

RELEASED
APPROVED

MINUTES
SELECT BOARD
HARWICH TOWN HALL
732 MAIN STREET, HARWICH MA
MONDAY, AUGUST 10, 2026
6:00 P.M.

RECEIVED
TOWN CLERK
HARWICH, MA

2026 AUG 25 A 8:43

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

ALSO PARTICIPATING: Town Administrator Jay McGrail, Assistant Town Administrator Jim Mulcahy & Executive Assistant Jennifer Clarke

CALL TO ORDER IN OPEN SESSION

Mr. Piekarski called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

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

COMMENTS/ANNOUNCEMENTS

A. Public

Harwich Historical Society (HHS) President Duncan Berry was present and announced that they had 72 people attend their last HHS event. They will be having another event in October, with details to follow, and he encouraged everyone to attend and enjoy.

Harwich Ponds Coalition Board Member Ann Frechette was present and said that they will be hosting an event on August 31, 2026 from 4:30 p.m. – 6:00 p.m. at the Old Bank Street Firehouse. This will be a gathering of people who provide cape friendly landscaping. At the same event, Harwich Conservation Trust will be giving tours of the Cold Brook Preserve.

Matt Sutphin was present and noted that last years Non Resident Taxpayer meeting was sparsely attended, and much to the Select Board's credit, there were not many complaints. This year, it appears that there are more people who would like to contribute. He asked that the Select Board query anyone who would like to volunteer what their concerns are for the future and that it would be good to hear from anyone that is worried about certain trends.

Patrick Otton was present and made comments about the Comprehensive Wastewater Management Plan (CWMP), including sewerage and water usage. He would like to see a future agenda item relating to the CWMP and would like to be involved in those discussions.

B. Staff

Director of Natural Resources Stephanie Ridenour was present and announced that tomorrow night at 5:30 p.m., she will be holding a 2026 herring update at Brooks Free Library.

Department of Public Works Director Link Hooper was present and thanked a list of people who made the Route 28 sidewalk project come together successfully.

Assistant Town Administrator Jim Mulcahy presented a Certificate of Outstanding Service to Sean Kraus, a Town of Harwich Lifeguard, in recognition of his heroic actions during a water rescue on July 4, 2026. Mr. Kraus, who has served as a Harwich lifeguard for four years and is currently pursuing a degree in Finance at Providence College, was commended for his quick thinking, professionalism, and calm response during a critical situation that helped protect a life. Program Specialist III John Losey was present and added that Mr. Kraus has been doing a great job in his lifeguard position, that that this moment clearly shows that.

NON RESIDENT TAXPAYER MEETING

The Select Board and staff at the table introduced themselves.

A. Town Administration

Mr. McGrail opened the meeting with brief remarks, describing his role as overseeing the town's day-to-day operations — managing departments, the budget, and ensuring that Select Board policy decisions are carried out. He took a moment to recognize the dedication of Harwich's staff and department heads across all areas of town service. He introduced those seated with him: Assistant Town Administrator Jim Mulcahy and Finance Director Jennifer Mince, available to address finance-related questions, along with office staff Jen Clarke, Natasha Lyon, and Stephanie Hall. Mr. McGrail highlighted his open-door policy, encouraging residents and taxpayers — whether year-round or seasonal — to contact him directly with concerns or questions, without the need for a formal process. He emphasized that the purpose of the meeting is to ensure that residents' voices are heard in how the town operates. He also noted that residents need not identify the right department before reaching out, as his office can help navigate issues across all town departments. Mr. McGrail then outlined the meeting format: each department head would provide a five-minute overview of their department's work and current priorities, followed by questions from attendees.

B. Fire Department

Fire Chief David LeBlanc and Deputy Fire Chief Justin White were present. Chief LeBlanc presented the Harwich Fire Department's 2026 informational summary. The department currently operates with 41 full-time personnel, including an administrative team of 5 and 36 Fire Suppression/EMS staff — 4 Captains, 4 Lieutenants, and 28 Firefighters — organized into 4 shifts of 9, with a minimum of 8 personnel on duty always. The Chief noted recent personnel changes, including 7 retirements and 2 resignations, offset by the hiring of 7 new firefighters and several promotions to Deputy Fire Chief, Captain, and Lieutenant. Three provisional firefighters have also been hired to address long-term vacancies. The department operates out of two firehouses: Headquarters at 175 Sisson Road (built 1995), staffed by a Captain and minimum 5 firefighters, and Firehouse #2 at 1464 Route 39 (built 2019), staffed by a Lieutenant and 2 firefighters. Combined apparatus includes 2 engines, 1 ladder, 1 mini-pumper, 1 urban interface vehicle, and 4 ambulances. In 2025, the department responded to 4,946 incidents — 3,675 medical, 79 fires, and 1,192 alarms/service calls/hazmat responses. Mutual aid activity included 237 outgoing and 139 incoming assists. The Chief highlighted a 29% increase in incoming mutual aid requests since 2020, along with an 18% decrease in full station coverage and a 9% decrease in partial station

coverage since 2022, reflecting ongoing staffing pressures across the region. On training, the department continues to expand opportunities, including hands-on work with donated structures, live fire training at the Boston Fire Academy burn building, and certification and development programs through the Massachusetts Fire Academy.

