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

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

MEMBER ABSENT: Chair Don Howell

ALSO PARTICIPATING: Acting Town Administrator Tony Schiavi

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 4-0-0 with Mr. Piekarski, Mr. Handler, Mr. Kelleher & Ms. Doucette all voting aye by roll call

CALL TO ORDER IN OPEN SESSION

EXECUTIVE SESSION

A. Pursuant to MGL c. 30A, sec. 21(a)(3) – To discuss strategy with respect to collective bargaining with the HEA (Harwich Employees Association) and litigation with the HEA (DLR Case No. MUP-24-10888) if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares: Joint Meeting with the Brooks Library Board of Trustees
B. 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; MCOP – Massachusetts Coalition of Police (Patrol)
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

Open Session Meeting resumes no earlier than 6:30 p.m.

Mr. Piekarski announced that the Town has a signed agreement with the SEIU union and has also signed a contract with the MCOP (Patrol) union.

PLEDGE OF ALLEGIANCE

Mr. Piekarski asked everyone to join in the Pledge of Allegiance.

STAFF COMMENTS/ANNOUNCEMENTS

Department of Public Works Director Link Hooper was present and commended his staff for the work that they did during the challenging snowstorm. Although there is only 3"-4" of snow on the ground, it was a long duration storm that required long working hours. Mr. Hooper commented that the Town of Harwich had 12 contractors out plowing snow during this storm as compared to the 35 contractors that the town had in 2020. The Town of Harwich is not alone in the shortage of snowplow drivers and asked for anyone interested to come forward.

Harwich Channel Director Jamie Goodwin was present and said that Comcast and their subcontractor have finished their fiber optic installation between the Community Center and the school. There are still a couple more steps that need to be taken and one more meeting with Comcast before the project will be finished. She also announced that the Harwich Channel has uploaded 363 videos of various boards, committees and other groups since the beginning of the year.

WEEKLY BRIEFING

Mr. Schiavi reported that there will be no sewer work taking place on Christmas Day or the day after as well as no work on New Years Day. There is nothing new to report on Phase 3A, but the town is close to being able to provide a milestone schedule.

PUBLIC COMMENTS/ANNOUNCEMENTS

No public comments or announcements were heard.

CONSENT AGENDA

A. Accept a gift in the amount of $5,000 from Mr. Jan Kalicki for programs that benefit children and the homeless in the Town of Harwich
B. Vote to approve a Bench at Senior Memorial Field in honor of Vahan "Van" Khachadoorian
C. Approve the resignation of Peter Gori on the Local Planning Committee effective immediately
D. Approve Select Board Meeting Minutes from December 8, 2025

Mr. Kelleher moved to approve the consent agenda as listed above, 2nd by Ms. Doucette and approved 4-0-0.

PUBLIC HEARING

A. Transfer Station fee increases as recommended by the Department of Public Works Director

Mr. Handler read the public hearing notice.

Mr. Handler moved to open the public hearing, 2nd by Ms. Doucette and approved 4-0-0.

Department of Public Works Director Link Hooper was present and reviewed the presentation that he provided to the board 2 weeks ago. The request is to increase the residential permit fee from $160 to $200 and increase tires from $3 to $10, effective July 1, 2026. Mr. Hooper commented that in the future, we should look at the contract language for the disposal area and do small incremental increases along the way, rather than one larger one.

No public comment was heard.

Mr. Handler moved to close the public hearing, 2nd by Mr. Kelleher and approved 4-0-0.

Mr. Kelleher said that he likes the idea of incremental increases.

Mr. Handler moved to approve the Department of Public Works Director's recommendation to increase the residential permit fee from $160 to $200 and increase the tire fee from $3 to $10, effective July 1, 2026, 2nd by Ms. Doucette and approved 4-0-0.

Mr. Hooper noted that for the last 7 out of 10 years, he has recommended fee increases to the board.

