MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, DECEMBER 22, 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

EXECUTIVE SESSION

A. 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
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; HEA - Harwich Employees Association; MCOP – Massachusetts Coalition of Police (Superiors)
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

Mr. Piekarski announced that the board voted to approve the MCOP – Massachusetts Coalition of Police (Superiors) contract.

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

PLEDGE OF ALLEGIANCE

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

STAFF COMMENTS/ANNOUNCEMENTS

A. The Select Board will not be meeting on Monday, December 29, 2025. The next Select Board meeting will be on Monday, January 5, 2026

Town Administrator Screening Committee Chair Jack Mawn was present and reviewed the process that the committee went through in selecting the 3 candidate finalists. The committee recommends that the Select Board consider Geoffrey Gorman, James M. Kreidler Jr. and James P. McGrail as candidate finalists.

The Select Board thanked the search committee for all of their work and noted that the consultant Rick White said that he has never worked with a better group of folks.

JOINT MEETING WITH THE SELECT BOARD, FINANCE COMMITTEE & CAPITAL OUTLAY COMMITEE

A. Present the Fiscal Year 2027 through Fiscal Year 2031 Capital Plan and Capital Budget

Present from the Capital Outlay Committee (COC) were Martha Donovan, Ann Clark Tucker, Rich Larios, Michele Gallucci and Scott Norum (present remotely). Present from the Finance Committee were Bob MacCready, Dana DeCosta, Tina Games, Michele Gallucci, Mark Peterson, Peter Hughes, Mark Ameres & Scott Norum (present remotely).

Ms. Donovan called the Capital Outlay Committee meeting to order. Mr. MacCready called the Finance Committee meeting to order.

Ms. Donovan thanked Mr. Schiavi and hopes that the level of detail that has been provided will continue. She also thanked the department heads for their time, Judi Molstand for taking minutes for their meetings, Natasha Lyon for helping to put information together and the committee members. The COC unanimously voted to approve the capital plan and voted on the budget with a 4-2 vote. Ms. Donovan summarized their process and the changes that will be seen in this year's plan with an approach to remain realistic. She noted a change in the capital plan regarding dredging as well as some unintended consequence related to the green communities' act with respect to vehicles.

Ms. Donovan said that they have gotten off to a good start with the school budget and hopefully good progress going forward. The COC did review the school budget, but did not vote on it because it is not on this capital plan. This year golf and library projects have been moved from facilities into their respective departments. Ms. Donovan noted that there are no sewer costs included in the plan.

There are 2 things that came up in capital discussions that Ms. Donovan wanted to make the board aware of. There are 3 definitions for capital. One that Chatham has, one that Harwich has and one that the school has. Ms. Donovan is aware that there have been discussions about changing the school agreement and sharing capital and the definitions would matter and should be codified in a new agreement. The other topic for discussion should be the tennis courts in the agreements and who uses the facility and how it is paid for. Ms. Donovan also feels that the Select Board should address the Albro House in future discussions.

Last years capital plan was approximately 93 million dollars, with this year's amount coming in at about 61 million dollars. Fiscal year 2026 has dropped off the plan and fiscal year 31 has been

Mr. Larios moved to adjourn the meeting of the Capital Outlay Committee, 2nd by Ms. Tucker and approved 6-0-0 by roll call.

Mr. DeCosta moved to adjourn the meeting of the Finance Committee, 2nd by Mr. Hughes and approved 8-0-0 by roll call.

2026 ANNUAL TOWN MEETING

A. Update on the Town Meeting and Budget Timeline

Mr. Schiavi reviewed the timeline as provided in the packet. He reported that the town received their free cash certification today for FY2026 in the amount of $3,995,105. Generally speaking, that is more of a normal number. He noted that the sewer enterprise fund is reporting a negative in the amount of $70,000, so that will need to be tracked. The only other change is the presentation of the budget, capital plan and capital budget to the Select Board which will happen on January 12th.