C. Police Department

Police Chief Kevin Considine provided an update on department operations. Chief Considine noted that he is beginning his third year leading the department and has served with the Harwich Police Department for 30 years, starting as a Special Police Officer in 1996. The department currently employs 35 full-time officers, including the Chief, a Deputy Chief, two Lieutenants, five Sergeants, and 26 Patrol Officers, supported by five civilian dispatchers, an Animal Control Officer, a Records Clerk, and an Executive Assistant. Six retired officers serve as Special Police Officers, primarily assisting with details and special event coverage. Chief Considine reported that recruitment efforts over the past two years have been highly successful, with one current vacancy anticipated to be filled this fall. On calls for service, Chief Considine noted that policing on Cape Cod presents unique challenges, as the town's population can nearly triple in the summer while the department operates with essentially the same year-round staffing. In 2025, the department handled 15,577 total calls for service. From June 1 through the date of the meeting, officers responded to 3,648 calls — an increase of approximately 700 compared to the same period last summer. Notable 2025 statistics include 57 assault calls, 13 burglary calls, 58 larceny calls, 98 arrests, and 81 criminal summonses issued. Chief Considine outlined several upcoming capital and technology projects. The department will continue its cruiser replacement program to maintain a modern fleet. A dispatch radio and computer upgrade — approved at this year's Town Meeting — is now underway, as the current dispatch center has been in service since 2009. A transition from the in-house computer system to a cloud-based platform is being presented at the upcoming Town Meeting for funding consideration. The department has also begun discussions with the Town and union representatives regarding the implementation of body-worn cameras, which Chief Considine acknowledged will be a lengthy process requiring appropriate funding. Regarding quality-of-life concerns, Chief Considine identified traffic and speeding, activity in the Harwich Port business district, and increased beach activity as the primary summer challenges. A dedicated traffic officer administers the department's annual traffic grant, which funds additional enforcement patrols. Speed feedback signs and targeted radar enforcement are deployed in response to neighborhood concerns. Chief Considine noted that a comprehensive plan is put in place each summer to address these issues and is adjusted annually based on observed conditions. Chief Considine also addressed the growing concern of electric and motorized bicycles, which have become a significant issue both locally and nationally. Prior to the summer, the department held an informational session for parents on the applicable laws and safety risks. Officers have stopped and towed illegal bikes from public roads, and enforcement has been extended to the town's trail system with assistance from the Department of Conservation and Recreation and the Massachusetts State Police. Chief Considine emphasized that parental responsibility also plays a critical role in addressing unsafe use of these vehicles. Chief Considine concluded by highlighting community policing as the department's largest ongoing program. He encouraged residents to sign up for the Citizens Police Academy, beginning in early September, as an opportunity to learn more about department operations. He expressed the department's commitment to keeping Harwich safe, addressing community concerns, and building strong relationships with residents and visitors alike.

Marie Gunnerson from 9 Bells Neck Road was present and asked if there is only one Animal Control Officer, noting that she has called the ACO a few times, and no one has been available. Ms. Gunnerson also asked what the nature of the increased calls are and what is causing the increase. Chief Considine said that Harwich does have one civilian ACO who works out of their office. She can be called in after hours if there is an emergency, but the department also relies on their police officers, who can investigate calls and report back to the ACO. As far as in the increase in calls for service, there are a couple of things that drive it, include the increased summer and year round populations. The department is dealing with more traffic accidents and quality of life complaints include traffic and noise, which add up to the number of calls for service. The department also deals with several mental health issue calls.

Bill Holly, resident of Harwich Port was present and said that the Police Department has done a tremendous job and are faced with tough challenges. We are all seeing the increase in tourism and commerce. He understands that the state cut the summer police officer program but wondered if there is any way to reallocate funds to have increased police enforcement. Mr. Holly briefly referenced the Wednesday Night stroll, and that residents are asking for a little peace, quiet and safety.

John Schiller from 12 Squantum Path was present and asked to what extend the Harwich Police Department has been called out to support ICE activities. Chief Considine responded that he knows that this is a hot topic, but that they have not been called on to support ICE. He has asked that if ICE does come into town, that they let the department know that they are there. They will listen to where they are at, document the information, but do not assist. The Harwich Police Department does not get involved in the civil processing for the Federal Government.

