

APPROVED
RELEASED

**MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, DECEMBER 8, 2025
5:15 P.M.**

RECEIVED
TOWN CLERK
HARWICH, MA
2025 DEC 17 A 11:14

MEMBERS PARTICIPATING: Chair Donald Howell, Vice Chair Peter Piekarski, Clerk Mark Kelleher, Member Jeffrey Handler & Member Anita Doucette

ALSO PARTICIPATING: Acting Town Administrator Tony Schiavi & Executive Assistant Jennifer Clarke

CALL TO ORDER IN OPEN SESSION

Mr. Kelleher moved that the Select Board enter into Executive Session to discuss the items as outlined below, 2nd by Mr. Handler. The vote was 5-0-0 with Mr. Howell, Mr. Piekarski, Mr. Handler, Mr. Kelleher & Ms. Doucette all voting aye by roll call

EXECUTIVE SESSION

- A. Pursuant to MGL c.30A, §21 (a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; SEIU 888 – Service Employees International Union/Harwich Management Employees Association and HEA - Harwich Employees Association
- B. 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: Fire Chief – David LeBlanc
- C. Pursuant to G.L. c. 30A, § 21(a)(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; Assessor's Map 82, Parcel R5
- D. Pursuant to MGL c. 30A §21(a)(7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, the Open Meeting Law, MGL c. 30A §§ 22(f), (g) to review, approve and or discuss the possible release of executive session meeting minutes dated November 3, 2025, November 10, 2025, November 17, 2025 & November 24, 2025

Open Session Meeting resumes no earlier than 6:15 p.m.

Mr. Howell announced that in executive session, the Select Board reviewed and approved all the minutes as listed on the agenda. They were not voted to be released.

PLEDGE OF ALLEGIANCE

Mr. Howell invited everyone to join in the Pledge of Allegiance.

STAFF COMMENTS/ANNOUNCEMENTS

A. Holiday Schedule for all Town Offices:

- Wednesday, December 24th, closing at 12:00 p.m.
- Thursday, December 25th closed
- Friday, December 26th closed
- Wednesday, December 31st, closing at 12:00 p.m.
- Thursday, January 1st closed
- Friday, January 2nd closed

Mr. Schiavi announced the holiday scheduled as outlined above.

Mr. Handler congratulated the Cape Cod Regional Technical High School on their state vocational championship win.

Mr. Handler read the list of existing board and committee vacancies.

Fire Captain Brad Willis was present to talk about the 24th annual Homeless for the Holidays event that was held at Brooks Park. They collected 860 toys, \$9500 in cash and gift cards and 1600 lbs. of non-perishable food items. Captain Willis thanked everyone for this support. The Select Board expressed their gratitude to everyone who puts in the work for these events.

WEEKLY BRIEFING

Mr. Schiavi reviewed the Phase 3 sewer updates as outlined in the packet. He mentioned that a pipe in Phase 2 of the project has been discovered to have the wrong pitch. The contractor from Phase 2 will be coming back during the week of New Years to dig up the pipe and set it at the correct pitch.

The first site visit with the designer architect firm for Brooks Academy Museum was held on December 5th. They are now beginning to develop their specifications and design for the project and we hope to have an updated schedule in the next couple of weeks. The original bid had a completion date with construction ending in 2026. Mr. Schiavi will provide additional information as it becomes available.

PUBLIC COMMENTS/ANNOUNCEMENTS

Brett Fortin was present and expressed his gratitude to the Monomoy Regional School Committee and the Superintendent Screening Committee for their diligence in selecting Monomoy's next Superintendent. There are 3 finalists that will be announced on December 11th. The public is invited to meet the finalists on December 15th where candidate # 1 will be available at 6:00 p.m. and candidate # 2 will be available at 7:00 p.m. Candidate # 3 will be available on

December 16th at 6:00 p.m. Students will have meet and greets during their school day. Input from the public, students and staff will be invaluable as the finalists will be discussed on December 17th.

