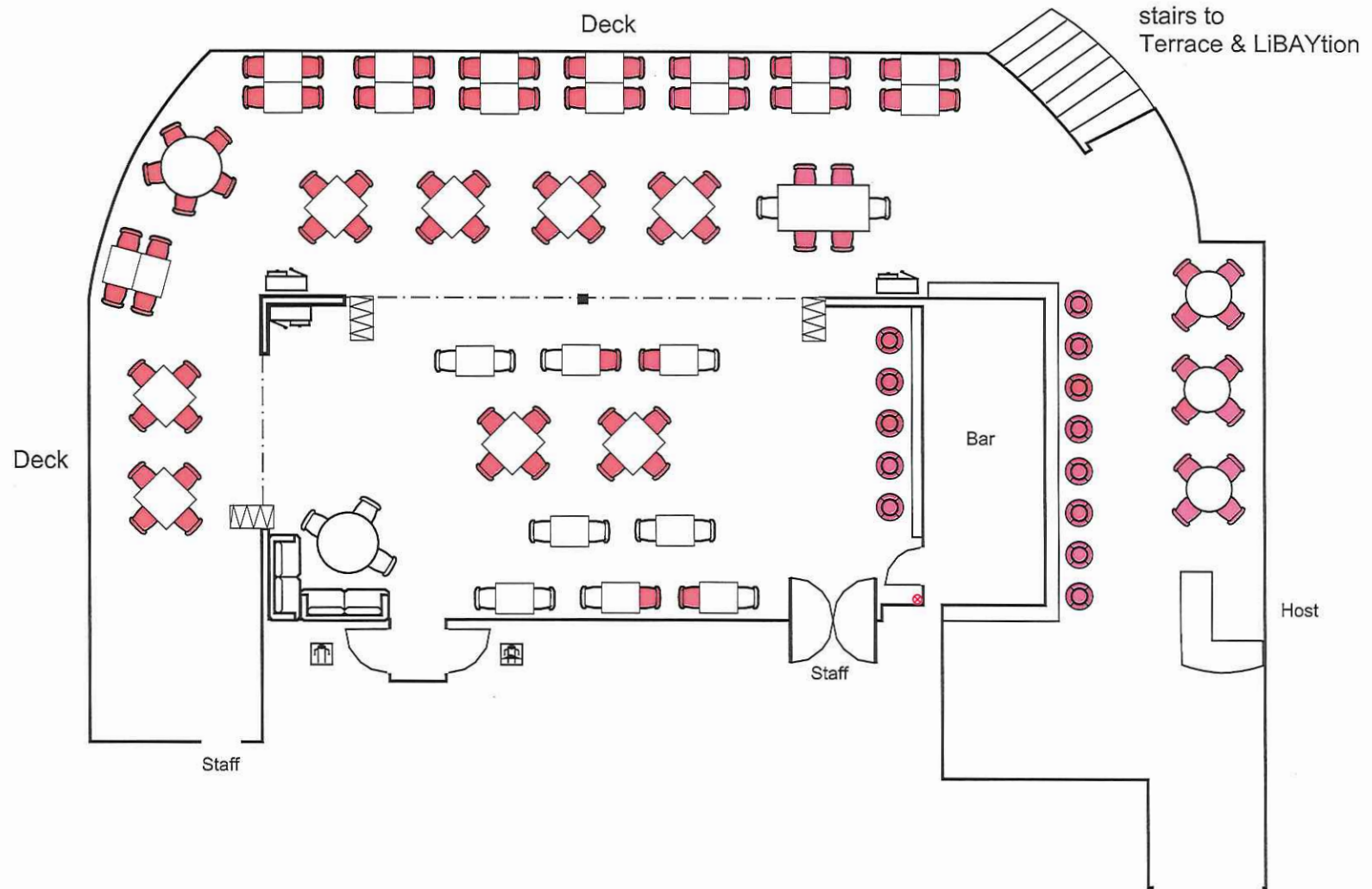
I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Date

Pool Deck with Upper & Lower Boardwalk



Outer Bar & Grille with Deck



CONSENT AGENDA

**MINUTES
SELECTMEN'S MEETING
TOWN HALL
GRIFFIN ROOM
MONDAY, DECEMBER 20, 2021
6:00 PM EXECUTIVE SESSION
6:30 PM REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

SELECTMEN PARTICIPATING: Michael MacAskill, Julie Kavanagh, Donald Howell and Mary Anderson

ALSO PARTICIPATING: Town Administrator Joseph F. Powers

CALL TO ORDER:

Chairman MacAskill opened the Board of Selectmen's meeting for December 20, 2021 at 6:00 PM. Ms. Anderson moved to enter into Executive Session, 2nd by Mr. Howell. Vote 5:0 in favor. Motion carried unanimously.

EXECUTIVE SESSION

- A. Executive Session pursuant to G.L. c 30A s21(a)(3) to discuss litigation strategy with regard to the case of Ember Pizza, Inc. et al vs Town of Harwich et al. Suffolk County Superior Court - Docket No. 2184CV01461, if discussing the matter in open session would have a detrimental effect on the town's litigation position and the chair so declares.
- B. Pursuant to MGL c30 section 21 (a)(3) to discuss with respect to collective bargaining for all town unions if an open session would have a detrimental effect on the town's bargaining position and the chair so declares.

Mr. MacAskill reopened the Board of Selectmen's Meeting reporting that in Executive Session the Board discussed 2 items as presented. On A. there was an update from the town's attorney. Mr. MacAskill invited attendees to join in the Pledge of Allegiance.

Mr. Howell reported the passing this past week of John O'Brien and Dr. Stanley Kocot

PUBLIC COMMENTS/ANNOUNCEMENTS

- A. Announcement - The Board of Selectmen will not meet on December 27, 2021

Town Administrator Powers announced that the Board of Selectmen will not be meeting on December 27, 2021 and the next Board meeting will be on January 3, 2022. The Board has scheduled a chance for the public to hear a presentation on Tuesday, January 4, 2022 on proposed changes to the Monomoy Regional Agreement.

December 20, 2021

Cindy Williams Executive Director of the Harwich Chamber of Commerce announced that the Festival Tree Fundraiser raised \$12,525.00 for the Family Pantry. She thanked all the volunteers and donators.

Ed McManus President of the Lower Cape Kiwanis Club thanked everyone who made donations.

CONSENT AGENDA

- A. Vote to approve the Assistant Town Administrator's recommendation to grant permission of Verizon New England and NSTAR Electric Company D/B/A Eversource Energy for the purpose to place (1) jointly owned pole, P243/3.5 at Fourth Street in the public right of way as new pole needed to support low hanging wires currently tied to trees.
- B. Vote to approve a Caleb Chase request in the amount of (\$1,000.00) \$968.72
- C. Vote to approve the Board of Selectmen's Meeting Minutes - 5.24.2021
- D. Vote to accept a gift to the Police Department of a Gunner Transport Kennel

Ms. Anderson moved to approve the Consent Agenda as presented, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

NEW BUSINESS

- A. Annual Committee meeting
 - 1. Historic District/Historic Commission

No representatives present, the report is in the packet.

- 2. Harwich Hosing Committee

Mr. MacAskill noted that there will be no report tonight. The Housing Committee hasn't met in a year and is waiting for a meeting with the Affordable Housing Trust.

- B. Discussion and possible vote to approve the Committee Appointments recommended by the Interview Committee
 - 1. Eileen Garrity - Full Position - Harwich Accessibility Rights Committee - Term expires June 30, 2023
 - 2. Phyllis Thomason - Full Position - Recreation and youth Committee - Term Expires June 30, 2023
 - 3. Martha Donovan - Full Position - Conservation commission - Term Expires June 30, 2024
 - 4. Wayne Coulson - Alternate position - Conservation commission - Term Expires June 30, 2024

Mr. Howell moved to approve the Committee Appointments as presented with the exception of #2 which was omitted due to additional applicants, 2nd by Ms. Anderson.

December 20, 2021

Ms. Kavanagh commented that the Capital Outlay Committee had been added but it wasn't advertised and asked if they can still go forward.

Mr. MacAskill replied, yes, as long as the Board agrees.

Vote 4:0 in favor. Motion carried unanimously.

C. Discussion and possible vote on the Cultural Center Gymnasium use and fee schedule

Eric Beebe Director of Recreation explained the fees for winter and summer, inside and outdoors.

Mr. Howell commented that they are trying to create a business plan for the Cultural Center that is sustainable and he is not sure this will accomplish that.

Mr. Beebe explained that futsal is at the Cultural Center every Saturday and he is unsure if they are charge. Mr. MacAskill asked what the Cultural Center pays for maintenance, custodian etc.

Mr. Beebe doesn't know those figures. They price pickle ball to cover their costs.

Mr. MacAskill stated that Mr. Ballantine commented in an email and suggested fees be evaluated after receiving the detailed expense report. He referred to an email in which someone wanted to extend ice ball and they were getting the run around. He is not comfortable approving any extra time until the Board comes up with a reasonable fee for the gym. He is opposed to the current fee schedule knowing that it is not covering costs.

Ms. Anderson commented that there's a warrant article to get someone in charge of the Cultural Center including finances. If they are waiting for that, there's no harm in letting pickle ball use the gym.

Mr. Howell commented that the old lights use a lot of electricity and he doesn't feel the fees will cover that cost.

Town Administrator Powers understands that the Rec Department is the renter of the gymnasium to sponsor pickle ball. There will be a person covering in the office in a few weeks but there are others asking to use the gym. The Rec Department is using it at Rec Department rates but there are other groups that would pay a far greater rate. Another idea to explore is the Rec Department having another gym to rent.

Ms. Kavanagh agrees that the space could be used while they are deciding fees.

Ms. Anderson suggested they take January thru March to sort out fees and let the pickle ball players use the gym.

Eric Gordon, a pickle ball player, clarified that there is more one sign up for a few months and then another sign up with separate payments, not one payment for 6 months. He commented on the benefits and the numbers of people that pay to play.

Mr. MacAskill would like to see a real fee schedule and a proposal whether it's interim for three months or not and what the Cultural Center is actually getting. He feels it would be premature to vote on it tonight.

Town Administrator Powers referred to the packer and referenced adult pickle ball and the after school session and the fees.

Mr. Beebe stated that there are higher fees for the after school program due t the added costs of staff and supplies. The cost for pickle ball is minimal.