D. Harbor Master

Harbor Master John Harker was present and provided an overview of the department's operations and area of responsibility. The main office is staffed by a team of four. The department's jurisdiction spans from the Herring River in West Harwich along the south coast — encompassing Allen, Wychmere, and Saquatucket Harbors — east to Pleasant Bay and Round Cove, and north to the town's ponds, particularly Long Pond. The department maintains vessels in Pleasant Bay, Long Pond, and two at Saquatucket Harbor. Mr. Harker noted that the department manages and permits over 230 slips and nearly 600 moorings, and maintains boat ramps at the Herring River, Allen and Saquatucket Harbors, Round Cove, and the ponds. This year, the department supervised the removal of nearly 15,000 cubic yards of material from the Allen, Wychmere, and Saquatucket inlets and channels as part of ongoing dredging operations. The department also maintains the Shellfish Laboratory and assists the Department of Natural Resources officer with water testing and shellfish propagation and works closely with Harwich Police and Fire on cross-training and interoperability to ensure maritime operational readiness. Mr. Harker highlighted several upcoming capital projects, including a Herring River boat ramp replacement this year at an estimated cost of \$300,000, bulkhead repairs at Saquatucket Harbor projected at \$2.5 million in FY28 to extend the structure's life by ten or more years, and Allen Harbor jetty replacement projected at \$3.65 million in FY29. Mr. Harker also noted the vibrant commercial activity operating out of Harwich's harbors, including charter boats, seal and harbor cruise operators, the Nantucket ferry, and harborside restaurants. He called attention to commercial tuna season currently underway, with fish ranging from 70 to over 100 inches and as many as 40 fish landed

on a single day, and encouraged non-residents to take full advantage of all that Harwich's waterways have to offer.

E. Golf Department

Golf Director Roman Greer was not able to attend the meeting. Mr. McGrail said that Mr. Greer, PGA Professional Dick Fagan and Golf Superintendent Shawn Fernandez do a tremendous job at Cranberry Valley. This facility is something to be proud of and Mr. McGrail added that they do over 44,000 rounds of golf there a year, with phenomenal conditions. Everyone is encouraged to take advantage of this Town of Harwich asset.

Paul Butler was present and asked at how often does the town look at charging different rates for resident versus non-resident and he feels that the disparity is very narrow. Mr. McGrail responded that the Golf Committee reviews the fees on an annual basis. He added that they have taken a portion of the golf memberships that are sold, and that money is put into capital accounts to pay for future capital projects. Mr. Butler would recommend at least a 50% higher rate.

F. Recreation Department

Recreation Program Specialist John Losey provided an overview of the department's operations and programs. Mr. Losey holds a bachelor's degree in Sports Management from the University of Florida and is a Certified Parks and Recreation Professional and American Red Cross Lifeguard and First Aid/CPR Instructor. The department operates across three areas — parks, programs, and facilities — with Brooks Park serving as the flagship park. Facilities include the Brooks Park Tennis and Pickleball Courts, Jimmy McPhee Soccer Field, and Whitehouse Field, home of the Harwich Mariners of the Cape Cod Baseball League. The department is headquartered at the Harwich Community Center at 100 Oak Street and also utilizes the 204 Gym on Sisson Road. Youth programs offered throughout the year include Pre-K Soccer, Elementary Gymnastics, High School Basketball Clinics, and Travel Softball, among others. Mr. Losey noted that the Summer Adventure Program was successfully doubled in size by relocating to Harwich Elementary School, serving close to 70 children. He cited a community survey from this past winter in which affordable childcare ranked as a top priority for parents, underscoring the importance of that expansion. Summer operations grow to 70 seasonal staff, including 35 lifeguards stationed at Red River, Bank Street, Earle Road, Pleasant Street, and Long Pond beaches, along with 5 beach supervisors, 10 beach parking attendants, 3 swim instructors, and 17 Summer Adventure Program staff. Mr. Losey acknowledged that lifeguard recruitment remains a national challenge, and thanked the Select Board for approving rate increases this past spring to help the town remain competitive. Capital projects underway include a shade structure behind the Community Center and irrigation systems at the Community Center and softball fields.

Marie Gunnerson was present and commented that there is only one lifeguard tower at Pleasant Road Beach. There were 2 towers there at one point, but one was lost and never replaced. Ms. Gunnerson is concerned about beach coverage with only having 1 tower. She also asked if the town is addressing the groups on the beaches that put up multiple tents, which take up space. Mr. Losey responded that having one lifeguard tower at Pleasant Road Beach meets the American Red Cross standard on placement and response time. He did suggest that the one stand could be shifted further to the right on the beach at some point to make it closer to the middle. Regarding the tents, any structure larger than 10x10 would need a permit from the Building Department. The

Recreation Department issues beach permits and there is a list of requirements that permit holders must follow. He is not sure about a policy regarding recreational tents. Recreation staff does try and make sure that the tents are secured after they are put up. If Ms. Gunnerson sees something of concern, Mr. Losey encouraged her to contact the Recreation Department. Mr. McGrail added that the Recreation and Youth Commission can be contacted as well with any issues.