Patrick Otton was present and wanted to comment on housing. He feels that the housing resources in Harwich are skewed strongly to one side. Harwich has many boards and committees that are working on attaining affordable housing. He agreed that it needs to be done, but needs to be done in the right spot, the right size and the right building while maintaining village character and protecting wildlife. He suggested that a change to our zoning requirements would make this task more feasible.

CONSENT AGENDA

- A. Approve the resignation of Paul Mann on the Historic District and Historical Commission effective immediately
- B. Approve the resignation of Charley Walkley on the Bikeways Committee effective immediately

Mr. Kelleher moved to accept the resignation of Paul Mann on the Historic District and Historical Commission and Charley Walkley on the Bikeways Committee effective immediately, 2nd by Mr. Handler and approved 5-0-0.

- C. Vote to affirm the Harwich Hall of Fame nominees as recommended by the Interview Committee:
 - Peter Hughes
 - Paul Doane

Mr. Howell spoke briefly about the Hall of Fame nomination process.

Mr. Handler thanked Marjorie Paist for bringing forward a remarkable story highlighting Grace Ann Filliman and her contributions to Harwich.

Mr. Kelleher moved to affirm the Harwich Hall of Fame nominees as recommended by the Interview Committee and listed above, 2nd by Ms. Doucette and approved 5-0-0.

- D. Approve Select Board Meeting Minutes from November 24, 2025

Mr. Kelleher moved to approve the Select Board Meeting Minutes from November 24, 2025 as presented, 2nd by Mr. Handler and approved 5-0-0.

PUBLIC HEARING

- A. Building Department fee increases as recommended by the Building Commissioner

Mr. Piekarski read the public hearing notice.

Mr. Handler moved to open the public hearing, 2nd by Mr. Piekarski and approved 5-0-0.

Building Commissioner Eleanor MacKay was present and talked about how many steps are involved in processing a building permit and which department does reviews. Ms. MacKay said that in July 2025, new building codes came into effect and the department has come to realize that the current requirements require a greater level of detail and as a result, the current fee schedule has become outdated. The proposed building permit fee is 1.2% of construction costs. Ms. MacKay is asking that the Select Board authorize the restructuring of the building department fees. Many municipalities are moving towards this fee structure, and it is a fairer and more equitable. Mr. Howell noted that at no point can any fees exceed the cost of the actual work being done. The town is not trying to make a profit off anything, simply trying to reflect actual usage.

No public comment was heard.

Mr. Piekarski moved to close the public hearing, 2nd by Mr. Handler and approved 5-0-0.

Mr. Piekarski agreed that the rates that we are charging today are not adequate and sufficient to support the towns costs. At first, he struggled with the \$12 per \$1000 ratio, but after discussions with staff and builders, he will support this request to increase fees.

Ms. Doucette asked when the last time these fees were reviewed. Ms. MacKay responded back in 2019.

Mr. Kelleher commented that he also spoke with some builders and added that he appreciated the letter from former Building Commissioner Jack Mee. He asked if the electrical and plumbing permits would be increased as well. Ms. MacKay responded that they would be increased from \$60 to \$75 for a typical inspection.

Mr. Handler also spoke with other towns and many other builders and while he supports this concept, he has a hard time with the concept of charging a homeowner this significant amount of a jump for things that the town doesn't really have inspection privileges over. Ms. MacKay responded that they are seeing specialized laundry and dog washing areas and seeing luxury items in homes, as well as many regular homes. If a customer wants a more luxury item, that will be reflected in the fee.

Mr. Handler noted that most projects run 20-30% over and asked how overages would be handled. Ms. MacKay responded that they want the fee to be reflective of common building practices. At the beginning of the project, the applicant would submit a signed contract to determine what the fee would be. If the fee was determined to be low, the town could circle back to the applicant and try and get a fair determination of fees. She added that the only time she could see going back to the applicant would be if they were changing their building permit.