Town Administrator Powers commented that there is a gym at the Community Center and another gym the town owns that's \$100.00 for 3 hours. This should be normalized with a similar fee structure.

Mr. Beebe will come back with a schedule and a fee proposal.

D. Discussion and possible vote on the Cultural Center Resolution

Ms. Anderson moved to vote to approve the Cultural Center Resolution, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

E. Discussion and possible vote to participate in a Statewide opioid settlement

Mr. MacAskill noted his recollection is that according to council they would have to prove their losses.

Town Administrator Powers noted that the town was offered an opportunity to participate in a program, the National Opioid Consortium and this settlement relates to the Attorney General. The material is in the packet. He doesn't see a down side to participating but it won't be a windfall and he read Attorney Giorgio's recommendation.

Ms. Kavanagh moved to execute the applicable document for the Statewide opioid settlement, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

F. Discussion and possible vote to approve the new Request for Proposal for the sale of the West Harwich Schoolhouse.

Town Administrator Powers stated the Attorney General's Office confirmed that the town can sell 5 Bells Neck utilizing the listing of a realtor. Services of a realtor would have to be acquired after a Request for Proposal. There is nothing preventing them from listing with restrictions.

Mr. MacAskill would support a preference for the preservation of the facade and move forward with an RFP to sell the building.

Ms. Anderson moved to ask the Town Administrator to prepare 2 RFPs, one to obtain a realtor to sell the Bells Neck property and the second to put out a new RFP for sale of Bells Neck with a preference for exterior historical preservation, 2nd by Ms. Kavanagh.

Mr. Howell feels that if there's a question as to what Town Meeting said, it should be brought back to Town Meeting. He feels there is confusion.

Mr. MacAskill commented that he feels Town Meeting was clear and said they could sell the building with a preference for historical preservation.

Ms. Kavanagh commented that the discussion at Town Meeting did talk about the historical nature of the building but the warrant article was not amended.

Ms. Anderson commented that people she has talked to really don't care, they don't feel it's that fabulous a building. She agrees they should move on and sell the building.

Vote 3:1 in favor. Motion carried.

G. Discussion and possible vote to approve a 2022 Annual Common Victuallers License for Dent donuts d/b/a Dunkin Donuts - 481 Route 28

Ms. Anderson moved to vote to approve a 2022 Annual Common Victualers License as presented, 2nd by Ms. Kavanagh. Vote 4:0 in favor. Motion carried unanimously.

H. Discussion and possible vote to approve a 2022 Class II and Class IV Auto License for Bassil Brothers d/b/a United Gas - 520 Route 28

Ms. Anderson moved to approve a 2022n Class II and Class IV Auto License as presented, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously

I. Board discussion on the Chief of Police's memorandum and possible vote on the show cause hearing process

Mr. MacAskill noted the Chief's memo which is in the packet, related to the types of calls that the Police Department has had to respond to.

Ms. Anderson was disappointed that the Board was unable to do more than they did. The Chief's memo offered a lot of information and she feels the Board needs to do something.

Mr. Howell commented that this subject deserves a lot of discussion and they can't go on the way they have been going.

Ms. Kavanagh addressed Chief Guillemette to ensure that he understand they support him, the officers and all the hard work they are doing. She commented that there are a number of issues to address including neighbors and a new vibe that is helping the businesses. It will take some negotiations to ease the burden on the Police Department.

Ms. Anderson suggested that the amplified outside music was the game changer for the neighbors. Her suggestion is that downtown Harwich Port and possible the Seal are told no outside amplified music.

Mr. MacAskill noted that noise from outside entertainment has been a huge one for the last few years. He has supported it and feels it brings business to the town. The complaints started to come in when those were permitted. Inside noise is not as great a problem. He referred to other issues listed in the memo. This conversations about looking forward, processes, improvements, keeping the public safe, helping the neighbors and support the businesses. He asked the Chief what he needs and his suggestions and thoughts on the liquor regulations aside for the 150 feet noise restriction.

Chief Guillemette commented on the hearing process and the liquor regulations. If the business owners, the Board, the Town Administrator and the Police Department all agreed that they are operating off the Board of Selectmen's Liquor Regulations, it would be a huge start. The Police Department has agreed to additional in house training and possibly bring in an attorney who is well versed on how these regulations are written, it would be a big step forward.

Mr. MacAskill noted that for the record, the conversation that happened this morning, outside council and another word that was used was prosecutor. The person that's going to defend the town on their liquor regulations, whoever the Board decides to have be their prosecutor on the instances is who they will have common and train the police officers.

Chief Guillemette commented that situations such as underage drinking or over service are harder for a police officer uncover. They could also enlist the assistance of the ABCC and request they do compliance checks. He does not have the staff to send plain clothes officers out on weekends.

Mr. Howell asked that the Liquor Regulations be in the packet next week.

Mr. MacAskill spoke regarding the hearing process. Rather than having all the incidences sent to the Board in a memorandum, he feels it makes more sense to let the Police Chief decide which ones would require a hearing and which wouldn't rather than assuming everything needs a hearing.

Chief Guillemette commented that he thinks it's important for the Board, as a licensing authority to have information of all instances at all the establishments.

Ms. Anderson clarified that the Chief is suggesting he would send all the information on all instances and highlight those that he would recommend a hearing on.

Chief Guillemette replied, yes, that would be his suggestion.

Mr. Howell said that what they did this year served a purpose and the establishments are getting the message.

Mr. MacAskill note that the Town Administrator is the Hearings Officer and they don't have to have hearings at their meetings, they can be scheduled any time. He would like to stream line the amount offerings and make sure the Board has a case before they have a hearing.

Ms. Anderson commented that they should be done quickly so individual offenses can be dealt with separately.

Ms. Kavanagh feels they need to look forward to how they address the issues and also find themselves at a table with all the partners they are talking about. There has to be an all-inclusive conversation.

Mr. Howell noted the Harbormaster and the situation at Brax with the license holder who is at the harbor and how they can control people taking stuff to a boat.

Mr. MacAskill noted interested people in the audience. There are no representatives from the businesses.

Chief Guillemette noted that there is a lot on the business owners in the regulations regarding actions they shall take and actions they are recommended to take.

Town Administrator Powers stated that the Town of Harwich has very well defined and solid regulations. The focusing forward should be on the regulations.

Ms. Kavanagh commented that they should reach out to all parties involved and try to come to some agreements. If they don't respond, the result will be stricter hearings and restrictions.

Mr. Howell is in favor of notifying businesses directly.

Mr. MacAskill noted that managers sign the licenses and asked if, as they have hearings that they enter into the regulations that the manager of record be present for the hearing.

Town Administrator Powers replied that the ABCC has a significant amount of time devoted to who is the manager of record, does a CORI background check and looks to that person to be a representative of the establishment. The local Licensing Board should rely on that manager.

Mr. MacAskill requested that the Town Administrator get council's advice on requiring managers to be at hearings.

Chief Guillemette noted that there is a clause in the regulations regarding managers.

Mr. MacAskill commented that some towns have a compliance crew which is something he feels this Board should consider. He noted who they would be and their responsibilities.

Chief Guillemette commented that the capacity at establishment is directly related to the amount of noise. Because of capacity, that group would have to include the Fire Department. Chief LeBlanc is more than willing be involved.

J. Discussion and possible vote on entertainment License time and location.

Mr. MacAskill stated for viewers that the Board is not anti-business, they are as pro-business as possible. They have problems that need to be fixed and it's coming the town a lot of money.

Cindy Williams Executive Director of the Chamber of Commerce noted an annual program that is done with restaurants and the Police Department. She suggested everyone get together and agreed it starts with the regulations. She offered to send out an email and suggested the meeting be in March.

Bob Nickerson of Harwich Port comments that he was upset at the outcome of the last meeting. He suggested requiring security personnel at venues which is in the regulations. All increasing the budget for the Police Department to have more officers on the street.

K. Discussion and possible vote to approve the following 2022 Entertainment Licenses;

1. Blue Stripes LLC d/b/a Cape Sea Grille - 31 Sea Street - Weekday 4:00 p.m. to 11:00 p.m. inside and Sunday 1:00 p.m. to 11:00 p.m. inside.

Entertainment Tube: Recorded or live music with amplification

2021 License: Weekday 11:00 a.m. to 12:00 a.m. inside

Entertainment Type: Live or recorded music.

Mr. Howell is not willing to vote for anything that is more than what it was.

Ms. Anderson is in favor.

Ms. Kavanagh noted that they are adding Sundays.

Town Administrator Powers commented that they requester checked off "renewal" regarding Sundays. He will ask council if that requires a hearing or a different process under Chapter 140.

Mr. MacAskill replied that they will vote it without Sunday and then go back to the applicant.

Ms. Anderson moved to vote to approve the Entertainment License for Blue Stripe LLC d/b/a Cape Sea Grille - 31 Sea Street - Weekday 4:00 p.m., to 11:00 p.m. inside, 2nd by Ms. Kavanagh.

Vote 4:0 in favor. Motion carried unanimously

2. Ember Pizza, Inc. d/b/a Ember - 600 Route 28 - Weekday 11:00 a.m. to 12:00 a.m. inside and 11:00 a.m. to 10:00 p.m. outside. Sunday 1:00 p.m. to 12:00 a.m. inside and 1:00 p.m. to 10:00 p.m. outside.

Entertainment type, Concert, recorded or live music with amplification

2021 License: Weekday 10:00 a.m. to 12:00 a.m. inside & 6:00 p.m. to 10:00 p.m. outside. Sunday 10:00 a.m. to 12:00 a.m. inside & 6:00 p.m. to 10:00 p.m. outside.

Entertainment Type: Live or recorded music with amplification inside & unamplified recorded or live acoustic music only outside

Ms. Anderson is against amplification outside and increasing hours

Mr. Howell will not vote in favor of increasing hours.

Ms. Kavanagh agrees to not increase hours.

Attorney Ray Tomlinson on behalf of the licensee, Ember Pizza spoke to the issues of extended hours and acoustic limitations. He asked the Board to consider, if they are putting a restriction solely on Ember, how that will affect the future status of every licensee in this town and the further legal proceedings that will arise from that.

Mr. MacAskill is not in favor of outdoor amplification and unsure that a television needs an entertainment license.