G. Department of Public Works

DPW Director Link Hooper presented highlights from the Department of Public Works. The DPW's mission is to provide the highest quality public service to residents, businesses, and visitors in a cost-efficient manner, encompassing snow and ice removal, stormwater drainage, road construction and maintenance, solid waste and recycling management, and upkeep of town-owned parks, athletic fields, beaches, cemeteries, and public buildings. The department is organized into seven divisions — Highway, Disposal, Parks, Cemetery, Facility Maintenance, Vehicle Maintenance, and Custodial Services — which operate as a coordinated team. On beach operations, the DPW maintains 22 town-owned beaches, with five — Red River, Pleasant Road, Earle Road, Bank Street, and Brooks Road — receiving surf rake cleaning several times per week. During the summer season, from Memorial Day through Labor Day, 88 trash cans are deployed across 38 locations and collected daily, seven days a week. The town's 11 public restrooms are typically open from May 1 through Columbus Day, with beach comfort stations cleaned twice daily under contract. The Disposal Area is open seven days a week from 8 a.m. to 4 p.m. and accepts municipal solid waste, recycling, and construction and demolition debris. Residents without a permit may pay a \$10 gate fee for access, and free compost, woodchips, and manure are available for the taking. The Treasure Chest swap shop operates Fridays through Sundays, 9 a.m. to 3 p.m., with a \$5 sticker required. Mr. Hooper also noted that while road work is generally avoided during the summer months, residents may observe activity on side roads in East Harwich related to the ongoing sewer project. All affected roads will be resurfaced at the conclusion of each project phase.

John Schiller from 12 Squantum Path was present and said that he lives on a private dirt road that has more potholes than many of the paved streets have. He asked if there is any support or services available for their private road, adding that he paid \$1600 to have potholes filled in on his road.* His other question is that during this past season of winter storms, their street sign was found to be missing. When they called the DPW, they were told that private roads only get one street sign a lifetime and that they would be responsible for paying for a new one. Mr. Hooper responded that he also lives on a private road where he and his neighbors are responsible for road maintenance. A previous Select Board had requested that he draft a private road snow policy, which they did. The DPW does inspect the roads to check for minimal standards when it comes to snow plowing services. Unfortunately, private roads are private property. Anytime a road owner fixes their roads, they can call the DPW for an inspection at any time. They cannot allocate public funds for private properties, and that goes for the street signs as well. The DPW also has a vendor that they can direct private road property owners to.

Denise Schiller from 12 Squantum Path was present and said that not replacing a sign is a danger because if an ambulance is trying to find someone, it is harder without the street sign. Ms. Schiller feels that having a street identified with a street sign is a basic necessity.

H. Water/Wastewater Department

Water and Wastewater Director Jason Trepanier presented an overview of department operations. The department operates under the direction of a five-member Board of Water and Wastewater Commissioners and employs sixteen full-time staff across Administration, Treatment, and Distribution Operations. Staff oversee 10,369 water service connections, fourteen pumping stations, five treatment facilities, and three water storage tanks with a combined capacity of 3.5 million gallons. Off-season daily water demand averages approximately 1 million gallons per day, increasing significantly to between 6 and 7.5 million gallons per day at peak season. In 2025, the department pumped a total of 785 million gallons. The wastewater collection system currently includes five sewer pumping stations directing flow to the Chatham Wastewater Treatment Facility. There are 393 active sewer connections, with 98 additional connections slated for Phase 2. Phase 3 construction will add 560 connections and Phase 3A will add 274, bringing the projected total to 1,325 connections. Mr. Trepanier noted that a water restriction is currently in effect due to ongoing drought conditions and encouraged residents to visit harwichwater.com for details on watering guidelines and the annual Consumer Confidence Report on drinking water quality. On capital projects, the department is planning the replacement of a ten-inch water main along Route 28 from the Dennis/Harwich town line to South Street, to be completed in two phases. Phase 1, led by MassDOT, will cover the stretch from the town line to the Herren River Bridge beginning in September 2026. Phase 2, overseen by the Harwich Water Department, will cover the Herren River Bridge to South Street near Harwich Port, with a start date of September 8, 2026. No construction will occur on Route 28 during the summer months. A public outreach meeting is scheduled for August 20, 2026 at 6:00 p.m. in the Griffin Room.

I. Brooks Free Library

Brooks Free Library Director Mark Ziomek introduced himself to the board, noting that he began as library director in April, succeeding longtime director Ginny Hewitt, who retired in March. Prior to relocating to the Cape in 2019, he held positions at several federal libraries in Washington, D.C., including the Library of Congress, the United States Holocaust Memorial Museum, and the National Library of Medicine. He began his career as a library page at the North Amherst Public Library in Western Massachusetts. Mr. Ziomek expressed appreciation for the library's dedicated staff, engaged Board of Trustees, and the central role Brooks Free Library plays in the Harwich community. He highlighted the library's wide range of services, including books in all formats, DVDs, newspapers, magazines, and online resources accessible through the CLAMS network of 38 Cape and Islands libraries. Library cardholders may also borrow mobile hotspots, museum passes, pickleball equipment, and a mahjong set, among other items. On programming, Mr. Ziomek reported a highly successful summer season for children's program— including magic shows, story time with the Harwich Mariners, and craft activities — with capacity reached on a regular basis. He noted that developing a robust adult programming calendar is among her top priorities for the fall and highlighted a September program already generating significant interest: a book discussion and author Q&A with Joseph Lee, an Aquinnah Wampanoag author selected by the Massachusetts Center for the Book, whose work *Nothing More of This Land* explores Indigenous identity. Additional fall programming will include events tied to Cape Cod Clean Water Week, author talks, and concerts. Residents can stay informed through the library's monthly newsletter or Wowbrary, a new tool for tracking recent acquisitions. Mr. Ziomek also expressed his intent to deepen collaboration with town departments including Conservation and Natural Resources, as well as organizations such as the Harwich Conservation Trust and Harwich Historical Society. He concluded by announcing that development of a new long-range plan is a

high priority, with the process expected to begin this fall in partnership with the Board of Trustees and staff, and with opportunities for public input through surveys and community forums.