Mr. Handler asked what the provision for handling non-profits would be. Ms. MacKay responded that for a non-profit, the applicant would reach out to the building department with their non-profit status and request for a waiver, which the building department would then bring before the Select Board for a fee waiver consideration. Mr. Handler asked what would happen if a for profit developer is doing an affordable housing project in Harwich. Ms. MacKay responded that they would follow the policy that the Select Board has in place and if the Select Board wants to add something to their policy, it would be at their discretion. Mr. Schiavi added that there is a significant amount of time and effort that goes into the large housing projects and that the board may consider a reduction of fees rather than a flat out waiver.

Ms. MacKay stated that the new fees would go into effect January 1, 2026.

Mr. Kelleher moved to approve the building permit fee structure as presented along with the waiver fee policy for non-profit groups or projects that will affect the towns subsidized housing inventory list, 2nd by Ms. Doucette and approved 5-0-0.

2026 ANNUAL TOWN MEETING

A. Update on the Town Meeting and Budget Timeline

Mr. Schiavi briefly reviewed the timeline as provided in the packet and stated that the town has a call with the Department of Revenue tomorrow. All departmental budgets have been submitted and we are on track to move forward.

B. Discussion on setting date for 2026 Annual Town Meeting

Mr. Howell said that this is the first time that the board can set the Annual Town Meeting date for anytime during the first week of May. He is interested in having a future agenda item so that the public can come and provide their opinion on a preferred date.

Town Clerk Emily Mitchell was present and wanted to inform the board about the approved charter amendment but does not have an inclination of what date they should choose. 2026 election season is quickly approaching, and the Town Clerk's Office will be starting to send out information to possible candidates and publications.

NEW BUSINESS

A. Harbormaster presentation on Harbor Fee Review and Recommendation

Harbor Master John Harker was present and commented that they had a wonderful and productive summer at the Harbor within the department. He is grateful for the harbor team and the support that they received from other departments and the community. The last increases were 10% in 2018 and 8% in 2021. 2025 should have been the next increase, but the billing has already commenced, and the payments are being received. This request would start in the fall of 2026 for billing and go into effect for the 2027 season. They are proposing a 2% annual increase

for a 5 year period which equals the proposed 10% increase. The next projected increase will be in 2030.

Mr. Harker briefly talked about the difference between dockage and mooring fees and said that he feels the fee increases are warranted. There are 64 fees that fall under the Harbor Department and the increase would only apply to 48 of them. There will be a couple of fees that will be slightly more than 10%, one of which would be electrical costs. The total of all revenue sources with a 10% increase would be about \$130,000 to \$135,000 annually.

Mr. Howell asked about state regulations that talk about fairness of who uses the space, based on their residence and if there would be any way to charging different rates for residents versus non-residents. Mr. Harker responded that he has looked into this extensively and it goes back to how and why other towns are able to charge different rates. For moorings, through Chapter 91, it states that for moorings and their fees, no mooring fee shall be based on residency. For slips, Mr. Harker focused on Harwich. Harwich has 213 slips and charging different fees would require annual verification of residency, which would be done by the harbor staff. His larger concern is who a different fee would apply to, adding that some of the spaces are used by commercial fisherman, charter boats and ferries. He would not want to see extra fees imposed on already struggling industries.

Mr. Howell asked if there is a mechanism where if a slip or 2 becomes available, that they could be used for Harwich residents. Mr. Harker responded that he is not sure that would make a difference and that even if the price was higher, he does not think it would change someone's appetite for wanting a slip.

Mr. Kelleher feels that using non-residents is the wrong term and that it should be taxpayers and non-taxpayers. He thinks that we should look at the 2% per year and that it may not adequately cover the costs that the department will incur. Mr. Kelleher suggested that Mr. Harker look at the golf department and how they have their improvement fund set up and think about a structure like that for the harbor. Mr. Harker responded that 2% is the model that he has seen, and the last increase was 8%. Technically they could have done another increase this year, but with the changeover in staff, there was too much on the table.