Attorney Tomlinson suggested that, if there is going to be a policy exception by the Board that it be codified either in the noise bylaw or the entertainment license. He explained the entertainment license/television/game issue. The difference in how the entertainment license is being applied to different licensees is not uniform and that creates a problem for the town.

Mr. MacAskill is not talking about a policy decision, just clarification on what the town has in place. It is not the Board's intent to treat establishments differently.

Discussion followed regarding limiting the outdoor amplification and whether it would be addressed at this meeting or in the future.

Ed McManus commented on a few of the confusing terms in the regulations.

Attorney Tomlinson noted that this is a renewal of an existing license and there hasn't been notice of a public hearing on a retraction on a license. He suggested that if the Board is making a policy decision this evening to limit acoustic or outdoor entertainment, it should do so at all licensed establishments.

Ms. Anderson noted that they would apply the same standards to the 7 before them tonight and to others that come before them.

Bob Nickerson requested that if outside entertainment is allowed, it not start at 11:00 a.m.

Mr. Howell disagrees that all are the same and expressed why.

Ms. Anderson moved to vote to approve the 2022 Entertainment License for Ember Pizza, Inc. d/b/a Ember - 600 Route 28 - Weekday 11:00 a.m. to 12:00 a.m. inside and 11:00 a.m. to 10:00 p.m. outside Sunday 1:00 p.m. to 12:00 a.m. inside and 1:00 p.m. to 10:00 p.m. outside. The inside can be concert, recorded or live music with amplification and outside shall be acoustic music only, 2nd by Ms. Kavanagh. Vote 4:0 in favor. Motion carried unanimously.

3. Four Hundred East - 1421 Orleans Road - Weekday and Sunday 5:00 p.m. to 10:00 p.m. inside.
Entertainment Type: Recorded or live music
2021 License: Weekday 5:00 p.m. to 12:00 a.m. inside & 5:00 p.m. to 10:00 p.m. outside. Sunday 2:00 p.m. to 6:00 p.m. outside

Ms. Anderson moved to approve the 2022 Entertainment License for 400 East - 1421 Orleans Road, - Weekday and Sunday 5:00 p.m. to 10:00 p.m. inside, Entertainment Type recorded or live music, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

4. Hot Stove - 551 Route 28 - Weekday (Friday and Saturday only) 9:00 p.m. to 12:00 a.m. inside
Entertainment type: Concert
2021 License: This establishment did not apply for an entertainment license in 2021

Town Administrator Powers noted that this says renewal but they did not apply in 2020. Council would have to be consulted.

Mr. MacAskill omitted the Hot Stove from the list and he would like the word “concert” clarified.

5. Harwich Inn and Tavern, LLC d/b/a Harwich Inn and Tavern - 77 Route 28 - Weekday 12:00 p.m. to 12:00 a.m. inside and 4:00 p.m. to 8:00 p.m. outside. Sunday 1:00 p.m. to 12:00 a.m. inside
Entertainment Type: Recorded or live music with amplification and dancing.
2021 License: Weekday 12:00 p.m. to 12:00 a.m. inside and 4:00 p.m. to 8:00 p.m. outside. Sunday 1:00 p.m. to 12:00 a.m. inside
Entertainment Type: Recorded or live music with amplification and dancing.
Doors and windows must one shut during indoor entertainment.

Town Administrator Powers noted a scrivener’s omission on the Sunday entertainment license

Ms. Anderson moved to vote to approve the 2022 Entertainment License as presented with the understanding that they have to complete the application and the doors and windows must be shut during indoor entertainment, 2nd by Ms. Kavanagh. Vote 4:0 in favor. Motion carried unanimously.

December 20, 2021

7. Villa Roma - 278 Route 28 - Weekday and Sunday 3:00 p.m. to 12:00 a.m.
Entertainment Type: Recorded or live music with amplification
2021 License: Weekday 4:30 p.m. to 10:00 p.m. inside
Entertainment type: Liv or recorded music

Town Administrator Powers noted the same scrivener's omission, they failed to answer yes or no.

Ms. Anderson moved to vote to approve the 2022 Entertainment License as presented, pending completion of the application, 2nd by Ms. Kavanagh.

Town Administrator Powers noted a conflict in times requested.

Ms. Kavanagh withdrew her 2nd.

Ms. Anderson withdrew her motion.

6. Lanyard Bar and Grill - 429 Route 28 - Weekday 12:00 p.m. to 10:00 p.m. inside and outside Sunday 1:00 p.m. to 10:00 p.m. inside and outside
Entertainment type: Recorded and live music with amplification
2021 License: Weekday 12:00 p.m. to 12:00 a.m. inside. Sunday 1:00 p.m. to 9:00 p.m. inside & outside
Entertainment Type: Recorded or live music with amplification and dancing

Town Administrator Powers notes the same scrivener's commissions on this application.

Mr. MacAskill stated, they will not vote on this, it'll come back. He asked they review applications going forward before they are brought before the Board.

OLD BUSINESS

A. Update regarding the Local Comprehensive Plan

Town Administrator Powers noted the update which is in the packet.

Mr. MacAskill noted how many applications vs openings were received. The advertising isn't working,

Ms. Anderson noted a previous discussion regarding extending into January beyond the holidays and suggested posting on Facebook.

CONTRACTS

A. Discussion and possible vote to award a contract to Coviello Electric & General Contracting Co., Inc. in the amount of \$138,795.00 for the installation of lighting at Brooks Park

December 20, 2021

Ms. Anderson moved to vote to approve the contract as presented, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

TOWN ADMINISTRATOR'S REPORT

Merry Christmas and Happy New Year

SELECTMEN'S REPORT

All wished for a Merry Christmas and Happy New Year.

Mr. MacAskill noted the next meeting is January 3rd.

Ms. Anderson moved to adjourn, 2nd by Mr. Howell. Vote 4:0 in favor. Motion carried unanimously.

Respectfully submitted,

Judith R. Moldstad
Recording secretary

**MINUTES
SELECTMEN'S MEETING
TOWN HALL
MONDAY, MARCH 28, 2022
5:00 P.M. - EXECUTIVE SESSION
5:30 P.M. - REGULAR MEETING
REMOTE PARTICIPATION OPTIONAL**

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

ALSO PARTICIPATING: Town Administrator Joseph Powers

CALL TO ORDER

Mr. MacAskill called the meeting to order at 5:00 p.m. beginning with Executive Session.

EXECUTIVE SESSION

- A. Pursuant to MGL c.30A section 21 (a)(3) to discuss with respect to collective bargaining for all town unions and the Chair has determined that open session would have a detrimental effect on the town's bargaining position

Mr. MacAskill called the meeting back to order following Executive Session. He reported that no decisions were made.

PUBLIC COMMENTS/ANNOUNCEMENTS

Mr. Powers announced that Eversource is filing a rate review application which is being done state wide. As part of the process, they will be engaging in community listening sessions which have been scheduled for March 29, March 31 & May 4. This will be an opportunity for anyone in the public to provide comment to Eversource about the proposed rate increase. Any new rates would go into effect for January 2023.

PUBLIC HEARING

- A. Discussion and possible vote to approve the following amendments to the Annual, All Alcohol, On Premise Liquor License for WFS Restaurant Group Inc. d/b/a Lalouette, Christian Schultz, Manager of Record:
1. Change of d/b/a from Lalouette to Red River BBQ
 2. Change of Stock
 3. Change of Ownership Interest
 4. Change of Officers

Mr. MacAskill opened the public hearing. Ms. Anderson read the public hearing notice. Christian Schultz was present. No public comment was heard.

Mr. Ballantine moved to close the public hearing, 2nd by Ms. Anderson. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

Mr. Schultz stated that his father passed away and that all of the business stock was left to him. He was previously listed as the sole person on the license.

Ms. Anderson moved to approve the change of d/b/a from L'Alouette to Red River BBQ, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

Ms. Anderson moved to approve the change of stock, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

Ms. Anderson moved to approve the change of ownership interest, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

Ms. Anderson moved to approve the change of officers, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

CONSENT AGENDA

- A. Vote to approve the following Board of Selectmen Meeting Minutes:
 - 1. December 7, 2020
 - 2. September 13, 2021
- B. Vote to approve the advertisement for Finance Director/Town Accountant position
- C. Vote to approve the Town Administrator's recommendation to grant permission of NSTAR Electric Company D/B/A Eversource Energy for the purpose to install 22' +/- of 1-3" conduit from proposed handhole 121/H2A to a customer installed handhole 121/H2B
- D. Vote to accept a gift of one bullet proof vest for K-9 Fritz of the Harwich Police Department

Mr. Powers asked when the Board would like the review of applications to begin for the Finance Director/Town Accountant position. Mr. MacAskill would like for them to be done before Ms. Coppola's departure so there could be a hand off process. Mr. Howell agreed about having overlap.

Ms. Kavanagh suggested mid-April. Mr. Ballantine agreed. Mr. MacAskill suggested a date of April 22.

Ms. Anderson moved to accept the consent agenda as listed, with the exception of item A-2, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

NEW BUSINESS

- A. Discussion and possible vote to approve a 2022 Annual Common Victuallers license renewal – Scribano's Inc. d/b/a Scribano's Italian Market and Deli – 302 Route 28

Ms. Anderson moved to approve a 2022 Annual Common Victuallers license renewal for Scribano's, Inc. d/b/a Scribano's Italian Market and Deli, located at 302 Route 28, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

- B. Discussion and possible vote to approve a 2022 Seasonal Innholders license renewal – Wequassett Inn LLP d/b/a Wequassett Resort and Golf Club – 2173 Route 28

Ms. Anderson moved to approve a 2022 Seasonal Innholders license renewal for Wequassett Inn LLP d/b/a Wequassett Resort and Golf Club, located at 2173 Route 28, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

- C. Discussion and possible vote to approve 2022 Seasonal Miniature Golf license renewal – Weekday and Sunday 11:00 a.m. to 9:00 p.m. – Harbor Glen Mini Golf – 168 Route 28

Ms. Anderson moved to approve the 2022 Seasonal miniature golf license renewal for Weekday and Sunday 11:00 a.m. to 9:00 p.m. for Harbor Glen Mini Golf, located at 168 Route 28, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

- D. Discussion and possible vote to approve a 2022 Seasonal Go Carts license renewal – Weekday and Sunday 9:00 a.m. to 10:00 p.m. – Hall Karts Inc. – 9 Sisson Road

Ms. Anderson moved to approve the 2022 Seasonal go carts license renewal for Weekday and Sunday 9:00 a.m. to 10:00 p.m. for Halls Karts Inc., located at 9 Sisson Road, 2^d by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

- E. Discussion and possible vote to approve 2022 Seasonal Entertainment, Batter's Box and Video Game License renewal – Weekday and Sunday 10:00 a.m. to 9:00 p.m. – Grand Slam Entertainment – 322 Main Street – *Pending Building Department Approval*

Mr. Ballantine asked what is pending for Building Department approval. Mr. Powers responded that the regulatory compliance form was signed by the Building Commissioner with a note that he has no knowledge of any applicable violations. The application has received Building Department approval since the packet information was released.