Gwen Daks from 18 Harbor Way was present and asked if the library takes donations. Mr. Ziomek responded that they do, as does the Friends of Brooks Free Library.

Ed Costello from 79 Shore Road was present and wanted to talk about Grey Neck Road Beach. He talked about the history of the renourishment of the beach. For 10 years, he feels that it was done beautifully, but this year, the nourishment was done differently and did not have the same results. He suggested that next year, we go back to the old system, where the sand was pumped onto the beach and the pipe was placed in the right direction.

A resident from Wyndemere Bluffs Road was present and requested to have the name of this meeting changed to the Seasonal Resident Taxpayer Meeting.

Marie Gunnerson was present and thanked the Select Board for holding this event.

A resident from 192 Headwaters Drive was present and asked for information about the Marceline property at the Headwaters/Route 124 intersection on the Northside of Route 6. The last Cape Cod Chronicle article that she read was vague about the use of the property and she wondered if the town had any information on plans for the parcel. Mr. McGrail responded that he has reached out to the realtor who is selling the property and all that he has been told is that the property is under agreement. Mr. McGrail added that there is a 100% chance that whatever the proposed use is for the property will have to go through some version of regulatory review. No information has been released to the town at this time.

Bill Holley from Cross Street was present and said that he knows there was a previous discussion about different tax rates for residents versus non-residents. Mr. Piekarski commented that the Select Board is not entertaining that at this time.

TOWN ADMINISTRATOR'S REPORT

Mr. McGrail reported the following contracts and agreements executed since the last meeting. He signed a \$65,499.90 contract for a new 2026 Ford F-150 for Public Works, equipped with emergency lighting, a radio console, and toolbox, to replace the department's 2015 vehicle with 180,000 miles; the truck is on order with delivery pending, coming in under the \$80,000 approved at Town Meeting. He also signed a grant agreement with Outer Cape Health Services for peer support and overdose-referral services for residents struggling with substance use disorder, running July 2026 through June 2027 at \$3,098 per month (approximately \$37,174 annually), funded through opioid settlement funds. A \$6,300 contract with BETA Group, Inc. was signed for pre-design work on a proposed splash pad at the Community Center, covering a site walk, conceptual design, and cost estimate, with a Recreation & Youth Commission workshop planned for late July or early August and completion expected within two months. Mr. McGrail signed a \$55,854 contract with NorthEast Rescue Systems for structural firefighting gear — coats, pants, boots, and helmets — for new and current firefighters, procured via state contract and funded through the FY27 operating budget. A \$21,847.03 contract with Hub Technical Services LLC was executed to migrate the Police Department off the unsupported Windows Server 2012 to a current system, using funds from a 2025 Town Meeting article. He signed an agreement with HandUp US

LLC through July 2028 for recycling resident-dropped-off mattresses and box springs at \$24.50 each, with an estimated annual cost of \$75,000 depending on volume. Finally, he signed a \$68,225.20 contract with Colonial Municipal Group for a new 2027 Ford F-150 for the Natural Resources Department, equipped with emergency lighting, a radio console, and field equipment, also under the \$80,000 approved at 2026 Town Meeting. Mr. McGrail is pleased to welcome several new employees to the Town. Caroline Scotti has joined the Town Clerk's Office as Executive Assistant, and Rhys Phillips, who had been serving in an interim capacity, has been appointed Executive Assistant in the Health Department. In the Department of Public Works, we welcomed Luiza Costa as Building Custodian and Shane Mendoza as Facilities Maintenance Manager. Jennifer Sprague joins us as Assistant Town Accountant. Linda Kelley has transferred from the Council on Aging to Recreation as Program Specialist II, and Tiffany Wright has joined the Cultural Affairs Building as Program Aide. We are glad to have them all as part of the Town team.

Mr. McGrail took a moment to recognize a very special member of our community. Helen Szymkowicz was born in January 1921 and celebrated her 105th birthday earlier this year. On behalf of the Select Board and the residents of this town, I want to extend our warmest congratulations to Helen and to her family. Happy birthday, Helen — we are honored to have you in our community.

Mr. McGrail recognized our Harwich Mariners on a fantastic 2026 season. The Mariners finished third in the Cape Cod Baseball League's Eastern Division and have secured a spot in the postseason tournament, giving Harwich plenty of exciting summer baseball. We're proud of the team, proud of the volunteers and host families who make this program possible, and grateful that Harwich continues to be a home for some of the best amateur baseball in the country.