2026 ANNUAL TOWN MEETING

A. Update on the Town Meeting and Budget Timeline

Mr. Schiavi reported that everything is on track and that we are still waiting on our free cash certification. At the direction of the Department of Revenue, the town had to make some accounting adjustments which were completed, and we have resubmitted our free cash certification, with the expectation that we will hear back sometime in January. The tax recap has been accepted and approved and we can set our tax rate on time. Mr. Schiavi said that there will be a presentation at the board's December 22nd meeting with the Fiscal Year 2027-2031 capital plan and Fiscal Year 2027 capital budget. The next major milestone will be on January 5, 2026 where the board will be presented with the Fiscal Year 2027 operating budget and capital plan.

Mr. Handler thanked Mr. Schiavi for all his hard work and effort that he has put in.

NEW BUSINESS

A. Presentation from Wychmere Beach Club on upcoming project

Present were Stephen Cullen, Asset Manager from Wychmere Beach Club along with Chris Tracy from O'Neill and Associates, a public relations firm that works with Wychmere. Mr. Cullen said that they are before the board to talk about their new project application that will be heard by the Cape Cod Commission (CCC). They had an application before the CCC a few months ago and have met all the objectives. Mr. Cullen said that they have listened to the public during all the previous meetings and have made refinements to the project and are looking forward to sharing those tomorrow night. The project has been reduced by about 10% and Mr. Cullen provided a rendered image of what the property will look like, adding that they are trying to keep the character of Harwich Port. They have moved the project further to the North of the property and feel that the project will be an improvement over the existing conditions. Currently, the wastewater treatment facility is in the basement of the building and located in the floodplain. The project talks about removing the wastewater treatment facility out of the floodplain to the north side of the property. Mr. Cullen briefly talked about economic and community benefits of this project as well as transportation mitigation. A detailed traffic management plan has been completed covering all aspects of the Wychmere experience, 7 days a week during the peak season. VHB has completed an updated traffic study that identifies no concerns and further notes that the traffic counts should be considered conservative. There has been new improved signage installed in response to neighborhood feedback from their previous application. Mr. Cullen said that 741 Route 28 will also house Wychmere administrative offices and serve as the location for all future employee parking, eliminating employee vehicles from the main site, which will reduce vehicular trips on Snow Inn Road during peak season. Wychmere has met with the Town Planner and town department heads to present a proposed expansion of the 741 Route 28 site, which will require some additional approvals. The applicant feels that they have made good efforts to incorporate community feedback from its previous application, revising the development to include meaningful improvements and to strengthen its role as a responsible neighbor. They are also working hand in glove with the CCC to try and respond to any concerns regarding coastal resiliency.

Mr. Handler asked what Mr. Tracy's relationship is with Wychmere. He responded that they are a permitting consultant. Mr. Handler said that he was shocked to hear that this property has been truly disturbed since the 1890's and is very happy to hear that the CCC is weighing in on the project. Mr. Handler asked where the Conservation Commission lands on this project and Mr. Cullen responded that they have met all of the objectives and there have been several feedback sessions that they have had with the CCC staff and refinements have been made to meet their requests and technical compliance.

Mr. Handler asked if the new proposal is a smaller footprint than what exists now. Mr. Cullen responded that it is a smaller footprint in the floodplain.

Mr. Handler said that another big piece of this project is moving the wastewater treatment facility out of the floodplain. Mr. Cullen responded that they continued with getting a new groundwater discharge permit for the new updated wastewater treatment facility, even after they withdrew their previous project application, and the new permit has been granted to them.

Mr. Handler noted that there is going to be an increase of people coming to Wychmere with the proposed addition of 40 rooms and he asked if there is going to be a net change in traffic. Mr. Cullen responded that in their opinion, there will be no increase in traffic because of this project.

They have completed a very detailed study, hour by hour, which is what they based their assumptions form. It is the applicant's firm belief that a good portion of people attending events at the site, will be staying there and that vehicular trips will be reduced.

