MINUTES
SELECT BOARD MEETING
Monday, May 12, 2025
Donn B. Griffin Room, Town Hall
732 Main Street, Harwich, MA
Executive Session 5:00 P.M.
Regular Meeting 6:00 P.M.

MEMBERS PARTICIPATING: Jeff Handler, Chair, Michael MacAskill, Vice Chair, Peter Piekarski, Clerk and Julie Kavanagh

MEMBER NOT PARTICIPATING: Don Howell

ALSO PARTICIPATING: Joseph Powers, Town Administrator

I. CALL TO ORDER

Mr. Handler called the meeting of the Harwich Select Board to order on Monday, May 12, 2025, at 5:00PM noting that they would be entering into Executive Session and returning no earlier than 6:00PM.

Mr. Piekarski moved to enter into Executive Session as presented. Seconded by Ms. Kavanagh.

Vote: 4:0 in favor by roll call vote. Motion carried.

II. EXECUTIVE SESSION

A. 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 March 17, 2025, March 24, 2025, and March 31, 2025
B. Pursuant to MGL c.30A section 21 (a)(3) to discuss strategy with respect to collective bargaining for all town unions and non-union personnel and or contract negotiations with non-union personnel and the Chair has determined that open session would have a detrimental effect on the town's bargaining position
C. Pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and to conduct contract negotiations with non-union personnel: Finance Director

Mr. Handler called the Select Board meeting for May 12, 2025, back to order noting that while in Executive Session action was taken on item A., approving the Minutes.

III. PLEDGE OF ALLEGIANCE

Mr. Handler invited all attendees to join in the Pledge of Allegiance.

IV. STAFF COMMENTS/ANNOUNCEMENTS

A. Annual Town Election, Tuesday, May 20, 2025, at the Harwich Community Center

Emily Mitchell, Town Clerk gave details of the Annual Town Election Day as well as early voting by mail and voting by absentee ballot.

Ellie Gerson, Clerk of the Treasure Chest Committee noted the schedule from Memorial Day weekend through Labor Day weekend.

B. Memorial Day Ceremony, Monday May 26, 2025, at 9:30 am, at Brooks Park

Mr. Handler noted that Mr. Howell will be presiding for the Select Board at the Memorial Day Ceremony and gave the details of the ceremony.

Mr. Handler noted that he will be starting the Select Board member office hours again. Dates and times to be announced.

V. WEEKLY BRIEFING

Mr. Powers noted the next two weeks of work for the Phase 3 Sewer Extension for East Harwich, noting areas of work, traffic detours and impacts.

Patrick Otton requested the hours of operation that the work is being done.

Mr. Powers replied that, per the contract, the work begins no earlier than 7:00AM and ends no later than 7:00PM.

VI. PUBLIC COMMENTS/ANNOUNCEMENTS

Marjorie Piest of Orleans Rd. spoke of behalf of senior citizens regarding the process for purchasing beach passes. She expressed concern that the process, dates and restrictions are unfair to senior citizens, and she explained why. She also noted that many people are not aware of the changes.

Terry Canavan spoke on behalf of the people who cannot purchase stickers online and noted the difficulties of purchasing on July 1st. She asked that the Board allow people to purchase their stickers prior to July 1st and at their convenience.

Margarite Heffernon spoke against having to purchase stickers online and not until July 1st. She expressed that she feels it is unfair and she explained why.

Matt Sutphin of Harwich Center asked if the Board would permit people to speak to specific Agenda items.

Mr. Handler replied that there will not be public input for the Town Meeting Recap. That will be a recap from the Board.

Mr. Sutphin commented that the Select Board got a positive response at Town Meeting to hire a Tree Warden. He asked if the Board was going to be proactive and find the funds for a Tree Warden.

Patrick Otton of East Harwich referred to the Cape Cod Commission's study called Vision Zero. He suggested that the Board become familiar with the study before adding more buildings and more residents and explained why. He asked that Vision Zero be included on the Board's Agenda in the future.

Anita Doucette, President of the Harwich Historical Society invited the Select Board to their annual meeting, noting the date and time. The Society would like the Board to attend see how Brooks Academy and the rooms look. She thanked the people involved with setting up the displays in the rooms.

Mr. MacAskill noted that he has received many complaints regarding the stickers. He stated for the public that that is not a Select Board decision, it was done internally. He asked Mr. Handler to have a conversation with Administration when they meet this week to discuss other options and have this item on next week's Agenda.

Mr. Powers noted that the Board's policy regarding Public Comments does not have them getting into a conversation. He added that if they are waiving that policy, he can speak to the matter regarding stickers.

Mr. Handler explained the Public Comment Policy to the public.

Ms. Heffernon requested that Mr. Handler ask, when he discusses stickers, what people are supposed to do about going to the places where stickers are required.

Ms. Canavan commented that her check for her sticker is still in the building, and she wouldn't mind if someone brought her a beach sticker.