A. Weekly Briefing

Mr. McGrail reviewed the Phase 3 and Phase 3A update as provided in the packet.

CONSENT AGENDA

Mr. Handler requested to remove D and E under Item E. The board agreed.

- A. Approve Select Board Meeting minutes from July 27, 2026
- B. Vote to appoint Election Workers from names submitted by the Harwich Democratic and Republican Town Committees
- C. Vote to accept the resignation of Emily Brutti from the Community Preservation Committee (Planning Board Representative) effective immediately
- D. Vote to accept the resignation of Emily Milan from the Voter Information Committee effective immediately
- E. Vote to approve the following committee appointments as recommended by the Interview Committee:
 - a. Peter McAvoy, Waterways Committee, full member, term to expire June 30, 2028
 - b. Ryann Zabielski, Recreation & Youth Commission, full member, term to expire June 30, 2027

- c. Doug Gorman, Waterways Committee, full member, term to expire June 30, 2028
- d. Nichole Miranda, Board of Health, alternate member, term to expire June 30, 2027
- e. Mark Coleman, Board of Health, full member, term to expire June 30, 2029
- F. Vote to accept a gift to the Harwich Recreation Department in the amount of \$125.00 from The Lions Club of Dennis Harwich Foundation
- G. Vote to accept a gift to the Harwich Recreation Department in the amount of \$300.00 from Sweet Izzy

Mr. Handler moved to approve the consent agenda with the exception of items d & e under interview committee appointments, 2nd by Ms. Doucette and approved 5-0-0.

Mr. Handler wanted to begin by saying that his comments have nothing to do with the 2 Board of Health appointees, and that he knows both and both would be assets to the Board of Health. On June 22, 2026, the town lost 2 Board of Health members, due to an influence by a Select Board member. Since that time, Mr. Handler has been asking to have this topic as an agenda item so the board can to work to improve their process. He added because this conversation has not happened, he cannot vote in support or opposition of these agenda items, and he will be abstaining. Mr. Howell responded that the board keeps blundering in the same conversation and that there was never a time that the interview committee was going to recommend appointing someone else. Mr. Howell felt that they were not supposed to drag anyone, including special town employees, publicly. It was only to discuss the members behavior and nothing else.

Mr. Handler moved to approve the Board of Health member appointments as presented in the packet, 2nd by Mr. Howell and approved 4-0-1 (Handler abstained).

Sharon Pfleger was present and asked Mr. Howell if he told any of his other board members what the alleged behavioral issue was and if the Select Board members asked Mr. Howell what the issue with Mr. DuPont was. Mr. Piekarski said that while he could not speak for any other members, he did not follow up with anyone. Ms. Pfleger feels that it is deplorable that there are Select Board members who are not willing to find out what is going on. Mr. Piekarski said that he respectfully disagrees. Mr. Handler commented that this conversation is exactly why he wants to have this topic as a future agenda item. Mr. Piekarski added that when this agenda item comes up, it will not be a conversation about one specific situation that occurred.

PUBLIC HEARINGS

- A. Public Hearing – Discussion/vote of an application for a Change of Stock and a Change of Officers/Directors/LLC Managers for the Annual Off-Premise Wine & Malt Package Store & Seasonal Off Premise All Alcohol Package Store held by Maulik Corporation d/b/a Value Mart, Bahecharbhai Patel, Manager, 435 Route 28, Harwich.

Mr. Handler read the public hearing notice.

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

Attorney Sydney Prokos was present remotely to represent the applicant. Bahecharbhai Patel, Manager was present in person.

No public comment was heard.

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

Mr. Handler moved to approve the application for a Change of Stock and a Change of Officers/Directors/LLC Managers for the Annual Off-Premise Wine & Malt Package Store & Seasonal Off Premise All Alcohol Package Store held by Maulik Corporation d/b/a Value Mart, Bahecharbhai Patel, Manager, 435 Route 28, Harwich, 2nd by Mr. Howell and approved 5-0-0.

OLD BUSINESS

A. Discussion/vote regarding Town Administrator goals and evaluation process

Mr. McGrail briefly reviewed what was provided in the packet.

Mr. Handler move to approve the Town Administrator Goals and evaluation process with the elements as stated, 2nd by Mr. Howell and 5-0-0.

B. Discussion/vote to authorize the Chair to sign affordable housing regulatory agreement for 5 Bells Neck Road

Mr. McGrail reviewed the document as provided in the packet.

Mr. Handler moved to authorize the Chair to sign affordable housing regulatory agreement for 5 Bells Neck Road, 2nd by Mr. Kelleher and approved 5-0-0.