Mr. Harker briefly talked about the 1621 and 1626 funds that the harbor uses and what they cover. Massachusetts General Law dictates how each fund is supposed to be used.

Mr. Handler said that he would like to explore taking care of Harwich First. If there is a way to do this without hurting staff, he would like to explore it. He knows that the golf course has resident and non-resident fees and would like to explore how to make this happen for harbor.

Mr. Piekarski commented that there are other departments who bill based on whether they are a taxpayer. He suggested that Mr. Harker reach out to them. The responsibility would be on the applicant to provide documentation to the department for residency verification. Mr. Piekarski

asked when the bills are due. Mr. Harker responded that some were due on December 1st and many of the bills have different due dates.

Mr. Handler asked how they handle payment delinquency. Mr. Harker responded that they have a penalty fee. Mr. Handler asked how delinquent the bill needs to be. Mr. Harker responded that if it comes to billing and they have not heard from the customer to accept a slip, they give them a firm date. After that firm date, they do not allow for any variances, and they would move to the next person on the waitlist.

Mr. Kelleher would like Mr. Harker to look at our facility versus what others have and to look at the fees again. Mr. Harker responded that his staff did a comprehensive deep dive of other town, and it is far from apples to apples.

Mr. Howell feels that it is important to make sure that the harbor remains accessible for own residents.

Jon Chorey was present and commented that there are taxpayers who do not have boats who are still paying for the harbor facility in their tax bills. He asked why out of town residents should have the benefit of paying the same fee of what the town residents pay and feels that the town slips are a bargain.

B. Vote to approve the following 2026 Annual Renewal of Mooring Servicing Agent Permits:

- Allen Harbor Marine Servies, servicing Allen Harbor mooring field
- Lower Cape Marine Services, servicing Herring River, Pleasant Bay & Round Cove mooring fields
- Harwich Port Boat Yard, servicing Wychmere Inner and Outer mooring fields

Mr. Kelleher moved to approve the 2026 Annual Renewal of Mooring Servicing Agent Permits as listed above, 2nd by Mr. Handler and approved 5-0-0.

C. Golf Superintendent presentation on Golf Department fee increases

Golf Superintendent Roman Greer was present remotely. The Golf Committee held a noticed public hearing on November 18, 2025 to solicit public comment on the proposed rate recommendation. The committee voted unanimously to support the recommendation as presented in the packet.

Mr. Kelleher asked why Brewster charges more for non-resident rates and asked if Harwich could go higher. Mr. Greer responded that we could go higher and that this is the 7th straight year that the town has increased \$100 on the non-resident rate and his plan is to continue with that trend. Mr. Kelleher asked why Brewster has much higher fees than other towns. Mr. Greer responded that each town had a different methodology to setting their fees. Mr. Handler added that

Brewster and Barnstable each have 2 courses, and they are run very differently than Cranberry Valley. Mr. Handler said that he supports this request.

Mr. Piekarski wondered why we have the golf fee categories broken down the way that we do and thinks that there should be a more comprehensive review of them going forward. Mr. Greer responded that he would be open to that discussion.

Mr. Piekarski asked how residency is determined. Mr. Greer responded that to purchase an annual pass for the year, there is an application, and the person must prove residency before their application is accepted.

Mr. Handler moved to approve the proposed Cranberry Valley rates and fees for 2026 as presented in the packet, 2nd by Ms. Doucette and approved 5-0-0.

D. Planning & Community Development Director Update on Final Draft Hazard Mitigation Plan

Planning & Community Development Director Christine Flynn was present asking for authorization for the Planning Department to submit the hazard mitigation plan to FEMA and MEMA. Ms. Flynn thanked the Cape Cod Commission staff and the planning team who worked to put this information together. The plan is still in a public comment period that will end on December 10th.

Ms. Flynn walked the board through a brief review what a hazard mitigation plan is, the plan content, goals, actions and next steps.