VII. CONSENT AGENDA

A. Approve the resignation of Robert Doane as the Historic District and Historical Commission Representative on the Community Preservation Committee effective May 31, 2025

B. Vote to appoint John Harker to the Barnstable County Dredge Sub-committee with a three- year term June 1, 2025, to December 31, 2027

C. Vote to appoint William Neiser as alternate to the Barnstable County Dredge Sub-committee with a three-year term June 1, 2025, to December 31, 2027

Mr. Piekarski moved to approve items A., B. and C. as presented. Seconded by Mr. MacAskill.

Vote: 4:0 in favor. Motion carried.

D. Approve the following Select Board Meeting Minutes:

1. April 16, 2025
2. April 28, 2025

Mr. Piekarski moved to approve the Board Minutes of April 16, 2025, as written. Seconded by Mr. MacAskill.

Vote: 4:0 in favor. Motion carried.

Mr. Piekarski moved to approve the Board Minutes of April 28, 2025, as amended.

Ms. Kavanagh and Mr. Handler each noted a misspelling to be corrected.

Vote: 4:0 in favor. Motion carried.

Mr. Handler thanked Mr. Doane for his work on the Historic District and Historic Commission.

VIII. NEW BUSINESS

A. Approve a temporary closure for Brax Landing, 705 Route 28, Harwich Port, closing May 5, 2025, through May 19, 2025

Mr. Piekarski moved to approve a temporary closure for Brax Landing, 705 Route 28, Harwich Port, closing May 5, 2025, through May 19, 2025. Seconded by Mr. MacAskill.

Mr. Piekarski noted that the request is for a septic replacement.

Mr. Handler noted that there was an attempt to request this sooner but Town Meeting interfered.

Vote: 4:0 in favor. Motion carried.

B. Debrief on 2025 Annual Town Meeting

Ms. Kavanagh thanked Administration for all their efforts and hard work. She commented that it was a productive Town Meeting.

Mr. Piekarski noted his appreciation for the people who attended Town Meeting and commented that the Board also represents those who could not attend. He also noted the discussion regarding the actual Budget and hopes it continues in the future.

Mr. Handler thanked Mr. Powers for eight very successful Town Meetings. He also thanked staff for their outstanding job and the Select Board for putting the Warrant together. He also noted and thanked the Finance Committee as well as the voters. Mr. Handler commented that Town Meeting went exactly as it was supposed to with informed voters and great questions. He also noted that the Tree Warden Article got overwhelming support, and he will agenda that item as well as others.

Mr. Powers noted that tomorrow is the Department head meeting when they begin the work of getting into FY2026. He noted the specific next steps. He agreed that it was a successful Town Meeting and commented that he appreciated the support they all received from the Town.

Mr. Handler expressed respect and appreciation for all the voters who spoke to the Articles at Town Meeting.

C. Discussion on Interim Town Administrator; votes may be taken

Mr. Handler asked for input from the Board regarding appropriate next steps.

Ms. Kavanagh suggested moving Meggan Eldredge, Assistant Town Administrator (ATA) into the position of Interim Town Administrator (ITA).

Mr. Piekarski suggested having a broader conversation, noting subjects for the Board to discuss including bringing in a search firm and having a committee of residents participate in the search.

Mr. MacAskill agreed that it should be a much longer conversation. He noted that there will be two new Board members in a few weeks and suggested possibly waiting until then to have further conversation. He commented that if they hire a search firm, which firm they hire should be a Board's decision. Mr. MacAskill also noted that compared to other Cape towns for Town Administrator salaries, Harwich is on the low end of the spectrum. He clarified that he is not looking for a search firm for the Interim Town Administrator but for the process in general.

Ms. Kavanagh noted a previous time when the ATA moved into the position of ITA. She commented that tabling the discussion doesn't preclude them going to a search firm, in a separate conversation, for a Town Administrator. She questioned why they would change the process.

Mr. Handler referred to the Charter that states that when a Town Administrator seat is vacated, the Assistant Town Administrator shall become the Acting Town Administrator.

Mr. Powers noted that Mr. Handler was referring to Chapter 4 and the Acting Town Administrator. He explained that when there is a vacancy, the ATA can be the Acting TA and it also states that it could be another person.

Mr. Handler clarified that if the ATA does not fill that role, there would be action needed by the Select Board.

Mr. Powers noted the other option of the ATA filling in, in the absence of the TA.

Mr. Handler noted that if there is no action taken by the Board by June 30 or July 1, the ATA would, by default, step into the role of TA.

Mr. MacAskill commented that the ATA has done an excellent job and is very capable of sitting in the seat of ITA but he would like to hear her say if she wants to. He would like to know the Board's plan to take her role, so Ms. Eldredge has the support she needs. Mr. MacAskill also noted that if the ATA steps into the role of ITA, there will be people won't apply because an internal candidate may get the job. He feels they have time to have those conversations.

Mr. Piekarski commented that if the ATA takes on the role of ITA and wants the Town Administrator's role, it may impact some of the consultants from having an interest in working with the Town. He commented that more conversations need to be had because one affects the other. Both the ITA and TA have to be part of the same conversation.