Ms. Anderson moved to approve the 2022 Seasonal entertainment, batter's box and video game license renewal for Weekday and Sunday 10:00 a.m. to 9:00 p.m. for Grand Slam Entertainment, located at 322 Main Street, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

- F. Discussion and possible vote to approve 2022 Seasonal Common Victuallers license renewals for the following;
1. Belmont Condominium Trust d/b/a The Beach Club – 1 Belmont Road
 2. Seagulls LLC d/b/a Seagulls Ice Cream & Soda Fountain – 537 Route 28
 3. Schoolhouse Ice Cream & Yogurt LLC – 749 Route 28
 4. Port Restaurant and Bar Inc. d/b/a The Port – 541 Route 28
 5. PRM Foods Inc. d/b/a Harwich Port Dairy Queen – 441 Route 28
 6. Wequasset Inn LLP d/b/a Wequasset Resort and Golf Club – 2173 Route 28

Ms. Anderson moved to approve the 2022 Seasonal common victuallers license renewals as listed above, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

- G. Discussion and possible vote to approve the following Seasonal, On-Premise, All Alcohol Liquor License Renewals. *All renewals contingent upon the Selectmen’s Office receiving licensees 2022 Fire Inspection Report within 30 days of opening.
1. Wychmere Harbor Functions LP d/b/a Wychmere Harbor Beach and Tennis – 23 Snow Inn Road – *Pending Certificate of Insurance showing Liquor Liability*

Ms. Anderson moved to approve the Seasonal, on premise, all alcohol liquor license renewals for Wychmere Harbor Functions LP d/b/a Wychmere Harbor Beach and Tennis, located at 23 Snow Inn Road, pending certificate of insurance showing liquor liability, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson & Mr. Howell all voting aye by roll call.

H. Discussion and possible vote to approve 2022 Seasonal Entertainment license renewals for the following;

1. Port Restaurant and Bar Inc. d/b/a The Port – 541 Route 28

Requesting: *Weekday 11:00 a.m. to 10:00 p.m. outside and 11:00 a.m. to 12:00 a.m. inside Sunday 1:00 p.m. to 10:00 p.m. outside and 1:00 p.m. to 12:00 a.m. inside*

Entertainment Type: Jukebox, Radio, Television, Live/Recorded Music, Amplification and dancing by live performers

2021 License: *Weekday 10:00 a.m. to 12:00 a.m. inside and 6:00 p.m. to 10:00 p.m. outside Sunday 10:00 a.m. to 12:00 a.m. inside and 6:00 p.m. to 10:00 p.m. outside*

Entertainment Type: *Inside – Live or recorded music with amplification. Outside - Unamplified, acoustic music only or ambient music w/ amplification*

Mr. Howell stated that he would not be in favor of increasing beyond what was approved for last year as we have not even been through an entire season. Mr. Ballantine agreed.

Ms. Anderson questioned on how entertainment could be ambient and amplified. Mr. MacAskill responded that the tv and ambient background has amplification and that live entertainment was conditioned to be ambient outside.

Mr. Howell noted that the times listed on the application are clearly different.

Mr. Ballantine would like the Board to stick with what was agreed upon from last year. Ms. Kavanagh agreed. Ms. Anderson also agreed and wants it to be clear in our communication to them that the outside amplification is for tv or background music and no other kind of amplification.

The Board agreed to end the entertainment license at 10:00 p.m.

Attorney Ray Tomlinson was present remotely. He commented that the amendment to the application is to reflect the operating hours of the establishment.

Mr. Howell would like to make sure that the Board can clearly delineate on the license the different hours. Ms. Kavanagh agreed.

Attorney Tomlinson again wanted to clarify that the entertainment license coincides with the hours of the establishment and have them separately noted on the license.

Ms. Kavanagh moved to approve the 2022 seasonal entertainment license renewal for Port Restaurant and Bar, Inc. d/b/a The Port, located at 541 Route 28 for weekday entertainment from 11:00 a.m.-10:00 p.m. for tv or background music and restricted for 6:00 p.m. – 10:00 p.m. for live outdoor unamplified music; 11:00 a.m.-12:00 a.m. inside. Sunday 1:00 p.m. – 10:00 p.m. outside for tv or background music and restricted 6:00 p.m. – 1:00 p.m. live music outside unamplified and 1:00 p.m. – 12:00 a.m. inside, 2nd by Ms. Anderson. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

2. Belmont Condominium Trust d/b/a The Beach Club – 1 Belmont Road
Requesting: *Weekday (Friday & Saturday Only) 5:00 p.m. to 10:30 p.m. outside*
Entertainment Type: Live/recorded music, Amplification, Dancing by Live Performers and Patrons
2021 License: *Weekday (Friday and Saturday Only) 5:00 p.m. to 10:00 p.m. inside and outside*
Entertainment Type: Live or recorded music with amplification and dancing

The Board discussed the location and noted that there have been no noise complaints in this area. They commented that the ending time should be 10:00 to be consistent.

Police Chief David Guillemette was present and stated that he has no problem with the request as long as the end time remains at 10:00 p.m.

Ms. Anderson moved to approve the 2022 seasonal entertainment license renewal for Belmont Condominium Trust d/b/a The Beach Club, located at 1 Belmont Road for weekday entertainment, Friday and Saturday only from 5:00 p.m. – 10:00 p.m., 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

3. Wequassett Inn LLP d/b/a Wequassett Resort and Golf Club – 2173 Route 28
Requesting: *Weekday 12:00 p.m. to 12:00 a.m. inside and 12:00 p.m. to 10:00 p.m. outside- Sunday 1:00 p.m. to 12:00 a.m. inside and 1:00 p.m. to 10:00 p.m. outside*

Entertainment Type: Live/Recorded Music, Amplification, Dancing by Live Performers and Patrons

2021 License: Weekday 12:00 p.m. to 12:00 a.m. *inside* and 12:00 p.m. to 10:00 p.m. *outside*- Sunday 12:00 p.m. to 12:00 a.m. *inside* and 12:00 p.m. to 10:00 p.m. *outside*

Entertainment Type: Live or recorded music with amplification and dancing

Ms. Anderson moved to approve the 2022 seasonal entertainment license renewal for Wequassett Inn LLP d/b/a Wequassett Resort and Golf Club, located at 2173 Route 28 for weekday entertainment from 12:00 p.m. to 12:00 a.m. inside and 12:00 p.m. to 10:00 p.m. outside- Sunday 1:00 p.m. to 12:00 a.m. inside and 1:00 p.m. to 10:00 p.m. outside. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting

OLD BUSINESS

A. Discussion and possible vote on reopening the Treasure Chest

Elly Gerson was present and thanked the Board for welcoming them back. Last month the Board recommended that the committee return with some changes in the documents. The goal is to open the Treasure Chest by the end of April. They have amended their documents and language in # 11 under the operational guidelines. Ms. Gerson reviewed the changes. She added that the Treasure Chest Committee also will support whatever the Board decides to do for a sticker fee.

Mr. Ballantine noted that the committee has taken steps to show how the facility is running. When it comes to stickers, the committee had suggested at \$5.00 fee. At the time, he voted against it. After further consideration he feels that there are very few that could not afford the small fee and he hopes to have a positive motion to move ahead. The building has been inspected and is in good shape. They will have to spend time moving around furniture which will require volunteer efforts.

Ms. Kavanagh think that everyone is looking forward to the treasure chest being back open. She asked where stickers would be available. Mr. Ballantine responded that in the past, they have been sold at Town Hall. We have also sold beach stickers at the Chamber office. Harwich Chamber of Commerce Executive Director Cyndi Williams was present and stated that they will sell whatever stickers are needed.

Ms. Anderson feels that the \$5.00 sticker will also help with traffic and encourage people to carpool.

Mr. Howell commented that he is in favor of this.

Mr. MacAskill asked if there would need to be a public hearing for the sticker fee. Mr. Howell responded that \$5.00 is a sustainable fee and that he feels we can move forward without a public hearing.

Ms. Gerson stated that stickers would not be available by the end of April and that she would be looking for guidance on how to operate without stickers for what will hopefully be a short period of time.

Ms. Anderson suggested having a grace period for stickers. Mr. Ballantine suggested to wait and see when the stickers arrive.

Mr. Powers stated that there was a policy enacted in 1994 and reaffirmed in 2009 that changes in the rules/regulations for fees by any party should be heard by the Selectmen. Mr. MacAskill suggested that a public hearing be scheduled for the sticker fee.

Mr. Ballantine moved that the Treasure Chest will reopen on April 30, 2022, 2nd by Ms. Anderson. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. Ballantine moved that Treasure Chest stickers be issued for residents only at the cost of \$5.00, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

B. Discussion and possible vote on second date for Local Planning Committee additional member interviews

Mr. MacAskill stated that all of the members could not be scheduled for interviews on April 2 and that they are looking to set up a follow up date.

Ms. Anderson asked how many interviews still need to be scheduled. Mr. MacAskill responded no more than 6.

The Board agreed to schedule interviews for a regular Monday night Board meeting and that they will start an hour prior to the regular meeting.

C. Discussion and possible vote to approve the Committee Appointments recommended by the Interview Committee:

1. Sandy McLardy – Planning Board – Full Member – Term expires on June 30, 2022

Mr. Howell stated that the purpose of a volunteer regulatory board is to apply bylaws by applying reasonable judgement to the request before them. The decisions that are made are not rubber stamped. Personally, Mr. Howell is not trying to find loopholes to find projects to get approvals and is not in favor of revoking people's property rights. Mr. Howell stated that he was deeply involved in the 6 ponds DCPC and LCP, which the current Town Planner stated is a cut and past job. The simple fact is that the most easily to develop properties have already been built on and we need to be able to explore the possibilities of other options. Mr. Howell commented that we are not going to resolve the divide tonight, but Harwich deserves diverse membership on its boards. Mr. Howell reviewed his observations from the Planning Board meeting that was referenced at a previous Selectmen's meeting. He went on to say that he has never been so ashamed sitting on a Board of Selectmen. He believes that the Chair treated this person like a school yard bully. Mr. Howell added that we can't easily recruit new volunteers if this is the route that we take. The town is made up of people and the rules are there to serve the people. We have a committee opening and the opening is only there for 90 days to run to term.