NEW BUSINESS

A. Herring Update presentation from the Natural Resources Director

Natural Resources Director Stephanie Ridenour was present. She reviewed topics including the life cycle of herring and Harwich's herring habitat, which is one of the longest and most productive herring runs in Massachusetts and has been formally managed by the town since 1787. The Natural Resources Department works in collaboration with the Massachusetts Division of Marine Fisheries, Harwich Conservation Trust, Association to Preserve Cape Cod, Harwich Conservation Department, Harwich Ponds Coalition and AmeriCorps. Ms. Ridenour reviewed the herring river counts from 2009 to 2025 and the 2025 projects at Johnsons Flume, Hinckley's Pond and West Reservoir. She also highlighted management challenges with drought conditions and adjusting to active management. Information can be found on the Department of Natural Resources page on the town website and people can contact Ms. Ridenour directly with any questions.

Mr. Kelleher asked if AmeriCorps is still available to help. Ms. Ridenour responded that they are and that she filled out her request application this morning.

Mr. Handler acknowledged that what Ms. Ridenour does is very important.

Mr. Piekarski asked what the remediation is if the water levels don't return. Ms. Ridenour responded that how far upstream the fish would have to travel to get to their native pond would need to be considered.

B. Recreation and Beach sticker fee increase recommendations from Recreation Director

Recreation Director Eric Beebe was present to request some fee increases for beach stickers for this upcoming summer season. In their budget request, they did include a request for seasonal staff. One reason for the fee increase is because senior veteran staff will be returning for this summer, and they will be paid at a higher step rate. Last year the town had 66 days of summer weather and are planning for 73 days this summer. Harwich currently charges $20 for a day pass and feels that what we have and what we want to be. Visionforharwich.org has been working with the Zoning Board of Appeals on proposed bylaw changes for the next town meeting.

Mr. Kelleher asked how the Select Board can help Mr. Berry further his vision. Mr. Berry responded that he would like to formalize a process to which a consultant can be hired. The 2nd help would be to fund one of these studies.

Mr. Handler knows that a lot of people in town are worn out about people moving to Harwich and leveraging personal property rights and changing little by little the character of what this town means. He feels that it is time for Harwich to play offense. He would support whatever it takes to move Mr. Berry's request forward and advance if quickly, smartly, fiscally responsibly.

Mr. Kelleher asked Mr. Berry to forward ideas and costs to Mr. Schiavi and Mr. Howell.

Mr. Piekarski said that the board has heard from plenty of residents with concerns about what the character of Harwich will look like in the future. Mr. Berry has the support of the board to do additional research and come back with numbers and information for a potential town meeting warrant article.

D. Update from Monomoy Regional School District on Monomoy Elementary School boilers & tennis court

Dr. Scott Carpenter and Michael MacMillan were present. Dr. Carpenter announced that the school committee has voted Dr. Robin Millen as the next Superintendent of Monomoy Regional School District.

Mr. MacMillan reviewed the upcoming projects that will require borrowing and talked about the ongoing construction schedule for the projects. They had applied to the Massachusetts School Building Authority for the project to replace the boilers at Harwich Elementary School. Harwich is responsible for 100% of the costs at the elementary school. There are 3 natural gas fired boilers on the property, 2 were installed in 1991 and 1 in 2003. All boilers are serviced annually and are in fair condition. Mr. MacMillan reviewed the 2 funding options which is to go ahead with the MSBA program or to replace the boilers where Harwich would pay 100% of the cost. Mr. MacMillan talked about the roof project that is also ongoing and is included in the MSBA funding.

Mr. MacMillan reviewed the pros and cons of the MSBA replacement and district replacements as provided in the packet.

Mr. Piekarski said that he appreciates all the detail and breakdown that was provided but that he cannot wrap his head around spending an extra 7 million dollars to get a discount.