Mr. Handler asked if this would influence Harwich's flood insurance premiums at all, once certified. Ms. Flynn responded that the town participates in the annual community rating system incentive program, and we are dependent on how the town gets rated. Having a certified plan is critical to our evaluation.

Mr. Kelleher moved to authorize Planning & Community Development Director Christine Flynn to submit the final draft hazard mitigation plan to FEMA and MEMA, 2nd by Ms. Doucette and approved 5-0-0.

E. Vote to approve a special permit application for Mary Mahan for one-day liquor license (wines & malt) for an event to be held on December 22, 2025 from 3:30 p.m. – 8:00 p.m., event to be held at 203 Bank Street

Mr. Kelleher moved to approve a special permit application for Mary Mahan for one-day liquor license (wines & malt) for an event to be held on December 22, 2025 from 3:30 p.m. – 8:00 p.m., event to be held at 203 Bank Street, 2nd by Mr. Handler and approved 5-0-0.

F. Approve the following 2026 Innholders/Lodging license renewals:

1. Braddock, Inc. d/b/a Winstead Inn & Beach Resort – 114-118 Parallel Street
2. Braddock, Inc. d/b/a Winstead Inn & Beach Resort – 4 Braddock Street
3. SICEAMP, Inc. d/b/a The Tern Inn – 91 Chase Street
4. Barnaby Inn – 36 Route 28
5. Pelham on Earle – 30 Earle Road
6. Harwich Port Seafarer Inc d/b/a Mooncussers Inn & Tavern – 86 Sisson Road

Mr. Kelleher moved to approve the 2026 Innholders/Lodging license renewals as presented, 2nd by Mr. Handler and approved 5-0-0.

B. Approve the following 2026 Common Victualler license renewals:

1. BLM Restaurant Group, Inc. d/b/a Lanyard Bar and Grill – 429 Route 28
2. Subfleet, Inc. d/b/a Subway – 1 Auston Road
3. Milano Hospitality Group d/b/a Milano's Italian Kitchen – 278 Route 28
4. Hot Stove, Inc. d/b/a Hot Stove Saloon – 551 Route 28
5. Cape Roots Market & Café, LLC d/b/a Cape Roots Market & Café – 557 Route 28
6. B & N Co., LLC d/b/a Dive, Dine & Drink – 986 Route 28
7. Shooting Star Realty d/b/a Buca's Tuscan Roadhouse – 4 Depot Road
8. Dent Donuts LLC, d/b/a Dunkin – 175 Route 137
9. Dent Donuts LLC, d/b/a Dunkin – 481 Route 28
10. Ashwood Food Services Incorporated d/b/a Jake Rooney's Restaurant – 119 Brooks Road

Mr. Kelleher moved to approve the 2026 Common Victualler license renewals as presented, 2nd by Mr. Handler and approved 5-0-0.

C. Approve the following 2026 Auto Class license renewals:

1. Harwich Port Boat Yard, Inc. – 4 Harbor Road – Auto Class I (Agents or Sellers)
2. All Out Performance – 266 Queen Anne Road – Auto Class IV (Auto Repairman)
3. Sam's Auto Repairs & Sales, Inc. d/b/a Sam's Automotive Center – 413 Route 28 – Auto Class II (Used Car Dealers) & Auto Class IV (Auto Repairman)

Mr. Kelleher moved to approve the 2026 Auto Class license renewals as presented, 2nd by Mr. Handler and approved 5-0-0.

D. Approve the following 2026 Entertainment license renewals:

1. BLM Restaurant Group, Inc. d/b/a Lanyard Bar and Grill – 429 Route 28
Weekday
 11:30 a.m. to 1:00 a.m. inside & 11:30 a.m. to 10:00 p.m. outside
 Jukebox, Radio, Television, Dancing by Patrons, Dancing by Live Performers, Live/Recorded Music (DJ or Band), Amplification
Sunday
 12:00 p.m. to 1:00 a.m. inside & 12:00 p.m. to 10:00 p.m. outside

Jukebox, Radio, Television, Dancing by Patrons, Dancing by Live Performers, Live/Recorded Music (DJ or Band), Amplification

Mr. Piekarski said that he would not support outdoor amplification.