Mr. Handler feels that Wychmere has done a fine job of hearing the public and making changes and they have been a fine teammate for the Town of Harwich.

Mr. Kelleher asked what they mean in saying that their traffic counts were conservative. Mr. Cullen responded that the 72 rooms in the hotel will be filled with people that are attending events on the site. They completed traffic information based on a day by day forecast and assumed the averages on a weekly basis.

Mr. Cullen provided the board with a brief description of the proposed expansion for the 741 Route 28 property.

Mr. Kelleher asked for the applicant to provide information on state and local tax revenue that can be expected and noted that during construction, there would be a reduction of tax revenue to the town. Mr. Cullen responded that he could provide the tax forecast information, including the reduction during construction.

Mr. Kelleher asked how the residents on Snow Inn Road feel about the proposed changes. Mr. Cullen responded that they feel they have made improvements with several residents, but that unfortunately some are still in opposition. They have held several listening sessions and multiple invitations were extended, and some did not want to meet. Traffic calming was a direct action that they took following comments that they heard from residents. Wychmere does not believe that there is a traffic or speed issue on Snow Inn Road, but they don't disagree with comments that some of the residents are making. They hope to be part of the solution with their proposed traffic calming measures.

Ms. Doucette said that this property is a historical landmark and asked if they have been before the Historic District and Historical Commission. Mr. Cullen responded that they have. They are attempting to capture some of the features that people love about Snow Inn.

Mr. Piekarski thanked Mr. Cullen and Mr. Tracy for coming in and asked for the time and location of tomorrow's meeting. Mr. Cullen responded that the meeting will be held at 5:00 p.m. at the Community Center in the multipurpose room.

Mr. Cullen thanked the board for hearing their proposed and asked if the board would consider supporting the project. Mr. Piekarski responded that he would ask staff to speak with the board chair and see if the request could be placed on a future agenda for consideration of support. Mr. Piekarski also asked Mr. Cullen to send staff the tax information as previously discussed.

B. Discussion on plan to interview Town Administrator finalists

Mr. Schiavi said that the Town Administrator Screening Committee has been hard at work for more than a month and last week they interviewed the semi-finalists and have now selected their finalists. The board will be hearing a report form the committee next Monday and we are now in the window to select a date for the Select Board to do their interviews and have a meet and greet, suggesting a date of January 10, 2026.

The board agreed with a date of January 10, 2026. Mr. Schiavi said that he would confirm with the board chair tomorrow and then let the consultant know so they can prepare.

C. Discussion on the process to determine and accept a nomination for replacement on the Monomoy Regional School Committee

Mr. Piekarski reported that Bre Rose has resigned from the Monomoy Regional School Committee. The process for filling the position is very well defined. Mr. Piekarski asked if this is being advertised to request that candidates submit their information. Mr. Schiavi responded that in his previous positions, the Select Board was the lead agent to get the process moving and created an advertisement, which would be sent out publicly and then would pick a date where potential candidates would need to submit their cover letter and resume. There would then need to be a joint meeting to interview the candidates, and a majority of the group would be required to select the person to fill the position.

Mr. Piekarski asked Mr. Schiavi to work with the board chair and that someone should reach out to the school committee chair and the superintendents office to see if any outreach has been done.

D. Approve the following 2026 Annual on-premises liquor license renewals:
1. Red River Barbecue LLC – 787 Route 28
2. George's Pizza House – 564 Route 28
3. Four Hundred East, Inc. – 1421 Orleans Road
4. Ember Pizza, Inc. d/b/a Ember – 600 Route 28
5. Milano Hospitality Group LLC d/b/a Milano's Italian Kitchen – 278 Route 28
6. Wychmere Harbor Functions Limited d/b/a Wychmere Beach Club – 23 Snow Inn Road
7. Round Cove Resort Beverage LLC d/b/a Wequassett Inn – 2173 Route 28
8. Allen Harbor Yacht Club Inc. – 371 Lower Count Road
9. Harwich Port Seafare Inc. d/b/a Harwich Port Seafarer – 86 Sisson Road
10. Beachlight LLC d/b/a Seal Pub – 703 Main Street
11. Blue Stripe LLC d/b/a Cape Sea Grille – 31 Sea Street
12. B & N Company LLC d/b/a Dive, Dine & Drink – 986 Route 28
13. Harwich Port House of Pizza Inc. – 330 Route 28
14. Shogun Inc. d/b/a Noble House – 21 Route 28
15. BLM Restaurant Group Inc. d/b/a Lanyard Bar & Grill – 429 Route 28
16. Cape Roots Market & Café LLF d/b/a Cape Roots Market & Café – 557 Route 28
17. Hot Stove Inc. d/b/a Hot Stove Saloon – 551 Route 28