Ms. Anderson noted her disappointment that Mr. Howell did not have this conversation with the Chair and she was surprised to see this appointment on the agenda. While she doesn't know the applicant well she respects their right to express their opinion. The applicant has stated that they are dead set against any development. Ms. Anderson did suggest to the interview committee that they reach out to Mr. McLardy to see if he would be willing to serve on any other committee where there wouldn't be a conflict. It has nothing to do with her opinion, but rather is trying to be fair to the applicants coming before the Planning Board.

Ms. Kavanagh stated that she is capable of making her own decisions on what is presented before the Board and is also disappointed that this was on the agenda. She added that the Board members

are not to be contacting department head's especially in the sense of looking for information or badgering them. Ms. Kavanagh feels that Mr. Howell is implying that each Board members has their own agenda. She applauds the McLardy's for their efforts, but added that they have made it quite clear where their mind stands and that they anticipate that they have all of the information, and that is a problem for her. If you are going to be on such a board feeling that you already know the answer that is a problem. You need to be there to listen and apply the rules and regulations.

Mr. Ballantine has gone back and reviewed the video that was referenced and feels that Mr. MacAskill's comments were over the top. He also went back and listened to some of the other Pleasant Bay Watershed meetings that Mr. McLardy was involved with. Mr. Ballantine's difficulty is that we want a diversity of opinion and pay attention to the regulations. He is not sure that Mr. McLardy could do that. The Planning Board has deadlines and if they don't take action, the motion will carry if nothing happens. Mr. Ballantine would like to have respectful and open discussions going forward.

Mr. MacAskill stated that he does everything at this table and does not hold backdoor politics. He can point to people as recent as 3 months ago that Mr. Howell has held back for his own personal reasons. Mr. MacAskill feels that Mr. Howell has had a personal attach on every single Selectmen for the entire time that he has been here.

Mr. Howell moved to appoint Sandy McLardy to the Planning Board for a term to expire on June 30, 2022, 2nd by Ms. Anderson. The vote was 1-4-0 with Mr. Howell voting aye and Mr. MacAskill, Ms. Kavanagh, Ms. Anderson & Mr. Ballantine voting nay by roll call.

D. Discussion and possible vote on School Committee Fiscal Year 2023 Budget for Monomoy Regional School District

Scott Carpenter, Meredith Henderson, Tina Games, Michael MacMillan were present.

Mr. MacAskill stated that after the last meeting, the school committee was requested to look at their budget and see where any cuts could be made. Ms. Henderson stated that the school committee could not come to a consensus to make any changes and that they feel this is a well vetted budget.

Mr. Ballantine stated that 42 million dollars is a large budget and that the Town already needs to compete with our own employees and our own budget to fund that. He is disappointed that they could not come back with any changes. He would like to make sure that we have all of the resources and power in front of us to change the agreement, noting that he is optimistic to get that done.

Ms. Kavanagh thanked the committee for coming back and appreciates that they went back to see what could be changed. It was made clear to them and the public to try and find wiggle room to fund the schools. Ms. Kavanagh understand that they are in a difficult position and that she is ready to move forward and get it done.

Ms. Anderson is disappointed that they could not make any movement with their budget, but that she would extremely reluctantly vote to support, noting that we cannot continue on this path.

Mr. Howell feels that essentially this is an allocation problem and that the public needs to understand that this is an ongoing process.

Mr. MacAskill stated that we cannot keep going in this direction. We have not cut our budgets but every year we ask department head's to come in with level budgets. He will support the budget and town meeting will decide if they want to support the school budget or not.

Ms. Anderson moved to accept and adopt the Monomoy Regional School District budget in the amount of \$28,041,205, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. Powers read the proposed article to amend the agreement between the Towns of Chatham and Harwich with respect to the formation of a regional school district. This is has been confirmed through the district. All of the towns and agents are aware that this agreement is satisfactory to DESE and will be in effect for 2023.

One of the things that counsel has recommended and that the district and Chatham has agreed is that the warrant book will include a booklet that will highlight the net effect of the changes.

Mr. Ballantine asked for explanation of next steps. Dr. Carpenter responded that this has been fully vetted by DESE's legal team. Presuming it passes in Harwich and Chatham, DESE would be notified a/nd they then would issue a letter or statement with their sign off, and it then would go into fiscal effect.

Ms. Games stated that they have been working on this for 2 years and the intention has always been to hit FY23. She added that Chatham has committed to moving this forward.

Ms. Anderson moved to place the article for the amended agreement between the Towns of Chatham and Harwich with respect to the formation of a Regional School District in the Town Meeting Warrant, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for the amended agreement between the Towns of Chatham and Harwich with respect to the formation of a Regional School District, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. Powers stated that there was a request that the Board at a future meeting, along with the Finance Committee, note that there is support for the changes to the agreement. The same request is also being made in Chatham. Ms. Games noted that this request came from a community member. Mr. MacAskill commented that he could put this on a future agenda.

If we make such a statement, Mr. Howell would be in favor of saying that this is part of the process of the overall agreement.

Ms. Kavanagh feels that communication is key and that the Boards from both towns and the school committee should communicate more, as there are other hurdles that we may face.

Ms. Games stated that there is a new initiative in Chatham called Chatham 365, that she would personally like to see happen in Harwich as well. She believes that everyone has the same concerns and the same intentions.

Finance Committee Chair Jon Chorey was present and asked if the Finance Committee should be endorsing this as well. Mr. MacAskill responded that it would not need to be a joint meeting if they chose to endorse.

Mark Kelleher was present and stated that this budget is the biggest expense for the town. He suggested that the school committee try to make more of an appearance to keep pace on next steps.

E. Discussion and possible vote – on all Articles in the draft Warrant as well as prospective Articles for 2022 Annual Town Meeting:

1. Vote to place Articles on Warrant

With respect to the Town Clerk salary, Mr. Howell commented that none of the people who have pulled papers seem like mastered clerks. He wondered if the pay scale should read “up to a certain amount”. Mr. Powers stated that in the past, the town has referred to the Town Clerk as an elected position who is allowed to draw a salary. The retired Town Clerk had worked through the equivalency of the 10 steps and had been placed at the top step for the last 3 years. His understanding is an effort in setting the salary is for it to have the equivalent of M5 in the bylaw.

Mr. MacAskill added that the amount can be amended at Town Meeting.

Ms. Kavanagh wondered if it would be easier to do a salary range.

Mr. Powers went on to say that the Town Clerk coming in could be started at the equivalent of the first step. Mr. Ballantine asked if we would be bound to this number. Mr. Powers stated that technically we would not be bound. Town Meeting would vote to establish a salary for elected officials.

Ms. Anderson moved to accept and adopt the warrant article for elected official salaries, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the warrant article for Water Department budget in the amount of \$4,255,954, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Finance Committee Chair Jon Chorey was present and commented that the Finance Committee has to vote tomorrow night and Thursday night on the articles. He noted that we are on the 4th revision of the warrant and that the 3 prior revisions had at least 2 of the fulltime positions in them, one for the Cultural Center and one for the Housing Advocate. These 2 positions have been removed from the 4th version. Speaking as a resident, he would like the positions back in so the residents can see what is being proposed. Mr. Chorey would like full transparency in the warrant.

Ms. Anderson moved to accept and adopt the warrant article for Waste Water Department budget in the amount of \$2,357,019, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. MacAskill asked where the leftover money from last year’s wastewater budget is. Mr. Powers responded that Mr. MacAskill is referring to the undesignated returned earnings that were approved last year when the town had free cash approved. The Waste Water Superintendent believes that we could rely on \$200,000 of that and it would be reflected in the overall motion for the article.

Finance Director Carol Coppola was present and stated that Harwich had 2 enterprise funds one for water and one for waste water. She would feel comfortable with the \$200,000 number from the superintendent.

Ms. Anderson moved to place the article to fund the negotiated contract for Harwich Employees Association in the estimated amount of \$139,776 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the negotiated contract for Harwich Employees Association in the estimated amount of \$139,776, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article to fund the negotiated contract for Highways and Maintenance Employee Association in the estimated amount of \$48,880 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the negotiated contract with the Highways and Maintenance Employee Association in the estimated amount of \$48,880, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for lease purchase agreements on the warrant, 2nd by Mr. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the lease purchase agreements article, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for Public, Education & Government (PEG) Access and Cable related fund for public access on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for Public, Education & Government (PEG) Access and Cable related fund for hearing room and studio improvements, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Channel 18 Manager Jamie Goodwin was present and stated that there should only be one article for PEG.

Ms. Anderson moved to withdraw her motion to place the article for Public, Education and Government (PEG) access and cable related fund for public access, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for Community Center Green Community Utilities on the warrant in the estimated amount of \$298,540, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for Community Center Green Community Utilities in the estimated amount of \$298,540, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for stormwater EPA MS4 compliance in the estimated amount of \$100,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with

Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the stormwater EPA MS4 compliance article in the estimated amount of \$100,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for replacement of bullet resistant vests in the amount of \$49,200 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the replacement of bullet resistant vests in the estimated amount of \$49,200, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for dispatch center battery backup uninterrupted power supply battery replacement in the estimated amount of \$14,137.50 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for dispatch center battery backup uninterrupted power supply battery replacement in the estimated amount of \$14,137.50, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for new voting tabulator equipment in the estimated amount of \$75,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the new voting tabulator equipment article in the estimated amount of \$75,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the Water Department FY23 water main design in the estimated amount of \$300,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the Water Department FY23 water main design article in the estimated amount of \$300,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article to purchase and equip vehicles for the Police Department in the estimated amount of \$157,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Police Chief David Guillemette and the Board had a brief conversation on capital expenses.