The board discussed the change in hours from last year's license that this establishment is requesting.

Mr. Kelleher moved to approve the entertainment licenses for BLM Restaurant Group Inc. d/b/a Lanyard Bar and Grill, under the same conditions as last year, 2nd by Ms. Doucette and approved 3-2-0 (Howell and Piekarski opposed).

2. Four Hundred East, Inc d/b/a 400 East Restaurant and Bar – 1421 Orleans Road
Weekday
5:00 p.m. to 10:00 p.m. inside
Jukebox, Radio, Television, Dancing by Live Performers, Live/Recorded Music (Band Only) Amplification
Sunday
1:00 p.m. to 10:00 p.m. inside
Jukebox, Radio, Television, Dancing by Live Performers, Live/Recorded Music (Band Only) Amplification
3. Cape Roots Market and Café, LLC d/b/a Cape Roots Market & Café – 557 Route 28
Weekday
4:00 p.m. to 8:00 p.m. inside
Jukebox, Radio, Television, Dancing by Live Performers, Live/Recorded Music (Acoustic Guitar), Amplification
4. Hot Stove, Inc. d/b/a Hot Stove Saloon – 551 Route 28
Weekday
4:00 p.m. to 11:00 p.m. inside
Jukebox, Radio, Television, Dancing by Live Performers, Live/Recorded Music (Acoustic Guitar), Amplification
5. Milano Hospitality Group, LLC d/b/a Milano's Italian Kitchen – 278 Route 28
Weekday
4:00 p.m. to 10:00 p.m. inside & outside
Jukebox, Radio, Television
Sunday
4:00 p.m. to 10:00 p.m. inside & outside
Jukebox, Radio, Television
6. B & N Co, LLC d/b/a Dive, Dine & Drink – 986 Route 28
Weekday
4:00 p.m. to 9:00 p.m. inside & outside
Radio, Television, Live/Recorded Music (Solo Acoustic Performer)
Sunday
1:00 p.m. to 9:00 p.m. inside & outside

Jukebox, Radio Television, Live/Recorded Music (Solo Acoustic Performer)

7. Ashwood Food Services Incorporated d/b/a Jake Rooney's Restaurant – 119 Brooks Road

Weekday

6:00 p.m. to 12:00 a.m. inside

Live/Recorded Music (Karaoke/DJ on Friday and Live Music Band on Saturday), Amplification

Sunday

4:00 p.m. to 9:00 p.m. inside

Live/Recorded Music (Solo guitar player with singing), Amplification

Mr. Kelleher moved to approve the entertainment licenses as listed above, 2nd by Mr. Handler and approved 5-0-0.

- G. Discussion on possible limited discretionary Development of Regional Impact referral to the Cape Cod Commission for Pine Oaks Village IV

Mr. Howell said that he has taken notice of the frustration from residents with the Zoning Board of Appeals and the review of the Pine Oaks Village IV project, noting that the Select Board doesn't determine the 40B process. He is more than happy to have the discussion about referring the project to the Cape Cod Commission (CCC) and added that there will be a discussion with the Planning Board in the coming weeks regarding zoning. Mr. Howell does believe that if the referral is made that the CCC will not accept it. Residents are justifiably unhappy with the process, and they are not sure where to direct that frustration.

Mr. Piekarski said that he is happy to make the referral but that he does not have a great deal of confidence that it will be heard by them.

Ms. Doucette asked if this has already been referred to the CCC. Mr. Howell responded that the ZBA did ask them directly for advice and they got a response but is not sure that the response was widely broadcasted.

Mr. Kelleher said that he would be in favor of the referral and appreciates the passion of everyone involved.