18. Brax Restaurant Management Inc. d/b/a Brax Landing – 705 Route 28
19. Shooting Star Realty LLC d/b/a Buca's Restaurant – 4 Depot Road
20. Ashwood Food Service Inc. d/b/a Jake Rooneys – 119 Brooks Road

Mr. Kelleher moved to approve the 2026 annual on-premises liquor license renewals as listed above, 2nd by Ms. Doucette and approved 4-0-0.

E. Approve the following 2026 Annual off-premises liquor license renewals:
   1. Pizza Shark Partners d/b/a Pizza Shark – 403 Pleasant Lake Avenue
   2. Portside Liquors III Inc. d/b/a Portside Liquors – 1421 Orleans Road
   3. Cranberry Liquors at Harwich Port LLC d/b/a Cranberry Liquors – 555 Route 28
   4. Bourne Petroleum Ltd d/b/a Harwich Exxon – 173 Pleasant Lake Avenue
   5. Main Street Quik Pik, Inc. d/b/a Main Street Market – 715 Main Street
   6. ATJX Inc. d/b/a Moonshine Liquors – 4 Great Western Road
   7. A.J. Lukes of Harwich, Inc. – 224 Route 28

Mr. Kelleher moved to approve the 2026 annual off-premises liquor license renewals as listed above, 2nd by Mr. Handler and approved 4-0-0.

F. Approve the following 2026 Auto Class license renewals:
   1. C & B Automotive, Inc d/b/a Reflections Auto Restoration and Collision – 4 Evergreen Way, Unit # 1- Auto Class IV
   2. Cape Cod Trucks, LLC d/b/a Cape Cod Trucks – 195 Queen Anne Road – Auto Class II

Mr. Kelleher moved to approve the 2026 auto class license renewals as listed above, 2nd by Mr. Handler and approved 4-0-0.

G. Vote to approve the Acting Town Administrator's recommendation to grant permission by Verizon New England, Inc and NSTAR Electric company d/b/a Eversource Energy to relocate one (1) jointly owned pole five (5) feet and six (6) inches north of existing pole on Grassy Pond Road

Mr. Kelleher moved to approve the Acting Town Administrator's recommendation to grant permission by Verizon New England, Inc and NSTAR Electric company d/b/a Eversource Energy to relocate one (1) jointly owned pole five (5) feet and six (6) inches north of existing pole on Grassy Pond Road, with the condition that all disturbed land be returned to its original condition, 2nd by Mr. Handler and approved 4-0-0.

H. Discussion and possible next steps on Verizon New England, Inc's post construction requests to install one (1) two (2) inch conduit along Round Cove Road and Hawksnest Road and on Route 137 and Halls Path One

Mr. Schiavi said that as staff was getting ready for these hearings, they received calls from residents in both areas that the work has already been completed, which is not the proper process. One property owner from Halls Path had called and said that their property had not been returned to its original condition after the work was completed. The Department of Public Works Director reached out to his contact at Verizon, and they have taken responsibility for their actions. There should have been a hold in their internal system on authorizing the work until the utility hearing occurred. The hold did not happen, and the computer part of the process gave the okay to proceed without the property approvals.