Ms. Anderson moved to accept and adopt the article to purchase and equip vehicles for the Police Department in the estimated amount of \$157,000, 2nd by Mr. Howell. The vote was 5-

0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article for FY23 vehicle replacement for the Water Department in the estimated amount of \$90,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for FY23 vehicle replacement for the Water Department in the estimated amount of \$90,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the funding of snow and ice deficit in the estimated amount of \$400,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. Powers stated that the DPW Director has updated the estimate last week to \$266,337. The question is if we want to vote that or a higher number. Ms. Coppola added that she has spoken with the DPW Director and that they are still waiting on some invoices to be paid.

Ms. Anderson moved to accept and adopt the funding of snow and ice deficit in the estimated amount of \$400,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to place the article to fund the FY23 road maintenance program in the estimated amount of \$700,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the FY23 road maintenance program in the estimated amount of \$700,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the Community Preservation Act Land Bank Debt Service article in the estimated amount of \$221,525, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the Community Preservation Act Administrative Expenses article in the estimated amount of \$60,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the Community Preservation Act East Harwich Union Cemetery Gravestone Preservation Project article in the estimated amount of \$118,800, 2nd by Ms. Kavanagh. The vote was 4-0-1 with Mr. MacAskill, Ms. Kavanagh, Mr. Ballantine and Ms. Anderson voting aye and Mr. Howell abstaining by roll call.

Ms. Anderson moved to accept and adopt the Community Preservation Act Part-Time Housing Coordinator article in the estimated amount of \$50,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. Howells stated that there was a housing trust meeting this afternoon. Should the hiring of the other position occur at Town Meeting, we could always return these funds.

Ms. Anderson moved to accept and adopt the Community Preservation Act Affordable Housing Trust article in estimated amount of \$500,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the Community Preservation Act Phase 2 of the Natural Heritage Trail Boardwalk project article in the amount estimated amount of \$75,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Mr. Ballantine stated that he has trouble supporting the Penrose LLC/Cape Cod 5 Housing Project because Harwich has so many needs of our own. He asked if Harwich would receive a % of the housing and any guidelines on how this housing would be used. Mr. MacAskill agreed.

Ms. Kavanagh stated that she doesn't have all of the details and suggested that the project may need to be vetted further. She added that we know that housing is both a local and regional problem and that any housing that we can get for anyone is important.

Ms. Anderson said that she is in favor of this request, agreeing that housing is a regional problem. She trusts that the CPC vetted this request and that they say they have enough funds to support the request.

Mr. Howell said that he is not sure how he will vote but that he has spoken with Senator Cyr about trying to get communities some statistical benefit towards their housing percentage goal.

Ms. Anderson moved to accept and adopt the Community Preservation Act Penrose LLC/Cape Cod 5 Housing Project article in the estimated amount of \$100,000, 2nd by Mr. Ballantine. The vote was 4-0-1 with Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye and Mr. MacAskill voting nay by roll call.

Mr. Chorey feels that this project is a good approach for a regional solution for housing. He added that the first batch of affordable units would go to Orleans residents. If they are not filled in the first round, there will be a lottery system for the other units. This project would not count towards Harwich's affordable housing percentage.

Ms. Anderson moved to accept and adopt the Community Preservation Act Pickleball/Basketball project at Brooks Park article in the estimated amount of \$245,000, 2nd by Mr. Ballantine. The vote was 4-0-1 with Mr. MacAskill, Ms. Kavanagh, Ms. Anderson and Mr. Ballantine voting aye and Mr. Howell abstaining by roll call.

Ms. Anderson moved to accept and adopt the Community Preservation Act Purchase Conservation Restriction at the Spruce Woods Project article in the estimated amount of \$950,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

Ms. Anderson moved to accept and adopt the article to change Selectmen to Select Board, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Mr. Howell & Ms. Anderson voting aye by roll call.

With respect to the article to amend the Code of the Harwich General Bylaws-Chapter 8 Department Revolving Funds §8-1 Funds Established, Mr. Howell stated that he would not vote for this under there are some fundamental changes.

Mr. Powers walked the Board through the proposed changes as outlined in the packet.

Ms. Anderson asked if the revolving funds could typically be used for cemetery part-time staff. Mr. Powers responded that we do use it generally, but if the funds are not there, you can't use them. It is not wrong to have the fund listed in the warrant.

Mr. Ballantine asked for Mr. Powers to comment on the various changes under authorization to spend the fund. Mr. Powers responded that the designee could be any department head. He is not looking to take on more work, but it looking to make the bylaw more sustainable. Financial reports would be don't quarterly.

Cemetery Administrator Robbin Kelley was present and commented that her commission would be the designee and not herself. She asked that the wording for cemetery be changed to designees. Ms. Kelly commented that she has to seek permission for spend from her commission.

The Board had a discussion on the part-time cemetery administrator position and the options available.

Ms. Anderson moved to place the article to Amend the Code of Harwich General By-Laws-Chapter 8 Department Revolving Funds §8-1 Funds Established on the warrant, 2nd by Ms. Kavanagh. The vote was 4-1-0 with Mr. MacAskill, Mr. Ballantine, Ms. Anderson and Ms. Kavanagh voting aye and Mr. Howell voting nay by roll call.

Ms. Anderson moved to accept and adopt the article to Amend the Code of Harwich General By-Laws-Chapter 8 Department Revolving Funds §8-1 Funds Established on the warrant, 2nd by Ms. Kavanagh. The vote was 4-1-0 with Mr. MacAskill, Mr. Ballantine, Ms. Anderson and Ms. Kavanagh voting aye and Mr. Howell voting nay by roll call.

Ms. Anderson moved to place the article for Annual Departmental Revolving Funds Authorization on the warrant, 2nd by Ms. Kavanagh.

Mr. Howell stated that we are well in excess of 1 million and that number increases each year. There has to be a way to put revolving funds back into a regular budget.

Ms. Anderson suggested having this discussion in July.

Mr. Powers noted Scribner's errors in the document and added that there are no increases from prior years.

Mr. Ballantine asked for clarification on the Cultural Center amount in the revolving fund, noting that he would follow up with his questions in an email.

Mr. MacAskill commented that the Board has had these discussions and nothing was brought forward.

Ms. Anderson moved to place the article for Annual Departmental Revolving Funds Authorization on the warrant, 2nd by Ms. Kavanagh. The vote was 4-1-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh and Ms. Anderson voting aye and Mr. Howell nay by roll call.

Ms. Anderson moved to accept and place the article for Annual Departmental Revolving Funds Authorization on the warrant, 2nd by Ms. Kavanagh. The vote was 4-1-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh and Ms. Anderson voting aye and Mr. Howell nay by roll call.

Ms. Anderson moved to place the article to adopt M.G.L. Chapter 200A, §9A Disposition of Unclaimed Property on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Mr. Powers provided a brief explanation on the article. Ms. Coppola explained that this is for when we have vendor or payroll checks that are unclaimed or uncashed. We have a procedure that the town will contact the individual and that right now we have to hold the funds in a separate account. We hold the funds for a year and then re-issue payment and contact the person. If the town votes this, it would save time and effort.

Ms. Anderson moved to accept and adopt the article of M.G.L. Chapter 200A, §9A Disposition of Unclaimed Property on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to place the article to adopt M.G.L., Chapter 59, §5, Clause 56 Assessment of Local Taxes-Property; Exemptions in the estimated amount of \$10,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article of M.G.L., Chapter 59, §5, Clause 56 Assessment of Local Taxes-Property; Exemptions in the estimated amount of \$10,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to place the article to adopt M.G.L. Chapter 59, §5, Clause 5N- Senior Citizen and Veteran Property Tax Work Off Abatement Programs in the estimated amount of \$30,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article of M.G.L. Chapter 59, §5, Clause 5N- Senior Citizen and Veteran Property Tax Work Off Abatement Programs in the estimated amount of \$30,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Mr. Powers stated that the article for disposition of properties to fund parcels unknown is an ongoing discussion. The article as presented was written by counsel. Mr. MacAskill commented that this article is to try and get to some more for the town to pay for tax title surveys, escrow money, attorneys to research taxes due. The properties would be sold and the money used for research. Mr. Powers stated that counsel feels that this is a mechanism that they know has survived challenge.

Mr. Howell commented that we need to make sure that everyone is in favor of this article.

Ms. Anderson asked if there is a list of properties that could be added. Mr. Powers responded that the last list that the Assessor ran was a year ago and it has 510 parcels. We could work from that list and try to identify some of the bigger ticket items if possible.

Ms. Kavanagh asked if our Town Planner has been involved in trying to figure out the number of owner's unknown properties. Mr. Powers responded that the Town Planner has not been involved in this process or article.

Mr. Ballantine would like to see this move forward quickly.

Mr. MacAskill asked if it is too late to create another warrant article with a dollar amount. He also suggested that we have a standalone article for this, adding that if we go to Town Meeting and ask for nothing, we won't get anywhere. Mr. Powers responded that he could work with counsel to try and refine this.

Ms. Anderson moved to place the article for disposition of properties to fund parcels unknown on the warrant, 2nd by Ms. Kavanagh. The vote was 4-0-1 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh & Ms. Anderson voting aye and Mr. Howell abstaining by roll call.

Ms. Anderson moved to accept and adopt the article to fund prior year's unpaid bills in the estimated amount of \$5,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article to promote the Town of Harwich in the amount of \$30,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Mr. Howell commented that at some point and time, this number will have to move. The promotion of Harwich is a bigger deal than it was 10 years ago.

Ms. Anderson moved to accept and adopt the article for supplemental annual allocation of Mass cultural council for local cultural council grants in the amount of \$3,600, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article to amend M.G.L. governing the dispersals of school choice funds, 2nd by Mr. Howell. The vote was 3-2-0 with Mr. MacAskill, Mr. Ballantine & Mr. Howell voting aye and Ms. Anderson & Ms. Kavanagh voting nay by roll call.

Ms. Anderson moved to place the article to amend Chapter 189 Noise on the warrant, 2nd by Mr. Howell. The vote was 4-0-0 with Ms. Kavanagh, Mr. Ballantine, Ms. Anderson & Mr. Howell voting aye by roll call. (Mr. MacAskill had left the room and was not present for the vote)

Ms. Anderson commented that we are not exempting anyone from the noise bylaws. We will be using the liquor regulations instead of the noise bylaw for the licensed establishments.

Ms. Anderson moved to accept and adopt the article to amend Chapter 189 Noise, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Coppola reviewed the existing ARPA fund balances. One funding source for the proposed golf vehicles is the ARPA fund.