Mr. Handler feels that there is only one option, and it is to send the referral letter and hopes that the CCC stays true to their charge and does the right thing. He asked what the process is. Mr. Schiavi responded that a letter can be drafted by staff for the board to review before it is sent and that he would consult with departments to make sure what is included in the letter is adequate.

Ms. Flynn said that the CCC did submit an 8 page letter with their normal criteria evaluating the Pine Oaks Village IV project as they would have with any town referred project. Normally, a

Development of Regional Impact referral would have taken place prior to any permitting or public hearing at the local level.

Sally Urbano thanked the board for talking about sending the request and does believe that it will be turned down. She directed everyone to a Facebook page called Barnstable Unofficial where a lot of cape wide information can be found.

Patrick Otton was present and said that he spoke with the CCC and confirmed that their 8 page review was submitted. He asked why we are going back to the CCC and why we are not going to the Executive Office of Housing and Livable Communities with this. Mr. Howell responded that is because the CCC is the only resource as a government that we have available to us and is the only agency that we can appeal to.

Ms. Flynn added that the ZBA was required to ask the CCC to evaluate the project. The CCC provided a very thoughtful and insightful letter for ZBA consideration.

Matt Sutphin was present and believes that a letter should be sent to the CCC and read a letter into the record.

Mr. Schiavi said that there is a document that will be filled out and submitted to the CCC. Mr. Howell added that the details can be worked out to get this done before next Monday.

Mr. Piekarski moved to authorize the Acting Town Administrator to draft the form to be signed by the Select Board Chair to be submitted to the Cape Cod Commission, 2nd by Mr. Kelleher and approved 5-0-0.

OLD BUSINESS

A. Discussion on the responses from the Legal Services Request for Proposal

A consensus was given by the board members to make invitations to the RFP respondents to come in and make presentations to the board.

CONTRACTS

A. Review and approve a contract with Atlantic Recycling Company Equipment in the amount of \$75,862.00 for Transfer Station Push Pit and Compactor Floor Repair

Mr. Kelleher moved to approve a contract with Atlantic Recycling Company Equipment in the amount of \$75,862.00 for Transfer Station Push Pit and Compactor Floor Repair, 2nd by Mr. Handler and approved 5-0-0.

B. Review and approve a contract with NELM Corporation in the amount of \$87,794.00 for Brooks Park Baseball Field Infield

It was noted that the work for this project had started in advance of the contract being signed. The Acting Town Administrator ordered the work to be stopped until the contractor was given authorization to proceed.

Mr. Handler moved to approve a contract with NELM Corporation in the amount of \$87,794.00 for Brooks Park Baseball Field Infield, 2nd by Mr. Kelleher and approved 5-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Schiavi signed a contract with EDR for the MS4 year rate for the storm water permit. He also signed a contract with Hubtech, who does our Information Technology monitoring.

Mr. Schiavi interviewed Sean Libby for the position of Deputy DPW Director and has offered him the position. Mr. Schiavi reviewed Mr. Libby's employment history with the Town of Harwich, which has been over the past 12 years. He asked that the Select Board waive the 14 day waiting period. The board agreed to waive the waiting period.

SELECT BOARD MEMBER REPORT

Mr. Kelleher said that he attended the Christmas Bazaar at 204 Sisson Road and that it was a great event.

Mr. Piekarski said that he received an email from the Chair of the Water/Wastewater Commission. He asked that a joint meeting be scheduled with the Select Board, Water/Wastewater Commission and Board of Health. He also noted that the board received a letter from Matt Sutphin regarding the Main Street bog and would like this to be a future agenda item. He would also like to have a discussion on the Town Administrator interviews.

Mr. Howell attended the lighting of the Christmas Tree in Harwich and thanked everyone for their efforts during the Homeless for the Holiday event.

CORRESPONDENCE

ADJOURNMENT

Mr. Piekarski moved to adjourn the regular meeting of the Select Board at 9:20 p.m., 2nd by Mr. Handler and approved 5-0-0.

Respectfully submitted,

Jennifer Clarke
Executive Assistant