Mr. Kelleher asked if the heat pumps are roof mounted. Dr. Carpenter responded that there is a reasonable change that they would be located on the roof. The other challenge is that there is a solar array on the roof of the school. Mr. Kelleher asked if the heat pumps would do both heating and cooling. Dr. Carpenter responded that there are units up there that are heating and cooling that

Finance Director have collected data from the last 15 years which includes information about before and after the district was formed. They were also able to obtain a large amount of information from commonwealth maintained websites. The presentation showed the cost per student increase from 2008 to 2023. On a per student basis, Chatham's 15 year real increase of just 15.6% compares favorably to Harwich (%) and the average of the five standalone cape school systems (24%) showed a slide of the school costs/assessments from 2007 through 2023. Since 2012 Chatham has saved about $3 million per year compared to what it would have spent if its per student costs had grown at the same rate as the 5 independent cape school systems, a total of $33 million from 2012 through 2023.

The presentation went over Chatham's advantage in the merger and that most of the savings from a merger or two organizations come from elimination of overhead or fixed costs. The smaller partner tends to have higher per student fixed costs. As is true today, Chatham's enrollment was much smaller than Harwich before the district was formed. Chatham is wealthier than Harwich and had more capacity to absorb municipal and school expense increases.

Mr. Kelleher reviewed proposition 2 ½ and override votes. Harwich is currently collecting 99.76% of its levy limit, just $148,000 short of the dollar limit.

Harwich has a partner in Chatham that they hope to discuss next steps with.

Mr. Norum said that we need to look at examples of other school districts that have used assessment formulas. He added that it is important to education the Chatham Select Board about the cost advances when the smaller unit and the larger unit merge.

Dr. Carpenter thinks that the important piece is to have a conversation with Chatham. When it comes to discussion about cuts, with schools, you end up creating unstable situations and uncertainty and families and parents respond by seeking stability. We have seen a huge change in our financial position because there has been stability for the last 13 years. Dr. Carpenter's concern with hitting the levy limit and potentially having a no vote. Mr. Piekarski responded that this is why the discussion was started a year and a half ago and that all the data is credible and shows a stark when it comes to funding the school system. The ultimate message is the potential impact to the student population and in tern both communities if the budgets cannot be realized within the levy limits.

Mr. Handler urged everyone to remember that this is not a one year potential problem, that it is a continual problem that no one wants to have. He would like to see the advancement of this agenda item to be prioritized and that nothing will change without having a conversation with Chatham.

F. Discussion pertaining to coordinating interview questions for Town Administrator candidates

The Town Administrator search consultant sent the board sample questions and included some of the questions that the screening committee had asked the candidates. Mr. Piekarski suggested that the board submit questions to the Administration office with the suggestion of 10 questions, 2 from

Sunday
10:00 a.m. to 10:00 p.m. inside & outside
Jukebox, Radio, Television, Dancing by Patron, Dancing by Live Performers, Live/Recorded Music (Jazz Trios, Soloists, Instrumentals, Bands, Dance Groups, Actors), Amplification, Moving Pictures, Plays, Floor Shows, Light Shows & Theatre Shows

Mr. Piekarski said that this is a resort that conducts all kinds of engagements and clearly the 10:00 p.m. timeframe is reasonable.

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

L. Approve the following 2026 Annual off-premises liquor license renewals:
   1. Maulik Corp d/b/a Value Mart – 435 Route 28

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

OLD BUSINESS

No old business was discussed.

CONTRACTS

A. Review and approve a contract with Richard F. D'Ambrosia, Inc. in the amount of $326,295.60 for the Route 39 and Chatham Road Intersection Project

Mr. Schiavi reviewed the contract as provide din the packet. He credited the towns relationship with the Massachusetts Department of Transportation because when the bids were received, they were higher than what we had for available for funding. Mr. Schiavi submitted a letter asking them to increase our appropriation increase. DOT responded and increased the amount of $390,995.

Mr. Handler thanked the Traffic Safety Committee on how everyone can work together to get things accomplished.

Mr. Handler moved to approve a contract with Richard F. D'Ambrosia, Inc. in the amount of $326,295.60 for the Route 39 and Chatham Road Intersection Project, 2nd by Mr. Kelleher and approved 4-0-0.

TOWN ADMINISTRATOR'S REPORT

No Town Administrator's report was given.

SELECT BOARD MEMBER REPORT