Mr. Howell talked about the tremendous advantage of having Office 365. He mentioned that it is a subscription service that will need to be renewed every year.

Ms. Anderson moved to place the article for the golf feasibility study in the estimated amount of \$35,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the golf feasibility study in the estimated amount of \$35,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to place the article for the vehicles of DPW in the estimated amount of \$298,450 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for vehicles of DPW with an estimated amount of \$298,450, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to place the article for fire vehicles with in the estimated amount of \$130,000 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for fire vehicles in the estimated amount of \$130,000, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Fire Chief Dave LeBlanc was present and briefly reviewed the mini pumper request.

Ms. Anderson moved to place the article for mini pumper in the estimated amount of \$22,500 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for mini pumper in the estimated amount of \$22,500, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Conservation Agent Amy Usowski was present remotely and stated that the Conservation Commission is meeting this week to formally vote on this change. She will get a copy of the formal vote to Mr. Powers.

Ms. Anderson moved to place the article for Harwich Water Dependent Structures Bylaw on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the article for Harwich Water Dependent Structures Bylaw, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Mr. MacAskill requested to go back to the capital budget and to talk about the \$750,000 that was taken out of free cash and is now in the operating budget. Mr. Powers reviewed what has been Board of Selectmen

added and removed with a sum total of all votes being \$2,379,279 with an anticipated \$696,932 ending in free cash.

Mr. Powers stated that there is \$250,000 for OPEB in the operating budget. There is nothing dedicated in the stabilization fund for this year. Mr. MacAskill asked if there are any reasonable reductions that can be made with money in the operating budget.

Ms. Coppola stated that the town's operating budget is balanced and that she does not see any changes that the Selectmen need to make for a one time influx of free cash into the operating budget.

Mr. Howell moved for reconsideration of the prior vote, 2nd by Mr. MacAskill. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Carolyn Carey was present and reviewed the request of \$4,800 that they are making for programming at the Community Center.

Mr. Howell moved to authorize \$4,800 for the Communities Center activities fund, 2nd by Ms. Kavanagh. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to place the article to adopt the FY23 Capital Budget in the amount of \$3,281,298 on the warrant, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Ms. Anderson moved to accept and adopt the FY23 Capital Budget in the amount of \$3,281,298, 2nd by Mr. Howell. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Mr. MacAskill commented that the new positions for the cultural director and housing advocate should be standalone articles. The other positions are the upgrade in the COA programs director and health inspector are not new positions.

Mr. Ballantine stated that at one time, the Board decided to have full time positions on as a warrant article. He hopes to continue that.

The Board and Mr. Powers discussed the process of standalone articles.

2. Vote to withdraw Articles from draft Warrant
3. Recommendation votes including, but not limited to, vote to recommend, accept and adopt or any other action

TOWN ADMINISTRATOR'S REPORT

No Town Administrator's report was given.

SELECTMEN'S REPORT

Ms. Kavanagh commented on a job well done at this year's polar plunge.

CORRESPONDENCE

ADJOURNMENT

Mr. Howell moved to adjourn the meeting, 2nd by Ms. Anderson. The vote was 5-0-0 with Mr. MacAskill, Mr. Ballantine, Ms. Kavanagh, Ms. Anderson and Mr. Howell voting aye by roll call.

Respectfully submitted,
Jennifer Clarke
Recording Secretary

DRAFT

NEW BUSINESS

Harwich Recreation & Youth Department Park, Beach & Commission

100 Oak Street, Harwich MA 02645



To: Harwich Board of Selectmen, Town Administrator; Joseph Powers
From: Harwich Recreation and Youth Commission, Recreation Director; Eric Beebe
Date: 5-6-22
Re: Beach and Beach Parking Lots Closing Time

The Harwich Recreation and Youth Commission held a public hearing on Tuesday March 29th regarding the hours for Town Public Beaches and Beach Parking lots.

At the meeting the Commission received input from the public, neighbors to public beaches, and the Harwich Police Department on their recommendations to the matter.

The Recreation and Youth Commission voted unanimously to change the beach and parking lot closing hours to 10pm-6am for all Town of Harwich public beaches and parking lots. This would amend the prior regulation of Midnight-6am.

This is an effort to curb late night vandalism, loitering etc. at the public town beaches. This proposed amendment was endorsed by the Chief of Police and the public who attended the public hearing.

Thank you for your attention to this matter,

Eric Beebe

Director-Harwich Recreation Department

100 Oak Street

Harwich, MA 02645

Fax 508-430-7579

Director:

Executive Assistant:

Recreation Program Specialist II:

Eric J. Beebe 508-430-7552

Lee A. Ames 508-430-7553

Susan H. Fraser 508-430-7554

eebeebe@town.harwich.ma.us

leeames@town.harwich.ma.us

sfraser@town.harwich.ma.us

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039

Joseph F. Powers, *Town Administrator*
Meggan Eldredge, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA 02645



MEMO

TO: Board of Selectmen

FROM: Danielle Delaney, Executive Assistant – Licensing

CC: Joseph F. Powers, Town Administrator
Meggan M. Eldredge, Assistant Town Administrator

RE: Transient Vendor Application

DATE: May 13, 2022

Andale on Wheels is a mobile food truck that will operate at private events and will also park at 809 Route 28 once final inspections have taken place.

All necessary departments have signed off on this application.



OFFICE OF THE SELECTMEN
732 MAIN STREET
HARWICH, MA 02645
508-430-7513

APPLICATION FOR: Junk Dealer (\$35) Hawkers & Peddlers (\$60)
 Junk Collector (\$35) Transient Vendor (\$250)

Fee: \$ New application Renewal

In accordance with the provisions of the Statute relating thereto, application for the above-referenced is hereby made by:

Business Name Andale on Wheels
Business Address _____

Mailing Address _____

Email Address andaleonwheelsfoodtruck@gmail.com

Name of Owner Kendra Sarabia

(If corporation or partnership, list name, title and address of officers)

Note: Application for Transient Vendors License will be processed only to those persons who hold a Transient Vendor's License issued by the Commonwealth pursuant to the General Laws, Chapter 101, Section 3. The fee for such license shall be \$250.00, which shall be paid in cash, bank, certified check or postal money order and shall accompany the application.

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

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 under law.

Kendra Sarabia _____ 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 and found to be in compliance with applicable local codes and regulations, including zoning ordinances, health regulations and building and fire codes.

[Signature] Building Commissioner [Signature] O'Neill * Board of Health [Signature] Fire Department

I have no knowledge of any applicable violations
Required signatures to be obtained by the applicant prior to submission of new applications.

* Not to be located at 809 Route 28 until final inspections are approved



OFFICE OF THE SELECTMEN
732 MAIN STREET
HARWICH, MA 02645
508-430-7513

APPLICATION FOR A SPECIAL PERMIT

- One day Entertainment (\$25)
- One day Liquor License – All Alcohol (\$50)
- One day Liquor License – Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) _____

Applicants Name Harwich Chamber of Commerce Phone 508-430-1165

Mailing Address 1 Schoolhouse Road Harwich Port, MA 02645

Owners Name & Address Cyndi Williams - same as above

Email Address Cyndi@harwichcc.com

REQUIRED FOR ONE DAY ENTERTAINMENT – PLEASE PRINT

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment
wednesday nights - 5pm - 8pm July & August
- Location of entertainment (Inside and/or outside)
Rt. 28 various Chamber member businesses
- Address where entertainment will be playing

** Police Details hired by Harwich Chamber*

REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)

Concert Dance Exhibition Cabaret Public Show Other

Dancing by Patrons

Dancing by Entertainers or Performers

Recorded or Live Music

Use of Amplification System

Theatrical Exhibit, Play or Moving Picture Show

A Floor Show of Any Description

A Light Show of Any Description

*Summer - Wednesday
July & August
Port Summer Nights
5pm - 8pm*

REQUIRED FOR ROAD RACE/CRAFT FAIR/ANY OTHER EVENT

Address of Event _____

Date & Time _____

Route/Location for Road Race _____

Provide any additional information necessary for the Board of Selectmen _____

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

Cyndi Williams - Executive Director _____
Signature of applicant & title Federal I.D. # _____

Signature of individual or corporate name Federal I.D. # _____

Signature of Manager Federal I.D. # _____

Signature of Partner Federal I.D. # _____

REGULATORY COMPLIANCE FORM

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

N/A _____
Building Commissioner

Matthew O'Neil _____
Board of Health

[Signature] _____
Fire Department

[Signature] _____
Police Department

[Signature] _____
Recreation Department

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

Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law



OFFICE OF THE SELECTMEN
732 MAIN STREET
HARWICH, MA 02645
508-430-7513

APPLICATION FOR A SPECIAL PERMIT

- One day Entertainment (\$25)
- One day Liquor License - All Alcohol (\$50)
- One day Liquor License - Wines & Malt (\$50)
- Craft Fair (\$50)
- Event (\$25)
- Road Race (\$50)
- Other (please specify) _____

Applicants Name HCC Charitable Foundation Phone 508-430-1165

Mailing Address 1 Schoolhouse Road Harwich Port, MA 02646

Owners Name & Address Cyndie Williams - 1 Schoolhouse Road Harwich Port, MA

Email Address cyndie@harwichcc.com

REQUIRED FOR ONE DAY ENTERTAINMENT - PLEASE PRINT

- The date & time (I.E. 4 P.M. to 10 P.M.) you are requesting to have entertainment
Saturday - June 25, 2022 * music 12noon-2pm.
- Location of entertainment (Inside and/or outside)
Starts & ends - 1 Schoolhouse Road * Police Detail hired by Harwich Chamber
- Address where entertainment will be playing
After Awards Party - at Harwich Chamber & Mad Minnow
* music hired by Harwich Chamber Charitable Foundation

REQUIRED FOR ONE DAY ENTERTAINMENT - ENTERTAINMENT TYPE: (Check all appropriate boxes)

Concert Dance Exhibition Cabaret Public Show Other

Dancing by Patrons

Dancing by Entertainers or Performers

Recorded or Live Music

Use of Amplification System

Theatrical Exhibit, Play or Moving Picture Show

A Floor Show of Any Description

A Light Show of Any Description

REQUIRED FOR ROAD RACE/CRAFT FAIR/ANY OTHER EVENT

Address of Event 1 Schoolhouse Road - Harwich Port

Date & Time Saturday - June 25, 2022 Race 9-2pm (includes after party.)