Mr. Handler commented that he feels differently about some of the comments but agrees that more conversation needs to be had. He also noted that Select Board member Howell should be part of those conversations.

D. Discussion on the Town Administrator Search; votes may be taken

Mr. Handler commented that they will need some direction and asked for more information about a search committee.

Mr. MacAskill commented that what direction they take is a Board decision and if they get a search firm, he would like their thoughts and recommendations on what the community piece may be.

Mr. Handler referred to an email that included a list of four search firms for the Board to review. He will include this item on next Monday's Agenda.

Ms. Kavanagh commented on the positive experience of being part of a search committee for the last TA. She suggested that if they go with a search firm, they be realistic about the applicant's wherewithal to be committed to the community.

Mr. Piekarski noted previous conversations he had with search firms and explained the process that ends with the list of finalists going to the Select Board for them to make the final decision. He also noted that the firms were willing to have a conversation with the Board explaining their process. He would like to know how the search firms feel about a search committee.

Mr. Handler noted that they can discuss deliverables and dates at the next meeting. He also noted that Town Counsel forwarded to him, what she considers to be best practices.

IX. OLD BUSINESS

A. Vote to approve a Special Permit application for an event for W. Patrick Lentell/Second Summer Cycle, Inc., to be held on September 14, 2025, from 8:30 a.m.11:30 a.m., for a cycling event that will ride through the Town of Harwich

Mr. Handler noted that there had previously been questions about road closures. There were Harwich Officers present to answer questions.

Deputy Chief Hutton explained that the race does not involve road closures. There are 6 places that will need detailed officers, and the riders will have to abide by the rules of the road.

Mr. MacAskill moved to approve the Special Permit application as presented. Seconded by Ms. Kavanagh.

Vote: 4:0 in favor. Motion carried.

B. Discussion on the contracted Wastewater Management Consultant, Waterworks LLC; update and next steps; votes may be taken

Mr. Handler noted to Mr. Powers that the contract does not need to be included. He noted an email he had received from Mr. Pelletier and will be reaching out for more information tomorrow.

Mr. MacAskill commented that, given the approval of the Great Sand Lakes Project, it makes sense to go to Chatham and ask if they are interested in opening up negotiations with the Town of Harwich for the flow. He also suggested having a conversation with the Town of Dennis.

Mr. Handler commented that he will wait until after the ballot question before reaching out.

Mr. Piekarski suggested that Mr. Pelletier present the Board with an update of what he has a been doing the last few weeks.

X. CONTRACTS

A. Vote to approve a Memorandum of Understanding with Meals on Wheels

Mr. MacAskill moved to approve a Memorandum of Understanding with Meals on Wheels as presented. Seconded by Ms. Kavanagh.

Vote: 4:0 in favor. Motion carried.

B. Approve the following License Agreements for the Cultural Affairs Programming located at 204 Sisson Road:

* A-06 – Amanda Newcomb/Down Cape Design
* A-04 – Shelma Pierre/Dachie

Ms. Kavanagh moved to approve the following License Agreements for the Cultural Affairs Programming located at 204 Sisson Road: * A-06 – Amanda Newcomb/Down Cape Design * A-04 – Shelma Pierre/Dachie as presented. Seconded by Mr. MacAskill.

Mr. Piekarski asked questions about the number of applicants.

Kara Mewhinney, Director of Cultural Affairs, replied that there were 10 applicants. She explained the process to fill vacancies.

Vote: 4:0 in favor. Motion carried.

C. Discussion and vote to approve a contract extension with Robert B. Our Co., Inc. for catch basin replacement and installation, contract not to exceed $1,000,000

Mr. Powers noted that the numbers have changed since originally presented and the up-to-date numbers are in the memorandum. He recommended that the Board approve the contract.

Ms. Kavanagh moved to approve a contract extension with Robert B. Our Co., Inc. for catch basin replacement and installation, contract not to exceed $1,000,000. Seconded by Mr. MacAskill.

Vote: 4:0 in favor. Motion carried.

XI. TOWN ADMINISTRATOR'S REPORT

Mr. Powers advised the Board of contracts, noting both cost and the funding source.

Mr. Powers spoke generally about the preseason sticker sales versus the sales that will occur during the season. He explained that season stickers are for the fiscal year. He noted what led up to the new procedures and that there was already analysis ongoing for the town to do some sort of in-person sales prior to July 1st. He expects that there will be in-person sticker sales, preseason, for the month of June. Mr. Powers noted details and that there would be more to come. He commented that he appreciates the feedback and concern.

XII. SELECT BOARD MEMBER REPORT

Mr. Piekarski asked that the topic of Town Counsel be on an Agenda within a few weeks regarding the use and expense of the associated use.

Ms. Kavanagh extended her thanks to everyone who helped with Town Meeting.

XIII. CORRESPONDENCE

XIV. ADJOURNMENT

Mr. MacAskill moved to adjourn. Seconded by Mr. Piekarski.

Vote: 4:0 in favor. Motion carried.

Meeting adjourned.

Respectfully submitted,
Judi Moldstad
Board Secretary