NEW BUSINESS

A. Discussion/vote to create goals and objectives for an upcoming strategic planning session

Mr. McGrail presented a framework for developing a multi-year strategic plan for the Town of Harwich. The session was structured as a kickoff to a phased planning process, with the goal of identifying Focus Areas before a September Select Board retreat. Staff explained that a strategic plan is a short written set of shared priorities — not a to-do list or budget document — that guides budget, staffing, and policy decisions across multiple years. The plan is designed to provide continuity across Board elections and staff turnover and is reviewed annually against key performance indicators. A five-phase roadmap was presented: (1) tonight's kickoff and Focus Area review; (2) staff drafts Goals and Objectives under each Focus Area through August–September; (3) Select Board Retreat in September to set Goals, Objectives, and Initiatives; (4) a written plan drafted in Fall 2026, synchronized with the Comprehensive Wastewater Management Plan (CWMP), Capital Plan, and Financial Policies; and (5) formal Board adoption in Winter 2026/27, with KPIs defined and a goal-alignment matrix integrated into the FY28 budget process. Staff proposed five illustrative Focus Areas for Board reaction which include Fiscal Sustainability — Policy guidance on levy strategy, reserve levels, debt tolerance, and capital investment in light of the MRSD assessment, Water Infrastructure — Direction on CWMP adoption, sewer extension priorities, and recharge strategy, coordinated with Dennis and Chatham, Town-wide Infrastructure — A 15–20 year vision for Town buildings, roads, and network infrastructure, matched to

available funding sources, Community Engagement — How to reach residents early and broadly on significant decisions, ensuring broad representation beyond those already engaged and Land Use, Growth & Economic Development — Direction on zoning modernization (Form-Based Code), economic development, harbor and waterways policy, and entertainment, liquor, and municipal leasing policy. The Board was asked to confirm, rename, or combine the proposed Focus Areas; flag anything missing; and agree that staff will draft Goals and Objectives under each area in advance of the September retreat. KPIs, plan-document synchronization, and budget alignment work are deferred to later phases.

Mr. Howell said that he is still the towns representative on the Clean Water Trust board at the county and that he is a big fan of the sewers. He feels that the sewer criteria is somewhat rigged because the state requires towns to follow whatever mechanisms that they approve. Harwich will still be on the hook for testing nitrogen flows in the future and Mr. Howell does not want to raise anyone's expectations that we will stop sewerage.

Mr. Kelleher asked for clarification on what the upcoming budget summit will be. Mr. McGrail responded that the summit would be a kickoff to the FY28 budget seasons.

Ms. Doucette feels that what is being presented is a good start.

Mr. Handler likes the concept at this point and asked if the board is looking to give other potential areas of focus. Following the meeting with the Regional Commissioners, Mr. Handler hopes that they regional government will get more involved with the towns to have a greater voice in Boston. He does not want to sit back and let things go the way that they have been going.

Mr. Piekarski wants to continue to work on the community engagement section and see what we can come up with.

- C. Discussion/vote to appoint a Hearing Officer and to conduct a Public Hearing for an alleged entertainment/liquor license violation that occurred on July 17, 2026, at Perks, 545 Route 28

Mr. Handler moved to appoint the Town Administrator as the Hearing Officer and to conduct a Public Hearing for an alleged entertainment/liquor license violation that occurred on July 17, 2026, at Perks, 545 Route 28, 2nd by Mr. Howell and approved 5-0-0.

- D. Discussion/vote to appoint a Hearing Officer and to conduct a Public Hearing for an alleged entertainment/liquor license violation that occurred on July 26, 2026, at Perks, 545 Route 28

Mr. Handler moved to appoint the Town Administrator as the Hearing Officer and to conduct a Public Hearing for an alleged entertainment/liquor license violation that occurred on July 26, 2026, at Perks, 545 Route 28, 2nd by Mr. Howell and approved 5-0-0.

- E. Discussion/vote on special permit application for a one day entertainment and one day wines & malt permit for Taylor Fox for an event to be held on August 22, 2026 from 3:00 p.m. – 6:00 p.m., event to be held at 204 Sisson Road

Mr. Handler moved to approve a special permit application for a one day entertainment and one day wines & malt permit for Taylor Fox for an event to be held on August 22, 2026 from 3:00 p.m. – 6:00 p.m., event to be held at 204 Sisson Road, 2nd by Mr. Howell and approved 5-0-0.

- F. Discussion/vote on special permit application for a one day entertainment and one day wines & malt permit for Joe Young IV/Big Sound Productions, LLC for an event to be held on October 24, 2026 from 3:30 p.m. – 7:15 p.m., event to be held at 204 Sisson Road

Mr. Handler moved to approve a special permit application for a one day entertainment and one day wines & malt permit for Joe Young IV/Big Sound Productions, LLC for an event to be held on October 24, 2026 from 3:30 p.m. – 7:15 p.m., event to be held at 204 Sisson Road, 2nd by Mr. Howell and approved 5-0-0.

- G. Discussion/vote on KP Law Retainer Proposal

Mr. Piekarski said that this is a topic that was talked about when the law firms came before the Select Board to interview. He added that after reviewing the information provided, he likes option c the best. While we might be married to the decision for a year, the board can come back and change things up.