Route/Location for Road Race See attached

Provide any additional information necessary for the Board of Selectmen *Annual Road Race money raised for scholarships & grants for the health & wellness of Harwich youth.

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

Carol Williams - Executive Director

Signature of applicant & title

Federal I.D. #

Signature of individual or corporate name

Federal I.D. #

Signature of Manager

Federal I.D. #

Signature of Partner

Federal I.D. #

REGULATORY COMPLIANCE FORM

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

N/A
Building Commissioner

Matthew ONeill
Board of Health

[Signature]
Fire Department

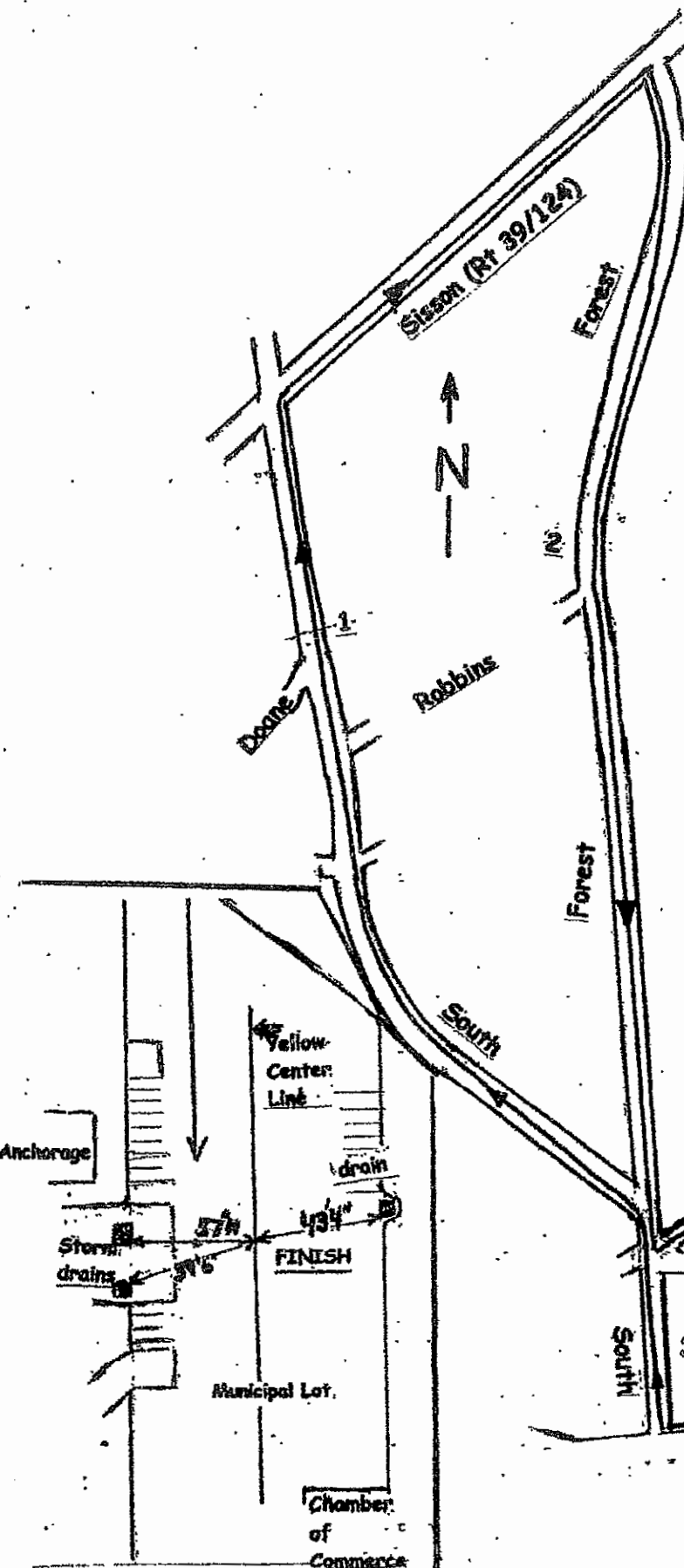
[Signature]
Police Department

[Signature]
Recreation Department

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

Please note: This permit does not exempt the applicant from the Town of Harwich Chapter 189 Noise by-law

Harwich Road Race 5K Harwich Port MA



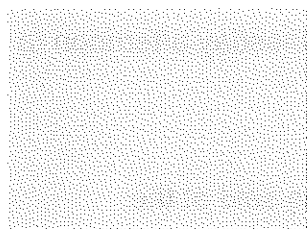
Start: Schoolhouse Road-municipal parking lot-left on easement straight across on South
 Bear Left on South at junction with Forest
 1 Mile: Past 163 Doane Rd, 4' before first guardrail post on right 32' past pole 26-28.
 Continue on South
 Right (E) on Sisson (Rts 39/124) Right (S) on Forest
 2 Mile: Before Robbins, tan flat topped building with no visible number 2nd driveway, 22'6" north before pole 53/19
 Continue on Forest, merge with South
 Hard Left on Miles, Right on Cross, Right on Pleasant
 3 Mile: Between 28 (on left) & 29 (right) Pleasant 7' before pole 14 on Right
 Left on Schoohouse into municipal lot
 Finish: Opposite driveway to Anchorage between storm drains at Anchorage driveway measurements run from opposing corners of drain to center

https://www.cape-news.net/regional_news/delegates-make-deep-cuts-to-county-s-proposed-budget/article_8e5447ef-c242-5e6d-9a81-f664136bb2a0.html

Delegates Make Deep Cuts To County's Proposed Budget

By TAO WOOLFE

May 6, 2022



[Home](#) / [Regional News](#)

The Barnstable County Assembly of Delegates this week voted to cut almost \$1 million from the proposed "bloated" county budget.

The assembly's unanimous vote trimmed mostly salary and benefit increases from the county's proposed \$22.2 million budget at a meeting on Wednesday, May 4. The cuts marked the culmination of weeks of work by the assembly's finance committee.

"There is no question that Barnstable County provides vital services to people on the Cape, however, the proposed operating budget is 11 percent higher than the Fiscal Year 22 budget," said Deputy Speaker Mary Chaffee, of Brewster.

Ms. Chaffee and other members of the assembly said such a level of increase in the past had resulted in an economic crisis for the county that must not be repeated.

"The county just added staff and grew, and grew, and crashed," Ms. Chaffee said, adding that this year the county is in a similar situation. "Don't spend our way into another mess."

In all, the assembly voted to cut \$909,525 from the budget presented by County Administrator Elizabeth Albert. The cuts, if passed, would bring the coming year's budget increase from 11 percent down to 6.5 percent, according to the assembly's calculations.

This was the first budget presented by Ms. Albert, who began her job in March of last year.

The Barnstable County Board of Regional Commissioners approved the \$22.2 million budget on March 3 and sent it to the assembly. The assembly's finance committee spent 20 to 30 hours interviewing county staff and department heads about the increases over the ensuing weeks.

Sheila Lyons, chairman of the county commission, asked the assembly on Wednesday afternoon to pass the budget as presented.

"It's a good budget and we should pass it with enthusiasm and pride," Ms. Lyons said at the beginning of the assembly's meeting. "The increases are long overdue."

The assembly specifically slashed salaries and benefits for staff in the county commission; legal services; the center for public safety training; the resource development office; the information technology and finance departments; and miscellaneous legal and contractual expenses.

"We cannot bloat the budget by this much," said Harwich Delegate Elizabeth Harder. She said the assembly had been misled earlier in the year by the administration about employee expenses.

Falmouth delegate Daniel Gessen was among the assembly members who cautioned against spending freely at a time when the economy is contracting.

"Interest rates are going up and we are not going to have another housing market like we did this year," Mr. Gessen said. "Difficult decisions must be made."

Sandwich delegate James Killion said in an interview after the meeting that the finance committee did not find, during its interviews with county staff, that the increases were justified.

"We kept hearing that the staff was overwhelmed and overworked, but that's true of anyone who had a job during the pandemic," he said. "We just felt that the budget was unsustainable."

Mr. Killion said the assembly's paring of the budget was unusual but not unprecedented.

"I remember six or seven years ago the assembly proposed cuts of \$750,000," he said, adding that the assembly was trying at the time to steer the county out of financial trouble.

This year the assembly is trying to keep the county from repeating the same mistakes, Mr. Killion said.

According to the county charter, the budget must now be sent back to the county commission. If the commission disagrees with the assembly's revisions, it can establish a reconciliation committee of three assembly delegates and one county commissioner who will work towards a compromise.

If no compromise can be reached, the county commission must vote to accept or veto the budget. If vetoed by the county commission, the budget would then be returned to the assembly of delegates, which could override the veto by a two-thirds majority vote.

The budget must be approved, one way or the other, by June 1.

OLD BUSINESS

OFFICE OF THE TOWN ADMINISTRATOR

Joseph F. Powers, *Town Administrator*
Meggan M. Eldredge, *Assistant Town Administrator*

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA



MEMO

TO: Board of Selectmen

FROM: Joseph F. Powers, *Town Administrator*

CC: Meggan M. Eldredge, *Assistant Town Administrator*

RE: Barnstable County ARPA Portal application process and funding

DATE: May 11, 2022

This memorandum corresponds to the Board's agenda item A under Old Business regarding an update on the Barnstable County ARPA Portal.

As of this writing, the County's ARPA Portal is expected to go live on Thursday, May 12, 2022. As you will see on the accompanying table, the County Commissioners set aside \$10,000,000 of the \$41.3M for towns to apply with the allocations set in the table. The allocation set aside for Harwich is \$616,255.31. These funds are in addition to the town's direct ARPA funds which will total \$1,270,886 once the second and final tranche is deposited next month as expected. As you will recall, the Board voted to expend \$1,258,723 over the next four fiscal years.

The County has identified the following as acceptable Eligible Use Categories for which the town may seek funding approval:

- Water and Sewer Infrastructure
- Broadband Infrastructure
- Address Negative Economic Impacts (eligible uses pertaining to housing are here)
- Support the Public Health Response

I have had ongoing discussions with the Water/Wastewater Superintendent on potential projects which could be funded through the funds herein as it is my understanding that similar type projects are expected to gain full approval via the County's evaluative process.

I will continue to provide updates as the information becomes available.

Thank you for your attention to this matter.