Mr. Piekarski asked if the homeowner's property has been repaired. Mr. Schiavi responded that it has not been restored at this point. He added that the board can choose to bring Verizon before them to talk about this and reach out to the homeowner to see if they have had any conversations with Version about repairing their property.

DPW staff did visit the site to document the issue.

Verizon did receive a grant from the state for them to bring fiber optic to areas that didn't have it.

Mr. Piekarski said that he would like to bring Verizon in. There is a process for this work, and he wants to make sure that this does not happen in the future. He would also like to know what can be done about the homeowners who have been impacted.

Mr. Handler noted that Verizon should remember that grants are still taxpayer money, and he would like to have them come before the Board. Ms. Doucette agreed.

Mr. Kelleher said that we are going to have plenty of permitting possibilities coming from Verizon and noted that they did send a letter of apology. In his opinion, he would approve this request. If not corrected, then he would be inclined to not grant any further approvals. Mr. Kelleher feels that Verizon will do the right thing.

Mr. Schiavi said that he would work with Mr. Howell to schedule an agenda for Verizon to come before the board.

OLD BUSINESS

A. Discussion on 5 Sea Street Extension

This property is a dune area that is between 2 homes on Sea Street. Mr. Handler said that he questions in his mind is if this property has value to the town and if not, would the town like to see the if the abutters would like to purchase the property.

Mr. Piekarski said that the town acquired this property to avoid litigation, and that the first conversation would be if the board would like to explore selling the property.

Mr. Kelleher asked how much the property last cost. Mr. Schiavi responded that the property sold in April 2025 for $1.410 million. If selling the property is to be considered, it would need to be approved by town meeting and advertised through the procurement process.

Mr. Piekarski asked Mr. Schiavi to have a conversation with department heads and determine if there is any value to the town, and then work with the board chair to put this on a future agenda, where the board can decide based on feedback from staff.

CONTRACTS

A. Review and authorize the Chair to sign Amendment #1 to the Municipal Solid Waste contract between Reworld SEMASS Limited Partnership (formerly known as SEMASS Partnership) for a 5-year extension. The acceptance fee for 2026 is $116.03/ton and the following 4 years shall be subject to increase according to the #2 Acceptance Fee per ton as outlined in the amendment

Mr. Handler moved to authorize the Chair to sign Amendment #1 to the Municipal Solid Waste contract between Reworld SEMASS Limited Partnership (formerly known as SEMASS Partnership) for a 5-year extension. The acceptance fee for 2026 is $116.03/ton and the following 4 years shall be subject to increase according to the #2 Acceptance Fee per ton as outlined in the amendment, 2nd by Ms. Doucette and approved 4-0-0.

TOWN ADMINISTRATOR'S REPORT

Mr. Schiavi said that the 3 legal firms that responded to the request for proposals have been scheduled to come before the Board. Clifford and Kenney will be on January 12th, KP Law on January 20th and Harrington Heep on January 26th.

Mr. Schiavi reported that Kara Mewhinney and Angelique McGibbon have both been selected to participate in the next round of the Cape Leadership Institute which starts in early January with graduation in June. He also reported that Ms. Mewhinney has completed all her classes to get her Massachusetts Certified Public Purchasing Official designation.

SELECT BOARD MEMBER REPORT

Mr. Kelleher said that the Zoning Board of Appeals is seeking alternative members and added that this is a great opportunity to learn about housing and how 40b's work.

With respect to the upcoming legal presentations, Mr. Handler said that he does not think he will be prepared to make a vote until the Select Board talks about what they are looking for in a legal firm. He also said that the Local Planning Committee is also down one member and that he could reach out to the LPC Chair to see what the committee's preference on filling the vacancy is and that he would report back to the board at their next meeting.

CORRESPONDENCE

ADJOURNMENT

Mr. Handler moved to adjourn the regular meeting of the Select Board at 7:55 p.m., 2nd by Mr. Kelleher and approved 4-0-0.

Respectfully submitted,

Jennifer Clarke
Executive Assistant