Mr. McGrail recommended the Select Board authorize Fee Option C ("Fixed Fee Plus") from KP Law's FY27–FY28 price proposal, effective FY27. Under Option C, the Town would pay a flat \$168,000/year (\$14,000/month), which covers all routine Town Counsel services plus the first \$25,000 of any litigation or adversarial matter. Excluded from the flat fee are labor/employment matters, litigation costs exceeding \$25,000 per matter, and Specialty Legal Services (such as 40B comprehensive permit work and bylaw revision). Modeling Option C against actual KP Law billing from January–June 2026 showed a modeled cost of \$125,239 versus actual billings of \$135,123 — a modest savings of approximately \$9,884. More importantly, the Town's litigation load has historically stayed well under the \$25,000-per-matter cap, making the primary benefit budget predictability rather than significant cost reduction. Option C is essentially cost-neutral compared to the current hourly arrangement while eliminating exposure to rate increases and litigation volume fluctuations. Mr. McGrail noted he will continue tracking Specialty Legal Services (particularly 40B matters) separately, as that category has been the fastest-growing cost driver over the past three years and remains a variable expense regardless of which base fee option is selected.

Ms. Doucette said that she is happy with what is being presented.

Mr. Handler thanked Mr. McGrail for putting together the data packet. He would support the request at this time, knowing that the board would only be married to it for one year.

Mr. Kelleher agreed with his colleagues.

Mr. Howell said that he agrees with all the comments that have been made. He added that not only the fee structure would be reviewed annually, but that the actual appointment of counsel would be reviewed.

Mr. Handler moved to approve the KP Law retainer as presented as highlighted option c in the packet, 2nd by Mr. Howell and approved 5-0-0.

CONTRACTS

- A. Vote to approve the 2026 Community Preservation Act Agreement with West Harwich Group, Inc. for the Exterior Renovation of the Historic West Harwich Baptist Church Project in the amount of \$667,500

Mr. Handler moved to approve the 2026 Community Preservation Act Agreement with West Harwich Group, Inc. for the Exterior Renovation of the Historic West Harwich Baptist Church Project in the amount of \$667,500, 2nd by Mr. Howell and approved 5-0-0.

- B. Vote to approve the 2026 Community Preservation Act Agreement with the Harwich Conservation Trust for the Robbins Pond Woodlands Land Protection Project in the amount of \$225,000

Mr. Handler moved to approve the 2026 Community Preservation Act Agreement with the Harwich Conservation Trust for the Robbins Pond Woodlands Land Protection Project in the amount of \$225,000, 2nd by Mr. Howell and approved 5-0-0.

- C. Vote to approve a contract with Hub Technical Services, LLC for installation of networking infrastructure for the Cultural Arts Municipal Building (204 Sisson Road) in the amount of \$90,285.15

Mr. Handler moved to approve a contract with Hub Technical Services, LLC for installation of networking infrastructure for the Cultural Arts Municipal Building (204 Sisson Road) in the amount of \$90,285.15, 2nd by Mr. Howell and approved 5-0-0.

- D. Vote to approve a contract with Consolidated Trust & Equipment for a vehicle replacement to furnish and equip a 2027 Mack Road Tractor in the amount of \$197,475

Mr. Handler moved to approve a contract with Consolidated Trust & Equipment for a vehicle replacement to furnish and equip a 2027 Mack Road Tractor in the amount of \$197,475, 2nd by Mr. Howell and approved 5-0-0.

- E. Vote to approve a contract with Colonial Municipal Group for a vehicle replacement to furnish and equip a 2027 Ford F-450 one ton dump truck in the amount of \$125,861.40

Mr. Handler moved to approve a contract with Colonial Municipal Group for a vehicle replacement to furnish and equip a 2027 Ford F-450 one ton dump truck in the amount of \$125,861.40, 2nd by Mr. Howell and approved 5-0-0.

- F. Vote to approve a contract with Colonial Municipal Group for a vehicle replacement to furnish and equip a 2027 Ford F-600 hook lift truck in the amount of \$175,985.40

Mr. Handler moved to approve a contract with Colonial Municipal Group for a vehicle replacement to furnish and equip a 2027 Ford F-600 hook lift truck in the amount of \$175,985.40, 2nd by Mr. Howell and approved 5-0-0.

G. Vote to approve and authorize the Chair to sign the Massachusetts 2026 Interagency Mutual Aid Agreement

Chief of Police Kevin Considine was present and reviewed the request.

Mr. Handler moved to approve and authorize the Chair to sign the Massachusetts 2026 Interagency Mutual Aid Agreement, 2nd by Mr. Howell and approved 5-0-0.

SELECT BOARD MEMBER REPORT

Mr. Handler said that he will be hosting his officer hours on September 8, 2026 from 7:30 a.m. – 8:45 a.m., location to be determined.

Mr. Kelleher took a tour of the Monomoy Middle School project and commented that the contractor is working 2 shifts and on Saturdays to keep the project moving forward.

Mr. McGrail stated that the first Monomoy Regional School Working Group meeting is next Thursday night in Chatham.

CORRESPONDENCE

No correspondence was discussed.

ADJOURNMENT

Mr. Howell moved to adjourn the regular meeting of the Select Board at 9:02 p.m., 2nd by Mr. Kelleher and approved 5-0-0.

Respectfully submitted,


Jennifer Clarke
Executive Assistant

